

**HOUSE JOURNAL**  
OF THE  
1980 REGULAR SESSION  
**Forty-Sixth Legislature**  
OF THE  
**STATE OF WASHINGTON**  
AT  
**Olympia, the State Capitol**

Convened January, 14, 1980  
Adjourned Sine Die March 13, 1980



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**John A. Bagnariol, Speaker**  
**Duane Berentson, Speaker**  
**John L. O'Brien, Speaker Pro Tempore**  
**Otto Amen, Speaker Pro Tempore**  
**Dean R. Foster, Chief Clerk**  
**Vito T. Chiechi, Chief Clerk**  
**Eljo Sutherland, Minute/Journal Clerk**

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

## FIRST DAY

## NOON SESSION

House Chamber, Olympia, Wash., Monday, January 14, 1980

The House was called to order at 12:00 noon by Speaker Bagnariol. The Clerk called the roll and all members were present except Representative Fancher, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Marie Cottingham and Kelly McClary. Prayer was offered by Father William F. LeRoux, S.J., Dean of College of Arts and Sciences, Professor of Theology, Seattle University:

"Everloving and provident Father, on this historic day, the opening session of the first annual legislative session of the House of Representatives, we ask Your benign blessing on all of the members of this distinguished body and its leaders in a very special way. Give these men and women the strength and the courage to vote wisely and courageously for the good of all the citizens of our State of Washington. Help these legislators to be ever mindful of the less fortunate members of our society—the poor, the elderly, the mentally disturbed, the offenders of law and society. May we always realize that these are real human beings with feelings, hopes, desires and rights. The strength of any society is measured by how it cares for the less fortunate.

"Even though this is an election year, may You, Lord and God, inspire this group of elected officials to vote their consciences, to seek what is for the common good and not for what is politically advantageous.

"As a group we pray for our hostages in Iran, for their safety and speedy return to our beloved country.

"Gracious loving Father, always be with these men and women throughout this session. Grant them wisdom and light. May Christ, the light of the road, be a beacon for all you elected officials as you fulfill your mandates from the people of the State of Washington. Amen."

## MESSAGE FROM THE SECRETARY OF STATE

January 14, 1980

To the Honorable,  
The Speakers of the House of Representatives  
The Legislature of the State of Washington  
Olympia, Washington  
Sirs:

I, Bruce K. Chapman, Secretary of State of the State of Washington, do hereby certify that the following persons were elected to the office of State Representative at the state general election held on the seventh day of November, 1978, as shown by the official returns of said election now on file in the office of the Secretary of State, and that all of the following are entitled to seats in the House of Representatives of the State of Washington at the second regular session of the Forty-sixth Legislature, commencing on the fourteenth day of January, 1980:

| District                      | Representatives       |
|-------------------------------|-----------------------|
| No. 1 Rick S. Bender          | Audrey Gruger         |
| No. 2 Wayne Ehlers            | Phyllis Erickson      |
| No. 3 William J.S. "Bill" May |                       |
| No. 4 Walt O. Knowles         | Ren Taylor            |
| No. 5 Jerry Hughes            | Geraldine McCormick   |
| No. 6 R. M. "Dick" Bond       | Mike McGinnis         |
| No. 7 Scott Barr              | Helen Fancher         |
| No. 8 Ray Isaacson            | Claude L. Oliver      |
| No. 9 Otto Amen               | E. G. "Pat" Patterson |
| No. 10 Joan Houchen           | Sim Wilson            |
| No. 11 John Bagnariol         | Avery Garrett         |
| No. 12 Earl F. Tilly          | Rollie Schmitt        |
| No. 13 S. E. "Sid" Flanagan   | Curt Smith            |
| No. 14 Alex Deccio            | Jim Whiteside         |

|        |                        |                           |
|--------|------------------------|---------------------------|
| No. 15 | Harold Clayton         | Irv Newhouse              |
| No. 16 | Richard "Doc" Hastings | Gene Struthers            |
| No. 18 | Dennis Heck            | Harold S. "Hal" Zimmerman |
| No. 18 | Alan Thompson          | Bob Williams              |
| No. 19 | John Erak              | Carol Monohon             |
| No. 20 | Bill Fuller            | Wilma Rosbach             |
| No. 21 | Gary A. Nelson         | Walt Sprague              |
| No. 22 | Ron Keller             | Myron "Mike" Kreidler     |
| No. 23 | Ellen Craswell         | Rick Smith                |
| No. 24 | Andrew Nisbet          | Brad Owen                 |
| No. 25 | Daniel K. "Dan" Grimm  | George Walk               |
| No. 26 | Dan Dawson             | Barbara Granlund          |
| No. 27 | A. A. Adams            | Jim Salatino              |
| No. 28 | Shirley Winsley        |                           |
| No. 29 | Wendell Brown          | P.J. "Jim" Gallagher      |
| No. 30 | Bob Eberle             | Frank Warnke              |
| No. 31 | John Jovanovich        | Georgette Valle           |
| No. 32 | Joanne Brekke          | R. P. "Dick" Nelson       |
| No. 33 | Dick Barnes            | Eric Rohrbach             |
| No. 34 | Bruce Addison          | Paul Pruitt               |
| No. 35 | Gene Lux               | John L. O'Brien           |
| No. 36 | Helen Sommers          | Joe Taller                |
| No. 37 | John Eng               | Peggy Maxie               |
| No. 38 | Richard "Dick" King    | John Martinis             |
| No. 39 | Jim Mitchell           | Gary Scott                |
| No. 40 | Duane Berentson        | Jerry L. Vrooman          |
| No. 41 | Ron Dunlap             | William M. Polk           |
| No. 42 | Mary Kay Becker        | Roger L. Van Dyken        |
| No. 43 | Bill Burns             |                           |
| No. 44 | Donn Charnley          | Steve Tupper              |
| No. 45 | Rod Chandler           | Delores E. Teutsch        |
| No. 46 | Irv Greengo            |                           |
| No. 47 | Frances C. North       | Marion Sherman            |
| No. 48 | Dan McDonald           | Paul Sanders              |
| No. 49 | Al Bauer               | Shirley Galloway          |

On November 13, 1979, the King County Council appointed Nita Rinehart to the position of State Representative, Forty-third District, to fill the vacancy caused by the resignation of Jeff Douthwaite.

On December 17, 1979, the King County Council appointed William H. Ellis to the position of State Representative, Forty-sixth District, to fill the vacancy caused by the resignation of Scott Blair.

On December 31, 1979, the County Commissioners of Spokane County appointed Lois Stratton to the position of State Representative, Third District, to fill the vacancy caused by the resignation of Margaret Hurley.

On January 7, 1980, the County Commissioners of Pierce County appointed Sally Flint to the position of State Representative, Twenty-eighth District, to fill the vacancy caused by the resignation of Ted Haley.

IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of the state of Washington at Olympia, this fourteenth day of January, 1980.

(Seal)

Bruce K. Chapman,  
Secretary of State.

Speaker Bagnariol appointed Representatives Smith (R) and Newhouse to escort the Honorable Justice Hugh J. Rosellini of the Supreme Court of the State of Washington to the rostrum.

Speaker Bagnariol appointed Representatives Burns, Greengo, Winsley and May to escort Nita Rinehart, William H. Ellis, Lois Stratton and Sally Flint to the rostrum.

## OATH OF OFFICE

Justice Rosellini administered the oath of office and Speaker Bagnariol requested the committee escort Representatives Rinehart, Ellis, Stratton and Flint to their seats in the House Chamber.

Speaker Bagnariol requested the committee to escort Justice Rosellini from the House Chamber.

## MOTION

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

## RESOLUTION

HOUSE RESOLUTION NO. 80-119, by Representatives King and Polk:

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

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

## APPOINTMENT OF COMMITTEE

Speaker Bagnariol appointed Representatives Gruger, Eng, Rosbach and Teutsch to notify the Senate that the House was now organized and ready for business.

## STANDING COMMITTEE APPOINTMENTS

Speaker Berentson announced the following committee appointments:

Representative Bond; Republican Chairman of Committee on Energy and Utilities;  
 Representative Dunlap from Committee on Natural Resources to Committee on Energy and Utilities;  
 Representative Ellis to Committees on Insurance, Judiciary and Natural Resources;  
 Representative Fancher from Committee on State Government to Committee on Appropriations;  
 Representative Flint to Committees on Natural Resources, Social and Health Services and Committee on State Government;  
 Representative McDonald from Committee on Insurance to Committee on Education;  
 Representative Nelson (G) from Committee on Natural Resources to Republican Chairman of Committee on Appropriations;  
 Representative Schmitt from Committee on Local Government to Committee on Financial Institutions;  
 Representative Tupper from Committee on Social and Health Services to Committee on State Government;  
 Representative Whiteside from Committee on Education to Committee on Ecology.

Speaker Bagnariol announced the following Democratic Committee appointments:

Representative Brekke from Committee on Local Government to Committee on Commerce;  
 Representative Gruger from Committee on Social and Health Services to Committee on Appropriations;  
 Representative Keller Democratic Chairman of Committee on Insurance;  
 Representative North from Committee on Rules to Committee on Commerce; Democratic Chairwoman of Committee on Parks and Recreation;  
 Representative Rinehart to Committees on Ecology, Financial Institutions and Revenue;  
 Representative Salatino from Committee on Commerce to Committee on Rules;  
 Representative Smith (R) from Committee on Revenue to Committee on Insurance;  
 Representative Stratton to Committees on Local Government, Parks and Recreation and Social and Health Services;  
 Representative Walk from Committee on Commerce to Committee on Institutions.

## COMMITTEE FROM THE SENATE

Senators Hurley, Haley and Lysen appeared at the bar of the House and reported that the Senate was organized and ready for business.

## MOTION

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

## INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 22, by Representatives King and Polk:

Notifying the governor that the legislature is organized.

On motion of Mr. King, the rules were suspended, and House concurrent Resolution No. 22 was advanced to second reading and read the second time in full.

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

House Concurrent Resolution No. 22 was adopted.

HOUSE CONCURRENT RESOLUTION NO. 23, by Representatives King and Polk:

Calling a Joint Session of the Legislature to receive the governor's message.

On motion of Mr. King, the rules were suspended, and House Concurrent Resolution No. 23 was advanced to second reading and read the second time in full.

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

House Concurrent Resolution No. 23 was adopted.

## APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of House Concurrent Resolution No. 22, Speaker Bagnariol appointed Representatives Monohon, Craswell, Charnley and Flanagan, along with a committee from the Senate, to notify the Governor that the legislature was organized.

## MESSAGE FROM THE SENATE

January 14, 1980

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 118,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 118, by Senators Walgren, Odegaard, Hayner and Scott:

Reintroducing bills and establishing a schedule for the 1980 Regular Session.

On motion of Mr. King, the rules were suspended, and Senate Concurrent Resolution No. 118 was advanced to second reading and read the second time in full.

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

Representatives King and Polk spoke in favor of the resolution.

Senate Concurrent Resolution No. 118 was adopted.

## MESSAGE FROM THE SENATE

January 14, 1980

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 22,

HOUSE CONCURRENT RESOLUTION NO. 23,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. King, the following bills, returned from the Senate and the end of the 1979 Session were referred to the committees designated:

Substitute House Bill No. 171 to Committee on Natural Resources;

Substitute House Bill No. 177 to Committee on Natural Resources;  
 House Bill No. 183 to Committee on Natural Resources;  
 Substitute House Bill No. 210 to Committee on Education;  
 House Bill No. 218 to Committee on Parks and Recreation;  
 House Bill No. 296 to Committee on Revenue;  
 Engrossed House Bill No. 305 to Committee on Constitution, Elections and Governmental  
 Ethics;  
 Substitute House Bill No. 326 to Committee on Revenue;  
 Engrossed House Bill No. 329 to Committee on Transportation;  
 Substitute House Bill No. 363 to Committee on Education;  
 Substitute House Bill No. 436 to Committee on Financial Institutions;  
 Substitute House Bill No. 471 to Committee on Judiciary;  
 Substitute House Bill No. 505 to Committee on Revenue;  
 House Bill No. 514 to Committee on Judiciary;  
 House Bill No. 537 to Committee on Revenue;  
 House Bill No. 540 to Committee on Revenue;  
 Substitute House Bill No. 541 to Committee on State Government;  
 Substitute House Bill No. 578 to Committee on Judiciary;  
 House Bill No. 601 to Committee on Revenue;  
 Substitute House Bill No. 615 to Committee on Judiciary;  
 House Bill No. 625 to Committee on Agriculture;  
 House Bill No. 638 to Committee on Judiciary;  
 Engrossed House Bill No. 642 to Committee on Revenue;  
 Engrossed House Bill No. 672 to Committee on Labor;  
 Substitute House Bill No. 703 to Committee on Revenue;  
 Engrossed Substitute House Bill No. 725 to Committee on Judiciary;  
 Substitute House Bill No. 746 to Committee on Revenue;  
 Engrossed Substitute House Bill No. 748 to Committee on Judiciary;  
 House Bill No. 782 to Committee on Appropriations;  
 House Bill No. 785 to Committee on Appropriations;  
 House Bill No. 836 to Committee on Agriculture;  
 House Bill No. 919 to Committee on Labor;  
 Engrossed Substitute House Bill No. 958 to Committee on Revenue;  
 Substitute House Bill No. 1261 to Committee on Institutions;  
 House Bill No. 1317 to Committee on Revenue;  
 House Joint Memorial No. 4 to Committee on Social and Health Services.

#### MOTION

On motion of Mr. King, the following bills, in House Rules Committee at the end of the 1979 Session, were referred to the committees designated:

House Bill No. 208 to Committee on Judiciary;  
 House Bill No. 235 to Committee on Appropriations;  
 Engrossed Substitute House Bill No. 236 to Committee on Appropriations;  
 House Bill No. 269 to Committee on Revenue;  
 House Bill No. 369 to Committee on State Government;  
 Second Substitute House Bill No. 408 to Committee on Appropriations;  
 House Bill No. 422 to Committee on State Government;  
 House Bill No. 435 to Committee on Financial Institutions;  
 House Bill No. 445 to Committee on Ecology;  
 House Bill No. 468 to Committee on Ecology;  
 Engrossed House Bill No. 555 to Committee on Revenue;  
 House Bill No. 565 to Committee on Parks and Recreation;  
 House Bill No. 682 to Committee on Commerce;  
 House Bill No. 741 to Committee on Appropriations;  
 House Bill No. 784 to Committee on Appropriations;  
 House Bill No. 921 to Committee on Labor;  
 House Bill No. 1066 to Committee on Appropriations;  
 House Bill No. 1142 to Committee on Agriculture;  
 House Bill No. 1155 to Committee on Appropriations;  
 House Bill No. 1160 to Committee on Appropriations;

Engrossed House Bill No. 1221 to Committee on Constitution, Elections and Governmental Ethics.

#### MOTION

On motion of Mr. King, the following bills, in House Rules for second reading at the end of the 1979 Session, were referred to the committees designated:

House Bill No. 32 to Committee on State Government;  
 House Bill No. 158 to Committee on Labor;  
 Substitute House Bill No. 592 to Committee on Parks and Recreation;  
 House Bill No. 688 to Committee on Ecology;  
 House Bill No. 728 to Committee on State Government;  
 House Bill No. 770 to Committee on State Government;  
 House Bill No. 1269 to Committee on Parks and Recreation;  
 House Joint Resolution No. 36 to Committee on Energy and Utilities.

#### MOTION

On motion of Mr. King, the following bills, in House Rules Committee for third reading at the end of the 1979 session, were referred to the committees designated:

Substitute House Bill No. 10 to Committee on Revenue;  
 Engrossed Substitute House Bill No. 39 to Committee on State Government;  
 House Bill No. 45 to Committee on Agriculture;  
 House Bill No. 167 to Committee on Transportation;  
 Engrossed Substitute House Bill No. 240 to Committee on Revenue;  
 Substitute House Bill No. 299 to Committee on Revenue;  
 House Bill No. 325 to Committee on Revenue;  
 Substitute House Bill No. 334 to Committee on Parks and Recreation;  
 Substitute House Bill No. 556 to Committee on Education;  
 Engrossed Substitute House Bill No. 557 to Committee on Education;  
 House Bill No. 596 to Committee on Parks and Recreation;  
 Engrossed House Bill No. 792 to Committee on Commerce;  
 Engrossed House Bill No. 821 to Committee on Commerce;  
 Engrossed House Bill No. 891 to Committee on Education;  
 Second Substitute House Bill No. 1141 to Committee on Parks and Recreation;  
 Substitute House Bill No. 1196 to Committee on Commerce;  
 Substitute House Bill No. 1210 to Committee on Education;  
 Engrossed Substitute House Bill No. 1307 to Committee on Transportation.

#### INTRODUCTION AND FIRST READING

**HOUSE BILL NO. 1397**, by Representatives May, Fuller, Gallagher, Sanders, Salatino, Owens, Scott, Bond, Brekke, Maxie, Stratton, McCormick, Knowles, Hughes, Heck and Burns:

AN ACT Relating to revenue and taxation; amending section 1, chapter 12, Laws of 1979 as amended by section 6, chapter 266, Laws of 1979 ex. sess. and RCW 82.08.030; and amending section 2, chapter 12, Laws of 1979 as amended by section 7, chapter 266, Laws of 1979 ex. sess. and RCW 82.12.030.

To Committee on Revenue

**HOUSE BILL NO. 1398**, by Representatives Sanders and Bond:

AN ACT Relating to direct legislation; amending section 35.17.230, chapter 7, Laws of 1965 and RCW 35.17.230; amending section 35.17.260, chapter 7, Laws of 1965 and RCW 35.17.260; amending section 1, chapter 81, Laws of 1973 1st ex. sess. as amended by section 18, chapter 18, Laws of 1979 1st ex. sess. and RCW 35A.11.080; amending section 2, chapter 81, Laws of 1973 1st ex. sess. and RCW 35A.11.090; amending section 3, chapter 81, Laws of 1973 1st ex. sess. and RCW 35A.11.100; and adding new sections to chapter 36.01 RCW.

To Committee on Constitution, Elections and Governmental Ethics



HOUSE BILL NO. 1399, by Representative Warnke:

AN ACT Relating to public school districts; and adding a new section to chapter 41.56 RCW.

To Committee on Education

HOUSE BILL NO. 1400, by Representatives May and Nisbet:

AN ACT Relating to transportation of hazardous substances; and amending section 48, chapter 155, Laws of 1965 ex. sess. as last amended by section 1, chapter 78, Laws of 1977 and RCW 46.61.350.

To Committee on Transportation

HOUSE BILL NO. 1401, by Representative Sprague:

AN ACT Relating to revenue and taxation; and amending section 4, chapter 218, Laws of 1979 1st ex. sess. and RCW 84.55.015.

To Committee on Revenue

HOUSE BILL NO. 1402, by Representatives Sherman and Nisbet:

AN ACT Relating to motor vehicles; and amending section 46.56.135, chapter 12, Laws of 1961 as last amended by section 22, chapter 307, Laws of 1971 ex. sess. and RCW 46.61.655.

To Committee on Transportation

HOUSE BILL NO. 1403, by Representatives Sherman, Burns, Charnley, Nelson (D), Nisbet and Rinehart:

AN ACT Relating to solar energy; creating new sections; and making an appropriation.

To Committee on Energy and Utilities

HOUSE BILL NO. 1404, by Representatives Ehlers, Taller, Williams, Pruitt, Burns, Greengo, Nisbet and Taylor (by House State Government Committee request):

AN ACT Relating to the military department; amending section 3, chapter 130, Laws of 1943 as amended by section 1, chapter 210, Laws of 1961 and RCW 38.08.020; amending section 2, chapter 250, Laws of 1957 and RCW 38.12.010; amending section 2, chapter 210, Laws of 1961 and RCW 38.12.015; amending section 21, chapter 130, Laws of 1943 as last amended by section 1, chapter 100, Laws of 1965 ex. sess. and RCW 38.12.030; amending section 23, chapter 130, Laws of 1943 and RCW 38.12.090; amending section 15, chapter 234, Laws of 1959 as last amended by section 90, chapter 158, Laws of 1979 and RCW 34.04.150; amending section 73, chapter 151, Laws of 1979 as amended by section 3, chapter 265, Laws of 1979 1st ex. sess. and RCW 42.17.240; repealing section 17, chapter 130, Laws of 1943 and RCW 38.12.040; and repealing section 18, chapter 130, Laws of 1943 and RCW 38.12.050.

To Committee on State Government

HOUSE BILL NO. 1405, by Representative Thompson:

AN ACT Relating to the naming of a state animal; and adding a new section to chapter 1.20 RCW.

To Committee on State Government

HOUSE BILL NO. 1406, by Representative Newhouse

AN ACT Relating to motor vehicle offenses; reenacting and amending section 9, chapter 29, Laws of 1971 ex. sess. as last amended by section 43, chapter 136, Laws of 1979 ex. sess. and by section 10, chapter 182, Laws of 1979 ex. sess. and RCW 46.10.090; reenacting section 19, chapter 29, Laws of 1971 ex. sess. as last amended by section 44, chapter 136, Laws of 1979 ex. sess. and by section 14, chapter 182, Laws of 1979 ex. sess. and RCW 46.10.190; reenacting section 2, chapter 27, Laws of 1969 as amended by section 1, chapter 74, Laws of 1979 ex. sess. and by section 62, chapter 136, Laws of 1979 ex. sess. and RCW 46.20.342; reenacting section 46.52.110, chapter 12, Laws of 1961 as last amended by section 82, chapter 136, Laws of 1979 ex. sess. and by section 11, chapter 178, Laws of 1979 ex. sess. and RCW 46.52.110; repealing section 4, chapter 67, Laws of 1921, section 3, chapter 143, Laws of 1923, section 105, chapter 136, Laws of 1979 ex. sess. and RCW 76.04.480; and declaring an effective date.

To Committee on Judiciary

HOUSE BILL NO. 1407, by Representatives Rosbach, Chandler, Eng, Taylor and Williams:

AN ACT Relating to savings and loan associations; and amending section 40, chapter 235, Laws of 1945 and RCW 33.20.030.

To Committee on Financial Institutions

HOUSE BILL NO. 1408, by Representative Thompson:

AN ACT Relating to solid waste disposal districts; and adding new sections to chapter 36.58 RCW.

To Committee on Local Government

HOUSE BILL NO. 1409, by Representatives Newhouse, Smith (R), Williams and Wilson:

AN ACT Relating to motor vehicles; amending section 9, chapter 169, Laws of 1963 as last amended by section 155, chapter 158, Laws of 1979 and RCW 46.29.090; amending section 26, chapter 169, Laws of 1963 as amended by section 2, chapter 3, Laws of 1967 ex. sess. and RCW 46.29.260; amending section 39, chapter 169, Laws of 1963 as last amended by section 14, chapter 61, Laws of 1979 and RCW 46.29.390; amending section 45, chapter 169, Laws of 1963 and RCW 46.29.450; amending section 46, chapter 169, Laws of 1963 and RCW 46.29.460; amending section 49, chapter 169, Laws of 1963 as amended by section 4, chapter 3, Laws of 1967 ex. sess. and RCW 46.29.490; amending section 27, chapter 150, Laws of 1967 and RCW 48.22.030; adding a new section to chapter 46.29 RCW; prescribing penalties; and providing an effective date.

To Committee on Judiciary

HOUSE BILL NO. 1410, by Representatives Sommers and Greengo:

AN ACT Relating to gambling; amending section 1, chapter 87, Laws of 1975-'76 2nd ex. sess. as amended by section 6, chapter 326, Laws of 1977 ex. sess. and RCW 9.46.115; providing an effective date; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 1411, by Representative Taller:

AN ACT Relating to public employment; amending section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 15, chapter 151, Laws of 1979 and RCW 28B.16.100; and amending section 15, chapter 1, Laws of 1961 as last amended by section 57, chapter 151, Laws of 1979 and RCW 41.06-.150.

To Committee on State Government

HOUSE BILL NO. 1412, by Representatives Isaacson, Barr, Oliver, Williams and Wilson:

AN ACT Relating to radioactive materials; amending section 3, chapter 207, Laws of 1961 as last amended by section 125, chapter 141, Laws of 1979 and RCW 70.98.030; amending section 5, chapter 207, Laws of 1961 as last amended by section 10, chapter 189, Laws of 1971 ex. sess. and RCW 70.98.050; adding a new section to chapter 43.43 RCW; adding new sections to chapter 70.98 RCW; adding a new section to chapter 81.77 RCW; adding new sections to chapter 81.80 RCW; creating a new section; and prescribing penalties.

HOUSE BILL NO. 1413, by Representatives Isaacson, Oliver, Nisbet, Hastings and Williams:

AN ACT Relating to a state energy fair; adding a new chapter to Title 43 RCW; and creating a new section.

To Committee on Energy and Utilities

HOUSE JOINT RESOLUTION NO. 37, by Representatives Newhouse, Knowles, Smith (R) and Ellis:

Establishing a judicial performance and disciplinary commission.

To Committee on Judiciary

#### REPORT OF SPECIAL COMMITTEE

The special committee, appointed by Speaker Bagnariol under the provisions of House Concurrent Resolution No. 22, appeared at the bar of the House and report they had notified the Governor that the Legislature was organized and ready for business.

The report was received and the committee retired.

#### THIRD READING

On motion of Mr. King, the rules were suspended, and the following bills were returned to second reading and placed on the second reading calendar for today: Engrossed House Bill No. 87; Engrossed House Bill No. 168; Engrossed House Bill No. 238; House Bill No. 322; Substitute House Bill No. 405; Substitute House Bill No. 515; Substitute House Bill No. 763; Engrossed Substitute House Bill No. 779; House Bill No. 903; and Engrossed Substitute House Bill No. 1147.

**SUBSTITUTE HOUSE BILL NO. 19**, by Committee on Judiciary (originally sponsored by Representatives Nelson (D), Knowles, Pruitt and Brekke – by House Committee on Judiciary of the 45th Legislature request):

Restoring the civil rights of persons convicted of infamous crimes upon their final discharge by the parole board.

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

Mr. Nelson (D) spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 19, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

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

Voting nay: Representatives Barnes, Brown.

Not voting: Representatives Berentson, Fancher.

Substitute House Bill No. 19, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

**SUBSTITUTE HOUSE BILL NO. 43**, by Committee on Commerce (originally sponsored by Representative Fancher):

Authorizing certain persons to obtain contractors' bonds at reduced rates.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 43, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Fancher.

Substitute House Bill No. 43, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 51**, by Committee on Judiciary (Originally sponsored by Representative Keller – by House Committee on Judiciary of the 45th Legislature request):

Requiring statements on convicted persons for the parole board.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 51, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund,

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

Not voting: Representative Fancher.

Substitute House Bill No. 51, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 52, by Representative Keller (by House Committee on Judiciary of the 45th Legislature request):

Permitting municipal courts to be terminated by city ordinance at anytime.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 52, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

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

Voting nay: Representative Warnke.

Not voting: Representative Fancher.

House Bill No. 52, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 71, by Representatives Taller and Adams:

Redefining toilet units for purposes of mandating free use thereof.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 71, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Fancher.

House Bill No. 71, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 105, by Committee on Insurance (originally sponsored by Representatives Douthwaite and Sanders - by House Committee on Insurance of 45th Legislature request):

Setting standards for the escrow officer's examination.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 105, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Fancher.

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

SUBSTITUTE HOUSE BILL NO. 131, by Committee on Local Government (originally sponsored by Representatives Warnke and Owen):

Providing for board members after the merger of special purpose districts.

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

Mr. Charnley spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 131, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

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

Voting nay: Representative Ehlers.

Not voting: Representative Fancher.

Substitute House Bill No. 131, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 132, by Representatives Warnke, Owen and Whiteside:

Permitting the board to designate a treasurer in special purpose districts.

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

Mr. Charnley spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 132, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

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

Voting nay: Representative Sommers.

Not voting: Representative Fancher.

Engrossed House Bill No. 132, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 207**, by Representatives Newhouse and Winsley (by Judicial Council request):

Providing procedure for determining reasonable attorneys' fees in eminent domain proceedings.

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

The Clerk called the roll on the final passage of Engrossed House Bill No. 207, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2,

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

Not voting: Representatives Fancher, Stratton.

Engrossed House Bill No. 207, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 277**, by Representatives Warnke, Walk, Addison and Williams:

Repealing regulation of comic books.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 277, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

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

Voting nay: Representative Flanagan.

Not voting: Representative Fancher.

House Bill No. 277, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 357**, by Representatives Thompson, Zimmerman and Gruger:

Placing student associations at institutions of higher education under open public meetings act.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 357, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers,

Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Fancher.

Engrossed House Bill No. 357, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 391**, by Committee on Judiciary (originally sponsored by Representatives Erickson and Thompson):

Requiring approval and announcement of prior agreement on damages in civil actions.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 391, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Fancher.

Substitute House Bill No. 391, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 397**, by Representatives O'Brien, Polk and Burns (by State Treasurer request):

Revising laws relating to state accounts and funds.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 397, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Fancher.

House Bill No. 397, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. King, the House adjourned until 6:00 p.m., Tuesday, January 15, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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

## SECOND DAY

## EVENING SESSION

House Chamber, Olympia, Wash., Tuesday, January 15, 1980

The House was called to order at 6:00 p.m. by Speaker Berentson. The Clerk called the roll and all members were present except Representative Fancher, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Terrance Bentler and Tom Kindler. Prayer was offered by The Reverend Paul McCann of the United Churches of Olympia.

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

## MESSAGE FROM THE SECRETARY OF STATE

December 6, 1979

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

I have the honor of submitting the following summary of the votes cast for and against the Referendum Bills, Initiatives to the Legislature, and Constitutional Amendments at the state general election held on the sixth day of November, 1979, as canvassed from the returns made to this office by the respective county auditors of the state.

## Referendum Bill No. 37

Yes..... 576,882  
No..... 286,365

## Initiative No. 61

Yes..... 380,247  
No..... 517,177

## Initiative No. 62

Yes..... 588,724  
No..... 272,761

## Senate Joint Resolution No. 110

Yes..... 508,063  
No..... 331,391

## Senate Joint Resolution No. 112

Yes..... 469,049  
No..... 355,088

## Senate Joint Resolution No. 120

Yes..... 526,349  
No..... 311,768

IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of the state of Washington at Olympia, this sixth day of December, 1979.

(Seal)

Bruce K. Chapman,  
Secretary of State.

## INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1414, by Representatives Heck, Barnes, Grimm, Bauer, Zimmerman, Galloway and Vrooman:

AN ACT Relating to institutions of higher education; creating new sections; and adding new sections to chapter 222, Laws of 1969 ex. sess. and to chapter 28B.10 RCW.

To Committee on Higher Education



HOUSE BILL NO. 1415, by Representatives Martinis, Wilson, Owen, Nisbet, Granlund and Smith, R. (by Department of Transportation request):

AN ACT Relating to transportation; amending section 1, chapter 84, Laws of 1979 ex. sess. (uncodified); amending section 2, chapter 84, Laws of 1979 ex. sess. and RCW 43.21C.032; amending section 3, chapter 286, Laws of 1971 ex. sess. as last amended by section 3, chapter 84, Laws of 1979 ex. sess. and RCW 90.58.030; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 1416, by Representatives Eng, Winsley, Lux, Bauer, Charnley and Garrett:

AN ACT Relating to credit unions; amending section 4, chapter 173, Laws of 1933 as amended by section 4, chapter 131, Laws of 1943 and RCW 31.12.080; amending section 5, chapter 173, Laws of 1933 as last amended by section 1, chapter 138, Laws of 1959 and RCW 31.12.090; amending section 9, chapter 173, Laws of 1933 as last amended by section 1, chapter 48, Laws of 1953 and RCW 31.12.130; amending section 15, chapter 173, Laws of 1933 as last amended by section 1, chapter 222, Laws of 1975 1st ex. sess. and RCW 31.12.190; amending section 18, chapter 173, Laws of 1933 as last amended by section 7, chapter 8, Laws of 1973 1st ex. sess. and RCW 31.12.220; amending section 20, chapter 173, Laws of 1933 as last amended by section 5, chapter 222, Laws of 1975 1st ex. sess. and RCW 31.12.260; amending section 11, chapter 23, Laws of 1957 as last amended by section 6, chapter 222, Laws of 1975 1st ex. sess. and RCW 31.12.270; amending section 12, chapter 23, Laws of 1957 as last amended by section 7, chapter 222, Laws of 1975 1st ex. sess. and RCW 31.12.280; amending section 26, chapter 173, Laws of 1933 as last amended by section 14, chapter 8, Laws of 1973 1st ex. sess. and RCW 31.12.320; amending section 28A.58.440, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.440; amending section 11, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.110; amending section 3, chapter 80, Laws of 1975 1st ex. sess. and RCW 31.12A.010; amending section 7, chapter 80, Laws of 1975 1st ex. sess. and RCW 31.12A.050; creating new sections; adding new sections to chapter 31.12 RCW; adding a new section to chapter 11.62 RCW; and providing penalties.

To Committee on Financial Institutions

HOUSE BILL NO. 1417, by Representatives Winsley, Newhouse, Knowles and Ellis (by Judicial Council request):

AN ACT Relating to sentencing; and amending section 35.22.560, chapter 7, Laws of 1965 as amended by section 89, chapter 81, Laws of 1971 and RCW 35.22.560.

To Committee on Judiciary

HOUSE BILL NO. 1418, by Representatives Newhouse, Smith (R), Knowles and Ellis (by Judicial Council request):

AN ACT Relating to traffic infractions; amending section 8, chapter 136, Laws of 1979 ex. sess. and RCW 46.63.060; amending section 9, chapter 136, Laws of 1979 ex. sess. and RCW 46.63.070; amending section 11, chapter 136, Laws of 1979 ex. sess. and RCW 46.63.090; amending section 13, chapter 136, Laws of 1979 ex. sess. and RCW 46.63.110; amending section 2, chapter 160, Laws of 1913 as last amended by section 3, chapter 155, Laws of 1979 and RCW 13.04.030; amending section 1, chapter 214, Laws of 1975 1st ex. sess. and RCW 35.20.205; amending section 46.64.020, chapter 12, Laws of 1961 and RCW 46.64.020; amending section 111, chapter 136, Laws of 1979 ex. sess. (uncodified); adding a new section to chapter 46.63 RCW; prescribing penalties; providing an effective date; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 1419, by Representatives Scott, Bond, McCormick, Wilson, Nelson (D), Sprague, Martinis, Mitchell, Charnley, King, Sherman, Grimm, Ehlers, Thompson, Warnke, Burns, Gallagher, Knowles, Rinehart, Brekke, Eng, Erak, Galloway, Granlund, Hughes, Kreidler, Lux, Monohon, Pruitt, Salatino, Smith (R), Van Dyken and Vrooman:

AN ACT Relating to energy resources; adding a new section to chapter 80.28 RCW; adding a new section to chapter 82.16 RCW; creating a new section; and declaring an emergency.

To Committee on Energy and Utilities

HOUSE BILL NO. 1420, by Representatives Nelson (D), Nisbet, McCormick, Williams, Rinehart, Martinis, Scott, Grimm, Sherman, Monohon, Bauer, Bender, Brekke, Brown, Burns, Eng, Erak, Granlund, Hughes, Kreidler, Lux, Maxie, North, Pruitt, Salatino, Smith (R), Stratton, Van Dyken and Vrooman:

AN ACT Relating to revenue and taxation; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

To Committee on Energy and Utilities

HOUSE BILL NO. 1421, by Representatives Newhouse, Knowles and Ellis (by Judicial Council request):

AN ACT Relating to pro tempore judges; amending section 2, chapter 40, Laws of 1963 and RCW 2.04-.250; amending section 2, chapter 114, Laws of 1973 and RCW 2.06.160; amending section 4, chapter 43, Laws of 1893 and RCW 2.08.170; amending section 7, chapter 259, Laws of 1957 and RCW 2.56-.070; and amending section 23, chapter 299, Laws of 1961 and RCW 3.34.140.

To Committee on Judiciary

HOUSE BILL NO. 1422, by Representatives Newhouse and Ellis (by Judicial Council request):

AN ACT Relating to courts of limited jurisdiction; adding a new chapter to Title 3 RCW; and providing an effective date.

To Committee on Judiciary

HOUSE BILL NO. 1423, by Representatives Erickson, Brown, Winsley, Ehlers, North and Sherman:

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

To Committee on Local Government

HOUSE BILL NO. 1424, by Representatives Taller, Sommers and Charnley:

AN ACT Relating to commerce, economic, and cultural development; providing for the planning, design, construction, furnishing, and landscaping of a performing arts facility; providing for the financing thereof by issuance of bonds and anticipation notes; adding new sections to chapter 43.31 RCW; making an appropriation; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1425, by Representatives Taller, Ehlers, Greengo, Walk, Addison, Sommers, Williams, Jovanovich, Tupper, Burns, Gallagher, Granlund and Pruitt:

AN ACT Relating to the Washington state commission for the blind; amending section 2, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.410; amending section 3, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.420; and amending section 73, chapter 151, Laws of 1979 as amended by section 3, chapter 265, Laws of 1979 ex. sess. and RCW 42.17.240.

To Committee on State Government

HOUSE BILL NO. 1426, by Representatives Valle, Jovanovich and Nelson (D):

AN ACT Relating to the Seattle-Tacoma international airport; and creating new sections.

To Committee on Local Government

HOUSE BILL NO. 1427, by Representatives Martinis, Wilson, Sherman, Chandler, Nelson (D), Bauer, Heck, Bender, Brekke, Burns, Charnley, Erak, Galloway, Garrett, Granlund, Gruger, King, Monohon, Pruitt and Vrooman:

AN ACT Relating to public transportation funding; amending section 8, chapter 255, Laws of 1969 ex. sess. as amended by section 2, chapter 175, Laws of 1979 ex. sess. and RCW 35.58.273; and providing an effective date.

To Committee on Transportation

HOUSE BILL NO. 1428, by Representatives Scott, Newhouse, King, Patterson, Keller, Bauer, Thompson, Adams, Williams, Lux, Warnke, Grimm, Fancher, Erak, Clayton, Martinis, May, Deccio, Zimmerman, Bender, Sherman, Wilson, Heck, Amen, Granlund, Salatino and Stratton:

AN ACT Relating to horse racing; amending and reenacting section 9, chapter 55, Laws of 1933 as last amended by section 2, chapter 31, Laws of 1979 and by section 169, chapter 151, Laws of 1979 and

RCW 67.16.100; adding new sections to chapter 67.16 RCW; making appropriations; and providing an effective date.

HOUSE BILL NO. 1429, by Representatives Owen, Nisbet, Smith (R), Vrooman, Craswell and Schmitt:

AN ACT Relating to food fish and shellfish; and amending section 75.08.080, chapter 12, Laws of 1955 and RCW 75.08.080.

To Committee on Natural Resources

HOUSE BILL NO. 1430, by Representatives Whiteside, Smith (C), Clayton, Deccio, Flanagan, Newhouse, Isaacson and Oliver:

AN ACT Relating to compensation; and amending section 36.70.310, chapter 4, Laws of 1963 and RCW 36.70.310.

To Committee on Local Government

HOUSE BILL NO. 1431, by Representatives Heck, Chandler, Bauer, Taylor and Galloway:

AN ACT Relating to education; amending section 28A.59.150, chapter 223, Laws of 1969 ex. sess. as last amended by section 118, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.59.150; amending section 1, chapter 111, Laws of 1973 as amended by section 21, chapter 43, Laws of 1975 and RCW 28A.60.328; and creating a new section.

To Committee on Education

HOUSE BILL NO. 1432, by Representatives Granlund, Taller, Galloway, Winsley, Heck, Chandler, Eberle, Scott, Jovanovich, Salatino, Walk and Dawson:

AN ACT Relating to school districts; amending section 1, chapter ... (HB No. ...), Laws of 1980 and RCW 28A.57.312; amending section 5, chapter 15, Laws of 1975-'76 2nd ex. sess. as amended by section 5, chapter 126, Laws of 1979 ex. sess. and RCW 28A.57.328; amending section 3, chapter 67, Laws of 1971 as last amended by section 6, chapter 126, Laws of 1979 ex. sess. and RCW 28A.57.355; amending section 6, chapter 15, Laws of 1975-'76 2nd ex. sess. as amended by section 7, chapter 126, Laws of 1979 ex. sess. and RCW 28A.57.356; amending section 2, chapter ... (HB No. ...), Laws of 1980 and RCW 28A.57.357; amending section 3, chapter ... (HB No. ...), Laws of 1980 and RCW 28A.57.358; amending section 1, chapter 126, Laws of 1979 ex. sess. and RCW 29.04.170; and creating a new section.

To Committee on Education

HOUSE BILL NO. 1433, by Representatives Thompson, Nelson (G), King, Newhouse, Knowles, Whiteside, Winsley, Barr, Struthers, Brown, Gallagher, May, Salatino, Owen, Adams, Monohon, Deccio, Granlund, Walk, Dawson, Kreidler, Brekke, Eng, Pruitt and Smith (R):

AN ACT Relating to the Washington state patrol; making an appropriation; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1434, by Representatives Erickson, Tilly, Gruger, Oliver and Smith (R):

AN ACT Relating to recall elections; amending section 29.82.130, chapter 9, Laws of 1965 and RCW 29.82.130; amending section 29.82.020, chapter 9, Laws of 1965 as amended by section 1, chapter 205, Laws of 1971 ex. sess. and RCW 29.82.020; and adding a new section to chapter 29.82 RCW.

To Committee on Constitution, Elections and Governmental Ethics

HOUSE BILL NO. 1435, by Representatives Charnley, Zimmerman, Teutsch, Deccio, May, Bauer, Tilly, Galloway and Nisbet:

AN ACT Relating to fire protection districts; and amending section 2, chapter 88, Laws of 1969 and RCW 52.36.025.

To Committee on Local Government

HOUSE BILL NO. 1436, by Representatives Valle, Nelson (D), Sherman, Brekke, Burns, Gallagher, Lux, Pruitt and Rinehart:

AN ACT Relating to consumer commodities; creating a new section; and prescribing penalties.

To Committee on Commerce

HOUSE BILL NO. 1437, by Representatives Wilson, Vrooman, Lux, Eberle and Nisbet:  
AN ACT Relating to easements; and adding a new section to chapter 64.04 RCW.

To Committee on Judiciary

HOUSE BILL NO. 1438, by Representatives Sanders, Warnke, Greengo, Owen, Addison, Schmitten, Martinis and Flint:

AN ACT Relating to the lease of port district property; and amending section 2, chapter 87, Laws of 1973 as amended by section 1, chapter 41, Laws of 1977 and RCW 53.08.085.

To Committee on Local Government

HOUSE BILL NO. 1439, by Representatives Winsley, Brown, Erickson, Ehlers, Granlund, Flint, Bender, Burns, Eng, Gallagher, Galloway, Keller, North, Pruitt, Rinehart, Salatino, Sherman, Smith (R) and Warnke:

AN ACT Relating to property tax relief; and amending section 1, chapter 182, Laws of 1974 ex. sess. as last amended by section 1, chapter 214, Laws of 1979 ex. sess. and RCW 84.36.381.

To Committee on Revenue

HOUSE BILL NO. 1440, by Representatives Pruitt and Addison:

AN ACT Relating to transportation; creating a new section; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 1441, by Representatives Nisbet, Owen, Houchen and Wilson:

AN ACT Relating to energy facility site approval; amending section 10, chapter 45, Laws of 1970 ex. sess. as last amended by section 8, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.100; and declaring an emergency.

To Committee on Energy and Utilities

HOUSE BILL NO. 1442, by Representatives Taller, Sommers and McDonald:

AN ACT Relating to the law enforcement officers' and firefighters' retirement system; amending section 9, chapter 209, Laws of 1969 ex. sess. as last amended by section 22, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.090; amending section 10, chapter 209, Laws of 1969 ex. sess. as last amended by section 3, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.100; amending section 18, chapter 294, Laws of 1977 ex. sess. as amended by section 1, chapter 249, Laws of 1979 ex. sess. and RCW 41.26.005; amending section 6, chapter 209, Laws of 1969 ex. sess. as last amended by section 3, chapter 44, Laws of 1975-'76 2nd ex. sess. and RCW 41.26.060; amending section 12, chapter 209, Laws of 1969 ex. sess. as last amended by section 10, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.120; amending section 16, chapter 209, Laws of 1969 ex. sess. as last amended by section 6, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.200; amending section 1, chapter 105, Laws of 1975-'76 2nd ex. sess. and RCW 41.04.270; adding new sections to chapter 41.26 RCW; creating a new section; and providing an effective date.

To Committee on Appropriations

HOUSE BILL NO. 1443, by Representatives Ellis, Knowles and Taller:

AN ACT Relating to privacy; amending section 2, chapter 93, Laws of 1967 ex. sess. and RCW 9.73.040; and amending section 3, chapter 93, Laws of 1967 ex. sess. and RCW 9.73.050.

To Committee on Judiciary

HOUSE BILL NO. 1444, by Representatives Amen, Charnley, Patterson, Vrooman and Winsley:

AN ACT Relating to utility services; and adding a new section to chapter 35.92 RCW.

To Committee on Energy and Utilities

HOUSE BILL NO. 1445, by Representatives Erickson, Oliver, King, Fuller, Hughes, Barnes, Eng, Tilly, Granlund, Gruger, Pruitt and Winsley:

AN ACT Relating to the public disclosure commission; amending section 35, chapter 1, Laws of 1973 as last amended by section 8, chapter 112, Laws of 1975-'76 2nd ex. sess. and RCW 42.17.350; amending section 38, chapter 1, Laws of 1973 as amended by section 26, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.380; adding new sections to chapter 1, Laws of 1973 and to chapter 42.17 RCW; and declaring an emergency.

To Committee on Constitution, Elections and Governmental Ethics

HOUSE BILL NO. 1446, by Representatives Chandler, Sommers, Taylor, Galloway, McDonald and Toller:

AN ACT Relating to education; amending section 5, chapter 114, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 7, Laws of 1977 ex. sess. and RCW 28A.58.455; amending section 28A.58.460, chapter 223, Laws of 1969 ex. sess. as amended by section 14, chapter 34, Laws of 1969 ex. sess. and RCW 28A.58.460; amending section 28A.58.470, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.470; amending section 28A.58.480, chapter 223, Laws of 1969 ex. sess. as last amended by section 6, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.58.480; amending section 28A.58.490, chapter 223, Laws of 1969 ex. sess. as last amended by section 7, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.58.490; and creating a new section.

To Committee on Education

HOUSE BILL NO. 1447, By Representatives Schmitt and Vrooman (by Washington Department of Game request):

AN ACT Relating to wildlife; amending section 77.04.010, chapter 36, Laws of 1955 and RCW 77.04.010; amending section 77.04.020, chapter 36, Laws of 1955 and RCW 77.04.020; amending section 77.04.030, chapter 36, Laws of 1955 and RCW 77.04.030; amending section 77.04.040, chapter 36, Laws of 1955 and RCW 77.04.040; amending section 77.04.060, chapter 36, Laws of 1955 as last amended by section 89, chapter 75, Laws of 1977 and RCW 77.04.060; amending section 77.04.080, chapter 36, Laws of 1955 and RCW 77.04.080; amending section 77.08.010, chapter 36, Laws of 1955 and RCW 77.08.010; amending section 77.08.020, chapter 36, Laws of 1955 as amended by section 1, chapter 19, Laws of 1969 ex. sess. and RCW 77.08.020; amending section 1, chapter 166, Laws of 1971 ex. sess. and RCW 77.08.030; amending section 77.12.010, chapter 36, Laws of 1955 as amended by section 1, chapter 74, Laws of 1977 and RCW 77.12.010; amending section 77.12.020, chapter 36, Laws of 1955 as amended by section 1, chapter 18, Laws of 1969 ex. sess. and RCW 77.12.020; amending section 77.12.030, chapter 36, Laws of 1955 as amended by section 2, chapter 18, Laws of 1969 ex. sess. and RCW 77.12.030; amending section 77.12.040, chapter 36, Laws of 1955 as amended by section 3, chapter 18, Laws of 1969 ex. sess. and RCW 77.12.040; amending section 77.12.050, chapter 36, Laws of 1955 and RCW 77.12.050; amending section 77.12.060, chapter 36, Laws of 1955 as amended by section 1, chapter 68, Laws of 1961 and RCW 77.12.060; amending section 77.12.070, chapter 36, Laws of 1955 as last amended by section 1, chapter 173, Laws of 1971 ex. sess. and RCW 77.12.070; amending section 77.12.080, chapter 36, Laws of 1955 as last amended by section 2, chapter 173, Laws of 1971 ex. sess. and RCW 77.12.080; amending section 77.12.090, chapter 36, Laws of 1955 and RCW 77.12.090; amending section 77.12.100, chapter 36, Laws of 1955 and RCW 77.12.100; amending section 77.12.110, chapter 36, Laws of 1955 and RCW 77.12.110; amending section 77.12.120, chapter 36, Laws of 1955 and RCW 77.12.120; amending section 77.12.130, chapter 36, Laws of 1955 and RCW 77.12.130; amending section 77.12.140, chapter 36, Laws of 1955 and RCW 77.12.140; amending section 77.12.150, chapter 36, Laws of 1955 as last amended by section 1, chapter 58, Laws of 1977 ex. sess. and RCW 77.12.150; amending section 77.12.170, chapter 36, Laws of 1955 as last amended by section 1, chapter 56, Laws of 1979 and RCW 77.12.170; amending section 1, chapter 57, Laws of 1975 and RCW 77.12.173; amending section 77.12.190, chapter 36, Laws of 1955 and RCW 77.12.190; amending section 77.12.200, chapter 36, Laws of 1955 as amended by section 1, chapter 97, Laws of 1965 ex. sess. and RCW 77.12.200; amending section 2, chapter 97, Laws of 1965 ex. sess. as amended by section 1, chapter 59, Laws of 1977 ex. sess. and RCW 77.12.201; amending section 3, chapter 97, Laws of 1965 ex. sess. and RCW 77.12.203; amending section 77.12.210, chapter 36, Laws of 1955 as amended by section 1, chapter 73, Laws of 1969 ex. sess. and RCW 77.12.210; amending section 77.12.220, chapter 36, Laws of 1955 and RCW 77.12.220; amending section 77.12.230, chapter 36, Laws of 1955 and RCW 77.12.230; amending section 77.12.240, chapter 36, Laws of 1955 and RCW 77.12.240; amending section 77.12.250, chapter 36, Laws of 1955 and RCW 77.12.250; amending section 77.12.260, chapter 36, Laws of 1955 and RCW 77.12.260; amending section 77.12.270, chapter 36, Laws of 1955 as amended by section 8, chapter 177, Laws of 1963 and RCW 77.12.270; amending section 77.12.280, chapter 36, Laws of 1955 as last amended by section 176, chapter 151, Laws of 1979 and RCW 77.12.280; amending section 77.12.290, chapter 36, Laws of 1955 as last amended by section 9, chapter 177, Laws of 1963 and RCW 77.12.290; amending section 77.12.300, chapter 36, Laws of 1955 as amended by section 3, chapter 177, Laws of 1957 and RCW 77.12.300; amending section 1, chapter 183, Laws of 1971 ex. sess. and RCW 77.12.315; amending section 77.12.320, chapter 36, Laws of 1955 as last amended by section 1, chapter 207, Laws of 1975 1st ex. sess. and RCW 77.12.320; amending section 2, chapter 207, Laws of 1975 1st ex. sess. and RCW 77.12.323; amending section 2, chapter 315, Laws of 1959 and RCW 77.12.325; amending section 77.12.330, chapter 36, Laws of 1955 and RCW 77.12.330; amending section 77.12.360, chapter 36, Laws of 1955 as amended by section 3, chapter 129, Laws of 1969 ex. sess. and RCW 77.12.360; amending section 77.12.370, chapter 36, Laws of 1955 and RCW 77.12.370; amending section 77.12.380, chapter 36, Laws of 1955 and RCW 77.12.380; amending section 77.12.390, chapter 36, Laws of 1955 as amended by section 35, chapter 106, Laws of 1973 and RCW 77.12.390; amending section 77.12.420, chapter 36, Laws of 1955 and RCW 77.12.420; amending section 77.12.430, chapter 36, Laws of 1955 and RCW 77.12.430; amending section 77.12.440, chapter 36, Laws of 1955 and RCW 77.12.440; amending section 1, chapter 62, Laws of 1967 and RCW 77.12.450; amending section 3, chapter 62, Laws of 1967 and RCW 77.12.470; amending section 4, chapter 62, Laws of 1967 and RCW 77.12.480; amending section 5, chapter 62,

Laws of 1967 and RCW 77.12.490; amending section 2, chapter 56, Laws of 1979 and RCW 77.12.520; amending section 77.16.010, chapter 36, Laws of 1955 and RCW 77.16.010; amending section 77.16.020, chapter 36, Laws of 1955 as amended by section 1, chapter 44, Laws of 1977 and RCW 77.16.020; amending section 77.16.030, chapter 36, Laws of 1955 as amended by section 2, chapter 44, Laws of 1977 and RCW 77.16.030; amending section 77.16.040, chapter 36, Laws of 1955 as last amended by section 4, chapter 166, Laws of 1971 ex. sess. and RCW 77.16.040; amending section 77.16.050, chapter 36, Laws of 1955 and RCW 77.16.050; amending section 77.16.060, chapter 36, Laws of 1955 and RCW 77.16.060; amending section 77.16.070, chapter 36, Laws of 1955 and RCW 77.16.070; amending section 77.16.080, chapter 36, Laws of 1955 and RCW 77.16.080; amending section 77.16.090, chapter 36, Laws of 1955 and RCW 77.16.090; amending section 77.16.100, chapter 36, Laws of 1955 as amended by section 1, chapter 275, Laws of 1977 ex. sess. and RCW 77.16.100; amending section 77.16.110, chapter 36, Laws of 1955 and RCW 77.16.110; amending section 77.16.120, chapter 36, Laws of 1955 and RCW 77.16.120; amending section 77.16.130, chapter 36, Laws of 1955 and RCW 77.16.130; amending section 77.16.150, chapter 36, Laws of 1955 and RCW 77.16.150; amending section 77.16.160, chapter 36, Laws of 1955 and RCW 77.16.160; amending section 77.16.170, chapter 36, Laws of 1955 and RCW 77.16.170; amending section 77.16.180, chapter 36, Laws of 1955 and RCW 77.16.180; amending section 77.16.190, chapter 36, Laws of 1955 and RCW 77.16.190; amending section 77.16.210, chapter 36, Laws of 1955 and RCW 77.16.210; amending section 77.16.220, chapter 36, Laws of 1955 and RCW 77.16.220; amending section 1, chapter 152, Laws of 1963 and RCW 77.16.221; amending section 77.16.230, chapter 36, Laws of 1955 and RCW 77.16.230; amending section 77.16.240, chapter 36, Laws of 1955 and RCW 77.16.240; amending section 77.16.250, chapter 36, Laws of 1955 and RCW 77.16.250; amending section 77.16.260, chapter 36, Laws of 1955 as amended by section 1, chapter 85, Laws of 1955 and RCW 77.16.260; amending section 77.16.290, chapter 36, Laws of 1955 and RCW 77.16.290; amending section 77.28.020, chapter 36, Laws of 1955 as last amended by section 2, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.28.020; amending section 77.28.070, chapter 36, Laws of 1955 and RCW 77.28.070; amending section 77.28.080, chapter 36, Laws of 1955 and RCW 77.28.080; amending section 77.28.090, chapter 36, Laws of 1955 and RCW 77.28.090; amending section 14, chapter 176, Laws of 1957 as amended by section 1, chapter 94, Laws of 1961 and RCW 77.32.005; amending section 77.32.010, chapter 36, Laws of 1955 as last amended by section 1, chapter 3, Laws of 1979 ex. sess. and RCW 77.32.010; amending section 1, chapter 17, Laws of 1957 and RCW 77.32.015; amending section 77.32.020, chapter 36, Laws of 1955 as last amended by section 3, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.020; amending section 77.32.050, chapter 36, Laws of 1955 as amended by section 2, chapter 3, Laws of 1979 ex. sess. and RCW 77.32.050; amending section 77.32.060, chapter 36, Laws of 1955 as last amended by section 3, chapter 3, Laws of 1979 ex. sess. and RCW 77.32.060; amending section 77.32.070, chapter 36, Laws of 1955 and RCW 77.32.070; amending section 77.32.090, chapter 36, Laws of 1955 and RCW 77.32.090; amending section 20, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.101; amending section 27, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.161; amending section 28, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.191; amending section 1, chapter 43, Laws of 1977 and RCW 77.32.197; amending section 30, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.211; amending section 77.32.220, chapter 36, Laws of 1955 and RCW 77.32.220; amending section 77.32.230, chapter 36, Laws of 1955 as last amended by section 1, chapter 58, Laws of 1973 1st ex. sess. and RCW 77.32.230; amending section 77.32.240, chapter 36, Laws of 1955 and RCW 77.32.240; amending section 77.32.250, chapter 36, Laws of 1955 and RCW 77.32.250; amending section 32, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.256; amending section 77.32.260, chapter 36, Laws of 1955 and RCW 77.32.260; amending section 77.32.280, chapter 36, Laws of 1955 and RCW 77.32.280; amending section 1, chapter 6, Laws of 1975 1st ex. sess. and RCW 77.32.290; amending section 1, chapter 127, Laws of 1979 ex. sess. and RCW 77.32.300; amending section 77.40.050, chapter 36, Laws of 1955 and RCW 77.40.050; amending section 77.40.060, chapter 36, Laws of 1955 and RCW 77.40.060; amending section 77.40.080, chapter 36, Laws of 1955 and RCW 77.40.080; amending section 1, chapter 199, Laws of 1969 ex. sess. as amended by section 2, chapter 130, Laws of 1974 ex. sess. and RCW 3.62.015; amending section 3, chapter 178, Laws of 1973 1st ex. sess. and RCW 43.126.030; amending section 20, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.200; amending section 5, chapter 307, Laws of 1971 ex. sess. as amended by section 4, chapter 94, Laws of 1979 and RCW 70.93.050; amending section 75.08.150, chapter 12, Laws of 1955 and RCW 75.08.150; amending section 75.08.200, chapter 12, Laws of 1955 and RCW 75.08.200; amending section 15, chapter 327, Laws of 1977 ex. sess. and RCW 75.28.650; adding new sections to chapter 77.12 RCW; adding a new section to chapter 77.16 RCW; adding a new section to chapter 77.32 RCW; adding a new chapter to Title 77 RCW; creating new sections; repealing section 77.04.050, chapter 36, Laws of 1955 and RCW 77.04.050; repealing section 2, chapter 166, Laws of 1971 ex. sess. and RCW 77.08.040; repealing section 5, chapter 166, Laws of 1971 ex. sess. and RCW 77.08.050; repealing section 1, chapter 121, Laws of 1971 ex. sess. and RCW 77.08.060; repealing section 77.12.160, chapter 36, Laws of 1955, section 2, chapter 102, Laws of 1975 1st ex. sess. and RCW 77.12.160; repealing section 4, chapter 97, Laws of 1965 ex. sess. and RCW 77.12.205; repealing section 5, chapter 97, Laws of 1965 ex. sess. and RCW 77.12.207; repealing section 77.12.310, chapter 36, Laws of 1955 and RCW 77.12.310; repealing section 77.12.340, chapter 36, Laws of 1955 and RCW 77.12.340; repealing section 77.12.350, chapter 36, Laws of 1955 and RCW 77.12.350; repealing section 77.12.400, chapter 36, Laws of 1955 and RCW 77.12.400; repealing section 77.12.410, chapter 36, Laws of 1955 and RCW 77.12.410; repealing section 2, chapter 62, Laws of 1967 and RCW 77.12.460; repealing section 1, chapter 45, Laws of 1967 and RCW 77.12.500; repealing section 6, chapter 166, Laws of 1971 ex. sess. and RCW 77.12.510;

repealing section 77.16.140, chapter 36, Laws of 1955 and RCW 77.16.140; repealing section 77.16.157, chapter 36, Laws of 1955 and RCW 77.16.157; repealing section 3, chapter 166, Laws of 1971 ex. sess. and RCW 77.16.158; repealing section 77.16.200, chapter 36, Laws of 1955 and RCW 77.16.200; repealing section 77.16.270, chapter 36, Laws of 1955 and RCW 77.16.270; repealing section 77.16.280, chapter 36, Laws of 1955 and RCW 77.16.280; repealing section 77.16.300, chapter 36, Laws of 1955 and RCW 77.16.300; repealing section 77.20.010, chapter 36, Laws of 1955, section 1, chapter 177, Laws of 1963 and RCW 77.20.010; repealing section 10, chapter 177, Laws of 1963, section 1, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.20.015; repealing section 11, chapter 177, Laws of 1963 and RCW 77.20.016; repealing section 77.20.020, chapter 36, Laws of 1955, section 2, chapter 177, Laws of 1963 and RCW 77.20.020; repealing section 77.20.030, chapter 36, Laws of 1955, section 3, chapter 177, Laws of 1963 and RCW 77.20.030; repealing section 77.20.040, chapter 36, Laws of 1955, section 4, chapter 177, Laws of 1963 and RCW 77.20.040; repealing section 77.20.045, chapter 36, Laws of 1955, section 5, chapter 177, Laws of 1963 and RCW 77.20.045; repealing section 77.20.050, chapter 36, Laws of 1955, section 6, chapter 177, Laws of 1963 and RCW 77.20.050; repealing section 77.20.060, chapter 36, Laws of 1955 and RCW 77.20.060; repealing section 77.24.010, chapter 36, Laws of 1955 and RCW 77.24.010; repealing section 77.24.020, chapter 36, Laws of 1955 and RCW 77.24.020; repealing section 77.24.030, chapter 36, Laws of 1955 and RCW 77.24.030; repealing section 77.24.040, chapter 36, Laws of 1955 and RCW 77.24.040; repealing section 77.24.050, chapter 36, Laws of 1955 and RCW 77.24.050; repealing section 77.24.060, chapter 36, Laws of 1955 and RCW 77.24.060; repealing section 77.24.070, chapter 36, Laws of 1955 and RCW 77.24.070; repealing section 77.24.080, chapter 36, Laws of 1955 and RCW 77.24.080; repealing section 77.24.090, chapter 36, Laws of 1955 and RCW 77.24.090; repealing section 77.24.100, chapter 36, Laws of 1955 and RCW 77.24.100; repealing section 77.24.110, chapter 36, Laws of 1955 and RCW 77.24.110; repealing section 77.24.120, chapter 36, Laws of 1955 and RCW 77.24.120; repealing section 77.28.010, chapter 36, Laws of 1955 and RCW 77.28.010; repealing section 77.28.030, chapter 36, Laws of 1955 and RCW 77.28.030; repealing section 77.28.040, chapter 36, Laws of 1955 and RCW 77.28.040; repealing section 77.28.050, chapter 36, Laws of 1955 and RCW 77.28.050; repealing section 77.28.060, chapter 36, Laws of 1955 and RCW 77.28.060; repealing section 77.28.100, chapter 36, Laws of 1955 and RCW 77.28.100; repealing section 77.28.110, chapter 36, Laws of 1955 and RCW 77.28.110; repealing section 77.28.120, chapter 36, Laws of 1955 and RCW 77.28.120; repealing section 19, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.032; repealing section 77.32.080, chapter 36, Laws of 1955 and RCW 77.32.080; repealing section 21, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.104; repealing section 22, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.106; repealing section 23, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.111; repealing section 24, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.114; repealing section 77.32.120, chapter 36, Laws of 1955 and RCW 77.32.120; repealing section 25, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.131; repealing section 26, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.151; repealing section 77.32.185, chapter 36, Laws of 1955 and RCW 77.32.185; repealing section 14, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.195; repealing section 29, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.201; repealing section 31, chapter 15, Laws of 1975 1st ex. sess. and RCW 77.32.226; repealing section 7, chapter 166, Laws of 1971 ex. sess. and RCW 77.32.245; repealing section 77.32.270, chapter 36, Laws of 1955 and RCW 77.32.270; and prescribing an effective date.

To Committee on Natural Resources

HOUSE BILL NO. 1448, by Representatives Schmitt and Vrooman:

AN ACT Relating to sales of valuable material on state lands; and amending section 33, chapter 255, Laws of 1927 as last amended by section 1, chapter 52, Laws of 1975 1st ex. sess. and RCW 79.01.132.

To Committee on Natural Resources

HOUSE BILL NO. 1449, by Representatives Heck and Chandler (by Superintendent of Public Instruction request):

AN ACT Relating to education; amending section 28A.04.060, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 19, Laws of 1975 and RCW 28A.04.060; and amending section 17, chapter 283, Laws of 1977 ex. sess. and RCW 28A.21.033.

To Committee on Education

#### MOTION

On motion of Mr. Polk, HOUSE BILL NO. 1412 was referred to Committee on Ecology.

Speaker Berentson declared the House to be at ease.

Speaker Berentson called the House to order.

## JOINT SESSION

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

Speaker Berentson requested the Sergeants at Arms to escort President of the Senate John Cherberg, President Pro Tem Al Henry and Vice President Pro Tem Don Talley to seats on the rostrum.

Speaker Berentson requested the Sergeants at Arms to escort the Senators to seats within the House Chamber.

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

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

The Secretary of the Senate called the roll of the Senate, and all members were present except Senators Gaspard, Gould, Morrison, Pullen, Sellar and Wanamaker, who were excused.

The Clerk of the House called the roll of the House, and all members were present except Representative Fancher, who was excused.

The President of the Senate appointed Representatives Sherman, Knowles, Ellis and Newhouse and Senators Bottiger, Jones, Lewis and Van Hollebeke to escort the Supreme Court Justices from the State Reception Room to seats within the House Chamber.

The President of the Senate appointed Representatives Heck, Nisbet, Sommers and Williams and Senators Day, Lee and Odegaard to escort the State elected officials from the State Reception Room to seats within the House Chamber.

The President of the Senate appointed Representatives Brekke, Hughes, Whiteside and Houchen and Senators Rasmussen, Gallagher and Walgren to escort Governor Dixy Lee Ray from her Chambers to the bar of the House.

President Cherberg: "Ladies and gentlemen: The purpose of the Joint Session of the Legislature is to receive a message from Governor Dixy Lee Ray. It is the President's pleasure and privilege to present to you Her Excellency the Honorable Dixy Lee Ray, Governor of the State of Washington."

## GOVERNOR'S MESSAGE TO THE LEGISLATURE

"Mr. President; Co-Speakers; Chief Justices; Members of the Legislature; Other elected officials and my fellow Citizens:

"We convene tonight, just two weeks into the new decade of the 1980's. In the ninety-one year span of Washington State government, this is the first even-year legislative session prescribed by the Constitution. It is fitting that we acknowledge the new amendment and those who have made it possible jointly to address the challenges of the oncoming and demanding decade of the 1980's right at the time of its unfolding.

"Thus, I commend the members of the legislative body who had the foresight...and the courage...to vote last spring to place the annual, limited sessions constitutional amendment before the public for its approval, and I genuinely commend those citizens who last fall exercised their right to vote in the interest of more responsibly serving the legitimate needs of our four million citizens. I am confident that the people's expectation that state government will function more efficiently and more equitably, through constitutionally scheduled and limited legislative sessions, can and will be fulfilled.

"With all the diverse interest, motives, emotions and points of view that are inherent in this legislative session, the determination among each of us to keep the public interest paramount will be tested each hour of the day. I acknowledge the nature of the constitutional relationship between the legislative and executive branches of government...clear separation...yet I am confident we can carry out our respective constitutional responsibilities with the highest spirit of public concern, and with the greatest level of personal cooperation. We can be expected to do this; our state's citizens clearly deserve no less.

"Now it is my constitutional duty to report to you the condition of the affairs of the state and to recommend such measures as I deem expedient for legislative action.

"First, I must comment upon our state's growth and economy. Four million people now live in Washington and our population is one of the fastest growing in the nation.

"Action must be taken if we are to maintain a balance between population growth and its impact, and the natural environment. Some of those actions will be the responsibility of the



state. Many more will be the responsibility of local governments. Since growth management is primarily a local government activity, it is important that the state does what is necessary to make sure that local governments are capable of meeting their growth management responsibilities. To this end, my administration is reviewing local government revenue-generating mechanisms to recommend measures in 1981 that will ensure that local governments have adequate revenue to meet their service needs.

"Despite the complex problems of managing growth, the basic economic health of our state is good.

"More people are working now than ever before in our state's history. Eighty-six thousand new jobs were filled in this state during the past twelve months. The growth of personal income of our residents this past year was among the top three or four highest in the nation. Both employment and personal income, as indicators of economic strength and potential revenue, show every indication of remaining high in the years immediately ahead.

"Business is another indicator of economic health. In the twelve months ending last October, we experienced a net gain of 15,000 new businesses. Revenue from sales, use, business and occupation and other taxes for the first ten months of 1979, increased 17 percent over the same period a year earlier.

"With all of this growth, I am pleased to be able to report a budget surplus exceeding \$50 million in state general funds. This will allow us to make certain modest adjustments in the present budget without an increase in taxes or proposing new taxes.

The same exciting growth...people growth and economic growth...which has helped to produce a budget surplus today is also the factor that will produce or aggravate pressures on state and local governments throughout the demanding decade of the 1980's.

"Government has not been primarily responsible for producing the growth that has occurred. That has happened in the private sector as a result of individual decisions, risk taking, and initiatives. And that is as it should be. It is the capitalistic free enterprise system that has built our state and our nation and made them great. Government is responsible, on the other hand, for coping with growth in a manner that protects the health and well-being of those who do not share sufficiently in the benefits of economic growth. Economic growth is one thing. The economic health and well-being of people is not necessarily the same.

"This legislative session provides an unusual opportunity for both legislative and executive branches of state government to review, to deliberate, and to consider the immediate, emergent and critical human needs. Some of these are specifically addressed in my proposed supplemental budget made public on December 21.

"The \$62.7 million supplemental request includes federal funds and constitutes about one-half of one percent of the \$11 billion-plus budget adopted in 1979. These funds are needed primarily for increased costs of state supported patient care in nursing homes, and for improvements in our prison system. Other substantial items include funds to be distributed to cities and towns as their statutory share of the increased motor fuel excise tax, funds for emergency forest fire suppression, funds to manage waste and water programs, funds for the victims of crimes program, and funds for the education and safety of students in various educational institutions.

"This state's property owners will receive, in February, tax statements that will indicate a substantial tax reduction—in certain instances—up to fifty percent. This is due to actions initiated by my administration with favorable action by the legislature to implement full state funding for basic education.

"In this area the recent Supreme Court decision regarding legislative limitations of teachers' salaries in the Appropriations Act has many ramifications: What is the affect on the teachers' collective bargaining law? Should the state be required to fund all locally negotiated salary increases in the light of full state funding of basic education? Note that for each one percent salary increase means approximately \$25 million additional dollars. Should a statewide distribution methodology or a statewide salary schedule be adopted for school district employees similar to that for other state employees?

"These and other related questions need careful study and thorough consideration. To this end, I am asking for a joint executive/legislative comprehensive review be instituted to evaluate the impact of the Supreme Court decision. Such a review should explore alternatives and report such findings and/or recommendations before the next regular session.

"Just as government must look at adequate and equitable salaries for teachers—so six years ago, the state financed a study to examine salary differences in state government jobs held primarily by men and those held primarily by women. The objective was to determine whether or not the state's salary practices favored one sex over the other. That survey revealed

an average salary difference of twenty percent favoring men over women. The only thing that we...and I include the Governor along with the Legislature in this...have done about that 1974 study, was to have it updated. The update revealed that the inequality gap between men's and women's salaries for similar work has now increased. The dollar cost of solution will be high; it probably cannot be achieved in a single action, but the cost of perpetuating unfairness, within state government itself, is too great to be put off any longer. I will direct the Department of Personnel, in its biennial salary survey scheduled for July 1980, to pay particular attention to action on this matter.

"The economic importance of energy, its supply and its costs, is well known. It is time now to focus on the human implications of this issue.

"All of us, as a practical matter of survival under any conditions other than marginal, are going to have to conserve, ration, cut back, and in all ways act so as to assure stable, prosperous, future generations and to maintain a standard of living that is at least as good as the one most citizens now enjoy.

"So what then for energy? One shuddering and awesome reality is that the world today is on the brink of a vicious war...not over conflicting political or religious philosophies, but because nations are competing for energy supplies to support their own peoples' determination to establish or maintain an acceptable living standard. Our nation is in the middle of this struggle with more to lose than any other people on earth.

"The Bonneville Power Administration reported four years ago that as long as our population in the Pacific Northwest continues to grow, and as long as people want to work in an atmosphere of economic prosperity, and as long as power needs are not satisfied, electrical energy demand will continue to grow...and it has.

"BPA reported at the beginning of 1976 that a program to meet our energy needs called for completion of a total of eleven nuclear power units and three coal units by the end of the 1980's. For a variety of reasons, well publicized throughout the state, most of this program is now way behind schedule or at least temporarily derailed. And we sweat out our supply of hydro power from rain shower to rain shower, while utilities tell us they won't be able to supply electricity to newly planned housing starts.

"The issue of providing sufficient energy for the people of our state, our region and the nation, is a humanitarian issue...much more than an economic one. We will need to employ all the technological and political wisdom that we can muster, utilizing all the known, available means of electric generation at our disposal, just to maintain a reasonable pattern of life for most citizens, to meet the requirements of the poor, the elderly, and to provide an opportunity for upward social and economic mobility for the young, the ethnic minorities and others on the low side of the socio-economic scale.

"The possibility of short supplies and the resultant high cost of energy has been known for some time. Public officials at the state level have expected and waited for the federal government to take the leadership role throughout the entire decade of the 1970's. However, federal actions have been piecemeal, weak, and generally unsuccessful. The objectives of federally sponsored conservation programs have been very modest at best. Federal policy toward increasing supplemental alternative sources of energy has been unclear and the appropriation of the funds of the required magnitude has been lacking. Consequently, our import of foreign oil continues to grow despite efforts to the contrary. The state must assume a strong role now to accomplish the necessary planning and organization required to implement state programs for the 1980's that will work to provide sufficient energy.

"Production, distribution and use of energy are very complex problems in modern society. The production and distribution of energy are and should remain in the private sector. Use is a matter of concern for government. It is thus imperative that a very carefully and clearly delineated, comprehensive state policy be set forth. Programs addressing different energy options, including low head hydro, pumped storage of water, gasification of coal, additional reliance on natural gas, gasohol cogeneration and others, together with future energy needs assessments, be integrated, coordinated with the private sector, and tailored to avoid a piecemeal approach.

"In order to plan and implement a program of this nature, it is necessary to establish in our state a centralized authority and responsibility to undertake these functions. For this reason I propose that a State Department of Energy be established. The authority of the present Energy Office is too narrow and too weak; and the agency has far too few funds and capabilities to effect the state initiative that is needed. Legislative action, creating a strong Department of Energy, will be required.

"Two energy related problems are to be addressed. First, the question of locating nuclear power plants. Let us agree from here on that any additional siting or expansion of nuclear

power plants, nuclear generating electrical plants, be restricted to the Hanford Reservation. Second, with respect to a level of radioactive wastes: The state of Washington furnishes one of only three sites in the entire nation to dispose of low level radioactive material. The issue of the disposal of these wastes has been debated too long and with too much emotional intensity. In order to develop a positive and responsible program to ensure that additional low level disposal sites are established in other states, I propose that the state of Washington prohibit the receipt of radioactive wastes from outside its borders after December 21, 1982. This will give other states adequate time, either singly or in combination, to arrange for appropriate disposal sites and prevent increasing the amounts of low level wastes entering our state from outside.

"Protection of our communities' water supplies also requires continuation of state programs supporting municipal waste water treatment. Very little state matching money remains to construct waste water treatment and sewage disposal facilities, pumping stations and trunk intercept lines. Therefore, I am asking that a \$450 million bond measure to be utilized over a ten-year period, be referred to the people next November to complete the work envisioned by the original passage of Referendum 26. At a fifty percent matching rate, this new program would generate sufficient additional funds to cover the municipalities' currently identified backlog of needed construction estimated not to cost more than \$1 billion.

"Another area of executive accountability that I would like to share with you is the area of adult corrections.

"The central problem we are faced with today is how best to provide an orderly, accountable, effective, and yet humane system which will meet the correctional needs of the state during a time of increasing numbers of convicted adult felons. Studies have been launched concerning all aspects of the problems which will shortly produce an adult corrections master plan which will direct our efforts.

"Also included in the master plan will be an exposition of judicial policies and guidelines applicable to sentencing procedures, a rationalization of the new Parole Board guidelines, and an explanation of federal mandates and requirements.

"Another major concern is associated with the successful rehabilitation of convicted felons and employment of these people after incarceration. Frequently, institutionalized felons are released with no marketable job skills. I propose that a study to determine the best way to provide vocational education to felons be undertaken commencing at the earliest possible opportunity. This study should consider the use of programs and facilities currently within the vocational-technical institute and community college network as well as the development of special programs and facilities patterned after work release and halfway house concepts. In all cases, the study will need to consider vocational education training as an incentive for felons as well as a rehabilitation tool in correctional administration.

"The siting of prison facilities has also received considerable attention. Let us lay the controversy respecting McNeil Island to rest. McNeil Island is federal property. It is not available for acquisition from the federal government except through the Surplus Property Act. This fact has been transmitted to me by the Department of Justice and has been recently reaffirmed by the White House.

"The Department of Social and Health Services has encountered considerable local opposition in its efforts to provide additional facilities including selection of a site for the 500-bed medium security facility authorized by the 46th Legislature. Rather than delay that project further, and taking into account the citizen response to the announced possible site, I have decided that the 500-bed facility shall be built at Monroe. There is more than sufficient space available within the present 600-plus acres of the Monroe facility without adding significantly to the convict population.

"It has come to my attention that legislation may be introduced to separate Adult Corrections from the rest of the Department of Social and Health Services. Four successive national commissions in addition to the two panels that I established have considered this point and considered restructuring the system. In each case the consensus has been that the advantage lies with keeping Adult Corrections under an umbrella organization, in this case, the State Department of Social and Health Services.

"Turning now to another critical issue. The December floods and January snows have had a severe impact on local levels of government.

"These floods and storms have created millions of dollars of damage far exceeding the immediate resources of most local governments. Exacerbating the problem is the fact that federal fiscal relief programs have been made available to individuals but not to units of local government.

"To assist local units of government in this problem, I am proposing that an Emergency Assistance Fund of \$3 million be established. This fund will be used to solve immediate cash flow problems in times of disaster. In this way, communities may be able to meet their most pressing needs without over extending their taxing capabilities.

"Finally, one major question—that of redistricting after the 1980 census falls wholly within the responsibility of the Legislature. Speaking for the people of this state, I would hope that this honorable body will resolve that question itself and not delegate it to some nonelected group that is not directly accountable to the people.

"I have referred several times to the demanding decade of the 1980's. Beginning with this session it will be demanding, for the problems are many and complex and without easy solution. Let us work together on them so that it will be said of this session, that this was the time when honesty and integrity prevailed, this was the time when credibility and trust was restored to state government.

"Thank you."

President Cherberg instructed the committee to escort Governor Ray to her Chambers.

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

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

#### MOTION

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

President Cherberg returned the gavel to Speaker Berentson.

Speaker Berentson instructed the Sergeants at Arms of the House and the Sergeant at Arms of the Senate to escort President Cherberg, President Pro Tem Al Henry and Vice President Pro Tem Don Talley to the Senate Chamber.

The House resumed its session.

#### MOTION

On motion of Mr. Polk, the House adjourned until 10:00 a.m., Wednesday, January 16, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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

## THIRD DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 16, 1980

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Deccio, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Chris Lomax and Tracy Belmont. Prayer was offered by The Reverend Paul McCann of the United Churches of Olympia.

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

## SIGNED BY THE SPEAKERS

The Speaker (Mr. O'Brien presiding) stated the Speakers were signing:

HOUSE CONCURRENT RESOLUTION NO. 22.

HOUSE CONCURRENT RESOLUTION NO. 23.

## INTRODUCTION AND FIRST READING

On motion of Mr. King, HOUSE BILL NO. 1428 was referred to Committee on Appropriations.

HOUSE BILL NO. 1450, by Representatives Erickson, Fuller, Granlund, Barnes and Hastings:

AN ACT Relating to public disclosure; amending section 2, chapter 1, Laws of 1973 as last amended by section 1, chapter 50, Laws of 1979 ex. sess. and RCW 42.17.020; amending section 3, chapter 1, Laws of 1973 as amended by section 2, chapter 313, Laws of 1977 ex. sess. and RCW 42.17.030; amending section 16, chapter 1, Laws of 1973 as last amended by section 4, chapter 313, Laws of 1977 ex. sess. and RCW 42.17.160; amending section 19, chapter 1, Laws of 1973 as last amended by section 1, chapter 265, Laws of 1979 ex. sess. and RCW 42.17.190; and amending section 73, chapter 151, Laws of 1979 as amended by section 3, chapter 265, Laws of 1979 ex. sess. and RCW 42.17.240.

To Committee on Constitution, Elections and Governmental Ethics

HOUSE BILL NO. 1451, by Representatives Zimmerman, Keller and Vrooman:

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

To Committee on Natural Resources

HOUSE BILL NO. 1452, by Representatives Vrooman and Schmitt:

AN ACT Relating to irrigation districts; and amending section 4, chapter 57, Laws of 1955 as last amended by section 72, chapter 292, Laws of 1971 ex. sess. and RCW 87.03.045.

To Committee on Natural Resources

HOUSE BILL NO. 1453, by Representatives Schmitt, Vrooman, Addison, Brekke, Fuller, Keller, Mitchell, Monohon, Nisbet, Oliver, Pruitt, Salatino, Sanders and Walk:

AN ACT Relating to the use of wood for energy and heating; adding a new chapter to Title 76 RCW; making an appropriation; and declaring an emergency.

To Committee on Natural Resources

HOUSE BILL NO. 1454, by Representatives Keller, Zimmerman, Rosbach, Brown, Vrooman and Charnley:

AN ACT Relating to county treasurers; and amending section 36.29.020, chapter 4, Laws of 1963 as last amended by section 1, chapter 57, Laws of 1979 and RCW 36.29.020.

To Committee on Local Government

**HOUSE BILL NO. 1455**, by Representatives Zimmerman, Charnley, Van Dyken, North and Sherman:

**AN ACT** Relating to park and recreation service areas; amending section 1, chapter 218, Laws of 1963 as amended by section 1, chapter 76, Laws of 1965 ex. sess. and RCW 36.68.400; amending section 2, chapter 218, Laws of 1963 as amended by section 2, chapter 76, Laws of 1965 ex. sess. and RCW 36.68.410; amending section 3, chapter 218, Laws of 1963 and RCW 36.68.420; amending section 5, chapter 218, Laws of 1963 and RCW 36.68.440; amending section 6, chapter 218, Laws of 1963 and RCW 36.68.450; amending section 8, chapter 218, Laws of 1963 and RCW 36.68.470; amending section 9, chapter 218, Laws of 1963 as amended by section 38, chapter 195, Laws of 1973 1st ex. sess. and RCW 36.68.480; amending section 10, chapter 218, Laws of 1963 and RCW 36.68.490; amending section 11, chapter 218, Laws of 1963 and RCW 36.68.500; amending section 13, chapter 218, Laws of 1963 as last amended by section 39, chapter 195, Laws of 1973 1st ex. sess. and RCW 36.68.520; amending section 14, chapter 218, Laws of 1963 and RCW 36.68.530; amending section 16, chapter 218, Laws of 1963 and RCW 36.68.550; amending section 17, chapter 218, Laws of 1963 and RCW 36.68.560; amending section 18, chapter 218, Laws of 1963 and RCW 36.68.570; amending section 19, chapter 218, Laws of 1963 and RCW 36.68.580; amending section 21, chapter 218, Laws of 1963 and RCW 36.68.600; amending section 84.52.052, chapter 15, Laws of 1961 as last amended by section 1, chapter 325, Laws of 1977 ex. sess. and RCW 84.52.052; adding a new section to chapter 36.68 RCW; repealing section 15, chapter 218, Laws of 1963 and RCW 36.68.540; and declaring an emergency.

**HOUSE BILL NO. 1456**, by Representatives Knowles, Newhouse and Keller:

**AN ACT** Relating to justice courts; and adding a new section to chapter 3.66 RCW.

To Committee on Judiciary

**HOUSE BILL NO. 1457**, by Representatives Charnley, Rohrbach and Garrett:

**AN ACT** Relating to combined city-county health departments; amending section 5, chapter 46, Laws of 1949 and RCW 70.08.070; amending section 6, chapter 46, Laws of 1949 and RCW 70.08.080; adding a new section to chapter 46, Laws of 1949 and to chapter 70.08 RCW; repealing section 4, chapter 46, Laws of 1949 and RCW 70.08.040; and declaring an emergency.

To Committee on Local Government

**HOUSE BILL NO. 1458**, by Representatives Sanders, Gruger, Teutsch, Adams, Tupper, Lux, McDonald, Whiteside, Addison, Brekke, Charnley, Houchen, Maxie, Mitchell, Pruitt, Taller, Van Dyken and Winsley:

**AN ACT** Relating to public assistance eligibility; and amending section 74.08.025, chapter 26, Laws of 1959 as last amended by section 1, chapter 169, Laws of 1971 ex. sess. and RCW 74.08.025.

To Committee on Social and Health Services

**HOUSE BILL NO. 1459**, by Representatives Pruitt, Fuller, Van Dyken, May, Brown, Charnley, Erickson, Gallagher, Granlund, Gruger, Hughes, Maxie, Nisbet, Salatino, Sherman and Smith, R. (by Joint Board of Legislative Ethics request):

**AN ACT** Relating to elections; amending section 12, chapter 1, Laws of 1973 as amended by section 8, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.120; repealing section 29.85.270, chapter 9, Laws of 1965, section 1, chapter 162, Laws of 1975 1st ex. sess. and RCW 29.85.270; and repealing section 29.85.280, chapter 9, Laws of 1965, section 2, chapter 162, Laws of 1975 1st ex. sess. and RCW 29.85.280.

To Committee on Constitution, Elections and Governmental Ethics

**HOUSE BILL NO. 1460**, by Representatives Bauer, Heck, Zimmerman, Galloway and Thompson:

**AN ACT** Relating to certain educational facilities and programs; and amending section 72.05.140, chapter 28, Laws of 1959 as last amended by section 9, chapter 217, Laws of 1979 ex. sess. and RCW 72.05.140.

To Committee on Appropriations

**HOUSE BILL NO. 1461**, by Representatives Martinis and Wilson:

**AN ACT** Relating to wharfingers and warehousemen; amending section 81.24.030, chapter 14, Laws of 1961 and RCW 81.24.030; amending section 81.92.010, chapter 14, Laws of 1961 and RCW 81.92.010; amending section 81.92.020, chapter 14, Laws of 1961 and RCW 81.92.020; amending section 81.92.030, chapter 14, Laws of 1961 and RCW 81.92.030; amending section 81.92.050, chapter 14, Laws of 1961 and RCW 81.92.050; amending section 81.92.060, chapter 14, Laws of 1961 and RCW 81.92.060; amending section 81.92.070, chapter 14, Laws of 1961 and RCW 81.92.070; amending section 81.92.080, chapter 14, Laws of 1961 and RCW 81.92.080; amending section 81.92.090, chapter 14, Laws of 1961 and RCW 81.92.090; amending section 81.92.100, chapter 14, Laws of 1961 and RCW 81.92.100;

amending section 81.92.130, chapter 14, Laws of 1961 and RCW 81.92.130; amending section 81.92.140, chapter 14, Laws of 1961 and RCW 81.92.140; amending section 81.92.150, chapter 14, Laws of 1961 as amended by section 39, chapter 199, Laws of 1969 ex. sess. and RCW 81.92.150; amending section 7-204, chapter 157, Laws of 1965 ex. sess. and RCW 62A.7-204; repealing section 81.94.010, chapter 14, Laws of 1961 and RCW 81.94.010; repealing section 81.94.020, chapter 14, Laws of 1961 and RCW 81.94.020; repealing section 81.94.030, chapter 14, Laws of 1961 and RCW 81.94.030; repealing section 81.94.040, chapter 14, Laws of 1961 and RCW 81.94.040; repealing section 81.94.050, chapter 14, Laws of 1961 and RCW 81.94.050; repealing section 81.94.060, chapter 14, Laws of 1961, section 118, chapter 154, Laws of 1973 1st ex. sess. and RCW 81.94.060; repealing section 81.94.070, chapter 14, Laws of 1961 and RCW 81.94.070; repealing section 81.94.080, chapter 14, Laws of 1961 and RCW 81.94.080; repealing section 81.94.090, chapter 14, Laws of 1961 and RCW 81.94.090; repealing section 81.94.100, chapter 14, Laws of 1961 and RCW 81.94.100; repealing section 81.94.110, chapter 14, Laws of 1961 and RCW 81.94.110; and repealing section 81.94.130, chapter 14, Laws of 1961 and RCW 81.94.130.

To Committee on Transportation

HOUSE BILL NO. 1462, by Representatives Scott, Williams, Nisbet, Nelson (D), McCormick, Bond, Fuller, Mitchell, Sanders and Van Dyken:

AN ACT Relating to local government; amending section 35.84.020, chapter 7, Laws of 1965 and RCW 35.84.020; amending section 35.84.030, chapter 7, Laws of 1965 and RCW 35.84.030; amending section 35.92.050, chapter 7, Laws of 1965 and RCW 35.92.050; amending section 2, chapter 72, Laws of 1967 and RCW 36.94.020; amending section 3, chapter 65, Laws of 1955 as last amended by section 3, chapter 147, Laws of 1963 and RCW 53.08.020; amending section 3, chapter 390, Laws of 1955 and RCW 54.16.020; adding a new section to chapter 35.92 RCW; adding a new section to chapter 36.94 RCW; adding a new section to chapter 53.08 RCW; and adding a new section to chapter 54.16 RCW.

To Committee on Local Government

HOUSE BILL NO. 1463, by Representatives Bauer, Heck, Zimmerman, Galloway, Grimm, Maxie, Walk, Ehlers, Taylor, Tupper, Gallagher, North, Salatino, Taller and Williams:

AN ACT Relating to education; and amending section 2, chapter 10, Laws of 1972 ex. sess. as last amended by section 4, chapter 201, Laws of 1979 ex. sess. and RCW 28A.27.010.

To Committee on Education

HOUSE BILL NO. 1464, by Representatives Martinis, Wilson, Scott, Mitchell, Sprague, King, Addison, Gallagher, Garrett, Grimm, Houchen, Keller, Smith (R) and Walk:

AN ACT Relating to highways; and adding a new section to chapter 47.38 RCW.

To Committee on Transportation

HOUSE BILL NO. 1465, by Representatives Pruitt, Fuller, Van Dyken, Erickson, Gallagher, Granlund, Gruger, Salatino, Sanders and Smith (R):

AN ACT Relating to legislative ethics; and amending section 8, chapter 218, Laws of 1977 ex. sess. and RCW 44.60.110.

To Committee on Constitution, Elections and Governmental Ethics

HOUSE BILL NO. 1466, by Representatives Taylor, McCormick, Amen, Sommers, Chandler, Bauer, Heck, Houchen, Galloway, Nisbet and Smith (C):

AN ACT Relating to education; and amending section 28A.58.135, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 26, Laws of 1975-'76 2nd ex. sess. and RCW 28A.58.135.

To Committee on Education

HOUSE BILL NO. 1467, by Representatives North and Fuller:

AN ACT Relating to state park moorage fees; amending section 1, chapter 210, Laws of 1971 ex. sess. and RCW 43.51.270; and adding new sections to chapter 43.51 RCW.

To Committee on Parks and Recreation

**HOUSE BILL NO. 1468**, by Representatives North, Fuller and Sommers:

AN ACT Relating to watercraft; adding a new chapter to Title 88 RCW; and prescribing penalties.

**HOUSE BILL NO. 1469**, by Representative Bond:

AN ACT Relating to energy.

To Committee on Rules

**HOUSE BILL NO. 1470**, by Representative Bond:

AN ACT Relating to energy.

To Committee on Rules

**HOUSE BILL NO. 1471**, by Representatives Keller, Dawson and Deccio (by Insurance Commissioner request):

AN ACT Relating to insurance; amending section 7, chapter 195, Laws of 1963 as amended by section 5, chapter 150, Laws of 1967 and RCW 48.05.340; amending section .09.09, chapter 79, Laws of 1947 as amended by section 5, chapter 193, Laws of 1957 and RCW 48.09.090; and repealing section 4, chapter 193, Laws of 1957 and RCW 48.09.081.

To Committee on Insurance

**HOUSE BILL NO. 1472**, by Representatives Vrooman, Schmitt and Smith (C):

AN ACT Relating to the exchange of lands; amending section 1, chapter 77, Laws of 1937 as last amended by section 1, chapter 50, Laws of 1973 1st ex. sess. and RCW 76.12.050; and amending section 1, chapter 290, Laws of 1957 as last amended by section 2, chapter 50, Laws of 1973 1st ex. sess. and RCW 79.08.180.

To Committee on Natural Resources

**HOUSE BILL NO. 1473**, by Representative Bond:

AN ACT Relating to energy.

To Committee on Rules

**HOUSE BILL NO. 1474**, by Representatives Charnley and Zimmerman:

AN ACT Relating to urban service areas; and creating a new chapter in Title 36 RCW.

To Committee on Local Government

**HOUSE BILL NO. 1475**, by Representatives Erickson and Oliver:

AN ACT Relating to legislative sessions; amending section 1, chapter 162, Laws of 1955 as last amended by section 1, chapter 87, Laws of 1974 ex. sess. and RCW 1.12.025; amending section 3, chapter 174, Laws of 1979 ex. sess. and RCW 28A.97.100; amending section 5, chapter 150, Laws of 1941 as last amended by section 95, chapter 169, Laws of 1977 ex. sess. and RCW 40.04.090; amending section 1, chapter 20, Laws of 1891 as amended by section 1, chapter 48, Laws of 1979 ex. sess. and RCW 44.04.010; amending section 6, chapter 181, Laws of 1945 and RCW 2.48.120; amending section 28A-41.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.41.020; amending section 28A.41.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.41.050; amending section 11, chapter 66, Laws of 1971 ex. sess. and RCW 28A.41.053; amending section 1, chapter 85, Laws of 1974 ex. sess. and RCW 28A.41.250; amending section 28A.92.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.92.030; amending section 11, chapter 36, Laws of 1969 ex. sess. as last amended by section 16, chapter 151, Laws of 1979 and RCW 28B.16.110; amending section 5, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.050; amending section 1, chapter 174, Laws of 1974 ex. sess. as amended by section 1, chapter 365, Laws of 1977 ex. sess. and RCW 28B.20.382; amending section 4, chapter 234, Laws of 1959 and RCW 34.04.040; amending section 1, chapter 186, Laws of 1963 and RCW 34.04.160; amending section 1, chapter 11, Laws of 1972 ex. sess. as amended by section 1, chapter 133, Laws of 1973 1st ex. sess. and RCW 41.06.070; amending section 16, chapter 1, Laws of 1961 as last amended by section 58, chapter 151, Laws of 1979 and RCW 41.06.160; amending section 5, chapter 152, Laws of 1977 ex. sess. as amended by section 60, chapter 151, Laws of 1979 and RCW 41.06.167; amending section 11, chapter 14, Laws of 1963 ex. sess. and RCW 41.32.401; amending section 1, chapter 17, Laws of 1963 ex. sess. as amended by section 2, chapter 10, Laws of 1969 and RCW 41.52.010; amending section 1, chapter 174, Laws of 1969 ex. sess. and RCW 41.56.220; amending section 11, chapter 215, Laws of 1969 ex. sess. as amended by section 9, chapter 131, Laws of 1973 and RCW 41.56.420; reenacting and amending section 43.03.028, chapter 8, Laws of 1965 as last amended by section 36, chapter 75, Laws of 1977 and by section 1, chapter 127, Laws of 1977 ex. sess. and RCW 43.03.028; amending section 43.07.030, chapter 8, Laws of 1965 as amended by section 3, chapter 53; Laws of 1969 ex. sess. and RCW 43.07.030; amending section 13, chapter 62, Laws of 1970 ex. sess. and RCW 43.21A.130; amending section 18, chapter 108, Laws of 1975-76 2nd ex. sess. as last amended by section 1, chapter 158, Laws of 1979 ex. sess. and RCW 43.21G.040; amending section 43.56.030, chapter 8, Laws of



1965 as amended by section 59, chapter 75, Laws of 1977 and RCW 43.56.030; amending section 43.88.020, chapter 8, Laws of 1965 as last amended by section 135, chapter 151, Laws of 1979 and RCW 43.88.020; amending section 43.88.030, chapter 8, Laws of 1965 as last amended by section 1, chapter 247, Laws of 1977 ex. sess. and RCW 43.88.030; amending section 1, chapter 36, Laws of 1947 as last amended by section 1, chapter 10, Laws of 1969 and RCW 44.24.010; amending section 2, chapter 36, Laws of 1947 as last amended by section 1, chapter 134, Laws of 1967 ex. sess. and RCW 44.24.020; amending section 1, chapter 43, Laws of 1951 as last amended by section 4, chapter 10, Laws of 1969 and RCW 44.28.010; amending section 12, chapter 43, Laws of 1951 as last amended by section 5, chapter 10, Laws of 1969 and RCW 44.28.020; amending section 3, chapter 265, Laws of 1969 ex. sess. and RCW 44.30.020; amending section 5, chapter 265, Laws of 1969 ex. sess. and RCW 44.30.030; amending section 3, chapter 130, Laws of 1965 ex. sess. as amended by section 3, chapter 10, Laws of 1969 and RCW 44.33.220; amending section 5, chapter 130, Laws of 1965 ex. sess. as amended by section 6, chapter 10, Laws of 1969 and RCW 44.33.240; amending section 3, chapter 308, Laws of 1961 and RCW 44.36.030; amending section 5, chapter 308, Laws of 1961 and RCW 44.36.050; amending section 3, chapter 260, Laws of 1969 ex. sess. as amended by section 15, chapter 328, Laws of 1977 ex. sess. and RCW 44.39.020; amending section 35, chapter 3, Laws of 1963 ex. sess. and RCW 44.40.010; amending section 1, chapter 373, Laws of 1977 ex. sess. and RCW 44.48.010; amending section 2, chapter 373, Laws of 1977 ex. sess. and RCW 44.48.020; amending section 3, chapter 373, Laws of 1977 ex. sess. and RCW 44.48.030; amending section 2, chapter 150, Laws of 1967 ex. sess. as amended by section 2, chapter 218, Laws of 1977 ex. sess. and RCW 44.60.020; amending section 46.68.120, chapter 12, Laws of 1961 as last amended by section 185, chapter 158, Laws of 1979 and RCW 46.68.120; amending section 7, chapter 151, Laws of 1977 ex. sess. and RCW 47.01.071; amending section 1, chapter 166, Laws of 1979 ex. sess. and RCW 90.03.247; and adding a new section to chapter 44.04 RCW.

To Committee on Constitution, Elections and Governmental Ethics

HOUSE BILL NO. 1476, by Representatives Thompson, Chandler, Keller, Zimmerman, Brown, Gallagher, Kreidler and Salatino (by State Patrol request):

AN ACT Relating to the payment of overtime to traffic officers of the Washington state patrol; making an appropriation; and declaring an emergency.

To Committee on Appropriations

HOUSE JOINT RESOLUTION NO. 38, by Representatives Oliver, Erickson and Nisbet:

Amending constitutional provisions on redistricting.

To Committee on Constitution, Elections and Governmental Ethics

HOUSE JOINT RESOLUTION NO. 39, by Representatives Erickson and Oliver:

Amending constitutional provisions on redistricting.

To Committee on Constitution, Elections and Governmental Ethics

HOUSE CONCURRENT RESOLUTION NO. 24, by Representatives Fuller, Pruitt, Van Dyken, May, Erickson, Gallagher, Granlund, Gruger, Hughes, Nisbet and Smith (R):

Adopting a separate body of Joint Ethics Rules.

To Committee on Constitution, Elections and Governmental Ethics

#### REPORTS OF STANDING COMMITTEES

January 15, 1980

ENGROSSED SUBSTITUTE HOUSE BILL NO. 39, Prime Sponsor: Representative Ehlers, making uniform the compensation of various boards and commissions. Reported by Committee on State Government.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Ehlers, Co-Chairman; Taller, Co-Chairman; Addison, Burns, Flint, Greengo, Jovanovich, McGinnis, O'Brien, Pruitt, Salatino, Tupper, Walk, Williams.

Passed to Committee on Rules for second reading.

January 15, 1980

HOUSE BILL NO. 1404, Prime Sponsor: Representative Ehlers, revising the law pertaining to the adjutant general and the military department. Reported by Committee on State Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Ehlers, Co-Chairman; Taller, Co-Chairman; Addison, Burns, Flint, Greengo, Jovanovich, McGinnis, Pruitt, Tupper, Walk, Williams.

Passed to Committee on Rules for second reading.

### THIRD READING

**ENGROSSED HOUSE BILL NO. 427**, by Representatives Smith (R), Newhouse, Thompson, Winsley, Knowles, Chandler, Sherman, Haley and Erak:

Limiting the use of search warrants.

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

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

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 427, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

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

Not voting: Representatives Becker, Chandler, Deccio, Wilson.

Engrossed House Bill No. 427, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 440**, by Committee on Education (originally sponsored by Representatives Sherman, Chandler and Sanders - by Superintendent of Public Instruction request):

Authorizing parents to ride school bus or other student transportation vehicle upon request by school officials or employees.

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

Ms. Sherman spoke in favor of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 440, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

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

Voting nay: Representatives Barr, Hastings, Tilly.

Not voting: Representatives Deccio, McDonald.

Substitute House Bill No. 440, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 451**, by Committee on Transportation (originally sponsored by Representatives Gallagher, Martinis, Wilson, Smith, C., Clayton and Garrett):

Establishing new procedures for the removal of abandoned motor vehicles from private property.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 451, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

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

Voting nay: Representatives Bender, Ehlers, Eng.

Not voting: Representatives Deccio, Scott.

Substitute House Bill No. 451, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 461, by Representatives Wilson and Vrooman:

Requiring improvement of property acquired under eminent domain.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 461, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

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

Voting nay: Representatives Barnes, Barr, Eng.

Not voting: Representative Deccio.

Engrossed House Bill No. 461, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 465, by Representatives Douthwaite, Burns and Lux:

Clarifying ownership of leased personal property for tax purposes.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 465, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Deccio.

House Bill No. 465, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 498**, by Committee on Judiciary (originally sponsored by Representatives O'Brien and Garrett - by Executive request):

Modifying terms of imprisonment for certain crimes.

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

Mr. Newhouse spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 498, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

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

Voting nay: Representatives Eberle, Rohrbach.

Not voting: Representative Deccio.

Substitute House Bill No. 498, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 551**, by Committee on Judiciary (originally sponsored by Representatives Brown, Winsley, Gallagher, Pruitt, Vrooman, Jovanovich, Scott, Owen, Granlund, Smith, R., Erickson, Grimm, Walk, Brekke, McGinnis, Burns, Nelson, D., Clayton, Hughes, North, Tilly, Hurley, Bender and Smith, C.):

Prohibiting pornography involving children.

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

Mr. Brown spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 551, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Deccio.

Substitute House Bill No. 551, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 639**, by Committee on Transportation (originally sponsored by Representatives Sherman, Charnley and Wilson):

Regulating private carriers.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 639, and the bill passed the House by the following vote: Yeas, 82; nays, 15; not voting, 1.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Bauer, Becker, Bender, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Dawson, Ehlers, Ellis, Eng, Erak, Erickson, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Newhouse, Nisbet, O'Brien, Oliver, Owen, Patterson, Pruitt, Rinehart, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barr, Berentson, Craswell, Dunlap, Eberle, Fancher, Flanagan, Hastings, Monohon, North, Polk, Rohrbach, Rosbach, Warnke.

Not voting: Representative Deccio.

Substitute House Bill No. 639, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 644**, by Committee on Judiciary (originally sponsored by Representatives Tilly, Gallagher, Smith, R., Newhouse and Clayton):

Protecting against the use of fraudulent stop-payment orders.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 644, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Deccio, Rinehart.

Substitute House Bill No. 644, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 721**, by Representatives Sanders, Warnke and Greengo:

Clarifying registration requirements for contractors.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 721, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Deccio.

House Bill No. 721, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 762, by Representatives Winsley and Eng:

Authorizing savings and loan associations to permit use of negotiable transfer from accounts.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 762, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Deccio, Rinehart.

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

HOUSE BILL NO. 783, by Representatives Douthwaite, McDonald and Taller (by Department of Retirement Systems request):

Revising laws relating to retirement of state patrol officers.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 783, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Deccio.

House Bill No. 783, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 807, by Representatives Thompson and Blair (by Deferred Compensation Committee request):

Allowing certain investments of deferred compensation funds.

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

Mr. Thompson spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 807, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R.,

Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Deccio.

House Bill No. 807, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 814, by Representatives Charnley, Wilson, Valle and Jovanovich:

Establishing certain duties for the last driver of a runaway car involved in an accident.

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

Mr. Charnley spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 814, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Deccio.

House Bill No. 814, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 870, by Representatives Thompson, Lux and Williams:

Permitting 17-year-old minors to donate blood without parental consent.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 870, and the bill passed the House by the following vote: Yeas, 92; nays, 5; not voting, 1.

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

Voting nay: Representatives Barnes, Barr, Eberle, Ellis, Greengo.

Not voting: Representative Deccio.

Engrossed House Bill No. 870, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 943, by Committee on Revenue (originally sponsored by Representatives Nelson, G. and Sommers):

Limiting the growth of certain county tax levies.

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

Mr. Nelson (G) spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 943, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Deccio.

Substitute House Bill No. 943, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 1008**, by Committee on Natural Resources (originally sponsored by Representatives McDonald, Vrooman, Schmitten, Owen and Wilson):

Requiring the department of fisheries to collect data on transfers of commercial fishing vessels and licenses.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1008, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

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

Voting nay: Representatives Addison, Rohrbach, Tupper.

Not voting: Representatives Deccio, Whiteside.

Substitute House Bill No. 1008, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. King, **HOUSE BILL NO. 414** and **HOUSE BILL NO. 1109** were rereferred to Committee on Appropriations.

**HOUSE BILL NO. 1106**, by Representatives Struthers and Becker (by Department of Social and Health Services request):

Providing for prisoner leaves of absence for volunteer community service projects and for medical and dental care.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1106, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

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

Voting nay: Representative Barnes.



Not voting: Representative Deccio.

House Bill No. 1106, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 1359**, by Committee on Institutions (originally sponsored by Representative Becker):

Relating to insurance of juvenile community service workers.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1359, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Deccio.

Substitute House Bill No. 1359, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE JOINT RESOLUTION NO. 21**, by Committee on Judiciary (originally sponsored by Representatives Knowles, Newhouse, Smith, R. and Garrett):

Authorizing additional court commissioners.

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

Mr. Knowles spoke in favor of passage of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Joint Resolution No. 21, and the resolution passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Deccio.

Substitute House Joint Resolution No. 21, having received the constitutional majority, was declared passed.

#### MOTIONS

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

On motion of Mr. King, HOUSE BILL NO. 1177 was rereferred from Committee on Labor to Committee on State Government.

On motion of Mr. King, HOUSE BILL NO. 1438 was rereferred from Committee on Local Government to Committee on Commerce.

On motion of Mr. King, HOUSE BILL NO. 1455 was referred to Committee on Local Government.

On motion of Mr. King, HOUSE BILL NO. 1468 was referred to Committee on Parks and Recreation.

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

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 515, by Committee on State Government (originally sponsored by Representatives Kreidler, Taller and Keller):

Providing for increased fund raising activities for the capitol museum.

The bill was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 515 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 515, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Deccio.

Substitute House Bill No. 515, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1147, by Committee on Judiciary (originally sponsored by Representatives Walk, Schmitten, Pruitt, Fancher, Hughes, Haley, Grimm, Brown and Adams):

Providing for a statewide special inquiry judge proceeding.

The bill was read the second time.

On motion of Mr. Newhouse, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1147 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1147, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

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

Voting nay: Representative Eng.

Not voting: Representative Deccio.

Engrossed Substitute House Bill No. 1147, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 168, by Representatives Warnke, Struthers, Salatino, Sanders, Fuller, Addison, Greengo and Maxie (by Legislative Committee on Commerce request):

Excluding babysitting referral services from the definition of employment agency.

The bill was read the second time.

On motion of Mr. Warnke, the following amendment by Representatives Warnke and Greengo was adopted:

On page 1, line 7 after "as" strike all down through "sess." on line 8 and insert "last amended by section 82, chapter 158, Laws of 1979"

#### MOTION

On motion of Mr. Warnke, further consideration of Engrossed House Bill No. 168 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

ENGROSSED HOUSE BILL NO. 238, by Representatives Hurley, Taylor, McGinnis, Blair, Burns, Sprague and Taller:

Providing for urban parks.

The bill was read the second time.

On motion of Ms. North, the following amendments were adopted:

On page 4, line 32 strike "1980" and insert "1981"

On page 5, line 2 strike "1980" and insert "1981"

Engrossed House Bill No. 238 was ordered reengrossed.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Reengrossed House Bill No. 238 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 238, and the bill passed the House by the following vote: Yeas, 88; nays, 9; not voting, 1.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Dunlap, Eberle, Ellis, Eng, Erak, Fancher, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmittens, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barr, Clayton, Craswell, Dawson, Ehlers, Erickson, Flanagan, Taylor.

Not voting: Representative Deccio.

Reengrossed House Bill No. 238, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 405, by Committee on Revenue (originally sponsored by Representatives Bond, Galloway, Nelson, G., Sommers, Nelson, D., Hastings, McDonald and Struthers):

Changing the law on tax deferral.

The bill was read the second time.

On motion of Ms. Sommers, the following amendments by Representatives Sommers and Craswell were adopted:

On page 1, after line 5 strike all of section 1 and insert the following:

"Section 1. Section 28, chapter 291, Laws of 1975 1st ex. sess. as amended by section 6, chapter 214, Laws of 1979 ex. sess. and RCW 84.38.030 are each amended to read as follows:

A retired person may elect to defer payment of special assessments and/or real property taxes on his residence up to eighty percent of the amount of his equity value in said property if the following conditions are met:

(1) The special assessments and/or property taxes must have been imposed upon a residence: (a) Which has been regularly occupied by the person claiming the deferral during the two calendar years preceding the year in which the deferral claim is filed; or (b) which was occupied by the person claiming the deferral as a principal place of residence as of January 1st of the year in which the claim is filed and the person claiming the deferral must also have been a resident of the state of Washington for the last three calendar years preceding the year in which the claim is filed: PROVIDED, That confinement of the person to a hospital or nursing home shall not disqualify the claim of deferral if the residence is temporarily unoccupied or if the residence is occupied by a spouse and/or a person financially dependent on the claimant for support.

(2) The claimant must have owned, at the time of filing, the residence on which the special assessment and/or real property taxes have been imposed. For purposes of this subsection, a residence owned by a marital community or owned by cotenants shall be deemed to be owned by each spouse or cotenant.

(3) The claimant must have been sixty-one years of age or older on January 1st of the year in which the deferral claim is filed, or must have been, at the time of filing, retired from regular gainful employment by reason of physical disability: PROVIDED, That any surviving spouse of a person who was receiving a deferral at the time of the person's death shall qualify if the surviving spouse is fifty-seven years of age or older and otherwise meets the requirements of this chapter.

(4) The claimant, his or her spouse, and any cotenant occupying the residence must not have received income of the type referred to in RCW 84.36.381, as now or hereafter amended, during the preceding calendar year which exceeds the following amounts:

(a) For claims filed in ((1976)) 1980—((eight)) twelve thousand dollars;

(b) For claims filed in subsequent years, an amount equal to the previous year's income limit adjusted by the percentage change in the consumer price index for the twelve month period ending September 31st of the previous year.

(5) The claimant must have and keep in force fire and casualty insurance in sufficient amount to protect the interest of the state in the claimant's equity value.

(6) In the case of special assessment deferral, claimant must have opted for payment of such special assessments on the installment method if such method was available.

(7) For the purposes of this section, cotenants mean two or more individuals who reside together, who jointly own the residence, and who otherwise meet the requirements of this section."

On page 2, after line 26, strike all of section 3 and insert the following:

**\*NEW SECTION. Sec. 3.** This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, on line 2 of the title, after "ex. sess." insert "as amended by section 6, chapter 214, Laws of 1979 ex. sess."

On page 1, on line 4 of the title, strike "providing an effective date" and insert "declaring an emergency"

Substitute House Bill No. 405 was ordered engrossed.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 405 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 405, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Deccio.

Engrossed Substitute House Bill No. 405, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SIGNED BY THE SPEAKERS

The Speaker (Mr. O'Brien presiding) announced the Speakers were signing:  
SENATE CONCURRENT RESOLUTION NO. 118.

#### MOTION

On motion of Mr. Salatino, the House adjourned until 10:00 a.m., Thursday, January 17, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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

## FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, January 17, 1980

The House was called to order at 10:00 a.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present except Representatives Bond, Chandler, Dawson, Deccio, Dunlap and Speaker Bagnariol, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Christine Frolich and John Emch. Prayer was offered by The Reverend Paul McCann of the United Churches of Olympia.

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

## MESSAGES FROM THE SENATE

January 16, 1980

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 22,  
HOUSE CONCURRENT RESOLUTION NO. 23,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

January 15, 1980

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 118,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

January 16, 1980

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3183,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1477, by Representatives Bond, McCormick, Isaacson, Scott, Hastings, Struthers, Deccio, Clayton, Greengo, Flanagan, Smith (C), Dunlap, Polk, Nelson (G), Craswell, Taller, Eberle, Nisbet, Wilson and McGinnis:

AN ACT Relating to public utility taxation; amending section 82.16.010, chapter 15, Laws of 1961 as last amended by section 20, chapter 173, Laws of 1965 ex. sess. and RCW 82.16.010; amending section 82.16.020, chapter 15, Laws of 1961 as last amended by section 12, chapter 299, Laws of 1971 ex. sess. and RCW 82.16.020; amending section 82.16.050, chapter 15, Laws of 1961 as last amended by section 1, chapter 368, Laws of 1977 ex. sess. and RCW 82.16.050; amending section 1, chapter 156, Laws of 1969 ex. sess. and RCW 82.04.417; repealing section 82.16.040, chapter 15, Laws of 1961 and RCW 82.16.040; repealing section 18, chapter 111, Laws of 1979 and RCW 82.16.047; and providing an effective date.

To Committee on Energy and Utilities

HOUSE BILL NO. 1478, by Representatives Bond, McCormick, Scott, Isaacson, Eberle, Hastings, Struthers, Deccio, Clayton, Smith (C), Greengo, Flanagan, Sanders, Dunlap, Polk, Patterson, Nelson (G), Craswell, Taller, Zimmerman, Warnke, McGinnis, Tupper, Salatino, Nisbet, Wilson, Taylor, Ellis, Garrett and Rohrbach:

AN ACT Relating to revenue and taxation; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

To Committee on Energy and Utilities

**HOUSE BILL NO. 1479** by Representatives Sherman and North:

AN ACT Relating to state lands; amending section 24, chapter 255, Laws of 1927 as last amended by section 4, chapter 109, Laws of 1979 ex. sess. and RCW 79.01.096; amending section 10, chapter 109, Laws of 1979 ex. sess. and RCW 79.01.242; and creating new sections.

To Committee on Natural Resources

**HOUSE BILL NO. 1480**, by Representatives Burns, Grimm, Erickson, Patterson, Teutsch, Gruger, Oliver, Brekke, Pruitt, Nelson (D), Lux and Rinehart:

AN ACT Relating to institutions of higher education; creating new sections; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW.

To Committee on Higher Education

**HOUSE BILL NO. 1481**, by Representatives Burns, Teutsch, Erickson, Salatino, Gruger, Rinehart, Grimm, Brekke, Bauer, Heck, Charnley, Nelson (D) and Lux:

AN ACT Relating to tuition and fee waivers; and amending section 1, chapter 262, Laws of 1979 ex. sess. and RCW 28B.15.740.

To Committee on Higher Education

**HOUSE BILL NO. 1482**, by Representative Ehlers:

AN ACT Relating to noise control; and amending section 3, chapter 183, Laws of 1974 ex. sess. and RCW 70.107.030.

To Committee on Ecology

**HOUSE BILL NO. 1483**, by Representatives Whiteside, Adams, Stratton, Schmitt, Mitchell, Lux, Pruitt, Smith (C), Vrooman, Maxie, Gallagher, Valle, Salatino and Williams (by Department of Social and Health Services request):

AN ACT Relating to facilities for the handicapped; making an appropriation; and declaring an emergency.

To Committee on Appropriations

**HOUSE BILL NO. 1484**, by Representatives Smith (R), Dawson, Garrett, Deccio and Brown (by Insurance Commissioner request):

AN ACT Relating to insurance; amending section 3, chapter 70, Laws of 1965 ex. sess. as amended by section 3, chapter 266, Laws of 1975 1st ex. sess. and RCW 48.05.185; amending section .05.21, chapter 79, Laws of 1947 and RCW 48.05.210; amending section .15.02, chapter 79, Laws of 1947 and RCW 48.15.020; amending section .15.07, chapter 79, Laws of 1947 as last amended by section 3, chapter 130, Laws of 1979 ex. sess. and RCW 48.15.070; amending section .15.09, chapter 79, Laws of 1947 as last amended by section 6, chapter 266, Laws of 1975 1st ex. sess. and RCW 48.15.090; amending section .15.13, chapter 79, Laws of 1947 and RCW 48.15.130; amending section .15.14, chapter 79, Laws of 1947 and RCW 48.15.140; amending section .18.29, chapter 79, Laws of 1947 as last amended by section 5, chapter 199, Laws of 1979 ex. sess. and RCW 48.18.290; amending section .18.30, chapter 79, Laws of 1947 as last amended by section 8, chapter 199, Laws of 1979 ex. sess. and RCW 48.18.300; and amending section 7, chapter 80, Laws of 1979 ex. sess. and RCW 48.50.070.

To Committee on Insurance

**HOUSE BILL NO. 1485**, by Representatives Mitchell, Teutsch, Whiteside, Flint, Houchen, Brekke, Kreidler and Granlund (by Board of Pharmacy request):

AN ACT Relating to controlled substances; amending section 69.50.204, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.204; amending section 69.50.206, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.206; amending section 69.50.208, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.208; amending section 69.50.210, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.210; amending section 69.50.212, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.212; amending section 69.50.402, chapter 308, Laws of 1971 ex. sess. as amended by section 1, chapter 119, Laws of 1979 ex. sess. and RCW 69.50.402; and declaring an emergency.

To Committee on Social and Health Services

**HOUSE BILL NO. 1486**, by Representatives Monohon, Schmitt, Erak, Vrooman, Smith (R), Mitchell, Rosbach and Nisbet:

AN ACT Relating to razor clams; and amending section 4, chapter 243, Laws of 1979 ex. sess. and RCW 75.25.040.

To Committee on Natural Resources

HOUSE BILL NO. 1487, by Representative Adams:

AN ACT Relating to health care.

To Committee on Rules

HOUSE BILL NO. 1488, by Representative Adams:

AN ACT Relating to health.

To Committee on Rules

HOUSE BILL NO. 1489, by Representatives Sommers, Lux and Taller:

AN ACT Relating to the law enforcement officers' and fire fighters' retirement system; and adding a new section to chapter 41.26 RCW.

To Committee on Appropriations

HOUSE BILL NO. 1490, by Representatives Monohon, Nisbet, Vrooman, Brekke, Burns, Pruitt, Gallagher, Hughes, Erak and Rinehart:

AN ACT Relating to nuclear power plant siting; amending section 10, chapter 45, Laws of 1970 ex. sess. as last amended by section 8, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.100; and adding a new section to chapter 80.50 RCW.

To Committee on Energy and Utilities

HOUSE BILL NO. 1491, by Representatives Pruitt, Brekke and Lux:

AN ACT Relating to health; adding a new chapter to Title 70 RCW; and making an appropriation.

To Committee on Social and Health Services

HOUSE BILL NO. 1492, by Representatives Rohrbach, Keller, Taller, Hughes, Ehlers, McGinnis, Salatino, Ellis and Maxie:

AN ACT Relating to insurance for public employees; amending section 5, chapter 59, Laws of 1969 as last amended by section 54, chapter 151, Laws of 1979 and RCW 41.04.230; and amending section 2, chapter 136, Laws of 1977 ex. sess. as amended by section 1, chapter 125, Laws of 1979 and RCW 41.05.025.

To Committee on State Government

HOUSE BILL NO. 1493, by Representatives Erickson, Nisbet, Nelson (D), McCormick, Grimm, Brown, Walk, Winsley, Salatino, Adams, Ehlers, Granlund, Gallagher, Monohon, Heck, Charnley, May, Erak, Stratton, Williams, Van Dyken, Kreidler, Maxie, McGinnis and Bauer:

AN ACT Relating to property tax exemptions for energy-related equipment; adding new sections to chapter 84.36 RCW; and creating new sections.

To Committee on Energy and Utilities

HOUSE BILL NO. 1494, by Representative Grimm:

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

To Committee on Judiciary

HOUSE BILL NO. 1495, by Representatives Barnes, Grimm, Ellis, Gruger, Teutsch, Salatino, Patterson, Burns, Oliver, Erickson and McGinnis:

AN ACT Relating to educational services registration; and amending section 4, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.040.

To Committee on Higher Education

HOUSE BILL NO. 1496, by Representatives Galloway, Maxie, Keller, Smith (R), Rinehart, Brekke, Winsley, Teutsch, McGinnis, Vrooman, Zimmerman, Garrett, Erak, Taylor, Ellis, Gallagher, Rohrbach, Granlund and Gruger:

AN ACT Relating to insurance; adding a new section to chapter 48.20 RCW; adding a new section to chapter 48.21 RCW; and adding a new section to chapter 48.44 RCW.

To Committee on Insurance

HOUSE BILL NO. 1497, by Representatives Schmitten, Adams, Whiteside, Mitchell and Charnley:

AN ACT Relating to life-sustaining procedures; amending section 2, chapter 112, Laws of 1979 and RCW 70.122.010; and amending section 3, chapter 112, Laws of 1979 and RCW 70.122.020.

To Committee on Social and Health Services

HOUSE BILL NO. 1498, by Representative Warnke:

AN ACT Relating to a concert tour of Europe by the Seattle Symphony; making an appropriation; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1499, by Representatives Monohon, Tupper, Erak, McCormick, Burns, Nelson (D), Nisbet, Williams, Rinehart, Brown, North, Fuller, Charnley, Lux, Knowles, Salatino, May, Brekke, Eng, Vrooman, Sherman, Ellis and Gallagher:

AN ACT Relating to low income senior citizens; and amending section 1, chapter 116, Laws of 1979 and RCW 74.38.070.

To Committee on Energy and Utilities

HOUSE BILL NO. 1500, by Representatives North, Sherman, Walk, Erickson and Charnley:

AN ACT Relating to the preservation of natural areas; creating new sections; and making appropriations.

To Committee on Parks and Recreation

HOUSE BILL NO. 1501, by Representatives North and Warnke:

AN ACT Relating to television reception improvement districts; and amending section 13, chapter 155, Laws of 1971 ex. sess. and RCW 36.95.130.

To Committee on Local Government

HOUSE BILL NO. 1502, by Representatives Monohon and Erak:

AN ACT Relating to salmon enhancement; amending section 2, chapter 308, Laws of 1977 ex. sess. and RCW 75.48.020; and making an appropriation.

To Committee on Natural Resources

HOUSE BILL NO. 1503, by Representatives Eberle, Wilson, Walk, Rohrbach, Scott, Tilly, Granlund, Hastings, Bond and McGinnis:

AN ACT Relating to attorney fees; amending section 384, page 203, Laws of 1854 as last amended by section 22, chapter 81, Laws of 1971 and RCW 4.84.170; and creating a new section.

To Committee on Judiciary

HOUSE BILL NO. 1504, by Representatives Sommers and Taller:

AN ACT Relating to the law enforcement officers' and fire fighters' retirement system; and adding a new section to chapter 41.26 RCW.

To Committee on Appropriations

HOUSE BILL NO. 1505, by Representatives Fuller, Sommers, Rosbach, Scott, Schmitten and Martinis:

AN ACT Relating to forest land valuation; amending section 2, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.020; amending section 4, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.040; amending section 10, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.100; amending section 11, chapter 294, Laws of 1971 ex. sess. as amended by section 4, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.110; amending section 12, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.113; amending section 14, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.115; amending section 15, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.116; amending section 17, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.118; amending section 12, chapter 294, Laws of 1971 ex. sess. as last amended by section 5, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.120; amending section 13, chapter 294, Laws of 1971 ex. sess. as amended by section 6, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.130; amending section 17, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.170; adding new sections to chapter 84.33 RCW; repealing section 10, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.111; repealing section 16, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.117; repealing section 15, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.150; and declaring an emergency.

To Committee on Revenue



HOUSE BILL NO. 1506, by Representatives Whiteside, Adams, Mitchell, Thompson, Chandler, Nelson (G), Becker, Brekke, Pruitt and Valle:

AN ACT Relating to community mental health services; amending section 1, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.010; amending section 2, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.020; amending section 4, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.040; amending section 5, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.050; amending section 8, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.060; amending section 9, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.070; amending section 10, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.080; amending section 11, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.090; adding new sections to chapter 71.24 RCW; repealing section 1, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.010; repealing section 2, chapter 111, Laws of 1967 ex. sess., section 6, chapter 304, Laws of 1971 ex. sess. and RCW 71.24.020; repealing section 3, chapter 111, Laws of 1967 ex. sess., section 7, chapter 304, Laws of 1971 ex. sess., section 30, chapter 122, Laws of 1972 ex. sess., section 5, chapter 155, Laws of 1973 1st ex. sess. and RCW 71.24.030; repealing section 4, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.040; repealing section 5, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.050; repealing section 6, chapter 111, Laws of 1967 ex. sess., section 1, chapter 204, Laws of 1971 ex. sess. and RCW 71.24.060; repealing section 7, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.070; repealing section 8, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.080; repealing section 9, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.090; repealing section 10, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.100; repealing section 11, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.110; repealing section 12, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.120; repealing section 13, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.130; repealing section 14, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.140; repealing section 15, chapter 111, Laws of 1967 ex. sess., section 2, chapter 204, Laws of 1971 ex. sess. and RCW 71.24.150; repealing section 16, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.160; repealing section 1, chapter 61, Laws of 1969, section 141, chapter 141, Laws of 1979 and RCW 71.24.165; repealing section 19, chapter 111, Laws of 1967 ex. sess., section 165, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 71.24.190; repealing section 20, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.200; repealing section 21, chapter 111, Laws of 1967 ex. sess., section 1, chapter 145, Laws of 1979 ex. sess. and RCW 71.24.210; repealing section 22, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.220; repealing section 23, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.230; repealing section 24, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.240; repealing section 25, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.250; repealing section 26, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.900; and providing an effective date.

To Committee on Social and Health Services

HOUSE BILL NO. 1507, by Representatives Greengo, Owen, Dunlap, Oliver, Wilson, Erickson, Zimmerman, Burns, Thompson, Gruger, Sanders, Addison, Taller, Craswell and Nisbet:

AN ACT Relating to the initiative and referendum; amending section 29.79.010, chapter 9, Laws of 1965 and RCW 29.79.010; amending section 29.79.050, chapter 9, Laws of 1965 as amended by section 3, chapter 118, Laws of 1973 1st ex. sess. and RCW 29.79.050; amending section 29.79.060, chapter 9, Laws of 1965 and RCW 29.79.060; amending section 29.79.080, chapter 9, Laws of 1965 as amended by section 4, chapter 118, Laws of 1973 1st ex. sess. and RCW 29.79.080; amending section 29.79.090, chapter 9, Laws of 1965 and RCW 29.79.090; amending section 29.79.100, chapter 9, Laws of 1965 and RCW 29.79.100; amending section 29.79.110, chapter 9, Laws of 1965 and RCW 29.79.110; amending section 29.79.120, chapter 9, Laws of 1965 and RCW 29.79.120; amending section 29.79.150, chapter 9, Laws of 1965 and RCW 29.79.150; amending section 29.79.190, chapter 9, Laws of 1965 and RCW 29.79.190; amending section 29.79.200, chapter 9, Laws of 1965 as last amended by section 105, chapter 361, Laws of 1977 ex. sess. and RCW 29.79.200; amending section 29.79.310, chapter 9, Laws of 1965 and RCW 29.79.310; and repealing section 29.79.130, chapter 9, Laws of 1965 and RCW 29.79.130.

To Committee on Constitution, Elections and Governmental Ethics

HOUSE BILL NO. 1508, by Representatives Sherman, Chandler, Sommers, Charnley, Craswell, Martinis, Smith (R), Rinehart, Heck, Granlund, Lux, Hughes, Salatino, Erak, Stratton, Pruitt, Monohon, Van Dyken, Maxie, Gallagher, Bauer, Brekke, Burns, Nisbet, Teutsch, Taylor and Williams:

AN ACT Relating to energy conservation tax exemptions; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 82.44 RCW; providing an expiration date; and declaring an emergency.

To Committee on Energy and Utilities

HOUSE BILL NO. 1509, by Representatives Adams, Pruitt, Lux, Whiteside, Eng, McGinnis and Charnley:

AN ACT Relating to midwifery; amending section 7, chapter 56, Laws of 1975-76 2nd ex. sess. and RCW 7.70.020; amending section 8, chapter 160, Laws of 1917 and RCW 18.50.010; amending section 2,

chapter 160, Laws of 1917 and RCW 18.50.040; amending section 4, chapter 160, Laws of 1917 as amended by section 43, chapter 158, Laws of 1979 and RCW 18.50.060; amending section 7, chapter 160, Laws of 1917 and RCW 18.50.100; amending section 21, chapter 266, Laws of 1971 ex. sess. as last amended by section 100, chapter 158, Laws of 1979 and RCW 43.24.085; adding new sections to chapter 18.50 RCW; repealing section 5, chapter 160, Laws of 1917 and RCW 18.50.070; repealing section 6, chapter 160, Laws of 1917 and RCW 18.50.080; and making an appropriation.

To Committee on Social and Health Services

HOUSE BILL NO. 1510, by Representatives Warnke and Greengo:

AN ACT Relating to franchises; and amending section 18, chapter 252, Laws of 1971 ex. sess. as last amended by section 4, chapter 33, Laws of 1973 1st ex. sess. and RCW 19.100.180.

To Committee on Commerce

HOUSE BILL NO. 1511, by Representatives Pruitt, Mitchell, Teutsch, Whiteside, Stratton, Schmitten, Flint, Lux, Houchen, Vrooman and Gallagher:

AN ACT Relating to legend drugs; amending section 5, chapter 186, Laws of 1973 1st ex. sess. and RCW 69.41.050; adding new sections to chapter 69.41 RCW; prescribing penalties; and providing an effective date.

To Committee on Social and Health Services

HOUSE BILL NO. 1512, by Representatives Sanders, Barr, Nisbet, North, Teutsch, Owen, Isaacson, Craswell, Smith (R), McDonald and Polk:

AN ACT Relating to shoreline management; and amending section 3, chapter 286, Laws of 1971 ex. sess. as last amended by section 3, chapter 84, Laws of 1979 ex. sess. and RCW 90.58.030.

To Committee on Ecology

HOUSE BILL NO. 1513, by Representatives North, Wilson; Knowles, Garrett, Amen, Walk, Houchen and Sherman:

AN ACT Relating to the urban arterial board; and amending section 18, chapter 83, Laws of 1967 ex. sess. as last amended by section 8, chapter 85, Laws of 1971 ex. sess. and RCW 47.26.120.

To Committee on Transportation

HOUSE BILL NO. 1514, by Representatives Lux and Adams:

AN ACT Relating to health statistics; adding a new chapter to Title 70 RCW; providing penalties; and making an appropriation.

To Committee on Social and Health Services

HOUSE BILL NO. 1515, by Representatives Kreidler, Mitchell, Schmitten, Adams, Lux and Brekke:

AN ACT Relating to health; implementing amendments to the National Health Planning and Resources Development Act of 1974; amending section 1, chapter 161, Laws of 1979 ex. sess. and RCW 70.38-.015; amending section 2, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.025; amending section 4, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.045; amending section 5, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.055; amending section 6, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.065; amending section 8, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.085; amending section 10, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.105; amending section 11, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.115; amending section 12, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.125; adding new sections to chapter 70.38 RCW; repealing section 7, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.075; and providing an effective date.

To Committee on Social and Health Services

HOUSE BILL NO. 1516, by Representatives Teutsch, Pruitt, Brekke, Whiteside, Mitchell, Kreidler, Stratton, May, Flint, Lux, Adams, Eng, Barr, Gallagher, Valle, Erak and Maxie:

AN ACT Relating to social and health services; amending section 1, chapter 51, Laws of 1973 1st ex. sess. and RCW 74.08.530; amending section 3, chapter 51, Laws of 1973 1st ex. sess. and RCW 74.08.550; and adding a new section to chapter 74.08 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 1517, by Representatives Warnke and North:

AN ACT Relating to foreign trade and culture; creating new sections; and making an appropriation.

To Committee on Commerce

HOUSE BILL NO. 1518, by Representatives Sanders, Schmitt, Erickson, Sommers and Owen:

AN ACT Relating to state lands; and amending section 3, chapter 131, Laws of 1955 and RCW 79.14.030.

To Committee on Natural Resources

HOUSE BILL NO. 1519, by Representatives Adams, Whiteside, Brekke, Gallagher and Erak (by Department of Social and Health Services request):

AN ACT Relating to social and health services; and amending section 6, chapter 35, Laws of 1969 ex. sess. as last amended by section 29, chapter 80, Laws of 1977 ex. sess. and RCW 26.44.070.

To Committee on Social and Health Services

HOUSE BILL NO. 1520, by Representatives Adams, Whiteside, Mitchell, Galloway, Gallagher, Hughes, Erak and Stratton (by Department of Social and Health Services request):

AN ACT Relating to social and health services; and amending section 3, chapter 172, Laws of 1967 as last amended by section 355, chapter 141, Laws of 1979 and RCW 74.15.030.

To Committee on Social and Health Services

HOUSE BILL NO. 1521, by Representatives Whiteside, Adams, Mitchell and Van Dyken (by Department of Social and Health Services request):

AN ACT Relating to public assistance; and amending section 74.08.335, chapter 26, Laws of 1959 as amended by section 330, chapter 141, Laws of 1979 and RCW 74.08.335.

To Committee on Social and Health Services

HOUSE BILL NO. 1522, by Representatives Williams, Nelson (D), Jovanovich, Nisbet, Scott, King, Galloway, McGinnis, Lux and Knowles:

AN ACT Relating to energy facilities; amending section 4, chapter 45, Laws of 1970 ex. sess. as last amended by section 1, chapter 254, Laws of 1979 ex. sess. and RCW 80.50.040; and amending section 12, chapter 45, Laws of 1970 ex. sess. as last amended by section 10, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.120.

To Committee on Energy and Utilities

HOUSE BILL NO. 1523, by Representatives Patterson, Gallagher, Struthers, McCormick and Fuller:

AN ACT Relating to Washington state ferries; amending section 46.68.130, chapter 12, Laws of 1961 as last amended by section 1, chapter 9, Laws of 1974 ex. sess. and RCW 46.68.130; amending section 3, chapter 24, Laws of 1972 ex. sess. as amended by section 4, chapter 27, Laws of 1979 and RCW 47.60.530; adding new sections to chapter 47.60 RCW; creating a new section; and providing an effective date.

To Committee on Transportation

HOUSE BILL NO. 1524, by Representatives Ehlers and Taller:

AN ACT Relating to public employment salary surveys; amending section 16, chapter 1, Laws of 1961 as last amended by section 58, chapter 151, Laws of 1979 and RCW 41.06.160; amending section 5, chapter 152, Laws of 1977 ex. sess. as amended by section 60, chapter 151, Laws of 1979 and RCW 41.06.167; and amending section 11, chapter 36, Laws of 1969 ex. sess. as last amended by section 16, chapter 151, Laws of 1979 and RCW 28B.16.110.

To Committee on State Government

HOUSE JOINT MEMORIAL NO. 20, by Representatives Monohon, McCormick, Nisbet, Keller, Brekke, Pruitt, Charnley, Erak, Rinehart and Brown:

Requesting that federal regulations prohibit combined shipments of radioactive materials and foodstuffs.

To Committee on Transportation

**HOUSE JOINT MEMORIAL NO. 21**, by Representatives Grimm, Van Dyken, Walk, Heck, Bauer, Zimmerman, Ehlers, Erickson, Vrooman, Galloway, Kreidler, Scott, Fancher, Warnke, Salatino, Becker, Adams, Gallagher, Brown, Granlund, North, Mitchell, Nisbet, Williams, Teutsch, Taylor and Rosbach:

Requesting federal support to permit Washington youth to pick berries.

To Committee on Labor

**HOUSE JOINT MEMORIAL NO. 22**, by Representatives Valle, King, Bender, Lux, Pruitt and Rinehart:

Requesting a federal task force to study occupational safety and health.

To Committee on Labor

**HOUSE JOINT MEMORIAL NO. 23**, by Representatives Valle, Isaacson, Brekke, Pruitt, Charnley, Eng, Jovanovich, Gruger and Lux:

Requesting tobacco subsidies be discontinued.

To Committee on Social and Health Services

**HOUSE CONCURRENT RESOLUTION NO. 25**, by Representatives Pruitt, Bond, McCormick, Tupper, Charnley, Nelson (D), Nisbet, Williams, Isaacson, Martinis and Erak:

Providing a study on electric voltage reduction.

To Committee on Energy and Utilities

**SENATE BILL NO. 3183**, by Senators Walgren, Conner, Guess, Lee and Gallaghan (by Department of Transportation request):

Facilitating the restoration of transportation services interrupted by the sinking of the Hood Canal floating bridge.

To Committee on Transportation

#### REPORT OF STANDING COMMITTEES

January 15, 1980

**SECOND SUBSTITUTE HOUSE BILL NO. 1141**, Prime Sponsor: Representative Hurley, establishing a reservation system for state park campsites. Reported by Committee on Parks and Recreation.

**MAJORITY recommendation:** Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 85, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

#### FOR THE STATE PARKS AND RECREATION COMMISSION

|                                                                    |    |            |
|--------------------------------------------------------------------|----|------------|
| General Fund Appropriation—State .....                             | \$ | 24,749,000 |
| General Fund Appropriation—Federal .....                           | \$ | 100,000    |
| General Fund Appropriation—Private/Local .....                     | \$ | 258,000    |
| General Fund—Trust Land Purchase Account Appropriation .....       | \$ | 2,522,000  |
| General Fund—Winter Recreation Parking Account Appropriation ..... | \$ | 64,000     |
| General Fund—Outdoor Recreation Account Appropriation .....        | \$ | 70,000     |
| Motor Vehicle Fund Appropriation .....                             | \$ | 800,000    |
| Total Appropriation .....                                          | \$ | 28,563,000 |

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) No currently operating state park will be closed due to budgetary constraints.

(3) \$155,000 shall be expended within the park operation program for continuation of contractual agreements with Grays Harbor and Pacific counties for beach patrol and law enforcement on North Beach, South Beach, and Long Beach.

(4) Not more than \$900,000 of the trust land purchase account appropriation shall be expended to purchase the state-owned Heart Lake property located in section 36, township 35 north, range 1 east W.M. located in Skagit county if such amount is equal to or more than the fair market value of the property.

(5) Not more than \$15,000 shall be expended for the purpose of making a grant to the port of Skagit county for the operation of the historical railway from Sedro Woolley to Concrete. Any portion of the grant not spent ending June 30, 1981, shall be returned to the general fund of the state of Washington. Any net profit, up to the amount expended in the grant to the port of Skagit county for the operation of the historical railway, but not to exceed \$15,000, earned by the railway ending June 30, 1981, shall be reimbursed to the general fund of the state of Washington.

(6) Not more than \$228,000 shall be expended for an experimental campsite reservation system ((for ~~Washington residents~~)).

(7) Not more than \$80,000 shall be expended for operation of the Goldendale observatory."

On page 1, line 1 of the title, after "parks;" strike the remainder of the title and insert "and amending section 85, chapter 270, Laws of 1979 ex. sess. (uncodified)."

Signed by Representatives North, Executive Chairwoman; Fuller, Co-Chairman; Brown, Sprague, Stratton.

Passed to Committee on Rules for second reading.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 763, by Committee on Appropriations (originally sponsored by Representatives Douthwaite, Patterson and Burns):

Authorizing certain higher education employees to select a retirement program.

The bill was read the second time.

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

On page 2, line 33 after "January 1," strike "1980" and insert "1981"

On motion of Mr. Polk, further action of Substitute House Bill No. 763 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 779, by Committee on Insurance (originally sponsored by Representative Tupper - by Committee on Insurance request):

Modifying the laws on insurance.

The bill was read the second time.

On motion of Mr. Keller, the following amendments by Representatives Keller and Rohrbach were adopted:

On page 2, line 16 strike all material down to and including "48.30.160." on line 30

On page 1, line 3 of the title after "RCW 48.05.210" strike all material down to and including "48.30 RCW"

The bill was ordered reengrossed.

On motion of Mr. Polk, the rules were suspended, the second reading considered the third, and Reengrossed Substitute House Bill No. 779 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute House Bill No. 779, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

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

Voting nay: Representative Eng.

Not voting: Representatives Bagnariol, Chandler, Dawson, Deccio, Dunlap.

Reengrossed Substitute House Bill No. 779, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 903, by Representatives Teutsch and Zimmerman (by Secretary of State request):

Revising requirements for recording and filing documents for private organizations.

The bill was read the second time.

On motion of Mr. Ehlers, the following amendments by Representatives Ehlers and Taller were adopted:

On page 3, line 29 after "Sec. 3." strike everything down to and including "chapter." on page 4, line 34 and insert "Section 4, chapter 220, Laws of 1959 as last amended by section 88, chapter 158, Laws of 1979 and RCW 23.90.040 are each amended to read as follows:

(1) Any Massachusetts trust desiring to do business in this state shall file with the secretary of state a verified copy of the trust instrument creating such a trust and any amendment thereto, the assumed business name, if any, and the names and addresses of its trustees (~~and it shall also file true copies of the foregoing with the county auditor in the county in which it has its principal place of business in this state, and also in any county in which it owns any real property~~).

(2) Any person dealing with such Massachusetts trust shall be bound by the terms and conditions of the trust instrument and any amendments thereto so filed.

(3) Any Massachusetts trust created under this chapter or entering this state pursuant thereto shall pay such taxes and fees as are imposed by the laws, ordinances, and resolutions of the state of Washington and any counties and municipalities thereof on domestic and foreign corporations, respectively, on an identical basis therewith. In computing such taxes and fees, the shares of beneficial interest of such a trust shall have the character for tax purposes of shares of stock in private corporations.

(4) Any Massachusetts trust shall be subject to such applicable provisions of law, now or hereafter enacted, with respect to domestic and foreign corporations, respectively, as relate to the issuance of securities, filing of required statements or reports, service of process, general grants of power to act, right to sue and be sued, limitation of individual liability of shareholders, rights to acquire, mortgage, sell, lease, operate and otherwise to deal in real and personal property, and other applicable rights and duties existing under the common law and statutes of this state in a manner similar to those applicable to domestic and foreign corporations.

(5) The secretary of state, director of licensing, and the department of revenue of the state of Washington (~~and the several county auditors in which any such Massachusetts trust shall have its principal place of business or own any real property~~) are each authorized and directed to prescribe binding rules and regulations applicable to said Massachusetts trusts consistent with this chapter.

On page 25, line 28, after 'Sec. 32.' strike everything down to and including 'members.' on page 26, line 2, and insert 'Section 10, chapter 235, Laws of 1945 as amended by section 2, chapter 113, Laws of 1979 and RCW 33.08.090 are each amended to read as follows:

The members, at any meeting called for the purpose, may amend the articles of incorporation of the association. Such amended articles shall be filed with the supervisor and be subject to the same procedure of approval, refusal, appeal, and filing with the secretary of state (~~and county auditor~~) as provided for the original articles of incorporation. Proposed amendments of the articles of incorporation shall be submitted to the supervisor at least thirty days prior to the meeting of the members.

If the amendments include a change in the association's corporate name, the supervisor shall give notice by mail to all savings and loan associations doing business within the state of the filing of such amended articles. The association shall transmit a check to the supervisor for one hundred dollars when filing the amended articles to cover the expense of notification. Persons interested in protesting an amendment changing the association's corporate name may contact the supervisor in person or by writing prior to a date which shall be given in said notice.

On page 26, line 15, after 'Sec. 34.' strike everything down to and including 'law.' on page 29, line 35, and insert 'Section 1, chapter 154, Laws of 1917 as last amended by section 7, chapter 57, Laws of 1979 ex. sess. and RCW 33.44.020 are each amended to read as follows:

Any going building and loan or savings and loan association or society organized under the laws of this state, or under the laws of the United States, may, if its contingent fund regularly accumulated, exclusive of any reserve fund stock, amounts to not less than five thousand dollars and if it has obtained the approval, required by law or regulation, of any federal agencies, including the federal home loan bank board and the federal savings and loan insurance corporation, be converted into a mutual savings bank in the following manner:

(1) The board of directors of such association shall pass a resolution declaring their intention to convert the association into a mutual savings bank and shall apply to the supervisor of banking for leave to submit to the shareholders of the association the question whether the same shall be converted into a mutual savings bank. A duplicate of the application to the supervisor of banking shall be filed with the supervisor of savings and loan associations, except that no such filing shall be required in the case of an association organized under the laws of the United States.

(2) Thereupon the supervisor of banking shall make the same investigation and determine the same questions as he would be required by law to make and determine in case of the submission to him of a certificate of incorporation of a proposed new mutual savings bank, and he shall also determine after conference with the supervisor of savings and loan associations whether by the proposed conversion the business needs and conveniences of the shareholders of such association would be served with facility and safety, except that no such conference shall be pertinent to such investigation or determination in the case of an association organized under the laws of the United States. After the supervisor of banking shall have satisfied himself by such investigation whether it is expedient and desirable to permit the proposed conversion, he shall, within sixty days after the filing of said application, endorse thereon over his official signature the word 'granted' or the word 'refused', with the date of such endorsement and shall immediately notify the secretary of such association of his decision: PROVIDED, That if the application is granted the supervisor of banking shall require the applicants to enter into such an agreement or undertaking with him as trustee for the depositors with the savings bank to make such contributions in cash to the expense fund of the savings bank as in his

judgment will be necessary then and from time to time thereafter to pay the operating expenses of the bank if its earnings should not be sufficient to pay the same in addition to the payment of such dividends as may be declared and credited to depositors from its earnings.

In case of refusal, said board of directors, or a majority thereof, may, within thirty days after receiving the notice of such refusal appeal to a board of appeal composed of the governor or the governor's designee, the attorney general and the supervisor of banking, in the same manner and under the same procedure as that prescribed by law for an appeal to such board from the supervisor of banking's refusal to permit the original organization of a mutual savings bank.

(3) If such application be granted by the supervisor of banking or by the board of appeal, as the case may be, the board of directors of such association shall, within sixty days thereafter, submit the question of the proposed conversion to the shareholders of the association at a special meeting called for that purpose. Notice of such meeting shall be given in the manner prescribed by the bylaws of the association. Such notice shall state the time, place and purpose of the meeting, and that the only question to be voted upon will be, 'shall the (naming the association) be converted into a mutual savings bank under the laws of the state of Washington?' The vote on said question shall be by ballot. Any shareholder may vote by proxy or may transmit his ballot by mail if the bylaws provide a method for so doing. If two-thirds or more in number of the shareholders voting on the question vote affirmatively, then the board of directors shall have power, and it shall be their duty, to proceed to convert such association into a mutual savings bank; otherwise, the proposed conversion shall be abandoned and shall not be again submitted to the shareholders within three years from the date of said meeting.

(4) If authority for the proposed conversion has been voted by the shareholders as hereinabove required, the directors shall, within thirty days thereafter, subscribe and acknowledge and file with the supervisor of banking in ((~~quadruplicate~~)) triplicate a certificate of reincorporation, stating:

(a) The name by which the converted corporation is to be known, which name shall include the words 'mutual savings bank.'

(b) The place where the bank is to be located and its business transacted, naming the city or town and county, which city or town shall be the same as that where the principal place of business of the corporation has theretofore been located.

(c) The name, occupation, residence and post office address of each signer of the certificate.

(d) The amount of the assets of the corporation, the amount of its liabilities and the amount of its contingent fund as of the first day of the then calendar month.

(e) A declaration that each signer will accept the responsibilities and faithfully discharge the duties of a trustee of the savings bank, and is free from all the disqualifications specified in the laws applicable to mutual savings banks.

(5) Upon the filing of said certificate in ((~~quadruplicate~~)) triplicate the supervisor of banking shall, within thirty days thereafter, if satisfied that all the provisions of this chapter have been complied with, issue in ((~~quadruplicate~~)) triplicate an authorization certificate stating that the corporation has complied with all the requirements of law, and that it has authority to transact at the place designated in its certificate of incorporation the business of a mutual savings bank. One of the supervisor's ((~~quadruplicate~~)) certificates of authorization shall be attached to each of the ((~~quadruplicate~~)) certificates of reincorporation, and one set of these shall be filed and retained by the supervisor of banking, ((~~one set shall be filed in the office of the county auditor of the county in which such bank is located;~~)) one set shall be filed in the office of the secretary of state, and one set shall be transmitted to the bank for its files. Upon the receipt from the corporation of the same fees as are required for filing and recording other incorporation certificates or articles the ((~~county auditor and~~) secretary of state shall file said certificates ((~~in their respective offices and the secretary of state shall~~)) and record the same; whereupon the conversion of such association shall be deemed complete, and the signers of said reincorporation certificate and their successors shall thereupon become and be a corporation having the powers and being subject to the duties and obligations prescribed by the laws of this state applicable to mutual savings banks, and the time of existence of such corporation shall continue for the period of fifty years from the date of the filing of such certificate, unless sooner terminated pursuant to law.\*

On page 33, line 11, after "Sec. 39." strike everything down to and including "contributions." on line 13, page 34, and insert "Section 93, chapter 35, Laws of 1945 as last amended by section 2, chapter 190, Laws of 1979 ex. sess. and RCW 50.24.050 are each amended to read as follows:

The claim of the employment security department for any contributions, interest, or penalties not paid when due, shall be a lien prior to all other liens or claims and on a parity with prior tax liens against all property and rights to property, whether real or personal, belonging to the employer. In order to avail itself of the lien hereby created, the department shall file with any county auditor where property of the employer is located a statement and claim of lien specifying the amount of delinquent contributions, interest, and penalties claimed by the department. From the time of filing for record, the amount required to be paid shall constitute a lien upon all property and rights to property, whether real or personal, in the county, owned by the employer or acquired by him. The lien shall not be valid against any purchaser, holder of a security interest, mechanic's lien, or judgment lien creditor until notice thereof has been filed with the county auditor. This lien shall be separate and apart from, and in addition to, any other lien or claim created by, or provided for in, this title. When any such notice of lien has been so filed, the commissioner may release the same by filing a certificate of release when it shall appear that the amount of delinquent contributions, interest, and penalties have been paid, or when such assurance of payment shall be made as the commissioner may deem to be adequate. ((~~Any lien filed as provided in this section may also be filed in the office of the secretary of~~

state. Filing in the office of the secretary of state shall be of no effect, however, until the lien or copy thereof shall have been filed with the county auditor in the county where the property is located. When a lien is filed in compliance herewith and with the secretary of state, such filing shall have the same effect as if the lien had been duly filed for record in the office of the auditor in each county of this state.) Fees for filing and releasing the lien provided herein may be charged to the employer and may be collected from the employer utilizing the remedies provided in this title for the collection of contributions."

On page 34, line 14, after "provision of this" strike "1979" and insert "1980"

On page 1, line 4 of the title; after "23.86.060;" strike everything down to and including "23.90.040" on line 6 and insert "amending section 4, chapter 220, Laws of 1959 as last amended by section 88, chapter 158, Laws of 1979 and RCW 23.90.040"

On page 2, line 22 of the title, after "33.08.080;" strike everything down to and including "33.08.090" on line 23, and insert "amending section 10, chapter 235, Laws of 1945 as amended by section 2, chapter 113, Laws of 1979 and RCW 33.08.090"

On page 2, line 24 of the title, after "33.28.01Q;" strike everything down to and including "33.44.020" on line 27 and insert "amending section 1, chapter 154, Laws of 1917 as last amended by section 7, chapter 57, Laws of 1979 ex. sess. and RCW 33.44.020"

On page 2, line 33 of the title, after "48.07.070;" strike everything down to and including "50.24.050" on line 35, and insert "and amending section 93, chapter 35, Laws of 1945 as last amended by section 2, chapter 190, Laws of 1979 ex. sess. and RCW 50.24.050"

The bill was ordered engrossed.

On motion of Mr. Tilly, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 903 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 903, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

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

Not voting: Representatives Bagnariol, Bond, Chandler, Dawson, Deccio, Dunlap.

Engrossed House Bill No. 903, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representatives Dawson and Deccio appeared at the bar of the House.

ENGROSSED HOUSE BILL NO. 168, by Representatives Warnke, Struthers, Salatino, Sanders and Fuller (by Legislative Committee on Commerce request):

Excluding babysitting referral services from the definition of employment agencies.

The bill was read the second time. (For previous action, see Journal, 3rd Day, January 16, 1980.)

The bill was ordered reengrossed.

On motion of Mr. Tilly, the rules were suspended, the second reading considered the third and Reengrossed House Bill No. 168 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 168, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Addison, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach,



Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bagnariol, Bond, Chandler, Dunlap.

Reengrossed House Bill No. 168, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Speaker Bagnariol appeared at the bar of the House.

HOUSE BILL NO. 322, by Representatives Isaacson, Pruitt, Oliver, Brekke, Hastings, Hurley, Sanders, North, Addison, Greengo and Struthers:

Exempting from the fire code hand-held candles in religious ceremonies.

The bill was read the second time.

On motion of Mr. Taller, the following amendments by Representatives Taller and Ehlers were adopted:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 3, chapter 96, Laws of 1974 ex. sess. as last amended by section 1, chapter 76, Laws of 1979 ex. sess. and RCW 19.27.030 are each amended to read as follows:

There shall be in effect in all cities, towns and counties of the state a state building code which shall consist of the following codes which are hereby adopted by reference:

(1) Uniform Building Code and Related Standards, 1976 edition, published by the International Conference of Building Officials;

(2) Uniform Mechanical Code, 1976 edition, including Chapter 22, Fuel Gas Piping, Appendix B, published by the International Conference of Building Officials and the International Association of Plumbing and Mechanical Officials;

(3) The Uniform Fire Code with appendices thereto, 1976 edition, published by the International Conference of Building Officials and the Western Fire Chiefs Association; PROVIDED, That notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand-held candles;

(4) The Uniform Plumbing Code, 1976 edition, published by the International Association of Plumbing and Mechanical Officials; PROVIDED, That chapter 11 of such code is not adopted; PROVIDED, That notwithstanding any wording in this code, nothing in this code shall apply to the installation of any gas piping, water heaters, or vents for water heaters;

(5) The rules and regulations adopted by the council establishing standards for making buildings and facilities accessible to and usable by the physically handicapped or elderly persons as provided for in RCW 70.92.100 through 70.92.160; and

(6) The thermal performance and design standards for dwellings as set forth in RCW 19.27.210 through 19.27.290. This subsection shall be of no further force and effect when RCW 19.27.200 through 19.27.290 expire as provided in RCW 19.27.300.

In case of conflict among the codes enumerated in subsections (1), (2), (3) and (4) of this section, the first named code shall govern over those following."

On page 1, line 1 of the title after "Relating to religious ceremonies;" strike the remainder of the title and insert "and amending section 3, chapter 96, Laws of 1974 ex. sess. as last amended by section 1, chapter 76, Laws of 1979 ex. sess. and RCW 19.27.030."

The bill was ordered engrossed.

On motion of Mr. Tilly, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 322 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 322, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

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

Not voting: Representatives Bond, Chandler, Dunlap.

Engrossed House Bill No. 322, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Polk, ENGROSSED HOUSE BILL NO. 87 was rereferred to Committee on Agriculture.

#### MESSAGE FROM THE GOVERNOR

April 30, 1979

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

Ladies and Gentlemen:

I am returning herewith without my approval, SUBSTITUTE HOUSE BILL NO. 29 entitled:

"AN ACT Relating to state government."

This bill would establish two new legislative review committees, and provide the necessary procedures to review any rule promulgated by a state agency. The purpose of this review would be: (1) to determine if agency rules and/or amendments to rules are within the intent of the statute which the rule implements; or (2) to determine if agency rules have been adopted in accordance with all applicable provisions of the law. If the review committees determine that there has been a violation, their objections are filed with the Washington State Code Reviser who must publish the committee's notice of objection in the Washington State Register and the Washington Administrative Code.

The authority to promulgate administrative rules comes from the legislature. There is no question that the legislature, as a body, can review administrative rules that have been previously used and thereby determine whether to draft new laws to restrict or more specifically define the overall rulemaking authority. However, a Separation of Powers problem arises when the legislature reviews each individual rule as the executive agency promulgates it.

Substitute House Bill No. 29 violates the Separation of Powers Doctrine in two ways. It interferes with the ability of the executive branch to perform its constitutional function, and it duplicates the role of the judiciary.

It is the constitutional duty of the executive branch to implement the law, i.e., to apply the legislature's general laws to specific situations as they occur. This is day to day management which the executive branch performs within the authority granted to it. The executive branch needs stable authority to be effective and cannot function if each management decision must be continually defended against the legislature's after the fact determinations.

There is also a real question of the necessity for a formal legislative review of all administrative rules. Indeed, few specific examples have been cited in defense of the proposed legislation. Also, there are a variety of problems that can arise when 147 members of the legislature and two separate houses attempt to ascertain and interpret a concept of what constitutes legislative intent.

In addition, Substitute House Bill No. 29 infringes on the authority granted to the judiciary. Whether the executive branch is acting within its authority is a question that the state's Constitution gives to the judiciary department to decide, not the legislature. Yet this bill would give that function to a legislative review committee by allowing them to determine, in retrospect, what their legislative intent was and consequently what the authority granted was.

Since this bill would be interfering with effective executive services to the public and duplicating the job of the judiciary, both of which do not serve the best interest of this state's taxpayers, I cannot support it. Particularly, when there are currently adequate safeguards available to ensure proper administrative rulemaking that do not violate the Constitution's Separation of Powers.

If there is a problem with administrative rulemaking, the legislature can alleviate it by more clearly setting forth its intent in statute or other formal methods. In this way, the executive department can look to and rely on recorded tangible evidence for guidance. This allows the executive department to function within explicit authority and provides the judiciary adequate evidence to review the executive's authority. This is the relationship set out in the state Constitution and it should not be weakened. In addition, the legislature has available to it a variety of informal mechanisms that can operate effectively to mitigate against administrative departures from intent.

For the foregoing reasons, I have determined to veto Substitute House Bill No. 29.

Respectfully submitted,  
DIXY LEE RAY, Governor.

#### POINT OF ORDER

Mr. O'Brien: "Mr. Speaker, I call your attention to Article III, section 12 of the State Constitution, which specifically sets forth the rules and regulations in the handling of bills vetoed by the Governor. It appears to me that the House has already considered this veto message and to do it again would be presumptuous, frivolous, and inconsistent with the State Constitution and is beyond the powers of comprehension of this House of Representatives. It appears it is absolutely unnecessary at this time to reconsider the veto message of Substitute House Bill No. 29 because it was done once. To do it twice would be a violation of the State Constitution, Article III, section 12. It sets forth clearly the procedure to be followed on veto messages and the procedure by the House of Representatives and how it should act by consideration of two-thirds of the members present, and if they agree to pass the bill, and then it shall be sent to the Senate and by the action not taken by the Senate, this veto message has been refused by the Senate. Therefore, any action taken by us today would be frivolous, irrelevant and not to the point."

The Speaker (Mr. Amen presiding): "Rule A-3 states that all decisions pertaining to points of order shall be made jointly by the Co-Speakers. We have to ask the Co-Speakers to make a ruling on that, Representative O'Brien."

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

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

#### RULING BY THE SPEAKER

The Speaker (Mr. Amen presiding): "Representative O'Brien, on your point of order: Reed's Rule 161 states the question of constitutionality is not to be decided. Incompatibility, inconsistency and unconstitutionality are matters of argument. Your point is not well taken."

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

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

#### MOTION

On motion of Mr. Polk, further action of the Governor's veto message regarding Substitute House Bill No. 29 was deferred until the next working day.

#### SECOND READING

HOUSE BILL NO. 520, by Representatives Adams, Haley, Kreidler and McGinnis:

Revising laws regulating the practice of medicine.

The bill was read the second time.

On motion of Mr. Tilly, the rules were suspended, the second reading considered the third, and House Bill No. 520 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 520, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

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

Not voting: Representatives Bond, Chandler, Dunlap.

House Bill No. 520, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1065, by Representatives Erickson and Oliver:

Controlling conflicts of interest.

The bill was read the second time.

On motion of Mr. Oliver, Substitute House Bill No. 1065 was substituted for House Bill No. 1065, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1065 was read the second time.

On motion of Mr. Tilly, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1065 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1065, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

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

Not voting: Representatives Bond, Chandler, Dunlap.

Substitute House Bill No. 1065, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1107, by Representatives Walk and Fancher:

Revising rule-making authority of the state personnel board.

The bill was read the second time.

On motion of Mr. Taller, Substitute House Bill No. 1107 was substituted for House Bill No. 1107, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1107 was read the second time.

On motion of Mr. Tilly, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1107 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1107, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

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

Not voting: Representatives Berentson, Bond, Chandler, Dunlap.

Substitute House Bill No. 1107, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 98, by Representative Hurley:

Prescribing the disposition of gifts received by the governor.

The bill was read the second time.

On motion of Mr. Oliver, Substitute House Bill No. 98 was substituted for House Bill No. 98, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 98 was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 98, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

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

Not voting: Representatives Berentson, Bond, Chandler, Dunlap.

Substitute House Bill No. 98, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Polk, HOUSE JOINT MEMORIAL NO. 21 was rereferred from Committee on Labor to Committee on Agriculture.

#### MOTION

On motion of Mr. Polk, the House adjourned until 10:00 a.m., Friday, January 18, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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

## FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, January 18, 1980

The House was called to order at 10:00 a.m. by Speaker Bagnariol. The Clerk called the roll and all members were present except Representatives Chandler, Heck, Salatino, Thompson and Whiteside. Representatives Heck and Whiteside were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Corrine Viebrock and Liz Little. Prayer was offered by The Reverend Paul McCann of the United Churches of Olympia.

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

Speaker Bagnariol stated the question before the House to be the message from the Governor regarding Substitute House Bill No. 29.

## POINT OF ORDER

Mr. O'Brien: "Mr. Speaker, I refer you to House Rule 76. It is my position that to consider this veto message at this time is in violation of House Rule 76, which I would like to read in part to you. 'The veto message of the governor accompanying any bill passed by the legislature, together with the bill vetoed, shall be read in the house.' This veto message was read in the House on May 1, 1979. Further the rule states, 'It shall then be in order to proceed with the reconsideration of the bill, refer it, lay it on the table, or postpone its consideration to a day certain.' The merits of the bill were debated at that time, May 1, 1979. It was read section by section. In the last paragraph of this rule it says, 'Vetoed bills originating in the house which have not been passed notwithstanding the veto of the governor shall remain in the custody of the officers of the house until the close of the session, after which they shall be filed with the secretary of state.' I hold that since the 1979 first extraordinary session of the Legislature ended at that time any further consideration of the veto message from the Governor on Substitute House Bill No. 29 was finalized and concluded. At that date the officers of this house should have forwarded the message to the Secretary of State. In other words, the rule states rather clearly that it shall be considered in the House once and at the end of the session, if no action has been taken to override the Governor's veto, the message shall be filed with the Secretary of State. In further support of that position, Senate Concurrent Resolution No. 118, which we adopted at the beginning of this session, made absolutely no reference to this Governor's veto; therefore, by adoption of this resolution we further concluded that the message was killed and dead at the conclusion of the 1979 extraordinary session. It appears further that it would establish an unheralded position at this time to reconsider a veto message twice when the action was concluded. It's a violation of the House rules and it sets a precedence that I know you, in your wisdom and judgment, wouldn't want to have filed in this House of Representatives. You are men of character and intelligence and would want to see this thing done right. As a matter of fact, you can tell the prime sponsor of this bill if he is sincerely interested, all he has to do is to reintroduce it and run it through the normal channels."

Speaker Bagnariol declared the House to be at ease.

Speaker Bagnariol called the House to order.

## RULING BY THE SPEAKER

Speaker Bagnariol: "The Co-Speakers have agreed, there is a provision in House Rule No. 76 which provides for filing with the Secretary of State all bills which have been vetoed and which have not been overridden by the House and Senate. By its terms, read as a whole, the rule contemplates the filing to be done upon the final determination by the Legislature of whether to pass the bill notwithstanding the veto. That determination has not yet been made. The 'session' referenced in House Rule 76, therefore, is the session in which the final legislative determination is made.

Since the passage of Substitute House Bill No. 29 notwithstanding the veto is a bill which was returned to third reading from the Senate, no final legislative determination has been

made. This bill, therefore, is correctly in the House and should not yet be filed with the Secretary of State. If, and only if, one house had affirmatively voted to uphold the veto, it would have been correct to file the bill with the Secretary of State at the end of the 1979 extraordinary session. The point is not well taken."

#### MOTION

Mr. Ehlers moved that the House do pass Substitute House Bill No. 29 notwithstanding the veto of the Governor.

Representatives Ehlers and Taller spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Ehlers, can you tell us what the votes were on this bill, including the override?"

Mr. Ehlers: "It passed this House unanimously, 97 to 0 the first time. I believe the next time we voted on it, it was 98 to 0. It then passed the Senate as they amended it, 47 to 1 and then it came back to us and we concurred 97 to 0, with 1 absent. The override was 89 to 9 in this House."

Representatives Deccio, Berentson and Taylor spoke in favor of the motion, and Mr. O'Brien spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion that the House do pass Substitute House Bill No. 29 notwithstanding the veto of the Governor, and the motion passed the House by the following vote: Yeas, 85; nays, 8; not voting, 5.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Berentson, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Erak, Erickson, Fancher, Flint, Fuller, Galloway, Granlund, Greengo, Grimm, Gruger, Hastings, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bender, Eng, Flanagan, Gallagher, Garrett, Martinis, O'Brien, Stratton.

Not voting: Representatives Chandler, Heck, Newhouse, Salatino, Whiteside.

Substitute House Bill No. 29, notwithstanding the veto of the Governor, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1525; by Representative Thompson:

AN ACT Relating to the administrator for the courts; making an appropriation for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1526; by Representative Thompson:

AN ACT Relating to the state treasurer; making an appropriation for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1527, by Representative Thompson:

AN ACT Relating to the state auditor; making an appropriation for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1528, by Representative Thompson:

AN ACT Relating to the insurance commissioner; making an appropriation for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1529, by Representative Thompson:

AN ACT Relating to the department of general administration; making an appropriation for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1530, by Representative Thompson:

AN ACT Relating to the military department; making an appropriation for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1531, by Representative Thompson:

AN ACT Relating to the state treasurer—state revenues for distribution; making an appropriation for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1532, by Representative Thompson:

AN ACT Relating to the office of financial management; making appropriations for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1533, by Representatives Thompson and Nelson (G):

AN ACT Relating to the department of social and health services; making an appropriation for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1534, by Representatives Thompson and Nelson (G):

AN ACT Relating to the department of social and health services; making an appropriation for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1535, by Representative Thompson:

AN ACT Relating to the board of industrial insurance appeals; making an appropriation for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1536, by Representatives Thompson and Nelson (G):

AN ACT Relating to the department of labor and industries; making an appropriation for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1537, by Representative Thompson:

AN ACT Relating to the criminal justice training commission; making an appropriation for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1538, by Representative Thompson:

AN ACT Relating to the state energy office; amending section 2, chapter 158, Laws of 1979 ex. sess. (uncodified); making an appropriation for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1539, by Representative Thompson:

AN ACT Relating to the department of ecology; making an appropriation for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations



HOUSE BILL NO. 1540, by Representative Thompson:

AN ACT Relating to the department of natural resources; making an appropriation for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1541, by Representative Thompson:

AN ACT Relating to the department of agriculture; making an appropriation for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1542, by Representative Thompson:

AN ACT Relating to the state patrol; making an appropriation for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1543, by Representative Thompson:

AN ACT Relating to the department of licensing; making an appropriation for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1544, by Representative Thompson:

AN ACT Relating to the superintendent of public instruction; making appropriations for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1545, by Representative Thompson:

AN ACT Relating to the state library; making an appropriation for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1546, by Representatives Nisbet, Sherman, Pruitt, Tupper, Williams, McCormick, Scott, Nelson (D), Wilson, Charnley, Addison, Bauer, Bender, Brekke, Burns, Erak, Greengo, Van Dyken, Walk, Rinehart, Sanders, Brown, Lux, Monohon, Gallagher, Grimm and McGinnis:

AN ACT Relating to property tax exemptions for energy-related equipment; amending section 1, chapter 364, Laws of 1977 ex. sess. and RCW 84.36.410; adding a new section to chapter 84.36 RCW; and creating a new section.

To Committee on Energy and Utilities

HOUSE BILL NO. 1547, by Representative McCormick:

AN ACT Relating to energy.

To Committee on Rules

HOUSE BILL NO. 1548, by Representatives Charnley, Nisbet, Williams, McCormick, Scott, Sherman, Brekke, Burns, Lux, Eng, Nelson (D), Valle, Bender, Mitchell, Bauer, Rinehart and Erak:

AN ACT Relating to energy conservation services; and adding a new section to chapter 80.28 RCW.

To Committee on Energy and Utilities

HOUSE BILL NO. 1549, by Representatives Kreidler, Brekke, Lux, Ellis and Galloway:

AN ACT Relating to physically disabled or elderly persons; amending section 3, chapter 110, Laws of 1975 1st ex. sess. and RCW 70.92.120; and adding a new section to chapter 70.92 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 1550, by Representatives Erickson and Oliver:

AN ACT Relating to cities and towns; amending section 35.22.200, chapter 7, Laws of 1965 as amended by section 13, chapter 47, Laws of 1965 ex. sess. and RCW 35.22.200; and adding new sections to chapter 35.21 RCW.

To Committee on Constitution, Elections and Governmental Ethics

HOUSE BILL NO. 1551, by Representatives Valle, Sanders, Nelson (D), Isaacson, Charnley, Gruger and Lux:

AN ACT Relating to smoking; creating a new chapter in Title 49 RCW to be designated as chapter 49.22 RCW; and providing penalties.

To Committee on Ecology

HOUSE BILL NO. 1552, by Representatives Thompson, Erickson, Sanders, Burns, Gruger, Pruitt, Rinehart, Eng, Lux, Valle, Bauer and Keller:

AN ACT Relating to elections; and amending section 29.07.160, chapter 9, Laws of 1965 as last amended by section 4, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.160.

To Committee on Constitution, Elections and Governmental Ethics

HOUSE BILL NO. 1553, by Representatives Williams, Taller, Nelson (G), Mitchell and Nisbet:

AN ACT Relating to state budget allotments; and amending section 43.88.110, chapter 8, Laws of 1965 as last amended by section 138, chapter 151, Laws of 1979 and RCW 43.88.110.

To Committee on Appropriations

HOUSE BILL NO. 1554, by Representatives Craswell, Sommers and Fancher:

AN ACT Relating to revenue and taxation; and amending section 6, chapter 87, Laws of 1970 ex. sess. as amended by section 7, chapter 212, Laws of 1973 1st ex. sess. and RCW 84.34.060.

To Committee on Revenue

HOUSE BILL NO. 1555, by Representatives Schmitt, Becker, Flint, Jovanovich, Rosbach, Vrooman, Wilson, Martinis, Addison, Mitchell, Ellis and Charnley:

AN ACT Relating to albino wildlife; adding a new section to chapter 77.16 RCW; and prescribing penalties.

To Committee on Natural Resources

HOUSE BILL NO. 1556, by Representatives Oliver, McCormick, Smith (C), Clayton, Fancher, Kreidler, Flanagan, Hastings, Williams, McGinnis, Mitchell, Bauer and Tupper:

AN ACT Relating to gasohol; amending section 16, chapter 108, Laws of 1975-'76 2nd ex. sess. as amended by section 2, chapter 328, Laws of 1977 ex. sess. and RCW 43.21G.020; amending section 18, chapter 108, Laws of 1975-'76 2nd ex. sess. as last amended by section 1, chapter 158, Laws of 1979 ex. sess. and RCW 43.21G.040; adding a new section to chapter 108, Laws of 1975-'76 2nd ex. sess. and to chapter 43.21G RCW; and declaring an emergency.

To Committee on Energy and Utilities

HOUSE BILL NO. 1557, by Representatives Eng and Winsley:

AN ACT Relating to commercial lending; amending section 2, chapter 80, Laws of 1899 as amended by section 4, chapter 23, Laws of 1967 ex. sess. and RCW 19.52.020; and repealing section 1, chapter 142, Laws of 1969 ex. sess., section 2, chapter 97, Laws of 1970 ex. sess., section 1, chapter 180, Laws of 1975 1st ex. sess. and RCW 19.52.080.

To Committee on Financial Institutions

HOUSE BILL NO. 1558, by Representatives Zimmerman, Heck, Bauer, Monohon, Galloway and Williams:

AN ACT Relating to building codes; and amending section 6, chapter 96, Laws of 1974 ex. sess. as amended by section 2, chapter 282, Laws of 1975 1st ex. sess. and RCW 19.27.060.

To Committee on Local Government

HOUSE BILL NO. 1559, by Representative Newhouse:

AN ACT Relating to criminal sentencing; amending section 1, chapter 175, Laws of 1969 ex. sess. and RCW 9.41.025; and adding a new section to chapter 9.41 RCW.

To Committee on Judiciary

HOUSE BILL NO. 1560, by Representatives Greengo and Sommers:

AN ACT Relating to gambling; and amending section 12, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.120.

To Committee on Commerce

HOUSE BILL NO. 1561, by Representatives Nisbet, McCormick, Bond, Addison, Williams and McGinnis:

AN ACT Relating to state purchasing; and amending section 43.19.1911, chapter 8, Laws of 1965 and RCW 43.19.1911.

To Committee on State Government

HOUSE BILL NO. 1562, by Representatives Nisbet, McCormick, Williams, Sherman, Pruitt, Tupper, Nelson (D), Wilson, Charnley, Brekke, Erak and Monohon:

AN ACT Relating to the efficient use of energy; amending section 80.28.070, chapter 14, Laws of 1961 and RCW 80.28.070; amending section 7, chapter 182, Laws of 1941 as amended by section 9, chapter 218, Laws of 1959 and RCW 54.24.080; adding a new section to chapter 35.92 RCW; creating a new section; and providing an effective date.

To Committee on Energy and Utilities

HOUSE BILL NO. 1563, by Representative Sommers:

AN ACT Relating to the taxation of certain public corporations, commissions, and authorities; amending section 7, chapter 37, Laws of 1974 ex. sess. as last amended by section 9, chapter 196, Laws of 1979 ex. sess. and RCW 35.21.755; amending section 13, chapter 61, Laws of 1975-76 2nd ex. sess. and RCW 82.29A.130; adding a new section to chapter 84.36 RCW; and creating a new section.

To Committee on Revenue

HOUSE BILL NO. 1564, by Representatives Oliver, Nisbet, Hastings, Bond, Williams, Zimmerman, Barr, McGinnis, Tupper, Tilly, Van Dyken, Taylor, Dunlap and Eberle:

AN ACT Relating to nuclear waste; and adding a new section to Title 70 RCW.

To Committee on Ecology

HOUSE BILL NO. 1565, by Representatives Becker, Polk, Whiteside, Pruitt, Teutsch, Adams, Brekke, Rinehart, Lux, Nelson (D), Burns, Taylor, Galloway, Stratton and Maxie:

AN ACT Relating to the commission on families and children; amending section 36.18.010, chapter 4, Laws of 1963 as last amended by section 1, chapter 56, Laws of 1977 ex. sess. and RCW 36.18.010; adding a new chapter to Title 70 RCW; and providing an expiration date.

To Committee on Social and Health Services

HOUSE BILL NO. 1566, by Representatives Teutsch, Pruitt, Brekke, Lux, Adams, Taller, Tupper, Eng, Chandler, Nelson (D), Granlund, O'Brien, Maxie, Rinehart, Vrooman, Becker, King and Burns:

AN ACT Relating to health care accessibility; adding a new chapter to Title 70 RCW; creating a new section; and making an appropriation.

To Committee on Social and Health Services

HOUSE BILL NO. 1567, by Representatives Sherman, Nisbet, Brekke, Barr, Rinehart, Valle, Charnley, Burns and Gruger:

AN ACT Relating to beverage containers; adding a new chapter to Title 70 RCW; and prescribing penalties.

HOUSE BILL NO. 1568, by Representatives McCormick, Bond, Scott, Grimm, Oliver, Monohon, Kreidler, Sanders, Maxie, McGinnis, Burns, Taylor, Gallagher, Smith (C), Mitchell, Granlund, Pruitt, Rinehart, Lux, Stratton, Valle, Bauer and Erak:

AN ACT Relating to the state motor vehicle transportation service; and amending section 5, chapter 167, Laws of 1975 1st ex. sess. as amended by section 12, chapter 111, Laws of 1979 and RCW 43.41.130.

To Committee on Energy and Utilities

HOUSE BILL NO. 1569, by Representatives Eng and Winsley:

AN ACT Relating to commercial loans.

To Committee on Financial Institutions

HOUSE BILL NO. 1570, by Representatives Winsley, Eng and Sanders:

AN ACT Relating to commercial lending; and amending section 1, chapter 142, Laws of 1969 ex. sess. as last amended by section 1, chapter 180, Laws of 1975 1st ex. sess. and RCW 19.52.080.

To Committee on Financial Institutions

HOUSE BILL NO. 1571, by Representative Thompson (by Executive request):

AN ACT Relating to expenditures by state agencies and offices of the state; making appropriations for the fiscal biennium beginning July 1, 1979 and ending June 30, 1981; amending section 38, chapter 270, Laws of 1979 ex. sess. (uncodified); amending section 2, chapter 158, Laws of 1979 ex. sess. (uncodified); amending section 85, chapter 270, Laws of 1979 ex. sess. (uncodified); amending section 173, chapter 270, Laws of 1979 ex. sess. (uncodified); making other appropriations; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1572, by Representative Newhouse:

AN ACT Relating to criminal offenses; adding a new section to chapter 9A.04 RCW; and creating a new section.

To Committee on Judiciary

HOUSE BILL NO. 1573, by Representatives Sanders, Clayton, Valle, Isaacson, Adams, Erickson, Lux, Burns, Kreidler, Brekke and Charnley:

AN ACT Relating to cigarette taxes; and adding a new section to chapter 82.24 RCW.

To Committee on Revenue

HOUSE BILL NO. 1574, by Representative McCormick:

AN ACT Relating to energy.

To Committee on Rules

HOUSE BILL NO. 1575, by Representatives Charnley, Whiteside, Thompson and Van Dyken:

AN ACT Relating to primitive roads; and adding a new section to chapter 36.75 RCW.

To Committee on Local Government

HOUSE BILL NO. 1576, by Representative McCormick:

AN ACT Relating to energy.

To Committee on Rules

HOUSE BILL NO. 1577, by Representatives King, Erickson, Barnes, Burns, Granlund, Pruitt, Grimm, Lux, Valle, Bender, Erak and Gallagher:

AN ACT Relating to governmental ethics; amending section 1, chapter 150, Laws of 1967 ex. sess. as amended by section 1, chapter 218 Laws of 1977 ex. sess. and RCW 44.60.010; adding new sections to chapter 44.60 RCW; and creating new sections.

To Committee on Constitution, Elections and Governmental Ethics

HOUSE BILL NO. 1578, by Representatives Brekke, Sanders, Owen, Mitchell and Stratton:

AN ACT Relating to intoxicating liquor; and amending section 7, chapter 62, Laws of 1933 ex. sess. as last amended by section 217, chapter 158, Laws of 1979 and RCW 66.16.040.

To Committee on Commerce

HOUSE BILL NO. 1579, by Representatives Nelson (D), McCormick, Nisbet, Scott, Williams, Sherman, Grimm, Brekke, Burns, Granlund, Eng, Charnley, Lux, Valle and Erak:

AN ACT Relating to electrical energy conservation; amending section 35.92.050, chapter 7, Laws of 1965 and RCW 35.92.050; amending section 5, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.050; amending section 14, chapter 218, Laws of 1959 and RCW 54.04.010; amending section 5, chapter 390, Laws of 1955 and RCW 54.16.040; amending section 80.04.010, chapter 14, Laws of 1961

as last amended by section 10, chapter 191, Laws of 1979 ex. sess. and RCW 80.04.010; amending section 80.28.020, chapter 14, Laws of 1961 and RCW 80.28.020; amending section 2, chapter 45, Laws of 1970 ex. sess. as last amended by section 2, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.020; amending section 4, chapter 45, Laws of 1970 ex. sess. as last amended by section 1, chapter 254, Laws of 1979 ex. sess. and RCW 80.50.040; amending section 6, chapter 45, Laws of 1970 ex. sess. as last amended by section 5, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.060; and creating a new section.

To Committee on Energy and Utilities

HOUSE BILL NO. 1580, by Representatives Isaacson, Kreidler, Oliver, Smith (C), Heck, Clayton, Fancher, Scott, Hastings, Erak, Amen, Becker, Van Dyken, Tilly and Barr:

AN ACT Relating to irrigation districts; and amending section 2, chapter 150, Laws of 1973 and RCW 58.17.310.

To Committee on Local Government

HOUSE BILL NO. 1581, by Representatives Oliver, Erickson, Van Dyken and Nelson (D):

AN ACT Relating to elections; creating a new chapter in Title 29 RCW; and providing penalties.

To Committee on Constitution, Elections and Governmental Ethics

HOUSE BILL NO. 1582, by Representatives Scott, Wilson, King, Mitchell, Martinis, Sprague, Monohon, Nelson (G), Lux, Houchen, May, Newhouse, McGinnis, Sherman, Taylor, Galloway, Bauer, Fuller, Erak, Brekke, Warnke, Burns, Rosbach, Vrooman, Granlund, Pruitt, Rinehart, Grimm, Charnley, Valle, Walk, Stratton, North, Bender, Brown and Keller:

AN ACT Relating to utility services; adding a new chapter to Title 74 RCW; making an appropriation; and declaring an emergency.

To Committee on Social and Health Services

HOUSE BILL NO. 1583, by Representative Nelson (G):

AN ACT Relating to higher education; making capital appropriations for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1584, by Representative Nelson (G):

AN ACT Relating to expenditures by state agencies and offices of the state; making appropriations for the fiscal biennium beginning July 1, 1979 and ending June 30, 1981; amending section 38, chapter 270, Laws of 1979 ex. sess. (uncodified); amending section 85, chapter 270, Laws of 1979 ex. sess. (uncodified); amending section 173, chapter 270, Laws of 1979 ex. sess. (uncodified); and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1585, by Representatives Smith (R) and Newhouse (by Code Reviser's request):

AN ACT Relating to the chiropractic disciplinary board; reenacting section 4, chapter 171, Laws of 1967 as last amended by section 20, chapter 158, Laws of 1979 and by section 18, chapter 111, Laws of 1979 ex. sess. and RCW 18.26.040; reenacting section 7, chapter 171, Laws of 1967 as last amended by section 22, chapter 158, Laws of 1979 and by section 20, chapter 111, Laws of 1979 ex. sess. and RCW 18.26.070; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 1586, by Representatives Smith (R) and Newhouse (by Code Reviser's request):

AN ACT Relating to education; reenacting section 28A.57.312, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 126, Laws of 1979 ex. sess. and by section 1, chapter 183, Laws of 1979 ex. sess. and RCW 28A.57.312; reenacting section 7, chapter 15, Laws of 1975-'76 2nd ex. sess. as amended by section 8, chapter 126, Laws of 1979 ex. sess. and by section 4, chapter 183, Laws of 1979 ex. sess. and RCW 28A.57.357; reenacting section 8, chapter 15, Laws of 1975-'76 2nd ex. sess. as amended by section 9, chapter 126, Laws of 1979 ex. sess. and by section 5, chapter 183, Laws of 1979 ex. sess. and RCW 28A.57.358; creating new sections; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 1587 by Representatives Newhouse and Smith, R. (by Code Reviser's request):

AN ACT Relating to industrial insurance; reenacting section 51.04.030, chapter 23, Laws of 1961 as last amended by section 1, chapter 239, Laws of 1977 ex. sess. and by section 2, chapter 350, Laws of 1977 ex. sess. and RCW 51.04.030; reenacting section 51.04.070, chapter 23, Laws of 1961 as amended by section 2, chapter 323, Laws of 1977 ex. sess. and by section 4, chapter 350, Laws of 1977 ex. sess. and RCW 51.04.070; reenacting section 67, chapter 289, Laws of 1971 ex. sess. as last amended by section 78, chapter 75, Laws of 1977 and by section 7, chapter 350, Laws of 1977 ex. sess. and RCW 51.04.110; reenacting section 51.08.030, chapter 23, Laws of 1961 as last amended by section 36, chapter 80, Laws of 1977 ex. sess. and by section 4, chapter 323, Laws of 1977 ex. sess. and RCW 51.08.030; reenacting section 14, chapter 289, Laws of 1971 ex. sess. as amended by section 6, chapter 323, Laws of 1977 ex. sess. and by section 14, chapter 350, Laws of 1977 ex. sess. and RCW 51.08.178; reenacting section 51.12.110, chapter 23, Laws of 1961 as last amended by section 8, chapter 323, Laws of 1977 ex. sess. and by section 22, chapter 350, Laws of 1977 ex. sess. and RCW 51.12.110; reenacting section 51.16.120, chapter 23, Laws of 1961 as last amended by section 13, chapter 323, Laws of 1977 ex. sess. and by section 28, chapter 350, Laws of 1977 ex. sess. and RCW 51.16.120; reenacting section 51.32.030, chapter 23, Laws of 1961 as amended by section 14, chapter 323, Laws of 1977 ex. sess. and by section 40, chapter 350, Laws of 1977 ex. sess. and RCW 51.32.030; reenacting section 1, chapter 19, Laws of 1975-76 2nd ex. sess. as amended by section 1, chapter 202, Laws of 1977 ex. sess. and by section 15, chapter 323, Laws of 1977 ex. sess. and by section 45, chapter 350, Laws of 1977 ex. sess. and RCW 51.32.073; reenacting section 12, chapter 289, Laws of 1971 ex. sess. as last amended by section 16, chapter 323, Laws of 1977 ex. sess. and by section 48, chapter 350, Laws of 1977 ex. sess. and RCW 51.32.095; reenacting section 51.32.110, chapter 23, Laws of 1961 as last amended by section 17, chapter 323, Laws of 1977 ex. sess. and by section 50, chapter 350, Laws of 1977 ex. sess. and RCW 51.32.110; reenacting section 51.36.030, chapter 23, Laws of 1961 as amended by section 20, chapter 323, Laws of 1977 ex. sess. and by section 58, chapter 350, Laws of 1977 ex. sess. and RCW 51.36.030; reenacting section 51.48.050, chapter 23, Laws of 1961 as amended by section 23, chapter 323, Laws of 1977 ex. sess. and by section 70, chapter 350, Laws of 1977 ex. sess. and RCW 51.48.050; reenacting section 51.48.070, chapter 23, Laws of 1961 as amended by section 24, chapter 323, Laws of 1977 ex. sess. and by section 72, chapter 350, Laws of 1977 ex. sess. and RCW 51.48.070; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 1588, by Representatives Newhouse and Smith, R. (by Code Reviser's request):

AN ACT Relating to horse racing; reenacting section 9, chapter 55, Laws of 1933 as last amended by section 2, chapter 31, Laws of 1979 and by section 169, chapter 151, Laws of 1979 and RCW 67.16.100; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 1589, by Representatives Newhouse and Smith, R. (by Code Reviser's request):

AN ACT Relating to county prisoners; reenacting section 5, chapter 171, Laws of 1961 as amended by section 273, chapter 141, Laws of 1979 and by section 1, chapter 147, Laws of 1979 and RCW 72.64.110; and declaring an emergency.

To Committee on Judiciary

HOUSE JOINT MEMORIAL NO. 24, by Representatives Scott, Wilson, Monohon, Tupper, Grimm, Sprague, Charnley, McCormick, Sherman, King, Nelson (D), Brekke, Williams, Sanders, Granlund, Vrooman, Pruitt, Warnke, Rinehart, Bauer, Fuller, Erak, North, Stratton and Brown:

Requesting federal help in promoting use of wood to relieve energy shortage.

To Committee on Energy and Utilities

HOUSE JOINT RESOLUTION NO. 40, by Representatives Rinehart, Fuller, Sommers, Barnes, Erickson, Winsley, Granlund, Greengo, Burns, Chandler, Nisbet and Scott:

Amending the Constitution to permit alternative constitutional amendments to be submitted to the voters.

To Committee on Constitution, Elections and Governmental Ethics

#### MOTION

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

## REPORTS OF STANDING COMMITTEES

January 16, 1980

**SUBSTITUTE HOUSE BILL NO. 10**, Prime sponsor: Representative Winsley, raising the property tax delinquency interest rate and shortening delinquency payment period. Reported by Committee on Revenue.

**MAJORITY recommendation:** The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Brown, Erickson, Flanagan, Galloway, Granlund, Greengo, Hastings, Nelson (D), Rinehart, Sanders, Winsley.

Passed to Committee on Rules for second reading.

January 17, 1980

**HOUSE BILL NO. 878**, Prime Sponsor: Representative Knowles, clarifying the powers of sewer districts. Reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Chandler, Garrett, North, Rohrbach, Rosbach, Stratton, Teutsch, Van Dyken, Whiteside.

Passed to Committee on Rules for second reading.

January 16, 1980

**HOUSE BILL NO. 1417**, Prime sponsor: Representative Winsley, providing for sentencing after appeals from police court. Reported by Committee on Judiciary.

**MAJORITY recommendation:** Do pass. Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Sherman, Thompson, Winsley.

Passed to Committee on Rules for second reading.

January 16, 1980

**HOUSE BILL NO. 1421**, Prime Sponsor: Representative Newhouse, providing for subsistence, lodging, and travel expense of pro tem judges. Reported by Committee on Judiciary.

**MAJORITY recommendation:** Do pass. Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Sherman, Thompson, Winsley.

Passed to Committee on Rules for second reading.

January 17, 1980

**HOUSE BILL NO. 1425**, Prime Sponsor: Representative Taller, requiring financial disclosure of the members and director of the commission for the blind. Reported by Committee on State Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Ehlers, Co-Chairman; Taller, Co-Chairman; Flint, Jovanovich, Pruitt, Salatino, Tupper, Walk, Williams.

Passed to Committee on Rules for second reading.

January 17, 1980

**HOUSE BILL NO. 1435**, Prime Sponsor: Representative Charnley, removing limitations on use of fire protection district equipment. Reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Chandler, Garrett, North, Rohrbach, Rosbach, Stratton, Teutsch, Van Dyken, Whiteside.

Passed to Committee on Rules for second reading.

Speaker Bagnariol declared the House to be at ease.

Speaker Bagnariol called the House to order.

Representatives Chandler and Salatino appeared at the bar of the House.

## MOTIONS

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

On motion of Mr. King, **HOUSE BILL NO. 570** was rereferred from the Third Reading Calendar to Committee on Transportation.

On motion of Mr. King, HOUSE BILL NO. 1508 was rereferred from Committee on Energy and Utilities to Committee on Transportation.

#### RESOLUTION

HOUSE RESOLUTION NO. 80-120, by Representatives Tilly, Bond, Erak, Hastings, Hughes, Nisbet and Smith (R):

WHEREAS, The members of the Washington State House of Representatives believe that the continued Soviet aggression in and occupation of the nation of Afghanistan poses a grave threat to world peace; and

WHEREAS, One hundred three other nations of the world have joined with the United States in calling for the immediate, unconditional and total withdrawal of Soviet troops from Afghanistan; and

WHEREAS, The Secretary General of the United Nations has declared that the resolution calling for troop withdrawal from Afghanistan is "an appeal to the international community" to act; and

WHEREAS, The Soviet Union has expressed complete contempt for and an utter disregard of all international forums and their opinions; and

WHEREAS, The 1980 Summer Olympics are scheduled to begin in Moscow on July 19, 1980; and

WHEREAS, There is reason to believe that Soviet troops will, in the face of worldwide condemnation, be occupying by aggression the Nation of Afghanistan on the starting date of the Summer Olympics; and

WHEREAS, The leadership of the Soviet Union has demonstrated an inability or unwillingness to conform to at least a minimal level of civilized conduct; and

WHEREAS, It would not be possible to provide for the security of our athletes and spectators and the athletes and spectators of other countries at the Moscow games; and

WHEREAS, The sixth, twelfth and thirteenth Olympiads were cancelled altogether due to world wars; and

WHEREAS, The only difference between the Soviet invasion of Afghanistan and a world war is one of scope, not savagery.

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives requests that the International Olympic Committee relocate the XXII Summer Olympiad to a country whose concept of civilized conduct more closely reflects the philosophy of the Olympics than does that of the Soviet Union.

BE IT FURTHER RESOLVED, That the Chief Clerks of the House of Representatives are hereby instructed to transmit copies of this resolution to the International Olympic Committee; the United States Olympic Committee; the President of the United States, Jimmy Carter; the President of the United States Senate; the Speaker of the United States House of Representatives; and the Soviet Embassy in Washington D.C.

On motion of Mr. Tilly, House Resolution No. 80-120 was adopted.

#### MOTION

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

#### SECOND READING

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

#### MOTION

On motion of Mr. King, HOUSE BILL NO. 1183 was rereferred to Committee on Judiciary.

HOUSE BILL NO. 1193, by Representative Clayton:

Revising the basis upon which benefits are paid to certain persons under unemployment compensation.

The bill was read the second time.

On motion of Mr. Warnke, the rules were suspended, the second reading considered the third, and House Bill No. 1193 was placed on final passage.

Representatives Lux and Clayton spoke in favor of passage of the bill.



## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1193, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

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

Voting nay: Representatives Nelson D., Sommers.

Not voting: Representatives Heck, Valle, Whiteside.

House Bill No. 1193, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 763**, by Committee on Appropriations (originally sponsored by Representatives Douthwaite, Patterson and Burns):

Authorizing certain higher education employees to select a retirement program.

The bill was read the second time.

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

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 28B.10.400, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 259, Laws of 1979 ex. sess. and RCW 28B.10.400 are each amended to read as follows:

The boards of regents of the state universities, the boards of trustees of the regional universities and of The Evergreen State College, and the state board for community college education are authorized and empowered:

(1) To assist the faculties and such other employees as any such board may designate in the purchase of old age annuities or retirement income plans under such rules and regulations as any such board may prescribe. County agricultural agents, home demonstration agents, 4-H club agents, and assistant county agricultural agents paid jointly by the Washington State University and the several counties shall be deemed to be full time employees of the Washington State University for the purposes hereof;

(2) To provide, under such rules and regulations as any such board may prescribe for the faculty members or other employees under its supervision, for the retirement of any such faculty member or other employee on account of age or condition of health, retirement on account of age to be not earlier than the sixty-fifth birthday: PROVIDED, That such faculty member or such other employee may elect to retire at the earliest age specified for retirement by federal social security law: PROVIDED FURTHER, That any supplemental payment authorized by subsection (3) of this section and paid as a result of retirement earlier than age sixty-five shall be at an actuarially reduced rate;

(3) To pay to any such retired person or to his designated beneficiary(s), each year after his retirement, a supplemental amount which, when added to the amount of such annuity or retirement income plan, or retirement income benefit pursuant to RCW 28B.10.415, received by him or his designated beneficiary(s) in such year, will not exceed fifty percent of the average annual salary paid to such retired person for his highest two consecutive years of full time service under an annuity or retirement income plan established pursuant to subsection (1) of this section at an institution of higher education: PROVIDED, HOWEVER, That if such retired person prior to his retirement elected a supplemental payment survivors option, any such supplemental payments to such retired person or his designated beneficiary(s) shall be at actuarially reduced rates: PROVIDED FURTHER, That if a faculty member or other employee of an institution of higher education who is a participant in a retirement plan authorized by this section dies, or has died before retirement but after becoming eligible for retirement on account of age, the designated beneficiary(s) shall be entitled to receive the supplemental payment authorized by this subsection (3) of this section to which such designated beneficiary(s) would have been entitled had said deceased faculty member or other employee retired on the date of death after electing a supplemental payment survivors option: PROVIDED FURTHER, That for the purpose of this subsection, the designated beneficiary(s) shall be (a) the surviving spouse of the retiree; or, (b) with the written consent of such spouse, if any, such other person or persons as shall have an insurable interest in the retiree's life and shall have been nominated by written designation duly executed and filed with the retiree's institution of higher education.

Faculty members and employees who are eligible for coverage under this section may make an irrevocable option for either coverage under this section or for membership in the public employees' retirement system established under chapter 41.40 RCW. Faculty members and employees hired prior to the effective date of this 1980 act must exercise the option before January 1, 1981, or within seven years from the date of hire, whichever occurs last. Faculty members and employees hired on or after the effective date of this 1980 act shall select a retirement system within thirty days of the date of hire and must exercise the irrevocable option within seven years of the date of hire. For the purpose of calculating a retirement benefit, years of

service for faculty members or employees whose exercise of the option results in a change in retirement systems shall include only those years in which the faculty member or employee was a member of the retirement system from which the benefit is to be paid.

Employees hired on or after the effective date of this 1980 act, who elect not to become members of the public employees' retirement system are not eligible for supplemental retirement payments under RCW 28B.10.400(3).\*

On page 1, line 2 of the title, after "education;" strike the remainder of the title and insert "and amending section 28B.10.400, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 259, Laws of 1979 ex. sess. and RCW 28B.10.400."

The bill was ordered engrossed.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 763 was placed on final passage.

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

#### POINT OF INQUIRY

Mr. Taller yielded to question by Mr. Warnke.

Mr. Warnke: "Representative Taller, as I read your amendment, the seven-year option only applies to employees who have been on the payroll prior to the effective date of this bill, but those employees hired after the effective date of this 1980 act are not eligible for the TIAA/CREFF system. Is that correct?"

Mr. Taller: "No, I think you're talking about line 24, for the people who elect not to become members of the system are not eligible for supplemental benefits. They still could be members of the CREFF System, but they would not get the supplemental benefits. There is a difference between the two. That's the point as far as trying to encourage them to make the choice for PERS."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 763, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Heck, Whiteside.

Engrossed Substitute House Bill No. 763, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### THIRD READING

HOUSE BILL NO. 115, by Representatives Vrooman and North (by Committee on Local Government of the 45th Legislature request):

Authorizing private construction and improvement of county roads.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 115, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton,

Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Brown, Charnley, Erak, Heck, Whiteside.

House Bill No. 115, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 209, by Representatives Winsley, Smith (~~Erak~~) Newhouse (by Judicial Council request):

Authorizing discretionary review of administrative agency decisions by the court of appeals.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 209, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Heck, Whiteside.

House Bill No. 209, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 726, by Committee on Local Government. (originally sponsored by Representatives Zimmerman and Charnley):

Implementing law relating to grant of franchises for use of rights-of-way of county roads.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 726, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Granlund, Heck, Mitchell, Sommers, Whiteside.

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

#### MOTION

On motion of Mr. King, HOUSE BILL NO. 676 was rereferred to Committee on Appropriations.

#### INTERIM COMMITTEE APPOINTMENT

The Speaker (Mr. O'Brien presiding) announced the appointment of Representative Nelson (G) to replace Representative Blair on the Legislative Budget Committee.

## MOTION

On motion of Mr. King, the House adjourned until 10:00 a.m., Monday, January 21, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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

**EIGHTH DAY****MORNING SESSION**

House Chamber, Olympia, Wash., Monday, January 21, 1980

The House was called to order at 10:00 a.m. by the Speaker (Mr. Newhouse presiding). The Clerk called the roll and all members were present except Representatives Bond, Deccio, Eng, Houchen, Nelson (G), Stratton, Vrooman and Speaker Berentson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Perry Eng and Pat Healy. Prayer was offered by The Reverend Lester Olson of the Gloria Dei Lutheran Church of Olympia.

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

**INTRODUCTION AND FIRST READING**

**HOUSE BILL NO. 1590, by Representative Sanders:**

**AN ACT** Relating to state government; adding a new section to chapter 39.04 RCW; and adding new sections to chapter 43.21C RCW.

To Committee on Local Government

**HOUSE BILL NO. 1591, by Representatives Smith (R) and Knowles:**

**AN ACT** Relating to family support; amending section 11.52.010, chapter 145, Laws of 1965 as last amended by section 7, chapter 117, Laws of 1974 ex. sess. and RCW 11.52.010; amending section 11.52.020, chapter 145, Laws of 1965 as last amended by section 9, chapter 117, Laws of 1974 ex. sess. and RCW 11.52.020; amending section 11.52.022, chapter 145, Laws of 1965 as last amended by section 10, chapter 234, Laws of 1977 ex. sess. and RCW 11.52.022; amending section 11.52.040, chapter 145, Laws of 1965 and RCW 11.52.040; and amending section 1, chapter 126, Laws of 1965 and section 11.52.050, chapter 145, Laws of 1965 as amended by section 14, chapter 168, Laws of 1967 and RCW 11.52.050.

To Committee on Judiciary

**HOUSE BILL NO. 1592, by Representatives Charnley, Nisbet, Sherman, McCormick, Erickson, Burns, Nelson (D), Lux, Valle, Williams, Erak, Pruitt, Granlund, Rinehart and Bauer:**

**AN ACT** Relating to energy in residential buildings; and adding new sections to chapter 19.27 RCW.

To Committee on Energy and Utilities

**HOUSE BILL NO. 1593, by Representatives Garrett, Patterson, Stratton, Struthers and Ellis:**

**AN ACT** Relating to the Model Traffic Ordinance; amending section 34, chapter 54, Laws of 1975 1st ex. sess. and RCW 46.90.200; amending section 50, chapter 54, Laws of 1975 1st ex. sess. as amended by section 1, chapter 60, Laws of 1977 ex. sess. and RCW 46.90.300; amending section 64, chapter 54, Laws of 1975 1st ex. sess. as amended by section 2, chapter 60, Laws of 1977 ex. sess. and RCW 46.90.406; amending section 71, chapter 54, Laws of 1975 1st ex. sess. as amended by section 4, chapter 60, Laws of 1977 ex. sess. and RCW 46.90.427; amending section 83, chapter 54, Laws of 1975 1st ex. sess. as amended by section 5, chapter 60, Laws of 1977 ex. sess. and RCW 46.90.463; amending section 89, chapter 54, Laws of 1975 1st ex. sess. and RCW 46.90.481; amending section 111, chapter 54, Laws of 1975 1st ex. sess. as amended by section 6, chapter 60, Laws of 1977 ex. sess. and RCW 46.90.700; adding a new section to chapter 54, Laws of 1975 1st ex. sess. and to chapter 46.90 RCW; repealing section 51, chapter 54, Laws of 1975 1st ex. sess. and RCW 46.90.330; repealing section 55, chapter 54, Laws of 1975 1st ex. sess. and RCW 46.90.350; repealing section 56, chapter 54, Laws of 1975 1st ex. sess. and RCW 46.90.355; repealing section 57, chapter 54, Laws of 1975 1st ex. sess. and RCW 46.90.360; repealing section 58, chapter 54, Laws of 1975 1st ex. sess. and RCW 46.90.365; repealing section 59, chapter 54, Laws of 1975 1st ex. sess. and RCW 46.90.370; and repealing section 61, chapter 54, Laws of 1975 1st ex. sess. and RCW 46.90.380.

To Committee on Judiciary

HOUSE BILL NO. 1594, by Representatives Smith (C), Fancher, Bauer, Flanagan, Barr, Newhouse, Nisbet, Deccio, Clayton and Oliver:

AN ACT Relating to water rights; and amending section 16, chapter 233, Laws of 1967 as amended by section 5, chapter 216, Laws of 1979 1st ex. sess. and RCW 90.14.160.

To Committee on Ecology

HOUSE BILL NO. 1595, by Representatives Smith (R) and Winsley:

AN ACT Relating to liens; amending section 5, chapter 24, Laws of 1893 as last amended by section 6, chapter 34, Laws of 1975 and RCW 60.04.060; and adding a new section to chapter 60.04 RCW.

To Committee on Judiciary

HOUSE BILL NO. 1596, by Representatives Kreidler, Van Dyken, Becker, Amen, Brekke, Erickson, Burns, Lux, Valle, Garrett, Warnke, Charnley, Rinehart and Gruger:

AN ACT Relating to agriculture; creating a new chapter in Title 15 RCW; and making an appropriation.

To Committee on Agriculture

HOUSE BILL NO. 1597, by Representatives Williams, Nisbet, Dunlap, McCormick, Bond, Scott, Mitchell, Smith (C) and Oliver:

AN ACT Relating to certain school district bonds; and amending section 28A.51.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 7, chapter 42, Laws of 1970 ex. sess. and RCW 28A.51.010.

To Committee on Energy and Utilities

HOUSE BILL NO. 1598, by Representatives Schmitten and Monohon (by Department of Fisheries request):

AN ACT Relating to the salmon advisory council; and amending section 2, chapter 327, Laws of 1977 ex. sess. as amended by section 3, chapter 60, Laws of 1979 and RCW 75.18.110.

To Committee on Natural Resources

HOUSE BILL NO. 1599, by Representatives Knowles, Smith (C), Flanagan and Hastings:

AN ACT Relating to the sport of racing pigeons; and adding a new chapter to Title 67 RCW.

To Committee on Parks and Recreation

HOUSE BILL NO. 1600, by Representative Newhouse:

AN ACT Relating to charges for credit; amending section 2, chapter 80, Laws of 1899 as amended by section 4, chapter 23, Laws of 1967 ex. sess. and RCW 19.52.020; amending section 1, chapter 142, Laws of 1969 ex. sess. as last amended by section 1, chapter 180, Laws of 1975 1st ex. sess. and RCW 19.52.080; amending section 3, chapter 23, Laws of 1957 as last amended by section 1, chapter 8, Laws of 1973 1st ex. sess. and RCW 31.12.020; amending section 4, chapter 236, Laws of 1963 as last amended by section 2, chapter 47, Laws of 1972 ex. sess. and RCW 63.14.040; amending section 12, chapter 236, Laws of 1963 as last amended by section 3, chapter 47, Laws of 1972 ex. sess. and RCW 63.14.120; amending section 13, chapter 236, Laws of 1963 as last amended by section 3, chapter 2, Laws of 1969 and RCW 63.14.130; adding new sections to chapter 19.52 RCW; creating a new section; making an appropriation; and declaring an emergency.

To Committee on Financial Institutions

HOUSE BILL NO. 1601, by Representatives Addison, Gallagher, Wilson, Bender, Patterson, Erak, Brown, Dawson, Sprague, Struthers, Eberle, Garrett, Clayton, Smith (C), Burns, McDonald, Tupper, Erickson, Sanders, Pruitt and Oliver:

AN ACT Relating to vehicle licenses; and adding a new section to chapter 46.16 RCW.

To Committee on Transportation

HOUSE BILL NO. 1602, by Representatives Oliver and Erickson:

AN ACT Relating to elections; and amending section 29.18.040, chapter 9, Laws of 1965 as last amended by section 30, chapter 361, Laws of 1977 ex. sess. and RCW 29.18.040.

To Committee on Constitution, Elections and Governmental Ethics

HOUSE BILL NO. 1603, by Representatives Gruger, Greengo, Burns, Dunlap, Rinehart, Craswell, Brekke and Hastings:

AN ACT Relating to initiative and referendum petitions; and amending section 29.79.080, chapter 9, Laws of 1965 as amended by section 4, chapter 118, Laws of 1973 1st ex. sess. and RCW 29.79.080.

To Committee on Constitution, Elections and Governmental Ethics

HOUSE BILL NO. 1604, by Representatives Nelson (G) and Thompson (by Office of Financial Management request):

AN ACT Relating to retirement systems; amending section 6, chapter 96, Laws of 1979 ex. sess. (uncodified); and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1605, by Representatives Newhouse, King, Scott, Monohon, Clayton, McGinnis, Smith (C), May, Lux, Brekke, Erickson, Sanders, Mitchell, Addison, McCormick, Sherman, Valle, Garrett, Erak, Brown, Owen, Granlund, Bauer, Bender, Adams, Gallagher, Rosbach and Burns:

AN ACT Relating to industrial insurance; amending section 3, chapter \_\_\_\_ (HB \_\_\_\_), Laws of 1980 and RCW 51.04.110; amending section 51.08.140, chapter 23, Laws of 1961 and RCW 51.08.140; amending section 51.28.010, chapter 23, Laws of 1961 as last amended by section 32, chapter 350, Laws of 1977 ex. sess. and RCW 51.28.010; amending section 39, chapter 289, Laws of 1971 ex. sess. as amended by section 5, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.28.025; amending section 51.28.070, chapter 23, Laws of 1961 as last amended by section 36, chapter 350, Laws of 1977 ex. sess. and RCW 51.28.070; amending section 51.32.050, chapter 23, Laws of 1961 as last amended by section 42, chapter 350, Laws of 1977 ex. sess. and RCW 51.32.050; amending section 12, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.32.072; amending section 10, chapter ... (HB ...), Laws of 1980 and RCW 51.32.095; amending section 51.32.160, chapter 23, Laws of 1961 as amended by section 1, chapter 192, Laws of 1973 1st ex. sess. and RCW 51.32.160; amending section 51.36.010, chapter 23, Laws of 1961 as last amended by section 56, chapter 350, Laws of 1977 ex. sess. and RCW 51.36.010; amending section 52, chapter 289, Laws of 1971 ex. sess. as amended by section 1, chapter 42, Laws of 1979 ex. sess. and RCW 51.36.050; amending section 51.52.100, chapter 23, Laws of 1961 as last amended by section 79, chapter 350, Laws of 1977 ex. sess. and RCW 51.52.100; amending section 6, chapter 148, Laws of 1963 as amended by section 22, chapter 289, Laws of 1971 ex. sess. and RCW 51.52.104; amending section 1, chapter 40, Laws of 1973 as amended by section 80, chapter 350, Laws of 1977 ex. sess. and RCW 51.52.110; amending section 51.52.130, chapter 23, Laws of 1961 as amended by section 82, chapter 350, Laws of 1977 ex. sess. and RCW 51.52.130; adding new sections to chapter 51.32 RCW; and creating a new section.

To Committee on Labor

HOUSE BILL NO. 1606, by Representatives Sommers, Chandler and Brekke:

AN ACT Relating to and authorizing certain contracts by school districts; and amending section 1, chapter 210, Laws of 1977 ex. sess. and RCW 28A.58.131.

To Committee on Education

HOUSE BILL NO. 1607, by Representatives Kreidler and Winsley:

AN ACT Relating to financial institutions; adding new sections to chapter 43.19 RCW; and creating a new section.

To Committee on Appropriations

HOUSE BILL NO. 1608, by Representatives King, Maxie and Garrett:

AN ACT Relating to the legislature; adding a new section to chapter 44.04 RCW; and making an appropriation.

To Committee on Constitution, Elections and Governmental Ethics

HOUSE BILL NO. 1609, by Representatives Sanders, Eberle, Bond, Sprague, Martinis, Brown, Charnley, Bender, Clayton, Isaacson, Addison and Garrett:

AN ACT Relating to airports; and amending section 9, chapter 165, Laws of 1947 as amended by section 1, chapter 161, Laws of 1975 1st ex. sess. and RCW 47.68.090.

To Committee on Transportation

HOUSE BILL NO. 1610, by Representatives McDonald, Sommers, Taller, Nelson (G), Thompson, Becker, Nisbet, McGinnis, Garrett, Schmitt, Taylor, Williams, Struthers, Addison, Granlund, Hughes, Dunlap, Greengo, Sanders, Nelson (D) and Hastings:

AN ACT Relating to state investments; amending section 3, chapter 104, Laws of 1965 ex. sess. as amended by section 5, chapter 103, Laws of 1973 1st ex. sess. and RCW 43.84.031; amending section 43.84.080, chapter 8, Laws of 1965 as last amended by section 1, chapter 154, Laws of 1979 ex. sess. and RCW 43.84.080; amending section 43.84.140, chapter 8, Laws of 1965 and RCW 43.84.140; amending section 2, chapter 17, Laws of 1975-'76 2nd ex. sess. as last amended by section 3, chapter 119, Laws of 1979 and RCW 43.84.150; amending section 14, chapter 103, Laws of 1973 1st ex. sess. and RCW 43.84.170; amending section 8, chapter 267, Laws of 1971 ex. sess. as amended by section 1, chapter 103, Laws of 1973 1st ex. sess. and RCW 2.10.080; amending section 8, chapter 229, Laws of 1937 as amended by section 1, chapter 221, Laws of 1955 and RCW 2.12.070; amending section 43.33.030, chapter 8, Laws of 1965 and RCW 43.33.030; amending section 10, chapter 251, Laws of 1977 ex. sess. and RCW 43.33.130; amending section 3, chapter 261, Laws of 1945 as last amended by section 1, chapter 170, Laws of 1973 1st ex. sess. and RCW 41.24.030; amending section 6, chapter 209, Laws of 1969 ex. sess. as last amended by section 3, chapter 44, Laws of 1975-'76 2nd ex. sess. and RCW 41.26.060; amending section 7, chapter 209, Laws of 1969 ex. sess. as last amended by section 2, chapter 103, Laws of 1973 1st ex. sess. and RCW 41.26.070; amending section 15, chapter 103, Laws of 1973 1st ex. sess. and RCW 41.32.207; amending section 16, chapter 103, Laws of 1973 1st ex. sess. and RCW 41.40.072; amending section 2, chapter 91, Laws of 1959 and RCW 41.40.075; amending section 9, chapter 274, Laws of 1947 as last amended by section 4, chapter 128, Laws of 1969 and RCW 41.40.080; amending section 7, chapter 105, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 251, Laws of 1977 ex. sess. and RCW 41.50.050; amending section 10, chapter 105, Laws of 1975-'76 2nd ex. sess. as amended by section 2, chapter 251, Laws of 1977 ex. sess. and RCW 41.50.080; amending section 5, chapter 10, Laws of 1965 as amended by section 11, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.300; amending section 43.43.170, chapter 8, Laws of 1965 as amended by section 2, chapter 12, Laws of 1969 and RCW 43.43.170; amending section 43.43.175, chapter 8, Laws of 1965 and RCW 43.43.175; amending section 4, chapter 281, Laws of 1961 as amended by section 3, chapter 197, Laws of 1969 ex. sess. and RCW 47.12.210; amending section 47.58.070, chapter 13, Laws of 1961 and RCW 47.58.070; amending section 47.60.100, chapter 13, Laws of 1961 and RCW 47.60.100; amending section 51.44.100, chapter 23, Laws of 1961 as last amended by section 6, chapter 103, Laws of 1973 1st ex. sess. and RCW 51.44.100; amending section 7, chapter 217, Laws of 1945 and RCW 73.12.060; amending section 2, chapter 207, Laws of 1975 1st ex. sess. and RCW 77.12.323; adding a new chapter to Title 43 RCW; creating a new section; repealing section 43.33.020, chapter 8, Laws of 1965 and RCW 43.33.020; repealing section 43.33.025, chapter 8, Laws of 1965 and RCW 43.33.025; repealing section 43.33.040, chapter 8, Laws of 1965 and RCW 43.33.040; repealing section 7, chapter 103, Laws of 1973 1st ex. sess., section 112, chapter 34, Laws of 1975-'76 2nd ex. sess., section 3, chapter 251, Laws of 1977 ex. sess., section 1, chapter 119, Laws of 1979 and RCW 43.33.050; repealing section 8, chapter 103, Laws of 1973 1st ex. sess. and RCW 43.33.060; repealing section 9, chapter 103, Laws of 1973 1st ex. sess., section 26, chapter 105, Laws of 1975-'76 2nd ex. sess., section 4, chapter 251, Laws of 1977 ex. sess. and RCW 43.33.070; repealing section 10, chapter 103, Laws of 1973 1st ex. sess. and RCW 43.33.080; repealing section 11, chapter 103, Laws of 1973 1st ex. sess. and RCW 43.33.090; repealing section 6, chapter 251, Laws of 1977 ex. sess., section 2, chapter 119, Laws of 1979 and RCW 43.33.110; repealing section 11, chapter 251, Laws of 1977 ex. sess. and RCW 43.33.120; providing effective dates; and making an appropriation.

To Committee on State Government

HOUSE BILL NO. 1611, by Representatives Wilson and Martinis:

AN ACT Relating to transportation.

To Committee on Rules

HOUSE BILL NO. 1612, by Representatives Martinis and Wilson:

AN ACT Relating to transportation.

To Committee on Rules

HOUSE BILL NO. 1613, by Representative Martinis:

AN ACT Relating to transportation.

To Committee on Rules

HOUSE BILL NO. 1614, by Representatives Grimm and Barnes (by Office of Financial Management request):

AN ACT Relating to institutions of higher education; and amending section 1, chapter 253, Laws of 1979 ex. sess. and RCW 28B.14D.010; and declaring an emergency.

To Committee on Higher Education



HOUSE BILL NO. 1615, by Representatives Martinis and Wilson:

AN ACT Relating to transportation funding.

To Committee on Rules

HOUSE BILL NO. 1616, by Representatives Tupper, Monohon, Nisbet and Erak:

AN ACT Relating to salmon; and amending section 4, chapter 35, Laws of 1971 as amended by section 1, chapter 23, Laws of 1974 ex. sess. and RCW 75.16.120.

To Committee on Natural Resources

HOUSE BILL NO. 1617, by Representative Wilson:

AN ACT Relating to transportation funding.

To Committee on Rules

HOUSE BILL NO. 1618, by Representative Martinis:

AN ACT Relating to transportation funding.

To Committee on Rules

HOUSE BILL NO. 1619, by Representatives Wilson and Martinis:

AN ACT Relating to transportation funding.

To Committee on Rules

HOUSE BILL NO. 1620, by Representatives Wilson, Martinis, Eberle, Owens, Houchen, Nisbet and Smith (R) (by Office of Financial Management request):

AN ACT Relating to transportation; making an appropriation; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 1621, by Representatives Kreidler, Schmitt, Adams, Lux, Eng, Brekke, Burns, Nelson (D), Brown, Granlund, Becker, Rinehart, Bender and Gallagher:

AN ACT Relating to rate review of nursing homes; amending section 2, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.010; amending section 3, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.020; amending section 4, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.030; amending section 5, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 36, Laws of 1977 and RCW 70.39.040; amending section 6, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.050; amending section 7, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 35, Laws of 1977 and RCW 70.39.060; amending section 8, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.070; amending section 9, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.080; amending section 10, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.090; amending section 11, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.100; amending section 12, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.110; amending section 13, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.120; amending section 15, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 163, Laws of 1974 ex. sess. and RCW 70.39.140; amending section 16, chapter 5, Laws of 1973 1st ex. sess. as amended by section 1, chapter 154, Laws of 1977 ex. sess. and RCW 70.39.150; amending section 17, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.160; amending section 18, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.170; amending section 4, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.580; adding new sections to chapter 70.39 RCW; and making an appropriation.

To Committee on Social and Health Services

HOUSE BILL NO. 1622, by Representatives Keller, Ellis, Rohrbach and Garrett:

AN ACT Relating to authorized investments of insurers; amending section .13.03, chapter 79, Laws of 1947 and RCW 48.13.030; and amending section .13.20, chapter 79, Laws of 1947 and RCW 48.13.200.

To Committee on Insurance

HOUSE BILL NO. 1623, by Representatives Erickson, Oliver, Maxie, Burns, Lux, Sherman, Galloway, North, Warnke, Brown, Owen, Granlund, Bauer, Bender and Gruger:

AN ACT Relating to elections; amending section 29.80.040, chapter 9, Laws of 1965 as amended by section 2, chapter 145, Laws of 1971 ex. sess. and RCW 29.80.040; amending section 29.81.140, chapter 9, Laws of 1965 as amended by section 7, chapter 145, Laws of 1971 ex. sess. and RCW 29.81.140; and amending section 29.81.150, chapter 9, Laws of 1965 and RCW 29.81.150.

To Committee on Constitution, Elections and Governmental Ethics

**HOUSE BILL NO. 1624**, by Representatives Vrooman, Schmitt, Martinis, Wilson, Monohon, Dunlap, Erak, Smith (R), Sanders, Mitchell and Addison (by Department of Fisheries request):

**AN ACT** Relating to salmon enhancement; and amending section 2, chapter 308, Laws of 1977 ex. sess. and RCW 75.48.020.

To Committee on Natural Resources

**HOUSE BILL NO. 1625**, by Representatives Warnke, Ehlers and Amen:

**AN ACT** Relating to certain state funds; amending section 28A.40.100, chapter 223, Laws of 1969 ex. sess. and RCW 28A.40.100; amending section 28A.41.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.41.040; amending section 28A.41.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.41.050; amending section 28A.35.030, chapter 223, Laws of 1969 ex. sess. as last amended by section 59, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.35.030; amending section 15, chapter 15, Laws of 1970 ex. sess. as last amended by section 1, chapter 237, Laws of 1979 ex. sess. and RCW 28A.48.010; creating new sections; repealing section 28A.41.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.41.020; and repealing section 28A.41.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.41.030.

To Committee on Appropriations

**HOUSE BILL NO. 1626**, by Representatives Warnke, Ehlers and Amen:

**AN ACT** Relating to state government; amending section 3, chapter 109, Laws of 1974 ex. sess. as amended by section 2, chapter 109, Laws of 1975 1st ex. sess. and RCW 28B.30.604; amending section 13, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.230; amending section 43.79.330, chapter 8, Laws of 1965 as amended by section 3, chapter 67, Laws of 1979 ex. sess. and RCW 43.79.330; amending section 7, chapter 91, Laws of 1975-'76 2nd ex. sess. and RCW 46.12.360; amending section 1, chapter 140, Laws of 1969 ex. sess. and RCW 48.58.010; amending section 11, chapter 55, Laws of 1933 and RCW 67.16.110; amending section 74.09.160, chapter 26, Laws of 1959 as last amended by section 1, chapter 81, Laws of 1979 ex. sess. and RCW 74.09.160; amending section 3, chapter 136, Laws of 1967 ex. sess. and RCW 86.18.030; amending section 1, chapter 141, Laws of 1969 ex. sess. and RCW 90.48.285; amending section 3, chapter 106, Laws of 1967 and RCW 90.50.030; amending section 1, chapter 123, Laws of 1933 (uncodified); creating new sections; repealing section 74.16.190, chapter 26, Laws of 1959, section 19, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.190; repealing section 2, chapter 136, Laws of 1967 ex. sess. and RCW 86.18.020; repealing section 7, chapter 106, Laws of 1967 and RCW 90.50.070; repealing section 4, chapter 9, Laws of 1973 and RCW 43.75.220; and providing effective dates.

To Committee on Appropriations

**HOUSE BILL NO. 1627**, by Representatives Ellis and Smith (R):

**AN ACT** Relating to contested cases; and amending section 9, chapter 234, Laws of 1959 as amended by section 9, chapter 237, Laws of 1967 and RCW 34.04.090.

To Committee on Judiciary

**HOUSE BILL NO. 1628**, by Representatives Fancher, Kreidler, Barr, Scott, Clayton, Erak and Smith (C):

**AN ACT** Relating to dogs; and amending section 5, chapter 198, Laws of 1929 and RCW 16.08.010.

To Committee on Judiciary

**HOUSE BILL NO. 1629**, by Representatives Rosbach, Garrett, Keller, Teutsch and Zimmerman:

**AN ACT** Relating to the sale or offering for sale of land; and amending section 3, chapter 12, Laws of 1973 1st ex. sess. as amended by section 209, chapter 158, Laws of 1979 and RCW 58.19.030.

To Committee on Local Government

**HOUSE BILL NO. 1630**, by Representatives Fancher, Kreidler, Zimmerman, Hastings, Addison, Amen, Schmitt, Taylor, Tilly, Barr, Whiteside, Struthers, Patterson, Mitchell, Flanagan, Nisbet, Tupper, Bond, Van Dyken, Rosbach, Smith (C), Houchen, Rohrbach, Scott, Granlund, McGinnis, Oliver, Burns, Teutsch, Williams, Erak, Pruitt, Rinehart and Bauer:

**AN ACT** Relating to energy conservation; amending section 3, chapter 62, Laws of 1933 ex. sess. as last amended by section 13, chapter 21, Laws of 1969 ex. sess. and RCW 66.04.010; amending section 4,

chapter 289, Laws of 1955 and RCW 66.44.140; adding a new chapter to Title 66 RCW; providing an effective date; and declaring an emergency.

To Committee on Agriculture

HOUSE BILL NO. 1631, by Representatives Gallagher, May and Warnke:

AN ACT Relating to radiologic technologists; adding a new chapter to Title 18 RCW; providing an effective date; providing penalties; and making an appropriation.

To Committee on Commerce

HOUSE BILL NO. 1632, by Representatives Rosbach, Garrett, Kreidler, Teutsch, Zimmerman and Sanders:

AN ACT Relating to the subdivision of land; and amending section 20, chapter 271, Laws of 1969 ex. sess. and RCW 58.17.200.

To Committee on Local Government

HOUSE BILL NO. 1633, by Representatives Polk, Kreidler, Fancher, Hastings, Amen, Taylor, Addison, Flanagan, Flint, Mitchell, Nisbet, Tupper, Bond, Van Dyken, Rosbach, Smith (C), Struthers, Houchen, Rohrbach, Sanders, Dunlap, Granlund, McGinnis, Burns, Williams, Pruitt and Oliver:

AN ACT Relating to energy conservation; adding a new section to chapter 43.19 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.29A RCW; adding a new section to chapter 82.36 RCW; adding new sections to chapter 84.36 RCW; creating a new section; and providing an expiration date.

To Committee on Revenue

HOUSE BILL NO. 1634, by Representatives Winsley and Eng:

AN ACT Relating to housing loans; amending section 2, chapter 80, Laws of 1899 as amended by section 4, chapter 23, Laws of 1967 ex. sess. and RCW 19.52.020; amending section 3, chapter 23, Laws of 1957 as last amended by section 1, chapter 8, Laws of 1973 1st ex. sess. and RCW 31.12.020; adding new sections to chapter 19.52 RCW; creating a new section; and declaring an emergency.

To Committee on Financial Institutions

HOUSE BILL NO. 1635, by Representatives Owen, Deccio, Nisbet, Houchen, Hughes, Walk, Schmitt, Brown, Keller, Mitchell, Taller, Vrooman and Wilson:

AN ACT Relating to state government; creating a department of corrections; amending section 1, chapter 10, Laws of 1979 and RCW 43.17.010; amending section 2, chapter 10, Laws of 1979 and RCW 43.17.020; adding a new chapter to Title 72 RCW; and making an appropriation.

To Committee on Institutions

HOUSE BILL NO. 1636, by Representatives Heck and Tupper:

AN ACT Relating to education; and amending section 1, chapter 303, Laws of 1977 ex. sess. and RCW 28A.02.110.

To Committee on Education

HOUSE BILL NO. 1637, by Representatives, May, Ehlers, Warnke, North, Maxie, Gallagher, Nisbet, Mitchell, McGinnis, Knowles, Hughes, Whiteside, Thompson, Erickson, Brown, Lux, Becker, Garrett, Galloway, Stratton, Grimm, Deccio, Greengo, Amen, Eng, Barr, Smith (C), Winsley, Martinis, O'Brien, Rinehart, King, Nelson (G), Scott, Brekke, Burns, Schmitt, Walk, Bauer, Owen, Nelson (D), Jovanovich, Sherman, Bender, Wilson, Salatino, Adams, Taller and Gruger:

AN ACT Relating to mobile home landlords and tenants; amending section 3, chapter 279, Laws of 1977 ex. sess. as amended by section 1, chapter 186, Laws of 1979 ex. sess. and RCW 59.20.030; amending section 5, chapter 279, Laws of 1977 ex. sess. as amended by section 3, chapter 186, Laws of 1979 ex. sess. and RCW 59.20.050; amending section 7, chapter 279, Laws of 1977 ex. sess. as amended by section 5, chapter 186, Laws of 1979 ex. sess. and RCW 59.20.070; amending section 8, chapter 279, Laws of 1977 ex. sess. as amended by section 6, chapter 186, Laws of 1979 ex. sess. and RCW 59.20.080; amending section 9, chapter 279, Laws of 1977 ex. sess. as amended by section 7, chapter 186, Laws of 1979 ex. sess. and RCW 59.20.090; and adding a new section to chapter 59.20 RCW.

To Committee on Judiciary

**HOUSE BILL NO. 1638, by Representatives Vrooman and Schmitt:**

**AN ACT** Relating to forest practices; amending section 24, chapter 137, Laws of 1974 ex. sess. as amended by section 11, chapter 200, Laws of 1975 1st ex. sess. and RCW 76.09.240; and adding a new section to chapter 286, Laws of 1971 ex. sess. and to chapter 90.58 RCW.

To Committee on Natural Resources

**HOUSE BILL NO. 1639, by Representatives Eng and Winsley:**

**AN ACT** Relating to housing loans.

To Committee on Rules

**HOUSE BILL NO. 1640, by Representatives Brekke, Lux, Adams, King, Houchen, Mitchell, Pruitt, Kreidler, Maxie, Burns, North and Rinehart:**

**AN ACT** Relating to public assistance; amending section 74.04.005, chapter 26, Laws of 1959 as last amended by section 294, chapter 141, Laws of 1979 and RCW 74.04.005; and amending section 74.04-.300, chapter 26, Laws of 1959 as last amended by section 306, chapter 141, Laws of 1979 and RCW 74.04.300.

To Committee on Social and Health Services

**HOUSE BILL NO. 1641, by Representative Wilson:**

**AN ACT** Relating to transportation.

To Committee on Rules

**HOUSE BILL NO. 1642, by Representatives Thompson, Chandler and Heck:**

**AN ACT** Relating to incremental enrollment costs of the state board for community college education; and making an appropriation.

To Committee on Appropriations

**HOUSE BILL NO. 1643, by Representatives Thompson, Chandler, Heck and Taylor:**

**AN ACT** Relating to the common schools; providing for the construction of common school plant facilities and the financing thereof by the issuance of bonds, including bond anticipation notes; adding a new chapter to Title 28A RCW; repealing section 1, chapter 241, Laws of 1979 ex. sess. and RCW 28A.-47A.010; repealing section 2, chapter 241, Laws of 1979 ex. sess. and RCW 28A.47A.020; repealing section 3, chapter 241, Laws of 1979 ex. sess. and RCW 28A.47A.030; repealing section 4, chapter 241, Laws of 1979 ex. sess. and RCW 28A.47A.040; repealing section 5, chapter 241, Laws of 1979 ex. sess. and RCW 28A.47A.050; repealing section 6, chapter 241, Laws of 1979 ex. sess. and RCW 28A.47A.-060; repealing section 7, chapter 241, Laws of 1979 ex. sess. and RCW 28A.47A.070; repealing section 8, chapter 241, Laws of 1979 ex. sess. and RCW 28A.47A.080; repealing section 9, chapter 241, Laws of 1979 ex. sess. and RCW 28A.47A.090; repealing section 10, chapter 241, Laws of 1979 ex. sess. and RCW 28A.47A.100; repealing section 11, chapter 241, Laws of 1979 ex. sess. and RCW 28A.47A.110; making an appropriation; and declaring an emergency.

To Committee on Appropriations

**HOUSE BILL NO. 1644, by Representatives Knowles, Smith (R), Ellis and Tilly:**

**AN ACT** Relating to full time district court judges; and amending section 100, chapter 299, Laws of 1961 as last amended by section 8, chapter 255, Laws of 1979 ex. sess. and RCW 3.58.010.

To Committee on Judiciary

**HOUSE BILL NO. 1645, by Representatives Grimm, Barnes, Burns, Nelson (D), Lux, McCormick and Erak:**

**AN ACT** Relating to community colleges; and making appropriations.

To Committee on Appropriations

**HOUSE BILL NO. 1646, by Representative Sommers:**

**AN ACT** Relating to taxation of energy facilities; adding a new section to chapter 54.28 RCW; adding a new chapter to Title 82 RCW; and adding a new section to chapter 84.36 RCW.

to Committee on Revenue

**HOUSE BILL NO. 1647, by Representatives Flanagan and Galloway:**

**AN ACT** Relating to revenue and taxation; amending section 82.16.010, chapter 15, Laws of 1961 as last amended by section 20, chapter 173, Laws of 1965 ex. sess. and RCW 82.16.010; amending section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 5, chapter 291, Laws of 1975 1st ex. sess.

and RCW 82.04.050; amending section 82.04.060, chapter 15, Laws of 1961 and RCW 82.04.060; amending section 3, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.020; amending section 80.04-.270, chapter 14, Laws of 1961 and RCW 80.04.270; amending section 6, chapter 134, Laws of 1972 ex. sess. and RCW 35.21.710; amending section 7, chapter 134, Laws of 1972 ex. sess. and RCW 35A-82.050; creating a new section; and declaring an emergency.

To Committee on Energy and Utilities

HOUSE BILL NO. 1648, by Representatives Thompson and Nelson (G):

AN ACT Relating to the governor; and making an appropriation.

To Committee on Appropriations

HOUSE BILL NO. 1649, by Representative Thompson:

AN ACT Relating to the legislative budget committee.

To Committee on Rules

HOUSE BILL NO. 1650, by Representative Thompson (by Department of Natural Resources request):

AN ACT Making supplemental appropriations and authorizing expenditures for operations and capital improvements of the department of natural resources; authorizing a project; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1651, by Representatives Thompson, Newhouse, Erickson and Flanagan:

AN ACT Relating to health care facilities and providing sales and use tax deferrals for projects relating thereto; and adding a new chapter to Title 70 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 1652, by Representatives Sherman, Williams, Scott, Charnley, Nisbet, Monohon, Tupper, Nelson (D), McCormick, Grimm, Salatino, Maxie, Lux, Mitchell, Burns, Valle, Galloway, Garrett, Erak, Sanders, Hughes, Bauer, Owen, Granlund and Becker:

AN ACT Relating to the taxation of solar equipment; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

To Committee on Revenue

HOUSE BILL NO. 1653, by Representatives Sherman, Williams, Nelson (D), Bond, McCormick, Nisbet, Tupper, Charnley, Salatino, Brekke, Maxie, Lux, Addison, King, Erak, Sanders, Granlund, Becker and Bender:

AN ACT Relating to energy; amending section 1, chapter 177, Laws of 1975 1st ex. sess. and RCW 39.35-.010; amending section 2, chapter 177, Laws of 1975 1st ex. sess. and RCW 39.35.020; amending section 3, chapter 177, Laws of 1975 1st ex. sess. and RCW 39.35.030; amending section 4, chapter 177, Laws of 1975 1st ex. sess. and RCW 39.35.040; and adding new sections to chapter 177, Laws of 1975 1st ex. sess. and to chapter 39.35 RCW.

To Committee on Energy and Utilities

HOUSE BILL NO. 1654, by Representatives Burns, Knowles, Ellis, Rinehart, Smith (R), Whiteside, Sanders, Thompson and Sherman:

AN ACT Relating to membership in the Washington public employees' retirement system; and amending section 22, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.220.

To Committee on Appropriations

HOUSE BILL NO. 1655, by Representatives Thompson, Nelson (G), Bauer, Zimmerman, Valle, Isaacson, Becker, Struthers, Keller, Greengo, Vrooman, Chandler, Gruger, Wilson, Warnke, Fuller, North, Mitchell, Teutsch, Sprague, Salatino, Galloway, Garrett and Gallagher (by Executive request):

AN ACT Relating to the financing of pollution control facilities and systems; authorizing the issuance and sale of general obligation bonds to provide for pollution control facilities and systems and public works throughout the state; providing ways and means to pay for the bonds; providing for submission of this act to a vote of the people; and adding a new chapter to Title 43 RCW.

To Committee on Appropriations

HOUSE BILL NO. 1656, by Representatives Martinis and Wilson:

AN ACT Relating to port districts; and amending section 3, chapter 65, Laws of 1955 as last amended by section 3, chapter 147, Laws of 1963 and RCW 53.08.020.

To Committee on Local Government

HOUSE BILL NO. 1657, by Representatives Monohon, Martinis, Wilson, Isaacson and Erak:

AN ACT Relating to public ambulance services; and amending section 2, chapter 296, Laws of 1971 ex. sess. as amended by section 6, chapter 270, Laws of 1975 1st ex. sess. and RCW 82.14.045.

To Committee on Transportation

HOUSE BILL NO. 1658, by Representatives Thompson, Nelson (G) and King (by Employment Security Department request):

AN ACT Relating to the employment security department; amending section 60, chapter 35, Laws of 1945 as last amended by section 24, chapter 292, Laws of 1977 ex. sess. and RCW 50.16.010; making an appropriation; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1659, by Representatives Taller, Ehlers, Greengo and Burns (by Department of Licensing request):

AN ACT Relating to state government; and amending section 8, chapter 237, Laws of 1967 and RCW 34.04.170.

To Committee on Commerce

HOUSE BILL NO. 1660, by Representatives Charnley and Zimmerman:

AN ACT Relating to local government; amending section 84.52.052, chapter 15, Laws of 1961 as last amended by section 1, chapter 325, Laws of 1977 ex. sess. and RCW 84.52.052; and adding a new chapter to Title 36 RCW.

To Committee on Local Government

HOUSE BILL NO. 1661, by Representatives Berentson, Struthers, Eberle, Mitchell, Rohrbach and Hastings:

AN ACT Relating to adult corrections; amending section 177, chapter 270, Laws of 1979 ex. sess. (uncodified); creating a new section; making an appropriation; and declaring an emergency.

To Committee on Institutions

HOUSE BILL NO. 1662, by Representatives Granlund, Oliver, North, Erickson, Barr, Galloway, Gruger, Van Dyken, Pruitt, Scott, Adams and Maxie:

AN ACT Relating to elections; adding a new section to chapter 29.85 RCW; and prescribing penalties.

To Committee on Constitution, Elections and Governmental Ethics

HOUSE BILL NO. 1663, by Representatives Warnke, Greengo, Tilly, Erickson and Smith (R):

AN ACT Relating to registration of contractors; and amending section 10, chapter 77, Laws of 1963 as amended by section 1, chapter 116, Laws of 1979 ex. sess. and RCW 18.27.100.

To Committee on Commerce

HOUSE BILL NO. 1664, by Representative Bond:

AN ACT Relating to energy.

To Committee on Rules

HOUSE BILL NO. 1665, by Representatives Keller, Zimmerman, Williams and Hughes:

AN ACT Relating to the acquisition of real estate through lease; amending section 43.82.010, chapter 8, Laws of 1965 as last amended by section 1, chapter 121, Laws of 1969 and RCW 43.82.010; and making an appropriation.

To Committee on State Government

HOUSE BILL NO. 1666, by Representatives Scott, Erickson, Mitchell, Garrett, North, Warnke, Granlund, Bauer and Grimm:

AN ACT Relating to volunteer firemen's disability payments; and amending section 15, chapter 261, Laws of 1945 as last amended by section 1, chapter 76, Laws of 1975-'76 2nd ex. sess. and RCW 41.24.150.

To Committee on Appropriations

HOUSE BILL NO. 1667, by Representatives King, Newhouse, McCormick, Pruitt, North, Owen, Granlund, Becker, Bauer, Grimm and Adams:

AN ACT Relating to industrial insurance; and amending section 16, chapter 289, Laws of 1971 ex. sess. as amended by section 24, chapter 350, Laws of 1977 ex. sess. and RCW 51.16.035.

To Committee on Labor

HOUSE BILL NO. 1668, by Representatives Scott, Martinis and Mitchell:

AN ACT Relating to criminal justice costs; and making an appropriation.

To Committee on Appropriations

HOUSE BILL NO. 1669, by Representatives Pruitt, Mitchell, Brekke, Whiteside, Kreidler, Adams, Stratton, Taller, Lux, May, Teutsch, Maxie, Flint and Gruger:

AN ACT Relating to services for developmentally disabled persons; and adding a new section to chapter 71.20 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 1670, by Representatives Knowles, Newhouse and Ellis:

AN ACT Relating to justice court commissioners; and amending section 31, chapter 299, Laws of 1961 and RCW 3.42.010.

To Committee on Judiciary

HOUSE BILL NO. 1671, by Representatives Knowles, Newhouse and Ellis:

AN ACT Relating to the Washington state magistrates' association; and amending section 126, chapter 299, Laws of 1961 and RCW 3.70.040.

To Committee on Judiciary

HOUSE BILL NO. 1672, by Representatives Thompson, Taller, Ehlers and McDonald:

AN ACT Relating to law enforcement officers and fire fighters; amending section 3, chapter 257, Laws of 1971 ex. sess. as last amended by section 3, chapter 249, Laws of 1979 ex. sess. and RCW 41.26.045; amending section 4, chapter 257, Laws of 1971 ex. sess. as last amended by section 21, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.046; and amending section 5, chapter 257, Laws of 1971 ex. sess. as amended by section 3, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.047.

To Committee on Appropriations

HOUSE BILL NO. 1673, by Representatives Keller, Owen and Kreidler:

AN ACT Relating to the Cedar Creek correctional center; and creating a new section.

To Committee on Institutions

HOUSE BILL NO. 1674, by Representatives Eng, Bender, Burns and Lux:

AN ACT Relating to housing.

To Committee on Rules

HOUSE BILL NO. 1675, by Representatives McCormick, Scott, Grimm, Nelson (D), Salatino, Erickson and Garrett (by Executive request):

AN ACT Relating to energy; amending section 1, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.010; amending section 2, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.020; amending section 3, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.030; amending section 4, chapter 108, Laws of 1975-'76 2nd ex. sess. as amended by section 87, chapter 99, Laws of 1979 and RCW 43.21F.040; amending section 5, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.050; amending section 6, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.060; amending section 7, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.070; amending section 10, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 41.06.078; amending section 1, chapter 10, Laws of 1979 and RCW 43.17.010; amending section 2, chapter 10, Laws of 1979 and RCW 43.17.020; amending section 15, chapter 108, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 328, Laws of 1977 ex. sess. and RCW 43.21G.010; amending section 43.31.040, chapter 8,

Laws of 1965 as last amended by section 6, chapter 70, Laws of 1977 ex. sess. and RCW 43.31.040; amending section 3, chapter 45, Laws of 1970 ex. sess. as last amended by section 3, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.030; amending section 2, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.020; amending section 3, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.030; amending section 8, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.080; amending section 1, chapter 166, Laws of 1979 ex. sess. and RCW 90.03.247; adding a new section to chapter 43.21F RCW; creating new sections; repealing section 1, chapter 10, Laws of 1965 and RCW 43.31.280; repealing section 3, chapter 10, Laws of 1965 and RCW 43.31.290; repealing section 5, chapter 10, Laws of 1965, section 11, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.300; repealing section 8, chapter 10, Laws of 1965 and RCW 43.31.310; repealing section 9, chapter 10, Laws of 1965 and RCW 43.31.320; repealing section 7, chapter 10, Laws of 1965 and RCW 43.31.330; repealing section 16, chapter 99, Laws of 1979 and RCW 43.131.179; repealing section 58, chapter 99, Laws of 1979 and RCW 43.131.180; repealing section 4, chapter 207, Laws of 1961, section 4, chapter 10, Laws of 1965 and RCW 70.98.040; making an appropriation; and declaring an emergency.

To Committee on Energy and Utilities

HOUSE BILL NO. 1676, by Representatives Bauer, Sanders, Salatino, Tupper, Eng, Winsley, Grimm, Bond, Ehlers, Erickson, McGinnis, Burns, Gallagher, Sherman, Valle, King, Hughes, Brown, Owen and Bender:

AN ACT Relating to the common schools; setting forth certain powers and duties of school personnel relative to the conduct of students; amending section 5, chapter 142, Laws of 1972 ex. sess. and RCW 28A.58.1011; amending section 3, chapter 97, Laws of 1975-'76 2nd ex. sess. and RCW 28A.58.201; creating new sections; providing penalties; and making an appropriation.

To Committee on Education

HOUSE BILL NO. 1677, by Representatives Polk, Williams, Nelson (G), Bond, Addison, Sprague, Smith (C), Eberle, Rohrbach, Oliver, Hastings, Fancher, Craswell, Nisbet, Decchio and Sanders:

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

To Committee on Appropriations

HOUSE BILL NO. 1678, by Representatives Sanders, May, North, Addison, Fuller, Struthers, Van Dyken, Oliver, Hastings, Rohrbach, McGinnis, Flint, Teutsch, Houchen, Barr, McDonald, Williams, Sprague, Nisbet, Zimmerman, Galloway, Isaacson, Owen, Garrett, Ellis, Bond, Barnes, Granlund, Taylor, Mitchell and Hughes:

AN ACT Relating to revenue and taxation; and amending section 82.04.300, chapter 15, Laws of 1961 as last amended by section 4, chapter 196, Laws of 1979 1st ex. sess. and RCW 82.04.300.

To Committee on Revenue

HOUSE BILL NO. 1679, by Representatives Smith (R), Zimmerman and Thompson (by Attorney General request):

AN ACT Relating to civil actions; and adding a new section to Title 4 RCW.

To Committee on Judiciary

HOUSE BILL NO. 1680, by Representatives Jovanovich, North and Rohrbach:

AN ACT Relating to port districts; and amending section 10, chapter 65, Laws of 1955 as last amended by section 1, chapter 30, Laws of 1969 ex. sess. and RCW 53.08.090.

To Committee on Local Government

HOUSE BILL NO. 1681, by Representatives Brekke, Toller, Galloway, Brown, Erak, Tupper, Pruitt, Nelson (D), Sanders, Burns, Jovanovich and Granlund:

AN ACT Relating to the crime laboratory system; amending section 2, chapter 63, Laws of 1970 ex. sess. and RCW 43.43.610; amending section 5, chapter 63, Laws of 1970 ex. sess. and RCW 43.43.640; and adding a new section to chapter 43.43 RCW.

To Committee on State Government



HOUSE BILL NO. 1682, by Representatives Winsley and Eng:

AN ACT Relating to rates of interest.

To Committee on Rules

HOUSE BILL NO. 1683, by Representatives Wilson, Martinis, Patterson and Walk:

AN ACT Relating to motor vehicles; amending section 1, chapter 69, Laws of 1969 ex. sess. as amended by section 1, chapter 148, Laws of 1971 ex. sess. and RCW 46.44.120; amending section 2, chapter 69, Laws of 1969 ex. sess. and RCW 46.16.500; and amending section 3, chapter 69, Laws of 1969 ex. sess. and RCW 46.37.600.

To Committee on Transportation

HOUSE BILL NO. 1684, by Representatives Eng, Bender, Burns and Lux:

AN ACT Relating to development of housing finances.

To Committee on Rules

HOUSE BILL NO. 1685, by Representatives Charnley, Brown, Chandler and Lux:

AN ACT Relating to cities; and amending section 7, chapter 204, Laws of 1969 ex. sess. as amended by section 3, chapter 221, Laws of 1975 1st ex. sess. and RCW 35.86A.070.

To Committee on Local Government

HOUSE BILL NO. 1686, by Representatives Chandler and Heck (by Superintendent of Public Instruction request):

AN ACT Relating to school district budgeting procedures, including accounting and financial reporting; and amending section 2, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.65.405.

To Committee on Education

HOUSE BILL NO. 1687, by Representative Lux:

AN ACT Relating to the rental of residential property; amending section 7, chapter 207, Laws of 1973 1st ex. sess. and RCW 59.18.070; amending section 10, chapter 207, Laws of 1973 1st ex. sess. and RCW 59.18.100; amending section 11, chapter 207, Laws of 1973 1st ex. sess. and RCW 59.18.110; amending section 20, chapter 207, Laws of 1973 1st ex. sess. as amended by section 1, chapter 70, Laws of 1979 ex. sess. and RCW 59.18.200; amending section 23, chapter 207, Laws of 1973 1st ex. sess. and RCW 59.18.230; amending section 24, chapter 207, Laws of 1973 1st ex. sess. and RCW 59.18.240; and amending section 28, chapter 207, Laws of 1973 1st ex. sess. and RCW 59.18.280.

To Committee on Judiciary

HOUSE BILL NO. 1688, by Representatives McCormick, Nisbet, Williams, Charnley, Tupper, Scott, Sherman, Sprague, Monohon, Bond, Nelson (D), Erickson, Lux, Burns, Maxie, Salatino, Sanders, Brekke, Granlund, Addison, King, Galloway, Erak, Owen and Becker:

AN ACT Relating to energy conservation in state facilities; amending section 5, chapter 21, Laws of 1975-'76 2nd ex. sess. and RCW 43.19.1905; adding new sections to chapter 43.19 RCW; creating new sections; and declaring an emergency.

To Committee on State Government

HOUSE BILL NO. 1689, by Representatives Sherman, Bond, McCormick, Salatino, Maxie, Lux, Greengo and Gallagher:

AN ACT Relating to the state building code; and amending section 3, chapter 96, Laws of 1974 ex. sess. as last amended by section 1, chapter 76, Laws of 1979 ex. sess. and RCW 19.27.030.

To Committee on State Government

HOUSE BILL NO. 1690, by Representatives Chandler, McDonald, Flanagan, Owen and Craswell:

AN ACT Relating to education; amending section 3, chapter 10, Laws of 1972 ex. sess. as amended by section 108, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.58.100; creating new sections; and declaring an emergency.

HOUSE BILL NO. 1691, by Representatives Jovanovich, Erak, Valle, Granlund, Monohon and Dawson:

AN ACT Relating to salmon; and amending section 4, chapter 35, Laws of 1971 as amended by section 1, chapter 23, Laws of 1974 ex. sess. and RCW 75.16.120.

To Committee on Natural Resources

HOUSE BILL NO. 1692, by Representatives King, Newhouse and Lux:

AN ACT Relating to industrial insurance; and amending section 51.04.020, chapter 23, Laws of 1961 as last amended by section 77, chapter 75, Laws of 1977 and RCW 51.04.020.

To Committee on Labor

HOUSE BILL NO. 1693, by Representative Bond:

AN ACT Relating to energy.

To Committee on Rules

HOUSE BILL NO. 1694, by Representatives Winsley and Eng:

AN ACT Relating to consumer loans.

To Committee on Rules

HOUSE BILL NO. 1695, by Representative Chandler:

AN ACT Relating to negligent homicide by motor vehicle; amending section 3, chapter 1, Laws of 1969 as last amended by section 5, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.506; and amending section 46.56.040, chapter 12, Laws of 1961 as last amended by section 3, chapter 287, Laws of 1975 1st ex. sess. and RCW 46.61.520.

To Committee on Judiciary

HOUSE BILL NO. 1696, by Representatives Winsley and Eng:

AN ACT Relating to rates of interest.

To Committee on Rules

HOUSE BILL NO. 1697, by Representatives Tupper, Nisbet, Williams, Dawson and Nelson (D):

AN ACT Relating to the motor vehicle excise tax; amending section 82.44.020, chapter 15, Laws of 1961 as last amended by section 230, chapter 158, Laws of 1979 and RCW 82.44.020; amending section 82.44-.040, chapter 15, Laws of 1961 as last amended by section 231, chapter 158, Laws of 1979 and RCW 82.44.040; and amending section 82.44.050, chapter 15, Laws of 1961 as amended by section 3, chapter 199, Laws of 1963 and RCW 82.44.050.

To Committee on Transportation

HOUSE BILL NO. 1698, by Representative Sanders:

AN ACT Relating to workers' compensation; and amending section 51.48.040, chapter 23, Laws of 1961 and RCW 51.48.040.

To Committee on Labor

HOUSE BILL NO. 1699, by Representatives Taylor, Chandler, Tupper, Flint, May, Flanagan, Erickson, Newhouse, Craswell, Becker, Polk, Granlund, Greengo, McGinnis, Teutsch, Amen, Sherman, Galloway, Taller, Brown, Tilly, Hastings, Oliver, Fuller and Rosbach:

AN ACT Relating to children; amending section 1, chapter 150, Laws of 1935 as last amended by section 1, chapter 251, Laws of 1951 and RCW 26.36.010; creating a new section; and prescribing penalties.

To Committee on Judiciary

HOUSE JOINT MEMORIAL NO. 25, by Representatives Zimmerman, Heck, Williams, Galloway, Nisbet, Monohon, Keller, Mitchell and Bauer:

Requesting federal help in promoting development of geothermal resources.

To Committee on Natural Resources

HOUSE JOINT MEMORIAL NO. 26, by Representatives Dunlap, Jovanovich, McDonald, Scott, Nisbet, Owen, Greengo, Schmitt, McGinnis, Walk, Dawson, Grimm, Vrooman, Brown, Chandler, Bond, Heck, Smith (R), Mitchell, Addison, Rohrbach and Teutsch:

Requesting Congress to establish steelhead trout as a national game fish.

To Committee on Natural Resources

HOUSE JOINT RESOLUTION NO. 41, by Representatives Warnke, Schmitt, Thompson, O'Brien, Polk, King and Greengo:

Modifying restrictions on the use of public funds.

To Committee on Commerce

#### MOTIONS

On motion of Mr. Polk, all bills listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated with the exception of House Bill No. 1647 and House Bill No. 1690.

On motion of Mr. Polk, HOUSE BILL NO. 1567 was referred to Committee on Ecology.

On motion of Mr. Polk, HOUSE BILL NO. 1647 was referred to Committee on Revenue.

#### REPORTS OF STANDING COMMITTEES

January 16, 1980

ENGROSSED SUBSTITUTE HOUSE BILL NO. 240, Prime Sponsor: Representative Sommers, making real estate excise tax a state tax. Reported by Committee on Revenue.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Bond, Brown, Erickson, Flanagan, Galloway, Granlund, Greengo, Hastings, Nelson (D), Rinehart, Sanders, Winsley.

January 16, 1980

SUBSTITUTE HOUSE BILL NO. 299, Prime Sponsor: Representative Nelson (G), modifying the 106% levy lid calculation. Reported by Committee on Revenue.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Bond, Brown, Erickson, Flanagan, Galloway, Granlund, Greengo, Hastings, Nelson (D), Rinehart, Sanders, Winsley.

January 17, 1980

HOUSE BILL NO. 325, Prime Sponsor: Representative Sprague, removing the inequalities on taxpayer overpayments. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Bond, Brown, Erickson, Flanagan, Galloway, Granlund, Greengo, Hastings, Nelson (D), O'Brien, Rinehart, Sanders, Winsley.

January 17, 1980

HOUSE BILL NO. 1016, Prime Sponsor: Representative Newhouse, dividing sales and use exemption subsections into separate sections. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Bond, Brown, Erickson, Flanagan, Galloway, Granlund, Greengo, Hastings, Nelson (D), O'Brien, Rinehart, Sanders, Winsley.

January 17, 1980

SUBSTITUTE HOUSE BILL NO. 1210, Prime Sponsor: Representative Galloway, authorizing certain exceptions relating to second class school districts respecting beneficial interests in contracts. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 32 after "district" strike the remainder of subsection (8) and insert "PROVIDED, That the terms of such contract shall be commensurate with the pay plan or collective bargaining agreement operating in the district;"

Signed by Representatives Chandler, Co-Chairman; Heck, Co-Chairman; Bender, Craswell, Ehlers, Eng, Galloway, McDonald, Nelson (G), Sommers, Taylor, Tupper, Valle, Van Dyken, Warnke.

January 17, 1980

HOUSE BILL NO. 1408, Prime Sponsor: Representative Thompson, authorizing the creation of solid waste disposal districts. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Chandler, Garrett, North, Rosbach, Stratton, Van Dyken, Whiteside.

MINORITY recommendation: Do not pass. Signed by Representatives Rohrbach, Teitsch.

January 17, 1980

HOUSE BILL NO. 1410, Prime Sponsor: Representative Sommers, modifying taxation of gambling devices. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 13 after "incorporated;" insert "or"

On page 3, beginning on line 19, after "tokens" strike all material down to and including "agents" on line 26

Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Bond, Brown, Erickson, Flanagan, Galloway, Granlund, Greengo, Hastings, Nelson (D), O'Brien, Rinehart, Sanders, Winsley.

January 17, 1980

HOUSE BILL NO. 1418, Prime Sponsor: Representative Newhouse, modifying the laws governing traffic infractions. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 8, line 23 after "or" insert "his written and signed promise to"

On page 8, line 28 after "or" insert "a written promise to"

Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Sherman, Tilly, Winsley.

January 17, 1980

HOUSE BILL NO. 1431, Prime Sponsor: Representative Heck, removing duty of educational service district superintendent to examine certain records and check certain accounts. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Chandler, Co-Chairman; Heck, Co-Chairman; Bender, Craswell, Ehlers, Eng, Galloway, McDonald, Nelson (G), Sommers, Taylor, Tupper, Valle, Van Dyken, Warnke.

January 17, 1980

HOUSE BILL NO. 1449, Prime Sponsor: Representative Heck, providing for receipt of certain ballots if not postmarked when received. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 16 after "postmarked" insert "or the postmark is not legible"

On page 2, line 14 after "postmarked" insert "or the postmark is not legible"

On page 2, line 34 after "postmarked" insert "or the postmark is not legible"

On page 3, line 13 after "postmarked" insert "or the postmark is not legible"

Signed by Representatives Chandler, Co-Chairman; Heck, Co-Chairman; Bender, Craswell, Ehlers, Eng, Galloway, McDonald, Nelson (G), Sommers, Tallor, Tupper, Valle, Van Dyken, Warnke.

January 17, 1980

HOUSE BILL NO. 1454, Prime Sponsor: Representative Keller, authorizing investments of county funds. Reported by Committee on Local Government.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Chandler, Garrett, North, Rohrbach, Rosbach, Stratton, Van Dyken, Whiteside.

January 17, 1980

**HOUSE BILL NO. 1457, Prime Sponsor:** Representative Charnley, modifying the laws providing for joint county and city health departments. Reported by Committee on Local Government.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Garrett, North, Rohrbach, Rosbach, Stratton, Teutsch, Van Dyken, Whiteside.

January 17, 1980

**HOUSE BILL NO. 1463, Prime Sponsor:** Representative Bauer, authorizing waiver of mandatory attendance law for certain students excused for purposes agreed to by school authorities. Reported by Committee on Education.

**MAJORITY recommendation:** Do pass with the following amendment:  
On page 1, line 25 after "days" insert "per school year"

Signed by Representatives Chandler, Co-Chairman; Heck, Co-Chairman; Bender, Craswell, Ehlers, Eng, Galloway, McDonald, Nelson (G), Sommers, Taller, Taylor, Tupper, Valle, Van Dyken, Warnke.

January 17, 1980

**HOUSE BILL NO. 1481, Prime Sponsor:** Representative Burns, removing from limitations on higher education tuition and fee waivers, programs for students seeking high school diplomas or certificates. Reported by Committee on Higher Education.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Executive Chairman; Burns, Erickson, Gruger, McGinnis, Oliver, Salatino, Teutsch.

January 17, 1980

**HOUSE BILL NO. 1495, Prime Sponsor:** Representative Barnes, adding exemption to educational services registration act. Reported by Committee on Higher Education.

**MAJORITY recommendation:** Do pass with the following amendment:  
On page 2, line 5 after "those" strike "bona fide degree" and insert "education"

Signed by Representatives Grimm, Executive Chairman; Barnes, Co-Chairman; Burns, Erickson, Gruger, McGinnis, Oliver, Patterson, Salatino, Teutsch.

January 17, 1980

**HOUSE BILL NO. 1516, Prime Sponsor:** Representative Teutsch, establishing requirements for in-home services. Reported by Committee on Social and Health Services.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Barr, Brekke, Flint, Houchen, Kreidler, Lux, May, Mitchell, Pruitt, Schmitten, Stratton, Teutsch.

January 17, 1980

**HOUSE JOINT RESOLUTION NO. 37, Prime Sponsor:** Representative Newhouse, establishing a judicial performance and disciplinary commission. Reported by Committee on Judiciary.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Sherman, Tilly, Winsley.

#### MOTION

On motion of Mr. Polk, all bills listed on today's agenda under the fifth order of business were passed to Committee on Rules for second reading.

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

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

## THIRD READING

HOUSE BILL NO. 284, by Representatives Sommers, Warnke and Gallagher:

Establishing labeling requirements for frozen fish.

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

## POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Sommers, could you tell us what was the intent regarding the funding for the inspections of these fish? Was it your intent that they put on extra inspectors to make sure these fish were not previously frozen?"

Ms. Sommers: "There was no intent to add any fiscal impact to the Department of Agriculture. It is my understanding they already have numerous inspectors to deal with fish and other products and this would be a nominal addition to their duties. We certainly do not anticipate any fiscal impact on this bill."

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 284, and the bill passed the House by the following vote: Yeas, 85; nays, 5; not voting, 8.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Dunlap, Eberle, Ehlers, Ellis, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Isaacson, Mitchell, Sanders, Van Dyken, Wilson.

Not voting: Representatives Berentson, Bond, Deccio, Eng, Houchen, Nelson G. A., Stratton, Vrooman.

House Bill No. 284, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 841, by Committee on Revenue (originally sponsored by Representatives Keller, Winsley, Vrooman and Kreidler):

Modifying the law on the listing of omitted property.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 841, and the bill passed the House by the following vote: Yeas, 88; nays, 2; not voting, 8.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Dunlap, Eberle, Ehlers, Ellis, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Isaacson, Oliver.

Not voting: Representatives Berentson, Bond, Deccio, Eng, Houchen, Nelson G. A., Stratton, Vrooman.

Substitute House Bill No. 841, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 858, by Committee on Institutions (originally sponsored by Representatives Struthers, McGinnis, Houchen and Smith, C.):

Requiring recipients to pay the costs of various social and health services.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 858, and the bill passed the House by the following vote: Yeas, 86; nays, 4; not voting, 8.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Dunlap, Eberle, Ellis, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Ehlers, Isaacson, Oliver.

Not voting: Representatives Berentson, Bond, Deccio, Eng, Houchen, Nelson G. A., Stratton, Vrooman.

Engrossed Substitute House Bill No. 858, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 1263, by Representatives Polk, Knowles, Newhouse and Sherman:

Requiring bonds for certain actions against public bodies.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1263, and the bill passed the House by the following vote: Yeas, 83; nays, 7; not voting, 8.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Brown, Chandler, Clayton, Craswell, Dawson, Dunlap, Eberle, Ehlers, Ellis, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hastings, Heck, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Brekke, Burns, Charnley, Gruger, Nelson D., Sherman, Valle.

Not voting: Representatives Berentson, Bond, Deccio, Eng, Houchen, Nelson G. A., Stratton, Vrooman.

Engrossed House Bill No. 1263, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1084, by Committee on Local Government (originally sponsored by Representatives Zimmerman and Charnley):

Partially reimbursing counties for certain costs in criminal cases involving a change of venue.

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

Mr. Zimmerman spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1084, and the bill passed the House by the following vote: Yeas, 73; nays, 15; not voting, 10.

Voting yea: Representatives Adams, Addison, Amen, Barnes, Barr, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Ehlers, Ellis, Erak, Erickson, Fancher, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Hughes, Isaacson, Jovanovich, Keller,

Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Mitchell, Monohon, Nelson D., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Salatino, Sanders, Schmitt, Scott, Sherman, Smith R., Sommers, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Valle, Van Dyken, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Clayton, Craswell, Dawson, Dunlap, Eberle, Flint, Fuller, McDonald, McGinnis, Newhouse, Rohrbach, Rosbach, Smith C. P., Taller, Tupper.

Not voting: Representatives Bagnariol, Berentson, Bond, Deccio, Eng, Houchen, King, Nelson G. A., Stratton, Vrooman.

Substitute House Bill No. 1084, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 315**, by Committee on Commerce (originally sponsored by Representatives Warnke, Greengo, Sanders, Addison, May, Fuller, Walk, Salatino, Owen, Oliver and Gallagher):

Establishing criteria for the regulation of professions and occupations.

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

Mr. Warnke spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 315, and the bill passed the House by the following vote: Yeas, 89; nays, 1; not voting, 8.

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

Voting nay: Representative Ehlers.

Not voting: Representatives Berentson, Bond, Deccio, Eng, Houchen, Nelson G. A., Stratton, Vrooman.

Substitute House Bill No. 315, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 312**, by Committee on Commerce (originally sponsored by Representative Nelson, G.):

Revising the laws regulating engineers and land surveyors.

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

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

#### POINT OF INQUIRY

Mr. Greengo yielded to question by Mr. Ehlers.

Mr. Ehlers: "My understanding is that the compensation would be increased from \$25 to \$100 per day. As you remember as a member of the State Government Committee, we had been working on a compensation bill, House Bill No. 39—I'm trying to understand whether or not this board of registration would be classified according to this \$100 per day in class four board—would their duties and so forth be consistent with the duties we outlined in House Bill No. 39 and those responsibilities or would it be more appropriately classified at \$50 per day?"

Mr. Greengo: "I'm sorry but I don't think I can answer your question. This bill does not address a change of the board. The bill we had in State Government Committee would be the place to probably address that question. I just can't give you an answer at this time."

#### MOTION

Mr. Ehlers moved that further consideration of Engrossed Substitute House Bill No. 312 be deferred and the bill be placed at the top of tomorrow's third reading calendar.

A division was called.



## ROLL CALL

The Clerk called the roll on the motion to defer consideration of Engrossed Substitute House Bill No. 312, and the motion was carried by the following vote: Yeas, 78; nays, 9; not voting, 11.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Dawson, Dunlap, Eberle, Ehlers, Ellis, Erak, Erickson, Flanagan, Flint, Gallagher, Galloway, Garrett, Greengo, Grimm, Gruger, Hastings, Heck, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Monohon, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Struthers, Taller, Taylor, Teutsch, Thompson, Tupper, Van Dyken, Walk, Warnke, Whiteside, Williams, Winsley.

Voting nay: Representatives Craswell, Fancher, Granlund, McGinnis, Mitchell, Nisbet, Sprague, Valle, Wilson.

Not voting: Representatives Berentson, Bond, Deccio, Eng, Fuller, Houchen, Nelson G. A., Stratton, Tilly, Vrooman, Zimmerman.

**SUBSTITUTE HOUSE BILL NO. 799**, by Committee on State Government (originally sponsored by Representatives Taller and Ehlers - by Department of Social and Health Services request):

Exempting certain positions in the department of social and health services from the state civil service law.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 799, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

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

Not voting: Representatives Berentson, Bond, Deccio, Eng, Houchen, Nelson G. A., Stratton, Vrooman.

Substitute House Bill No. 799, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Polk, the House adjourned until 10:00 a.m., Tuesday, January 22, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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

## NINTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, January 22, 1980

The House was called to order at 10:00 a.m. by Speaker Bagnariol. The Clerk called the roll and all members were present except Representatives Houchen, Stratton and Vrooman, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Julie Peterson and Bill Schoultz. Prayer was offered by The Reverend Paul Beeman of the First United Methodist Church of Olympia.

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

### MESSAGE FROM THE SENATE

January 21, 1980

Mr. Speaker:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 2055,  
SUBSTITUTE SENATE BILL NO. 3164,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1700, by Representatives Bond and McGinnis:

AN ACT Making an appropriation and authorizing expenditures for capital improvements at Eastern Washington University; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1701, by Representatives Becker and Struthers:

AN ACT Relating to juvenile justice.

To Committee on Rules

HOUSE BILL NO. 1702, by Representatives Teutsch and Valle:

AN ACT Relating to denture technology; amending section 1, chapter 130, Laws of 1951 as last amended by section 35, chapter 158, Laws of 1979 and RCW 18.32.030; creating new sections; adding new sections as a new chapter to Title 18 RCW; and prescribing penalties.

To Committee on Social and Health Services

HOUSE BILL NO. 1703, by Representatives Martinis, Tilly, Wilson and Gallagher:

AN ACT Relating to motor vehicles; and amending section 1, chapter 20, Laws of 1967 ex. sess. as last amended by section 1, chapter 126, Laws of 1971 ex. sess. and RCW 46.20.440.

To Committee on Transportation

HOUSE BILL NO. 1704, by Representatives Taller, Ehlers and McGinnis:

AN ACT Relating to state government; and amending and reenacting section 1, chapter 166, Laws of 1921 as last amended by section 5, chapter 166, Laws of 1977 ex. sess. and by section 1, chapter 205, Laws of 1977 ex. sess. and RCW 60.28.010.

To Committee on State Government

HOUSE BILL NO. 1705, by Representatives Keller and Rohrbach:

AN ACT Relating to insurance reporting.

To Committee on Rules

HOUSE BILL NO. 1706, by Representative Whiteside:

AN ACT Relating to social and health services.

To Committee on Rules

HOUSE BILL NO. 1707, by Representatives Rohrbach and Zimmerman:

AN ACT Relating to financial responsibility; amending section 9, chapter 169, Laws of 1963 as last amended by section 155, chapter 158, Laws of 1979 and RCW 46.29.090; amending section 26, chapter 169, Laws of 1963 as amended by section 2, chapter 3, Laws of 1967 ex. sess. and RCW 46.29.260; amending section 39, chapter 169, Laws of 1963 as last amended by section 14, chapter 61, Laws of 1979 and RCW 46.29.390; and amending section 49, chapter 169, Laws of 1963 as amended by section 4, chapter 3, Laws of 1967 ex. sess. and RCW 46.29.490.

To Committee on Insurance

HOUSE BILL NO. 1708, by Representatives Becker and Tupper:

AN ACT Relating to state government; and amending section 7, chapter 172, Laws of 1935 as last amended by section 1, chapter 158, Laws of 1979 and RCW 9.41.070.

To Committee on Local Government

HOUSE BILL NO. 1709, by Representative Whiteside:

AN ACT Relating to social and health services.

To Committee on Rules

HOUSE BILL NO. 1710, by Representative Nisbet:

AN ACT Relating to privilege taxes; and amending section 3, chapter 245, Laws of 1941 and RCW 54.28-.070.

To Committee on Local Government

HOUSE BILL NO. 1711, by Representative Whiteside:

AN ACT Relating to medically fragile children; creating a new chapter in Title 74 RCW; and making an appropriation.

To Committee on Social and Health Services

HOUSE BILL NO. 1712, by Representatives Keller and Rohrbach:

AN ACT Relating to insurance.

To Committee on Rules

HOUSE BILL NO. 1713, by Representative Greengo:

AN ACT Relating to professional and occupational freedom of information; and adding a new chapter to Title 18 RCW.

To Committee on Commerce

HOUSE BILL NO. 1714, by Representatives Struthers and Becker:

AN ACT Relating to adult correctional facilities; and making an appropriation.

To Committee on Rules

HOUSE BILL NO. 1715, by Representatives Nisbet, King, Polk, Struthers, Whiteside, Hughes, Van Dyken, Schmitten, Smith (C), Erickson, Bauer, Taylor, Maxie, Williams, Brown, Salatino, Scott, Bender and Addison:

AN ACT Relating to veterans; adding new sections to chapter 73.24 RCW; creating a new section; and making an appropriation.

To Committee on State Government

HOUSE BILL NO. 1716, by Representatives Owen, Nisbet, Sherman, Charnley, Houchen, Nelson (D), Brekke, Burns, Brown, Rinehart, Granlund and Erak:

AN ACT Relating to energy facilities; amending section 1, chapter 45, Laws of 1970 ex. sess. as amended by section 29, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 80.50.010; amending section 2, chapter 45, Laws of 1970 ex. sess. as last amended by section 2, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.020; amending section 3, chapter 45, Laws of 1970 ex. sess. as last amended by section 3, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.030; amending section 4, chapter 45, Laws of 1970 ex. sess. as last amended by section 1, chapter 254, Laws of 1979 ex. sess. and RCW 80.50.040;

amending section 6, chapter 45, Laws of 1970 ex. sess. as last amended by section 5, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.060; amending section 16, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.071; and adding a new section to chapter 80.50 RCW.

To Committee on Energy and Utilities

HOUSE BILL NO. 1717, by Representatives Scott, King, Martinis, Mitchell, Lux and Brown:

AN ACT Relating to public employees' collective bargaining; amending section 3, chapter 108, Laws of 1967 ex. sess. as last amended by section 15, chapter 296, Laws of 1975 1st ex. sess. and RCW 41.56-.030; and amending section 1, chapter 101, Laws of 1967 and RCW 53.18.010.

To Committee on Labor

HOUSE BILL NO. 1718, by Representatives Struthers, Becker, Nelson (D), Taylor, Galloway and Salatino (by Department of Social and Health Services request):

AN ACT Relating to state institutions; and amending section 2, chapter 17, Laws of 1967 as last amended by section 1, chapter 160, Laws of 1979 ex. sess. and RCW 72.65.020.

To Committee on Institutions

HOUSE BILL NO. 1719, by Representatives King, Zimmerman, Thompson, Salatino, Grimm, Hughes and Bauer:

AN ACT Relating to public employees' retirement; and amending section 18, chapter 274, Laws of 1947 as last amended by section 14, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.170.

To Committee on Appropriations

HOUSE BILL NO. 1720, by Representatives Rohrbach and Keller:

AN ACT Relating to insurance.

To Committee on Rules

HOUSE BILL NO. 1721, by Representative Greengo:

AN ACT Relating to small business.

To Committee on Rules

HOUSE BILL NO. 1722, by Representatives Sherman, Hughes, Brekke, Nelson (D), Rinehart, Pruitt, Burns, Granlund and Charnley:

AN ACT Relating to energy efficiency in new buildings; and adding new sections to chapter 19.27 RCW.

To Committee on Energy and Utilities

HOUSE BILL NO. 1723, by Representatives Sommers and Craswell:

AN ACT Relating to inheritance taxes; amending section 3, chapter 292, Laws of 1961 as amended by section 2, chapter 209, Laws of 1979 ex. sess. and RCW 83.04.013; amending section 12, chapter 209, Laws of 1979 ex. sess. and RCW 83.08.015; amending section 1, chapter 73, Laws of 1972 ex. sess. as amended by section 3, chapter 209, Laws of 1979 ex. sess. and RCW 83.24.035; creating a new section; and repealing section 83.36.040, chapter 15, Laws of 1961, section 117, chapter 278, Laws of 1975 1st ex. sess. and RCW 83.36.040.

To Committee on Revenue

HOUSE BILL NO. 1724, by Representatives Nelson (G), Patterson, Burns, Flanagan, Deccio, Bond, Nelson (D), McGinnis, Rinehart and Smith (C):

AN ACT Relating to higher education salary increases; and making an appropriation.

To Committee on Appropriations

HOUSE BILL NO. 1725, by Representatives Sommers, Sherman, North and Craswell:

AN ACT Relating to local government; adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.32 RCW; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 1726, by Representatives Ehlers, Bauer and Hughes:

AN ACT Relating to the teachers' retirement system; and amending section 24, chapter 80, Laws of 1947 as last amended by section 3, chapter 45, Laws of 1979 ex. sess. and RCW 41.32.240.

To Committee on Appropriations

**HOUSE BILL NO. 1727, by Representatives Charnley and Zimmerman:**

AN ACT Relating to warrants; amending section 36.29.040, chapter 4, Laws of 1963 and RCW 36.29.040; amending section 36.39.060, chapter 4, Laws of 1963 and RCW 36.29.060; amending section 36.88.330, chapter 4, Laws of 1963 and RCW 36.88.330; and declaring an emergency.

To Committee on Local Government

**HOUSE BILL NO. 1728, by Representative Charnley:**

AN ACT Relating to exemption from limitations on regular property taxes for self-insured governmental tort liability judgments.

To Committee on Rules

**HOUSE BILL NO. 1729, by Representatives Smith (R) and Erickson:**

AN ACT Relating to children; amending section 3, chapter 291, Laws of 1955 as last amended by section 15, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.030; adding a new section to chapter 9A.64 RCW; prescribing penalties; and declaring an emergency.

To Committee on Judiciary

**HOUSE BILL NO. 1730, by Representative Charnley:**

AN ACT Relating to contribution among joint tort-feasors.

To Committee on Rules

**HOUSE BILL NO. 1731, by Representative Rohrbach:**

AN ACT Relating to insurance.

To Committee on Rules

**HOUSE BILL NO. 1732, by Representative Charnley:**

AN ACT Relating to liability of government for damages arising from actions over developmental permits.

To Committee on Rules

**HOUSE BILL NO. 1733, by Representatives Nelson (D), Monohon, Erak, Vrooman, Brekke, Burns, Lux, Rinehart and Granlund:**

AN ACT Relating to state government; amending section 43.31.040, chapter 8, Laws of 1965 as last amended by section 6, chapter 70, Laws of 1977 ex. sess. and RCW 43.31.040; amending section 5, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.050; creating a new section; repealing section 1, chapter 10, Laws of 1965 and RCW 43.31.280; repealing section 3, chapter 10, Laws of 1965 and RCW 43.31.290; repealing section 5, chapter 10, Laws of 1965, section 11, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.300; repealing section 8, chapter 10, Laws of 1965 and RCW 43.31.310; repealing section 9, chapter 10, Laws of 1965 and RCW 43.31.320; repealing section 7, chapter 10, Laws of 1965 and RCW 43.31.330; repealing section 4, chapter 207, Laws of 1961, section 4, chapter 10, Laws of 1965 and RCW 70.98.040; and declaring an emergency.

To Committee on Energy and Utilities

**HOUSE BILL NO. 1734, by Representatives Ellis, Newhouse and Smith (R):**

AN ACT Relating to the administrator for the courts; and amending section 1, chapter 259, Laws of 1957 as last amended by section 7, chapter 255, Laws of 1979 ex. sess. and RCW 2.56.010.

To Committee on Judiciary

**HOUSE BILL NO. 1735, by Representatives Becker, Nelson (D), Burns, Pruitt, Lux, Smith (R), Rinehart, Charnley, Sherman, Brekke, Valle and Gruger:**

AN ACT Relating to energy facilities; adding a new section to chapter 80.50 RCW; and declaring an emergency.

To Committee on Energy and Utilities

**HOUSE BILL NO. 1736, by Representatives Taller, Sommers, McDonald, Chandler and McGinnis:**

AN ACT Relating to the law enforcement officers' and firefighters' retirement system; amending section 9, chapter 209, Laws of 1969 ex. sess. as last amended by section 22, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.090; amending section 10, chapter 209, Laws of 1969 ex. sess. as last amended by section 3, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.100; amending section 18, chapter 294, Laws of 1977 ex. sess. as amended by section 1, chapter 249, Laws of 1979 ex. sess. and RCW 41.26.005; amending section 6, chapter 209, Laws of 1969 ex. sess. as last amended by section 3, chapter 44,

Laws of 1975-'76 2nd ex. sess. and RCW 41.26.060; amending section 12, chapter 209, Laws of 1969 ex. sess. as last amended by section 10, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.120; amending section 16, chapter 209, Laws of 1969 ex. sess. as last amended by section 6, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.200; amending section 1, chapter 105, Laws of 1975-'76 2nd ex. sess. and RCW 41.04.270; adding new sections to chapter 41.26 RCW; creating a new section; providing an effective date; and making an appropriation.

To Committee on Appropriations

HOUSE BILL NO. 1737, by Representatives Struthers and Becker:

AN ACT Relating to criminal justice training.

To Committee on Rules

HOUSE BILL NO. 1738, by Representatives Valle, Nelson (D) and Pruitt:

AN ACT Relating to the conservation of solid materials and the reduction of solid wastes; adding a new chapter to Title 70 RCW; and prescribing penalties.

To Committee on Ecology

HOUSE BILL NO. 1739, by Representatives Valle, Isaacson and Bauer:

AN ACT Relating to food; and amending section 1, chapter 39, Laws of 1975 and RCW 69.04.930.

To Committee on Commerce

HOUSE BILL NO. 1740, by Representatives Ellis and Maxie:

AN ACT Relating to state government; creating a law revision commission; and making an appropriation.

To Committee on Rules

HOUSE BILL NO. 1741, by Representatives Schmitt, Brown, Oliver, Nisbet, Lux, Dunlap, Tupper, Salatino, Scott, McGinnis, Hughes, Brekke, Erickson, Dawson, Winsley, Granlund, Monohon and Addison:

AN ACT Relating to hunting and fishing licenses; amending section 77.32.230, chapter 36, Laws of 1955 as last amended by section 1, chapter 58, Laws of 1973 1st ex. sess. and RCW 77.32.230; and adding a new section to chapter 77.12 RCW.

To Committee on Natural Resources

HOUSE BILL NO. 1742, by Representatives Becker and Struthers:

AN ACT Relating to juvenile justice.

To Committee on Rules

HOUSE BILL NO. 1743, by Representatives Brown, Zimmerman and Charnley:

AN ACT Relating to city parks; and adding a new section to chapter 35.61 RCW.

To Committee on Local Government

HOUSE BILL NO. 1744, by Representatives Keller, Dawson and Smith (R):

AN ACT Relating to casualty insurance; and adding new sections to chapter 48.22 RCW.

To Committee on Insurance

HOUSE BILL NO. 1745, by Representatives Scott and Clayton:

AN ACT Relating to essential basic services assistance; adding a new chapter to Title 74 RCW; and making an appropriation.

To Committee on Social and Health Services

HOUSE BILL NO. 1746, by Representatives Salatino, Martinis, Winsley, Granlund, Walk, Grimm, Mitchell, Erickson, Ehlers, Thompson, Heck, Wilson, Adams, King, Gallagher and Brown:

AN ACT Relating to the department of social and health services; and making an appropriation for the fiscal biennium ending June 30, 1981.

To Committee on Appropriations

HOUSE BILL NO. 1747, by Representative Craswell:

AN ACT Relating to revenue and taxation.

To Committee on Rules

HOUSE BILL NO. 1748, by Representative Craswell:

AN ACT Relating to revenue and taxation.

To Committee on Rules

HOUSE BILL NO. 1749, by Representatives Salatino, Warnke, King, Scott, May, Greengo, Flint, Winsley, Valle, Gallagher and Granlund:

AN ACT Relating to automotive repair: amending section 1, chapter 280, Laws of 1977 ex. sess. and RCW 46.71.010; amending section 3, chapter 280, Laws of 1977 ex. sess. and RCW 46.71.030; amending section 4, chapter 280, Laws of 1977 ex. sess. and RCW 46.71.040; amending section 5, chapter 280, Laws of 1977 ex. sess. and RCW 46.71.050; amending section 6, chapter 280, Laws of 1977 ex. sess. and RCW 46.71.060; amending section 7, chapter 280, Laws of 1977 ex. sess. and RCW 46.71.070; adding new sections to chapter 46.71 RCW; providing penalties; and making an appropriation.

To Committee on Commerce

HOUSE BILL NO. 1750, by Representatives Becker and Struthers:

AN ACT Relating to children's mental health services.

To Committee on Rules

HOUSE BILL NO. 1751, by Representatives Sherman, Brekke, Pruitt, Burns, Lux and Charnley:

AN ACT Relating to motor vehicle excise taxes and public transportation; amending section 7, chapter 270, Laws of 1975 1st ex. sess. as amended by section 1, chapter 175, Laws of 1979 ex. sess. and RCW 35.58.2721; amending section 14, chapter 255, Laws of 1969 ex. sess. as amended by section 3, chapter 175, Laws of 1979 ex. sess. and RCW 35.58.279; and providing an effective date.

To Committee on Transportation

HOUSE BILL NO. 1752, by Representative Craswell:

AN ACT Relating to revenue and taxation.

To Committee on Rules

HOUSE BILL NO. 1753, by Representatives Lux and McGinnis:

AN ACT Relating to revenue and taxation; amending section 1, chapter 12, Laws of 1979 as amended by section 6, chapter 266, Laws of 1979 ex. sess. and RCW 82.08.030; and amending section 2, chapter 12, Laws of 1979 as amended by section 7, chapter 266, Laws of 1979 ex. sess. and RCW 82.12.030.

To Committee on Revenue

HOUSE BILL NO. 1754, by Representatives Gruger, Whiteside, Adams, Owen and Brekke:

AN ACT Relating to adoption; creating a new section; and making an appropriation.

To Committee on Social and Health Services

HOUSE BILL NO. 1755, by Representatives Struthers and Becker:

AN ACT Relating to state institutions.

To Committee on Rules

HOUSE BILL NO. 1756, by Representatives Struthers and Becker:

AN ACT Relating to correction services.

To Committee on Rules

HOUSE BILL NO. 1757, by Representative Addison:

AN ACT Relating to property taxes levied for emergency medical care and services; and adding a new section to chapter 84.55 RCW.

To Committee on Revenue

HOUSE BILL NO. 1758, by Representatives King, Clayton, Scott, Mitchell, Lux and Martinis:

AN ACT Relating to the model assistance and reemployment project for injured workers; creating new sections; making an appropriation; providing an expiration date; and declaring an emergency.

To Committee on Labor

HOUSE BILL NO. 1759, by Representative Williams:

AN ACT Relating to the department of general administration; making an appropriation; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1760, by Representatives Patterson, Erak, Gallagher, Tilly, Struthers, Wilson, Clayton and Smith (C):

AN ACT Relating to motor vehicle license fee revenues; amending section 46.16.060, chapter 12, Laws of 1961 as last amended by section 3, chapter 118, Laws of 1975 1st ex. sess. and RCW 46.16.060; amending section 46.68.030, chapter 12, Laws of 1961 as last amended by section 3, chapter 103, Laws of 1973 and RCW 46.68.030; amending section 46.68.130, chapter 12, Laws of 1961 as last amended by section 1, chapter 9, Laws of 1974 ex. sess. and RCW 46.68.130; adding a new section to chapter 46.68 RCW; and providing an effective date.

To Committee on Transportation

HOUSE BILL NO. 1761, by Representative Clayton:

AN ACT Relating to unemployment compensation.

To Committee on Rules

HOUSE BILL NO. 1762, by Representatives Rosbach, North, Fuller, Whiteside, Rohrbach, Keller, Zimmerman, Charnley, Brown, Williams and Garrett:

AN ACT Relating to probation; reenacting and amending section 4, chapter 227, Laws of 1957 as last amended by section 2, chapter 29, Laws of 1979 and by section 7, chapter 141, Laws of 1979 and RCW 9.95.210; and declaring an emergency.

To Committee on Local Government

HOUSE BILL NO. 1763, by Representatives O'Brien, Dunlap, North, Bender, Barnes, Nelson (D) and Wilson:

AN ACT Relating to works of art for the legislative building; adding a new chapter to Title 44 RCW; and providing an expiration date.

HOUSE BILL NO. 1764, by Representatives Erak, Clayton, Chandler, Monohon, Smith (R), Struthers, McGinnis, Zimmerman, Teutsch, Fancher and Polk:

AN ACT Relating to oxygen; and adding a new section to chapter 70.54 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 1765, by Representative Scott:

AN ACT Relating to water well contractors; and adding a new section to chapter 18.104 RCW.

To Committee on Commerce

HOUSE BILL NO. 1766, by Representative Greengo:

AN ACT Relating to international trade and tourism.

To Committee on Rules

HOUSE BILL NO. 1767, by Representatives Valle, Zimmerman, Nelson (D) and Thompson:

AN ACT Relating to conservation districts; amending section 7, chapter 304, Laws of 1955 as last amended by section 8, chapter 184, Laws of 1973 1st ex. sess. and RCW 89.08.070; amending section 23, chapter 304, Laws of 1955 as last amended by section 23, chapter 184, Laws of 1973 1st ex. sess. and RCW 89.08.220; amending section 84.52.052, chapter 15, Laws of 1961 as last amended by section 1, chapter 325, Laws of 1977 ex. sess. and RCW 84.52.052; and adding new sections to chapter 89.08 RCW.

To Committee on Revenue



HOUSE BILL NO. 1768, by Representatives Walk, Erickson, Grimm, Dawson, Ehlers, Gallagher, Brown and Rinehart:

AN ACT Relating to adult corrections; amending section 177, chapter 270, Laws of 1979 ex. sess. (uncodified); making an appropriation; and declaring an emergency.

To Committee on Institutions

HOUSE BILL NO. 1769, by Representatives Eberle, Scott, May and Mitchell:

AN ACT Relating to electrical inspections; amending section 1, chapter 169, Laws of 1935 as last amended by section 1, chapter 117, Laws of 1965 ex. sess. and RCW 19.28.010; amending section 3, chapter 169, Laws of 1935 as last amended by section 61, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.28.070; amending section 8, chapter 169, Laws of 1935 as last amended by section 2, chapter 129, Laws of 1971 ex. sess. and RCW 19.28.210; and repealing section 3, chapter 325, Laws of 1959, section 4, chapter 207, Laws of 1963, section 1, chapter 97, Laws of 1967 ex. sess. and RCW 19.28.360.

To Committee on Local Government

HOUSE BILL NO. 1770, by Representatives Keller and Thompson:

AN ACT Relating to the department of general administration; making an appropriation; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1771, by Representative Greengo:

AN ACT Relating to small businesses.

To Committee on Rules

HOUSE BILL NO. 1772, by Representatives Becker, Struthers, Hastings, Taller, Nisbet, Williams, Scott and Mitchell:

AN ACT Relating to the criminal justice training commission; amending section 1, chapter 94, Laws of 1974 ex. sess. as amended by section 1, chapter 212, Laws of 1977 ex. sess. and RCW 43.101.010; amending section 18, chapter 94, Laws of 1974 ex. sess. and RCW 43.101.180; and adding a new section to chapter 43.101 RCW.

To Committee on Institutions

HOUSE BILL NO. 1773, by Representatives Struthers and Becker:

AN ACT Relating to prison industries.

To Committee on Rules

HOUSE BILL NO. 1774, by Representative Lux:

AN ACT Relating to self-insurers; and amending section 27, chapter 289, Laws of 1971 ex. sess. as last amended by section 9, chapter 323, Laws of 1977 ex. sess. and RCW 51.14.020.

To Committee on Labor

HOUSE BILL NO. 1775, by Representatives Keller and Brekke:

AN ACT Relating to financial responsibility; amending section 9, chapter 169, Laws of 1963 as last amended by section 155, chapter 158, Laws of 1979 and RCW 46.29.090; amending section 26, chapter 169, Laws of 1963 as amended by section 2, chapter 3, Laws of 1967 ex. sess. and RCW 46.29.260; amending section 39, chapter 169, Laws of 1963 as last amended by section 14, chapter 61, Laws of 1979 and RCW 46.29.390; amending section 49, chapter 169, Laws of 1963 as amended by section 4, chapter 3, Laws of 1967 ex. sess. and RCW 46.29.490; and amending section 55, chapter 169, Laws of 1963 as amended by section 5, chapter 3, Laws of 1967 ex. sess. and RCW 46.29.550.

To Committee on Insurance

HOUSE BILL NO. 1776, by Representatives Lux, Eberle, Clayton, McGinnis and Oliver:

AN ACT Relating to unemployment compensation; and amending section 73, chapter 35, Laws of 1945 as last amended by section 4, chapter 33, Laws of 1977 ex. sess. and RCW 50.20.050.

To Committee on Labor

HOUSE BILL NO. 1777, by Representatives Van Dyken and Becker:

AN ACT Relating to the taxation of travel trailers and campers; amending section 55, chapter 299, Laws of 1971 ex. sess. as last amended by section 1, chapter 123, Laws of 1979 and RCW 82.50.400; amending section 56, chapter 299, Laws of 1971 ex. sess. as last amended by section 2, chapter 123, Laws of 1979

and RCW 82.50.410; amending section 61, chapter 299, Laws of 1971 ex. sess. as last amended by section 3, chapter 123, Laws of 1979 and RCW 82.50.460; amending section 67, chapter 299, Laws of 1971 ex. sess. as amended by section 4, chapter 123, Laws of 1979 and RCW 82.50.520; amending section 68, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.530; adding new sections to chapter 82.50 RCW; and prescribing penalties.

To Committee on Revenue

HOUSE BILL NO. 1778, by Representatives Patterson, Chandler, Wilson, Teutsch, Craswell, Barnes, Rohrbach, North, Sherman, Eberle, Warnke and Amen:

AN ACT Relating to driver licensing; creating a new section; making an appropriation; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 1779, by Representatives Van Dyken, Kreidler, Amen, Scott, Rinehart and Charnley:

AN ACT Relating to agriculture lands; creating new sections; adding a new section to chapter 15.04 RCW; and making an appropriation.

To Committee on Agriculture

HOUSE BILL NO. 1780, by Representatives Struthers and Becker (by Department of Social and Health Services request):

AN ACT Relating to food fish and shellfish; and amending section 75.12.130, chapter 12, Laws of 1955 as last amended by section 382, chapter 141, Laws of 1979 and RCW 75.12.130.

To Committee on Institutions

HOUSE BILL NO. 1781, by Representatives Becker and Struthers:

AN ACT Relating to juvenile services.

To Committee on Rules

HOUSE BILL NO. 1782, by Representatives North and Smith (R):

AN ACT Relating to firearms and dangerous weapons; amending section 1, chapter 64, Laws of 1933 and RCW 9.41.190; amending section 2, chapter 64, Laws of 1933 and RCW 9.41.200; adding new sections to chapter 9.41 RCW; and prescribing penalties.

To Committee on Judiciary

HOUSE BILL NO. 1783, by Representative Greengo:

AN ACT Relating to small businesses.

To Committee on Rules

HOUSE BILL NO. 1784, by Representatives Amen, Kreidler, Fancher, Van Dyken, Erak, Scott, Clayton, Flanagan and Smith (C):

AN ACT Relating to irrigation districts; and amending section 17, page 681, Laws of 1889-90 as last amended by section 10, chapter 129, Laws of 1921 and RCW 87.03.215.

To Committee on Agriculture

HOUSE BILL NO. 1785, by Representatives Jovanovich, Lux, Heck, Thompson and Scott:

AN ACT Relating to accident reports for industrial insurance; and adding a new section to chapter 51.28 RCW.

To Committee on Labor

HOUSE BILL NO. 1786, by Representatives Valle, Teutsch, Rinehart, Bender, Burns, Granlund, Salatino and Maxie:

AN ACT Relating to business and occupation tax credits; and adding a new section to chapter 82.04 RCW.

To Committee on Revenue

HOUSE BILL NO. 1787, by Representative Greengo:

AN ACT Relating to small businesses.

To Committee on Rules

HOUSE BILL NO. 1788, by Representative Clayton:

AN ACT Relating to unemployment compensation.

To Committee on Rules

HOUSE BILL NO. 1789, by Representatives Flanagan, Smith (C), Erak, Oliver, Patterson, Fancher and Deccio:

AN ACT Relating to public safety and the support thereof; providing for needed safety improvements; making an appropriation; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1790, by Representatives Ellis, Garrett, Polk, Rohrbach, Maxie, Greengo, Eberle, O'Brien, Barnes, Charnley, Burns, Brekke and Rinehart:

AN ACT Relating to superior court judges; and amending section 3, chapter 125, Laws of 1951 as last amended by section 1, chapter 202, Laws of 1979 ex. sess. and RCW 2.08.061.

To Committee on Judiciary

HOUSE BILL NO. 1791, by Representatives Struthers and Becker:

AN ACT Relating to criminal sentencing.

To Committee on Rules

HOUSE BILL NO. 1792, by Representatives Struthers and Becker:

AN ACT Relating to adult correctional facilities.

To Committee on Rules

HOUSE BILL NO. 1793, by Representative Wilson:

AN ACT Relating to state right-of-way franchise.

To Committee on Rules

HOUSE BILL NO. 1794, by Representatives Struthers, Scott and Mitchell:

AN ACT Relating to the institutional impact account; and making an appropriation.

To Committee on Rules

HOUSE BILL NO. 1795, by Representatives Scott and Mitchell:

AN ACT Relating to local government.

To Committee on Rules

HOUSE BILL NO. 1796, by Representatives Scott, Mitchell, Nelson (D) and Becker:

AN ACT Relating to corrections; and adding a new section to chapter 72.01 RCW.

To Committee on Institutions

HOUSE BILL NO. 1797, by Representatives Dawson, Granlund, Erickson, Grimm, Flint, Craswell and Walk:

AN ACT Relating to adult corrections; amending section 177, chapter 270, Laws of 1979 ex. sess. (uncodified); and declaring an emergency.

To Committee on Institutions

HOUSE BILL NO. 1798, by Representative Grimm:

AN ACT Relating to state institutions; and adding a new section to chapter 72.01 RCW.

To Committee on Institutions

HOUSE BILL NO. 1799, by Representatives Tupper, Williams and Sprague:

AN ACT Relating to absentee voter lists; and amending section 1, chapter 61, Laws of 1973 1st ex. sess. and RCW 29.36.097.

To Committee on Constitution, Elections and Governmental Ethics

**HOUSE BILL NO. 1800, by Representatives Monohon and Owen:**

AN ACT Relating to gambling; reenacting and amending section 2, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 1, chapter 76, Laws of 1977 ex. sess. and by section 1, chapter 326, Laws of 1977 ex. sess. and RCW 9.46.020; and declaring an emergency.

To Committee on Commerce

**HOUSE BILL NO. 1801, by Representatives Tupper and Sprague:**

AN ACT Relating to collection agencies; and amending section 1, chapter 253, Laws of 1971 ex. sess. as amended by section 81, chapter 158, Laws of 1979 and RCW 19.16.100.

To Committee on Commerce

**HOUSE BILL NO. 1802, by Representatives Eberle, Struthers, Van Dyken, Rohrbach and McGinnis:**

AN ACT Relating to criminal procedure; and adding a new section to chapter 10.64 RCW.

To Committee on Judiciary

**HOUSE BILL NO. 1803, by Representatives Sprague and McGinnis:**

AN ACT Relating to local improvement districts; and adding a new section to chapter 84.64 RCW.

To Committee on Judiciary

**HOUSE BILL NO. 1804, by Representatives Patterson, Taller, Thompson, Dawson and Amen:**

AN ACT Relating to Washington State University; making an appropriation and authorizing expenditures for the second phase of the renovation of Fulmer Hall at Washington State University; and declaring an emergency.

To Committee on Appropriations

**HOUSE BILL NO. 1805, by Representative Tilly:**

AN ACT Relating to victims of crimes; amending section 2, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.020; amending section 5, chapter 122, Laws of 1973 1st ex. sess. as amended by section 3, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.050; amending section 13, chapter 122, Laws of 1973 1st ex. sess. as amended by section 8, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.130; creating a new section; and declaring an emergency.

To Committee on Judiciary

**HOUSE BILL NO. 1806, by Representatives Tupper, Williams, Nisbet, Wilson, Sprague and Chandler:**

AN ACT Relating to radioactive waste; creating new sections; and prescribing penalties.

To Committee on Ecology

**HOUSE BILL NO. 1807, by Representatives Walk, Martinis, Wilson, Monohon and Owen:**

AN ACT Relating to the transportation of hazardous materials; amending section 46.48.170, chapter 12, Laws of 1961 and RCW 46.48.170; amending section 46.48.180, chapter 12, Laws of 1961 and RCW 46.48.180; and adding a new section to chapter 46.48 RCW.

**HOUSE BILL NO. 1808, by Representatives Williams, Tupper and Sprague:**

AN ACT Relating to the abolition of the energy office; creating a new section; repealing section 10, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 41.06.078; repealing section 1, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.010; repealing section 2, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.020; repealing section 3, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.030; repealing section 4, chapter 108, Laws of 1975-'76 2nd ex. sess., section 87, chapter 99, Laws of 1979 and RCW 43.21F.040; repealing section 5, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.050; repealing section 6, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.060; repealing section 7, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.070; repealing section 16, chapter 99, Laws of 1979 and RCW 43.131.179; and repealing section 58, chapter 99, Laws of 1979 and RCW 43.131.180.

To Committee on Energy and Utilities

HOUSE BILL NO. 1809, by Representatives Clayton and Lux:

AN ACT Relating to agricultural migrant labor and provision of shelter and related facilities.

To Committee on Labor

HOUSE BILL NO. 1810, by Representatives Zimmerman and Nelson (G):

AN ACT Relating to county auditors; and amending section 36.22.020, chapter 4, Laws of 1963 and RCW 36.22.020.

To Committee on Local Government

HOUSE BILL NO. 1811, by Representatives Knowles and Taylor:

AN ACT Relating to mental illness; and amending section 72.23.070, chapter 28, Laws of 1959 as last amended by section 48, chapter 80, Laws of 1977 ex. sess. and RCW 72.23.070.

To Committee on Judiciary

HOUSE BILL NO. 1812, by Representatives Van Dyken and Barr:

AN ACT Relating to lakes; and amending section 2, chapter 107, Laws of 1939 as amended by section 1, chapter 258, Laws of 1959 and RCW 90.24.010.

To Committee on Natural Resources

HOUSE BILL NO. 1813, by Representatives Van Dyken, Heck, Nelson (G), Whiteside, Eberle, Taller, Addison, Nisbet, Flint, Rohrbach, Williams, Zimmerman, Mitchell, Chandler, Sprague, Struthers, Dawson, Smith (C), Becker, Barnes, Ellis, Galloway, Pruitt, Rinehart and Taylor:

AN ACT Relating to attendance incentive programs for school district and educational service district employees; amending section 3, chapter 10, Laws of 1972 ex. sess. as amended by section 108, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.58.100; creating new sections; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.21 RCW; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

To Committee on Education

HOUSE BILL NO. 1814, by Representatives Knowles and Taylor:

AN ACT Relating to mental illness; amending section 7, chapter 142, Laws of 1973 1st ex. sess. as amended by section 5, chapter 215, Laws of 1979 ex. sess. and RCW 71.05.020; amending section 25, chapter 142, Laws of 1973 1st ex. sess. as amended by section 13, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.200; and adding a new section to chapter 71.05 RCW.

To Committee on Judiciary

HOUSE BILL NO. 1815, by Representatives King, Scott, Mitchell, Lux and Valle:

AN ACT Relating to labor unions; and adding a new section to chapter 49.36 RCW.

To Committee on Labor

HOUSE BILL NO. 1816, by Representatives Eberle, Ellis, Sanders, Rohrbach and Addison:

AN ACT Relating to judicial review of contested cases; and amending section 13, chapter 234, Laws of 1959 as last amended by section 1, chapter 52, Laws of 1977 ex. sess. and RCW 34.04.130.

To Committee on Judiciary

HOUSE BILL NO. 1817, by Representatives Becker and Struthers:

AN ACT Relating to state institutions.

To Committee on Rules

HOUSE BILL NO. 1818, by Representatives Rohrbach, Barnes, Zimmerman, Brown and Rosbach:

AN ACT Relating to the formation of improvement districts; and amending section 35.43.180, chapter 7, Laws of 1965 as last amended by section 8, chapter 52, Laws of 1967 and RCW 35.43.180.

To Committee on Local Government

HOUSE BILL NO. 1819, by Representatives Becker and Struthers:

AN ACT Relating to juvenile services.

To Committee on Rules

HOUSE BILL NO. 1820, by Representatives Brown, Winsley, Rohrbach and Keller:

AN ACT Relating to motor vehicles; and amending section 7, chapter 169, Laws of 1963 as amended by section 1, chapter 78, Laws of 1979 and RCW 46.29.070.

To Committee on Insurance

HOUSE BILL NO. 1821, by Representatives Warnke, Greengo and North:

AN ACT Relating to business opportunities; adding a new chapter to Title 19 RCW; prescribing penalties; making an appropriation; and providing an effective date.

To Committee on Commerce

HOUSE BILL NO. 1822, by Representatives Scott, Craswell, Schmitt, Wilson, Fancher, Fuller, Mitchell and McGinnis:

AN ACT Relating to revenue and taxation; amending section 1, chapter 347, Laws of 1977 ex. sess. as amended by section 1, chapter 6, Laws of 1979 and RCW 84.33.071; amending section 5, chapter 294, Laws of 1971 ex. sess. as last amended by section 3, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.050; amending section 6, chapter 294, Laws of 1971 ex. sess. as last amended by section 2, chapter 6, Laws of 1979 and RCW 84.33.060; amending section 8, chapter 294, Laws of 1971 ex. sess. as last amended by section 3, chapter 6, Laws of 1979 and RCW 84.33.080; amending section 9, chapter 294, Laws of 1971 ex. sess. as amended by section 3, chapter 148, Laws of 1972 ex. sess. and RCW 84.33.090; amending section 10, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.100; amending section 11, chapter 294, Laws of 1971 ex. sess. as amended by section 4, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.110; amending section 12, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.113; amending section 14, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.115; amending section 15, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.116; amending section 17, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.118; amending section 12, chapter 294, Laws of 1971 ex. sess. as last amended by section 5, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.120; amending section 13, chapter 294, Laws of 1971 ex. sess. as amended by section 6, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.130; amending section 14, chapter 294, Laws of 1971 ex. sess. as last amended by section 7, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.140; amending section 17, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.170; amending section 9, chapter 187, Laws of 1974 ex. sess. as amended by section 4, chapter 6, Laws of 1979 and RCW 84.33.200; amending section 6, chapter 87, Laws of 1970 ex. sess. as amended by section 7, chapter 212, Laws of 1973 1st ex. sess. and RCW 84.34.060; amending section 12, chapter 212, Laws of 1973 1st ex. sess. and RCW 84.34.108; amending section 19, chapter 212, Laws of 1973 1st ex. sess. and RCW 84.34.155; amending section 28A.45.120, chapter 223, Laws of 1969 ex. sess. and RCW 28A.45.120; amending section 82.32.010, chapter 15, Laws of 1961 and RCW 82.32.010; adding a new section to chapter 84.33 RCW; creating a new section; repealing section 10, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.111; repealing section 16, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.117; repealing section 15, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.150; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 1823, by Representatives Gruger, Mitchell, Erickson, Oliver, Hughes, Brekke, Pruitt, Burns, Rinehart, Charnley and Bender:

AN ACT Relating to fair campaign practices; and adding a new section to chapter 1, Laws of 1973 and to chapter 42.17 RCW.

To Committee on Constitution, Elections and Governmental Ethics

HOUSE BILL NO. 1824, by Representatives Eberle, Warnke and Nelson (G):

AN ACT Relating to personal property; amending section 1, chapter 100, Laws of 1925 ex. sess. as last amended by section 1, chapter 44, Laws of 1973 1st ex. sess. and RCW 63.32.010; and amending section 1, chapter 104, Laws of 1961 as amended by section 4, chapter 44, Laws of 1973 1st ex. sess. and RCW 63.40.010.

To Committee on Judiciary

HOUSE BILL NO. 1825, by Representatives Walk, Burns, Owen, Sherman and Monohon:

AN ACT Relating to the transportation of hazardous materials; amending section 46.48.170, chapter 12, Laws of 1961 and RCW 46.48.170; amending section 46.48.175, chapter 12, Laws of 1961 and RCW 46.48.175; amending section 46.48.180, chapter 12, Laws of 1961 and RCW 46.48.180; prescribing penalties; and providing an effective date.

To Committee on Transportation

HOUSE BILL NO. 1826, by Representatives Amen, Adams, Whiteside, Patterson, Brekke, Mitchell, Schmitt, Teutsch and Williams:

AN ACT Relating to blood banks; adding a new chapter to Title 70 RCW; and prescribing penalties.

To Committee on Social and Health Services

HOUSE BILL NO. 1827, by Representative Polk:

AN ACT Relating to international business and trade.

To Committee on Rules

HOUSE BILL NO. 1828, by Representatives Lux, Scott, Thompson and Erak:

AN ACT Relating to eligibility for unemployment compensation; and amending section 77, chapter 35, Laws of 1945 as amended by section 12, chapter 8, Laws of 1953 ex. sess. and RCW 50.20.090.

To Committee on Labor

HOUSE BILL NO. 1829, by Representatives Erickson, Oliver, Keller, Valle, Monohon and Erak:

AN ACT Relating to voter registration; and amending section 29.07.010, chapter 9, Laws of 1965 as amended by section 4, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.010.

To Committee on Constitution, Elections and Governmental Ethics

HOUSE BILL NO. 1830, by Representatives Erak, Monohon, Clayton, Owen, Zimmerman, Barnes, Fancher, Sherman, Burns, McCormick, Brown, Granlund, Becker, Charnley and May:

AN ACT Relating to children; adding a new section to chapter 9A.64 RCW; and prescribing penalties.

To Committee on Judiciary

HOUSE BILL NO. 1831, by Representatives Brown, Rohrbach, Keller, McGinnis, Deccio and Dawson:

AN ACT Relating to insurance; and amending section 19.41, chapter 79, Laws of 1947 and RCW 48.19-410.

To Committee on Insurance

HOUSE BILL NO. 1832, by Representatives Nisbet, Pruitt, Brekke, Owen and Monohon:

AN ACT Relating to public utility taxes; and amending section 82.16.020, chapter 15, Laws of 1961 as last amended by section 12, chapter 299, Laws of 1971 ex. sess. and RCW 82.16.020.

To Committee on Revenue

HOUSE BILL NO. 1833, by Representatives Nisbet, Smith (C) and Monohon:

AN ACT Relating to postsecondary education; creating new sections; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW.

To Committee on Higher Education

HOUSE BILL NO. 1834, by Representatives Scott, Mitchell, Owen and Walk:

AN ACT Relating to an appropriation of funds to local governments to compensate for costs resulting from prison construction.

To Committee on Rules

HOUSE BILL NO. 1835, by Representatives Rohrbach and Clayton:

AN ACT Relating to motor vehicles; and amending section 7, chapter 140, Laws of 1967 as last amended by section 1, chapter 99, Laws of 1972 ex. sess. and RCW 46.12.101.

To Committee on Transportation

HOUSE BILL NO. 1836, by Representatives Erickson and McCormick:

AN ACT Relating to television reception improvement districts; and amending section 10, chapter 155, Laws of 1971 ex. sess. as amended by section 1, chapter 11, Laws of 1975 and RCW 36.95.100.

To Committee on Local Government

**HOUSE BILL NO. 1837**, by Representatives Ellis, Keller and Rohrbach:

AN ACT Relating to certain deferred annuities; and adding a new section to chapter 48.23 RCW.

To Committee on Insurance

**HOUSE BILL NO. 1838**, by Representatives Struthers, Becker and Mitchell:

AN ACT Relating to prison industries.

To Committee on Rules

**HOUSE BILL NO. 1839**, by Representatives Williams, Sanders, Hastings, Struthers, Addison, Eberle, Nisbet, McGinnis, Wilson, Smith (C), Fuller, Rohrbach, Dunlap, Barr and Taller:

AN ACT Relating to state government; adding a new chapter to Title 43 RCW; providing an effective date; and declaring an emergency.

To Committee on Appropriations

**HOUSE BILL NO. 1840**, by Representatives McCormick, Scott, Charnley, Martinis, Grimm, Garrett, Nelson (D), Sherman, Bauer, Pruitt, Burns, Kreidler, Becker and Brekke:

AN ACT Relating to state energy management responsibilities; amending section 1, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.010; amending section 2, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.020; amending section 3, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.030; amending section 5, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.050; amending section 6, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.060; amending section 15, chapter 108, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 328, Laws of 1977 ex. sess. and RCW 43.21G.010; amending section 16, chapter 108, Laws of 1975-'76 2nd ex. sess. as amended by section 2, chapter 328, Laws of 1977 ex. sess. and RCW 43.21G.020; amending section 18, chapter 108, Laws of 1975-'76 2nd ex. sess. as last amended by section 1, chapter 158, Laws of 1979 ex. sess. and RCW 43.21G.040; amending section 22, chapter 108, Laws of 1975-'76 2nd ex. sess. as amended by section 8, chapter 328, Laws of 1977 ex. sess. and RCW 43.21G.080; amending section 23, chapter 108, Laws of 1975-'76 2nd ex. sess. as amended by section 9, chapter 328, Laws of 1977 ex. sess. and RCW 43.21G.090; amending section 10, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 41.06.078; amending section 1, chapter 10, Laws of 1979 and RCW 43.17.010; amending section 2, chapter 10, Laws of 1979 and RCW 43.17.020; amending section 43.31.040, chapter 8, Laws of 1965 as last amended by section 6, chapter 70, Laws of 1977 ex. sess. and RCW 43.31.040; amending section 3, chapter 45, Laws of 1970 ex. sess. as last amended by section 3, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.030; amending section 2, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.020; amending section 3, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.030; amending section 8, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.080; amending section 1, chapter 166, Laws of 1979 ex. sess. and RCW 90.03.247; adding new sections to chapter 43.21F RCW; creating new sections; repealing section 4, chapter 108, Laws of 1975-'76 2nd ex. sess., section 87, chapter 99, Laws of 1979 ex. sess. and RCW 43.21F.040; repealing section 7, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.070; repealing section 1, chapter 10, Laws of 1965 and RCW 43.31.280; repealing section 3, chapter 10, Laws of 1965 and RCW 43.31.290; repealing section 5, chapter 10, Laws of 1965, section 11, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.300; repealing section 8, chapter 10, Laws of 1965 and RCW 43.31.310; repealing section 9, chapter 10, Laws of 1965 and RCW 43.31.320; repealing section 7, chapter 10, Laws of 1965 and RCW 43.31.330; repealing section 16, chapter 99, Laws of 1979 and RCW 43.131.179; repealing section 58, chapter 99, Laws of 1979 and RCW 43.131.180; repealing section 4, chapter 207, Laws of 1961, section 4, chapter 10, Laws of 1965 and RCW 70.98.040; and making an appropriation.

To Committee on Energy and Utilities

**HOUSE BILL NO. 1841**, by Representatives Van Dyken, Whiteside, Adams, Sommers, Eberle, Addison, Flint, Rohrbach, Williams, Nisbet, Zimmerman, Smith (C), Erickson, Maxie and Charnley:

AN ACT Relating to sales and use taxation; amending section 48, chapter \_\_ (SHB 1016), Laws of 1980 and RCW 82.08.\_\_; amending section 75, chapter \_\_ (SHB 1016), Laws of 1980 and RCW 82.12.\_\_; amending section 49, chapter \_\_ (SHB 1016), Laws of 1980 and RCW 82.08.\_\_; and amending section 76, chapter \_\_ (SHB 1016), Laws of 1980 and RCW 82.12.\_\_.

To Committee on Revenue

**HOUSE BILL NO. 1842**, by Representatives McGinnis, Knowles and Taylor:

AN ACT Relating to property taxation; and amending section 36.21.080, chapter 4, Laws of 1963 as last amended by section 1, chapter 120, Laws of 1975 1st ex. sess. and RCW 36.21.080.

To Committee on Revenue



HOUSE BILL NO. 1843, by Representatives Heck, Chandler and Maxie (by Superintendent of Public Instruction request):

AN ACT Relating to the common schools; amending section 6, chapter 89, Laws of 1977 ex. sess. as amended by section 1, chapter 89, Laws of 1979 and RCW 28A.03.407; creating new sections; and declaring an emergency.

To Committee on Education

HOUSE BILL NO. 1844, by Representatives Eberle, Hastings and Erak:

AN ACT Relating to open space lands; amending section 3, chapter 87, Laws of 1970 ex. sess. as amended by section 3, chapter 212, Laws of 1973 1st ex. sess. and RCW 84.34.030; amending section 5, chapter 212, Laws of 1973 1st ex. sess. and RCW 84.34.037; amending section 5, chapter 87, Laws of 1970 ex. sess. as amended by section 6, chapter 212, Laws of 1973 1st ex. sess. and RCW 84.34.050; and adding new sections to chapter 84.34 RCW.

To Committee on Revenue

HOUSE BILL NO. 1845, by Representative Fancher:

AN ACT Relating to agriculture.

To Committee on Rules

HOUSE BILL NO. 1846, by Representatives Erak, Ellis, Rohrbach and Keller:

AN ACT Relating to insurance; amending section .18.29, chapter 79, Laws of 1947 as last amended by section 5, chapter 199, Laws of 1979 ex. sess. and RCW 48.18.290; amending section .18.30, chapter 79, Laws of 1947 as last amended by section 8, chapter 199, Laws of 1979 ex. sess. and RCW 48.18.300; and amending section 7, chapter 80, Laws of 1979 ex. sess. and RCW 48.50.070.

To Committee on Insurance

HOUSE BILL NO. 1847, by Representative Eng:

AN ACT Relating to savings and loan associations.

To Committee on Rules

HOUSE BILL NO. 1848, by Representatives Sherman, Owen, North, Becker, Charnley and Keller:

AN ACT Relating to the public utility tax; amending section 82.16.010, chapter 15, Laws of 1961 as last amended by section 20, chapter 173, Laws of 1965 ex. sess. and RCW 82.16.010; and amending section 82.16.020, chapter 15, Laws of 1961 as last amended by section 12, chapter 299, Laws of 1971 ex. sess. and RCW 82.16.020.

HOUSE BILL NO. 1849, by Representatives Lux, Burns and Salatino:

AN ACT Relating to wages and other conditions of employment; and amending section 6, chapter 294, Laws of 1959 and RCW 49.46.060.

To Committee on Labor

HOUSE BILL NO. 1850, by Representative Barr:

AN ACT Relating to lakes with second-class shorelands.

To Committee on Rules

HOUSE BILL NO. 1851, by Representatives Zimmerman and Charnley:

AN ACT Relating to libraries; and amending section 6, chapter 59, Laws of 1955 and RCW 27.12.060.

To Committee on Local Government

HOUSE BILL NO. 1852, by Representatives Oliver and Erickson:

AN ACT Relating to school districts' special elections.

To Committee on Rules

**HOUSE BILL NO. 1853**, by Representatives Salatino, Tilly, Bauer and Isaacson:

**AN ACT** Relating to libraries; amending section 2, chapter 119, Laws of 1935 as last amended by section 5, chapter 353, Laws of 1977 ex. sess. and RCW 27.12.010; amending section 1, chapter 119, Laws of 1935 and RCW 27.12.020; and adding new sections to chapter 27.12 RCW.

**HOUSE BILL NO. 1854**, by Representatives Oliver and Erickson:

**AN ACT** Relating to institutions of higher education; amending section 2, chapter 273, Laws of 1971 ex. sess. as amended by section 1, chapter 149, Laws of 1972 ex. sess. and RCW 28B.15.012; amending section 3, chapter 273, Laws of 1971 ex. sess. as last amended by section 1, chapter 15, Laws of 1979 ex. sess. and RCW 28B.15.013; and creating a new section.

To Committee on Higher Education

**HOUSE BILL NO. 1855**, by Representatives Thompson and Winsley:

**AN ACT** Relating to state government; and adding a new section to chapter 43.21A RCW.

To Committee on Ecology

**HOUSE BILL NO. 1856**, by Representatives Smith (R) and Granlund:

**AN ACT** Relating to housing; and adding a new section to chapter 35.82 RCW.

To Committee on Local Government

**HOUSE BILL NO. 1857**, by Representative Kreidler:

**AN ACT** Relating to agriculture.

To Committee on Rules

**HOUSE BILL NO. 1858**, by Representative Kreidler:

**AN ACT** Relating to commodity commissions.

To Committee on Rules

**HOUSE BILL NO. 1859**, by Representatives Zimmerman, Keller, Whiteside and Bauer

**AN ACT** Relating to governmental liability; adding a new chapter to Title 4 RCW; and repealing section 1, chapter 164, Laws of 1967 and RCW 4.96.010.

To Committee on Local Government

**HOUSE BILL NO. 1860**, by Representatives Dunlap and Rosbach:

**AN ACT** Relating to the site location of energy facilities; and adding a new section to chapter 80.50 RCW.

To Committee on Energy and Utilities

**HOUSE BILL NO. 1861**, by Representatives Smith (C), Fancher, Clayton and Barr:

**AN ACT** Relating to water and water resources; and amending section 6, chapter 284, Laws of 1969 ex. sess. and RCW 90.22.040.

To Committee on Agriculture

**HOUSE BILL NO. 1862**, by Representatives O'Brien, Zimmerman, Williams, Bauer and Galloway:

**AN ACT** Relating to certain public improvements, including the development or renewal of real property and the rehabilitation of housing; providing for the financing thereof and for the apportionment of ad valorem tax revenues resulting from increases in assessed valuation thereby; creating new sections; adding new sections to Title 39 RCW as a new chapter thereof; providing effective dates; and providing for the expiration of a part hereof.

To Committee on Local Government

**HOUSE BILL NO. 1863**, by Representatives Craswell, Sanders, Dunlap, Taylor, McDonald, Nelson (G), McGinnis and Dawson:

**AN ACT** Relating to revenue and taxation; amending section 84.40.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 69, Laws of 1973 and RCW 84.40.020; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 1864, by Representative Tilly:

AN ACT Relating to agricultural processing, industrial, manufacturing, and commercial development projects; and creating new sections.

To Committee on Appropriations

HOUSE BILL NO. 1865, by Representatives Tilly, Sherman, Chandler, Taylor, Sanders, Greengo and Charnley:

AN ACT Relating to punitive damages; and adding a new section chapter 4.24 RCW.

To Committee on Judiciary

HOUSE BILL NO. 1866, by Representatives O'Brien, Dunlap, North, Gallagher and Pruitt (by Executive request):

AN ACT Relating to energy facilities; adding a new section to chapter 80.50 RCW; and declaring an emergency.

To Committee on Energy and Utilities

HOUSE BILL NO. 1867, by Representatives Brown, Winsley, Salatino, Sommers, Addison, Erickson, Keller, Pruitt, McGinnis, Wilson and Grimm:

AN ACT Relating to property tax exemptions for retired persons; amending section 1, chapter 182, Laws of 1974 ex. sess. as last amended by section 1, chapter 214, Laws of 1979 ex. sess. and RCW 84.36.381; amending section 2, chapter 182, Laws of 1974 ex. sess. as last amended by section 2, chapter 214, Laws of 1979 ex. sess. and RCW 84.36.383; and adding a new section to chapter 84.36 RCW.

To Committee on Revenue

HOUSE BILL NO. 1868, by Representatives Williams, Tupper and Teutsch:

AN ACT Relating to the attorney general; and making an appropriation.

To Committee on Appropriations

HOUSE BILL NO. 1869, by Representative Keller:

AN ACT Relating to risk management; making an appropriation; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1870, by Representatives Sherman, Martinis, Bender, Becker, Walk, Keller and Charnley:

AN ACT Relating to common carriers; amending section 81.29.020, chapter 14, Laws of 1961 and RCW 81.29.020; and providing an effective date.

To Committee on Transportation

HOUSE BILL NO. 1871, by Representatives May, Hughes, Knowles, Erickson, McGinnis, Brown and Grimm:

AN ACT Relating to appropriations; adding new sections to chapter 43.88 RCW; and creating a new section.

To Committee on Appropriations

HOUSE BILL NO. 1872, by Representatives Tupper and Keller:

AN ACT Relating to planning; and adding a new chapter to Title 18 RCW.

To Committee on State Government

HOUSE BILL NO. 1873, by Representative Becker:

AN ACT Relating to parentage and child support; amending section 5, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.040; amending section 7, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.060; amending section 10, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.090; amending section 11, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.100; amending section 14, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.130; amending section 21, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.200; creating a new section; repealing section 45, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.902; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 1874, by Representatives Bond and Isaacson:

AN ACT Relating to energy facility siting.

To Committee on Rules

HOUSE BILL NO. 1875, by Representatives Dunlap, O'Brien, North, Barnes, Bender, Taller and Wilson:

AN ACT Relating to works of art for the legislative building; adding a new chapter to Title 44 RCW; and providing an expiration date.

HOUSE BILL NO. 1876, by Representatives King, Fuller, Warnke, Erak, Struthers and Monohon:

AN ACT Relating to alcoholic beverages; and adding a new section to chapter 66.28 RCW.

To Committee on Commerce

HOUSE BILL NO. 1877, by Representatives Tupper, Chandler, Williams, Nisbet, Wilson, Sprague, Dunlap and Rosbach:

AN ACT Relating to energy; amending section 10, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 41.06.078; amending section 3, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.030; amending section 4, chapter 108, Laws of 1975-'76 2nd ex. sess. as amended by section 87, chapter 99, Laws of 1979 and RCW 43.21F.040; amending section 5, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.050; amending section 6, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.060; amending section 7, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.070; amending section 15, chapter 108, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 328, Laws of 1977 ex. sess. and RCW 43.21G.010; amending section 5, chapter 10, Laws of 1965 as amended by section 11, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.300; amending section 3, chapter 45, Laws of 1970 ex. sess. as last amended by section 3, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.030; amending section 2, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.020; amending section 3, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.030; amending section 8, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.080; amending section 1, chapter 166, Laws of 1979 ex. sess. and RCW 90.03.247; repealing section 16, chapter 99, Laws of 1979 and RCW 43.131.179; and repealing section 58, chapter 99, Laws of 1979 and RCW 43.131.180.

To Committee on Energy and Utilities

HOUSE BILL NO. 1878, by Representatives Patterson, Charnley, Wilson, Amen, McDonald, Zimmerman and Owen:

AN ACT Relating to county public works projects; amending section 36.77.060, chapter 4, Laws of 1963 as amended by section 1, chapter 32, Laws of 1977 ex. sess. and RCW 36.77.060; and adding a new section to chapter 36.77 RCW.

To Committee on Local Government

HOUSE BILL NO. 1879, by Representative Kreidler:

AN ACT Relating to appropriations; amending section 14, chapter 270, Laws of 1979 ex. sess. (uncodified); and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1880, by Representatives Tupper, Nisbet, Wilson and Sprague:

AN ACT Relating to a state energy agency.

To Committee on Rules

HOUSE BILL NO. 1881, by Representatives Barnes, Heck and Chandler:

AN ACT Relating to education; and creating new sections.

To Committee on Education

HOUSE BILL NO. 1882, by Representatives Monohon, Schmitten, Heck, Erak, Thompson, Jovanovich, Lux, Scott, Bauer and Rosbach:

AN ACT Relating to the processing of timber from public lands; creating new sections; adding new sections to Title 79 RCW as a new chapter thereof; providing penalties; and declaring an emergency.

To Committee on Natural Resources

HOUSE BILL NO. 1883, by Representative Sherman:

AN ACT Relating to metropolitan municipal corporations; and making an appropriation.

To Committee on Rules

HOUSE BILL NO. 1884, by Representatives Fancher, Scott, Teutsch and Smith (C):

AN ACT Relating to the state board for community college education; and making an appropriation.

To Committee on Rules

HOUSE BILL NO. 1885, by Representatives Oliver, Struthers, Isaacson, Hastings and Sanders:

AN ACT Relating to revenue and taxation; adding a new section to chapter 80.28 RCW; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

To Committee on Revenue

HOUSE BILL NO. 1886, by Representatives Isaacson and Oliver:

AN ACT Relating to Washington public power supply system.

To Committee on Rules

HOUSE BILL NO. 1887, by Representative Adams:

AN ACT Relating to social and health services.

To Committee on Rules

HOUSE BILL NO. 1888, by Representative Becker:

AN ACT Relating to the state register; and amending section 3, chapter 240, Laws of 1977 ex. sess. and RCW 34.08.020.

To Committee on Institutions

HOUSE BILL NO. 1889, by Representative Adams:

AN ACT Relating to health.

To Committee on Rules

HOUSE BILL NO. 1890, by Representatives Isaacson, Scott, Williams, Nisbet, Sprague, Charnley, McGinnis, Sanders, Grimm, Dunlap, Wilson, Tupper and Greengo:

AN ACT Relating to energy; and adding a new section to chapter 80.01 RCW.

To Committee on Energy and Utilities

HOUSE BILL NO. 1891, by Representatives McCormick and Burns:

AN ACT Relating to the motor vehicle fuel tax; adding a new section to chapter 82.36 RCW; adding a new section to chapter 82.37 RCW; providing an effective date; providing an expiration date; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 1892, by Representative Bond:

AN ACT Relating to energy.

To Committee on Rules

HOUSE BILL NO. 1893, by Representative Eng:

AN ACT Relating to commercial banks.

To Committee on Rules

HOUSE BILL NO. 1894, by Representative Eng:

AN ACT Relating to securities.

To Committee on Rules

HOUSE BILL NO. 1895, by Representative Eng:

AN ACT Relating to mutual savings banks.

To Committee on Rules

**HOUSE BILL NO. 1896**, by Representatives Sanders, Addison, Polk, Bond, Smith (C), Nisbet, Isaacson, Barr, Tupper, Fancher, Rohrbach, Clayton, Sprague, Fuller, Rosbach, Flanagan, Hastings, Williams, Eberle, Struthers, Flint, Craswell, Dawson, Taylor, McGinnis, Wilson, Dunlap, Oliver, Schmitten, Tilly, Mitchell, Teutsch and Deccio:

**AN ACT** Relating to revenue and taxation; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 324, Laws of 1977 ex. sess. and RCW 82.08.020; and amending section 82.12.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 324, Laws of 1977 ex. sess. and RCW 82.12.020.

To Committee on Revenue

**HOUSE BILL NO. 1897**, by Representative Gallagher:

**AN ACT** Relating to sewage treatment; amending section 17, chapter 216, Laws of 1945 as amended by section 10, chapter 13, Laws of 1967 and RCW 90.48.110; amending section 2, chapter 133, Laws of 1977 ex. sess. and RCW 70.118.020; adding new sections to chapter 133, Laws of 1977 ex. sess. and to chapter 70.118 RCW; and making appropriations.

To Committee on Ecology

**HOUSE BILL NO. 1898**, by Representatives Lux and Nelson (D):

**AN ACT** Relating to migrant housing.

To Committee on Rules

**HOUSE BILL NO. 1899**, by Representative Sprague:

**AN ACT** Relating to municipal heating systems.

To Committee on Rules

**HOUSE BILL NO. 1900**, by Representative Sprague:

**AN ACT** Relating to small scale hydroelectric generation.

To Committee on Rules

**HOUSE BILL NO. 1901**, by Representatives Kreidler, Craswell and Sommers:

**AN ACT** Relating to residential property tax exemptions; and amending section 1, chapter 182, Laws of 1974 ex. sess. as last amended by section 1, chapter 214, Laws of 1979 ex. sess. and RCW 84.36.381.

To Committee on Revenue

**HOUSE BILL NO. 1902**, by Representatives Ellis and Oliver:

**AN ACT** Relating to tax exemptions for solar energy systems; amending section 1, chapter 364, Laws of 1977 ex. sess. and RCW 84.36.410; and declaring an emergency.

To Committee on Revenue

**HOUSE BILL NO. 1903**, by Representatives Zimmerman, Charnley and Keller:

**AN ACT** Relating to growth accommodation; creating new sections; making an appropriation; providing an effective date; and declaring an emergency.

To Committee on Local Government

**HOUSE BILL NO. 1904**, by Representatives Nelson (G) and Craswell:

**AN ACT** Relating to the state legislature; amending section 43.79.270, chapter 8, Laws of 1965 as amended by section 2, chapter 144, Laws of 1973 and RCW 43.79.270; adding a new chapter to Title 44 RCW; and declaring an emergency.

To Committee on Appropriations

**HOUSE BILL NO. 1905**, by Representative Nelson (G):

**AN ACT** Relating to the department of social and health services.

To Committee on Revenue

**HOUSE BILL NO. 1906**, by Representatives Ellis and Smith (R):

**AN ACT** Relating to civil procedure; amending section 1, chapter 84, Laws of 1973 and RCW 4.84.250; amending section 4, chapter 84, Laws of 1973 and RCW 4.84.280; amending section 6, chapter 84, Laws of 1973 and RCW 4.84.300; amending section 4, chapter 136, Laws of 1895 as last amended by

section 1, chapter 46, Laws of 1969 and RCW 4.56.110; adding a new section to chapter 4.56 RCW; adding a new section to chapter 4.84 RCW; providing an effective date; and declaring an emergency.

HOUSE BILL NO. 1907, by Representative Chandler:

AN ACT Relating to the dissolution of special districts; amending section 47, chapter 210, Laws of 1941 as amended by section 16, chapter 140, Laws of 1945 and RCW 56.04.090; and amending section 1, chapter 147, Laws of 1917 as amended by section 25, chapter 114, Laws of 1929 and RCW 57.04.100.

To Committee on Local Government

HOUSE BILL NO. 1908, by Representative Thompson:

AN ACT Relating to appropriations.

To Committee on Rules

HOUSE BILL NO. 1909, by Representatives Williams, Tupper and Sprague:

AN ACT Relating to energy; amending section 43.31.040, chapter 8, Laws of 1965 as last amended by section 6, chapter 70, Laws of 1977 ex. sess. and RCW 43.31.040; amending section 4, chapter 207, Laws of 1961 as amended by section 4, chapter 10, Laws of 1965 and RCW 70.98.040; amending section 2, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.020; amending section 3, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.030; adding new sections to chapter 43.41 RCW; creating a new section; repealing section 1, chapter 10, Laws of 1965 and RCW 43.31.280; repealing section 3, chapter 10, Laws of 1965 and RCW 43.31.290; repealing section 5, chapter 10, Laws of 1965, section 11, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.300; repealing section 8, chapter 10, Laws of 1965 and RCW 43.31.310; repealing section 9, chapter 10, Laws of 1965 and RCW 43.31.320; and repealing section 7, chapter 10, Laws of 1965 and RCW 43.31.330.

To Committee on Energy and Utilities

HOUSE BILL NO. 1910, by Representative Fancher:

AN ACT Relating to agriculture.

To Committee on Rules

HOUSE BILL NO. 1911, by Representative Owen:

AN ACT Relating to local government; amending section 35.21.180, chapter 7, Laws of 1965 and RCW 35.21.180; amending section 36.32.120, chapter 4, Laws of 1963 as last amended by section 35, chapter 136, Laws of 1979 ex. sess. and RCW 36.32.120; and providing an effective date.

To Committee on Local Government

HOUSE BILL NO. 1912, by Representatives Keller, Dawson, Adams, Zimmerman and Brekke:

AN ACT Relating to health care services; adding a new section to chapter 48.21 RCW; adding new sections to chapter 48.44 RCW; creating a new section; and providing an effective date.

To Committee on Insurance

HOUSE BILL NO. 1913, by Representatives Craswell and Nelson (G):

AN ACT Relating to the state legislature; adding a new chapter to Title 44 RCW; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 1914, by Representatives Barr and Valle:

AN ACT Relating to radioactive wastes.

To Committee on Rules

HOUSE BILL NO. 1915, by Representatives Smith (R) and Bauer:

AN ACT Relating to libraries.

To Committee on Rules

HOUSE BILL NO. 1916, by Representatives Hughes, Taller, Heck, May, Valle and Granlund:

AN ACT Relating to lobo wolves; creating a new section; and making an appropriation.

To Committee on Parks and Recreation

HOUSE BILL NO. 1917, by Representatives King, Fuller, Warnke, Erak and Monohon:

AN ACT Relating to gambling; reenacting and amending section 2, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 1, chapter 76, Laws of 1977 ex. sess. and by section 1, chapter 326, Laws of 1977 ex. sess. and RCW 9.46.020; and declaring an emergency.

To Committee on Commerce

HOUSE BILL NO. 1918, by Representatives Becker, Maxie, Thompson, Brekke, Nelson (D), Pruitt, Burns and Salatino:

AN ACT Relating to public assistance; making an appropriation; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1919, by Representatives Nelson (G) and Thompson:

AN ACT Relating to the University of Washington; making an appropriation for the fiscal biennium ending June 30, 1981; and declaring an emergency.

To Committee on Appropriations

HOUSE BILL NO. 1920, by Representatives Smith (R), Winsley and Galloway:

AN ACT Relating to mechanical contracting; adding a new chapter to Title 18 RCW; repealing section 11, chapter 175, Laws of 1973 1st ex. sess., section 56, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.106.110; defining crimes; and providing an effective date.

To Committee on Commerce

HOUSE BILL NO. 1921, by Representative Nisbet:

AN ACT Relating to energy conservation; adding a new section to chapter 35.92 RCW; adding a new section to chapter 54.24 RCW; adding a new section to chapter 80.28 RCW; and adding a new chapter to Title 80 RCW.

To Committee on Energy and Utilities

HOUSE BILL NO. 1922, by Representatives Grimm, Barnes, Burns, Dawson, Greengo, Maxie, Rohrbach, Bauer, Addison, Gruger, Adams, Vrooman, Chandler, Walk, Oliver, Galloway, Brekke, Nelson (D), Pruitt, Garrett, Lux, Taller, Charnley and Ehlers:

AN ACT Relating to libraries; and making an appropriation.

To Committee on Appropriations

HOUSE BILL NO. 1923, by Representatives McGinnis, Scott, Dunlap, Addison, Galloway, Sanders, Sprague, Hughes, Flanagan, Grimm, Greengo, Granlund, Nisbet, Monohon, Nelson (D), Erickson, Craswell, Sherman, Tupper, Eberle, Charnley, Isaacson, Smith (C) and Bond:

AN ACT Relating to sales and use taxation; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and creating a new section.

To Committee on Revenue

HOUSE BILL NO. 1924, by Representative Smith (R):

AN ACT Relating to judgment liens; and amending section 1, chapter 60, Laws of 1929 as amended by section 16, chapter 81, Laws of 1971 and RCW 4.56.190.

To Committee on Judiciary

HOUSE BILL NO. 1925, by Representative King:

AN ACT Relating to emergency medical services.

To Committee on Rules

HOUSE BILL NO. 1926, by Representatives Monohon, Erak, Jovanovich and Tupper:

AN ACT Relating to commercial salmon fishing; amending section 3, chapter 108, Laws of 1957 and RCW 75.12.210; and amending section 5, chapter 108, Laws of 1957 as amended by section 2, chapter 234, Laws of 1963 and RCW 75.12.230.

To Committee on Natural Resources



HOUSE BILL NO. 1927, by Representatives Smith (R), Tilly and Knowles:

AN ACT Relating to justice courts; amending section 90, chapter 299, Laws of 1961 as amended by section 15, chapter 81, Laws of 1971 and RCW 3.50.410; and adding new sections to chapter 3.66 RCW.

To Committee on Judiciary

HOUSE BILL NO. 1928, by Representatives Smith (R) and Knowles:

AN ACT Relating to eminent domain; and adding a new section to chapter 80.32 RCW.

To Committee on Judiciary

HOUSE BILL NO. 1929, by Representatives Eng, Lux and Winsley:

AN ACT Relating to credit unions.

To Committee on Rules

HOUSE BILL NO. 1930, by Representatives Sanders, Isaacson and Bond:

AN ACT Relating to slant drilling from land surfaces for oil and gas under the waters of Puget Sound; and amending section 16, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.160.

To Committee on Ecology

HOUSE BILL NO. 1931, by Representatives Tupper, Williams, Wilson, Nisbet and Sprague:

AN ACT Relating to operating agencies; and amending section 43.52.373, chapter 8, Laws of 1965 and RCW 43.52.373.

To Committee on Energy and Utilities

HOUSE BILL NO. 1932, by Representatives Valle, Charnley and Erak:

AN ACT Relating to low-head and small-scale hydroelectricity generation; creating a new section; and making an appropriation.

To Committee on Energy and Utilities

HOUSE BILL NO. 1933, by Representatives Walk, Grimm, Erickson, Brown and Ehlers:

AN ACT Relating to the taxation of improvements to single family dwellings; and amending section 3, chapter 125, Laws of 1972 ex. sess. and RCW 84.36.400.

To Committee on Revenue

HOUSE BILL NO 1934, by Representatives Van Dyken, Sommers, Rohrbach and Becker:

AN ACT Relating to retail sales and use taxation; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

To Committee on Revenue

HOUSE BILL NO. 1935, by Representatives Ellis, Smith (R) and Polk:

AN ACT Relating to revenue and taxation; amending section 82.32.180, chapter 15, Laws of 1961 as last amended by section 148, chapter 81, Laws of 1971 and RCW 82.32.180; amending section 82.32.200, chapter 15, Laws of 1961 as amended by section 83, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.32.200; and repealing section 82.32.150, chapter 15, Laws of 1961 and RCW 82.32.150.

To Committee on Revenue

HOUSE BILL NO. 1936, by Representatives Van Dyken, Becker, Scott and Kreidler:

AN ACT Relating to agricultural fairs; and amending section 3, chapter 61, Laws of 1961 and RCW 15.76.120.

To Committee on Local Government

HOUSE BILL NO. 1937, by Representative King:

AN ACT Relating to emergency medical services.

To Committee on Rules

HOUSE BILL NO. 1938, by Representative Polk:

AN ACT Relating to international business and trade.

To Committee on Rules

HOUSE BILL NO. 1939, by Representative Clayton:

AN ACT Relating to unemployment compensation.

To Committee on Rules

HOUSE BILL NO. 1940, by Representative Keller:

AN ACT Relating to mobile homes landlords and tenants; amending section 3, chapter 279, Laws of 1977 ex. sess. as amended by section 1, chapter 186, Laws of 1979 ex. sess. and RCW 59.20.030; amending section 5, chapter 279, Laws of 1977 ex. sess. as amended by section 3, chapter 186, Laws of 1979 ex. sess. and RCW 59.20.050; amending section 6, chapter 279, Laws of 1977 ex. sess. as amended by section 4, chapter 186, Laws of 1979 ex. sess. and RCW 59.20.060; amending section 8, chapter 279, Laws of 1977 ex. sess. as amended by section 6, chapter 186, Laws of 1979 ex. sess. and RCW 59.20.080; amending section 9, chapter 279, Laws of 1977 ex. sess. as amended by section 7, chapter 186, Laws of 1979 ex. sess. and RCW 59.20.090; creating a new section; and providing an effective date.

To Committee on Judiciary

HOUSE BILL NO. 1941, by Representatives Charnley, Williams, Sherman, Tupper, Lux, Becker and McGinnis (by Office of Attorney General request):

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

HOUSE BILL NO. 1942, by Representatives Valle, Nelson (D) and Galloway:

AN ACT Relating to anti-smoking programs in schools; and making an appropriation.

To Committee on Appropriations

HOUSE BILL NO. 1943, by Representatives Patterson, Zimmerman, Amen, North, Whiteside and Flanagan:

AN ACT Relating to property taxation; and amending section 84.52.052, chapter 15, Laws of 1961 as last amended by section 1, chapter 325, Laws of 1977 ex. sess. and RCW 84.52.052.

To Committee on Local Government

HOUSE BILL NO. 1944, by Representatives Burns, Ellis, Rinehart, Tupper, Charnley, Nelson (D), Brekke, Sherman and Teutsch:

AN ACT Relating to limited access roadways; and amending section 27, chapter 155, Laws of 1965 ex. sess. as amended by section 25, chapter 62, Laws of 1975 and RCW 46.61.160.

To Committee on Transportation

HOUSE BILL NO. 1945, by Representatives Williams and Thompson:

AN ACT Relating to alcoholic beverages; and amending section 27, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 66, Laws of 1974 ex. sess. and RCW 66.24.010.

HOUSE BILL NO. 1946, by Representatives Sanders, Greengo, Erickson and Sommers:

AN ACT Relating to intoxicating liquor; amending section 23-U added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 11, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.24.025; amending section 23-D added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 and RCW 66.24.140; amending section 23-A added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 and RCW 66.24.150; amending section 1, chapter 13, Laws of 1970 ex. sess. and RCW 66.24.160; amending section 23-C added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 1, chapter 172, Laws of 1939 and RCW 66.24.170; amending section 23-K added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 2, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.200; amending section 9, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.204; amending section 10, chapter 21, Laws of 1969 ex. sess. as amended by section 13, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.24.206; amending section 23-B added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 and RCW 66.24.240; amending section 23-E added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 and RCW 66.24.250; amending section 23-G added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 and RCW 66.24.260; amending section 23-F added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 14, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.24.270; amending section 24, chapter 62, Laws of 1933 ex. sess. as amended by section 30, chapter 173, Laws of 1965 ex. sess. and RCW 66.24.290; amending section 23-I added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 1, chapter 74, Laws of 1975-'76 2nd ex. sess. and RCW 66.24.310; amending section 23-M added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 1, chapter 9, Laws of 1977 ex. sess. and RCW 66.24.320; amending section 23-N added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 2, chapter 9,

Laws of 1977 ex. sess. and RCW 66.24.330; amending section 23—O added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 3, chapter 9, Laws of 1977 ex. sess. and RCW 66.24.340; amending section 23—P added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 5, chapter 75, Laws of 1967 ex. sess. and RCW 66.24.350; amending section 23—Q added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 6, chapter 75, Laws of 1967 ex. sess. and RCW 66.24.360; amending section 23—R added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 16, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.24.370; amending section 23—S added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 17, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.24.380; amending section 2, chapter 245, Laws of 1975 1st ex. sess. and RCW 66.24.395; amending section 2, chapter 13, Laws of 1970 ex. sess. as last amended by section 1, chapter 87, Laws of 1979 and RCW 66.24.420; amending section 9, chapter 178, Laws of 1969 ex. sess. as amended by section 18, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.24.500; and amending section 12, chapter 173, Laws of 1975 1st ex. sess. and RCW 66.24.510.

To Committee on Commerce

HOUSE BILL NO. 1947, by Representatives Sanders, Bond and McGinnis:

AN ACT Relating to the sales and use taxation of automobiles; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 324, Laws of 1977 ex. sess. and RCW 82.08.020; amending section 82.12.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 324, Laws of 1977 ex. sess. and RCW 82.12.020; and adding a new section to chapter 82.08 RCW.

To Committee on Revenue

HOUSE BILL NO. 1948, by Representative Polk:

AN ACT Relating to international business and trade.

To Committee on Rules

HOUSE BILL NO. 1949, by Representatives Lux, Burns and Maxie:

AN ACT Relating to the return of stolen property; amending section 51, page 84, Laws of 1854 as last amended by section 851, Code of 1881 and RCW 10.79.050; and adding new sections to chapter 10.79 RCW.

To Committee on Judiciary

HOUSE BILL NO. 1950, by Representatives Newhouse and Deccio:

AN ACT Relating to banking; and amending section 7, chapter 106, Laws of 1979 and RCW 30.40.060.

To Committee on Rules

HOUSE BILL NO. 1951, by Representative Sanders:

AN ACT Relating to hospitals and nursing homes; and adding a new section to chapter 70.38 RCW.

To Committee on Social and Health Services

HOUSE BILL NO. 1952, by Representatives Lux, Clayton, King and Heck (by Employment Security Department request):

AN ACT Relating to unemployment compensation; amending section 19, chapter 2, Laws of 1970 ex. sess. as last amended by section 2, chapter 7, Laws of 1973 2nd ex. sess. and RCW 50.04.323; amending section 22, chapter 3, Laws of 1971 as last amended by section 18, chapter 292, Laws of 1977 ex. sess. and RCW 50.44.050; amending section 80, chapter 35, Laws of 1945 as last amended by section 7, chapter 33, Laws of 1977 ex. sess. and RCW 50.20.120; amending section 8, chapter 33, Laws of 1977 ex. sess. and RCW 50.20.095; creating new sections; declaring an emergency; and making certain effective dates.

To Committee on Labor

HOUSE BILL NO. 1953, by Representatives Sanders and Isaacson:

AN ACT Relating to business and occupation tax exemptions; and adding a new section to chapter 82.04 RCW.

To Committee on Revenue

**HOUSE BILL NO. 1954, by Representative Struthers:**

**AN ACT** Relating to retail installment sales; amending section 13, chapter 236, Laws of 1963 as last amended by section 3, chapter 2, Laws of 1969 and RCW 63.14.130; and adding a new section to chapter 63.14 RCW.

To Committee on Financial Institutions

**HOUSE BILL NO. 1955, by Representatives Nelson (D), Brekke, Burns and Erak:**

**AN ACT** Relating to energy facilities; amending section 43.52.3411, chapter 8, Laws of 1965 and RCW 43.52.3411; amending section 4, chapter 159, Laws of 1967 as amended by section 4, chapter 7, Laws of 1973 1st ex. sess. and RCW 54.44.040; adding a new chapter to Title 43 RCW; and declaring an emergency.

To Committee on Energy and Utilities

**HOUSE BILL NO. 1956, by Representative Bond:**

**AN ACT** Relating to the utilities and transportation commission; amending section 43.52.450, chapter 8, Laws of 1965 as amended by section 11, chapter 184, Laws of 1977 ex. sess. and RCW 43.52.450; amending section 80.01.040, chapter 14, Laws of 1961 and RCW 80.01.040; and amending section 80.04.010, chapter 14, Laws of 1961 as last amended by section 10, chapter 191, Laws of 1979 ex. sess. and RCW 80.04.010.

To Committee on Energy and Utilities

**HOUSE BILL NO. 1957, by Representatives Nisbet, Warnke, Greengo, Oliver, May, Salatino, Bauer, Mitchell, McGinnis, Kreidler, Charnley, Ehlers, McCormick, Sherman, Scott, North, Maxie, Heck, Gruger, Erickson, Knowles, Smith (R), O'Brien and Grimm (by Select Committee on Mobile Homes request):**

**AN ACT** Relating to revenue and taxation; amending section 1, chapter 266, Laws of 1979 ex. sess. and RCW 28A.45.032; and making an appropriation.

To Committee on Revenue

**HOUSE BILL NO. 1958, by Representatives Charnley and Zimmerman:**

**AN ACT** Relating to local government; adding a new chapter to Title 36 RCW; repealing section 35.13.171, chapter 7, Laws of 1965, section 14, chapter 164, Laws of 1973 1st ex. sess. and RCW 35.13.171; repealing section 35.13.172, chapter 7, Laws of 1965, section 15, chapter 164, Laws of 1973 1st ex. sess., section 14, chapter 195, Laws of 1973 1st ex. sess. and RCW 35.13.172; repealing section 35.13.173, chapter 7, Laws of 1965, section 16, chapter 164, Laws of 1973 1st ex. sess. and RCW 35.13.173; repealing section 35.13.174, chapter 7, Laws of 1965, section 17, chapter 164, Laws of 1973 1st ex. sess. and RCW 35.13.174; repealing section 35A.14.160, chapter 119, Laws of 1967 ex. sess., section 8, chapter 251, Laws of 1971 ex. sess. and RCW 35A.14.160; repealing section 35A.14.170, chapter 119, Laws of 1967 ex. sess. and RCW 35A.14.170; repealing section 35A.14.180, chapter 119, Laws of 1967 ex. sess. and RCW 35A.14.180; repealing section 35A.14.190, chapter 119, Laws of 1967 ex. sess. and RCW 35A.14.190; repealing section 35A.14.200, chapter 119, Laws of 1967 ex. sess., section 11, chapter 251, Laws of 1971 ex. sess. and RCW 35A.14.200; repealing section 35A.14.210, chapter 119, Laws of 1967 ex. sess., section 12, chapter 251, Laws of 1971 ex. sess. and RCW 35A.14.210; repealing section 35A.14.220, chapter 119, Laws of 1967 ex. sess., section 26, chapter 195, Laws of 1973 1st ex. sess., section 27, chapter 18, Laws of 1979 ex. sess. and RCW 35A.14.220; repealing section 35A.14.230, chapter 119, Laws of 1967 ex. sess. and RCW 35A.14.230; repealing section 1, chapter 189, Laws of 1967 and RCW 36.93.010; repealing section 2, chapter 189, Laws of 1967, section 5, chapter 30, Laws of 1979 ex. sess. and RCW 36.93.020; repealing section 3, chapter 189, Laws of 1967, section 1, chapter 111, Laws of 1969 ex. sess. and RCW 36.93.030; repealing section 4, chapter 189, Laws of 1967 and RCW 36.93.040; repealing section 5, chapter 189, Laws of 1967, section 1, chapter 98, Laws of 1967 ex. sess., section 2, chapter 111, Laws of 1969 ex. sess. and RCW 36.93.050; repealing section 6, chapter 189, Laws of 1967, section 3, chapter 111, Laws of 1969 ex. sess. and RCW 36.93.060; repealing section 7, chapter 189, Laws of 1967 and RCW 36.93.070; repealing section 8, chapter 189, Laws of 1967, section 4, chapter 111, Laws of 1969 ex. sess. and RCW 36.93.080; repealing section 9, chapter 189, Laws of 1967, section 5, chapter 111, Laws of 1969 ex. sess., section 1, chapter 127, Laws of 1971 ex. sess., section 12, chapter 5, Laws of 1979 ex. sess. and RCW 36.93.090; repealing section 2, chapter 127, Laws of 1971 ex. sess. and RCW 36.93.093; repealing section 10, chapter 189, Laws of 1967 and RCW 36.93.100; repealing section 11, chapter 189, Laws of 1967, section 42, chapter 195, Laws of 1973 1st ex. sess. and RCW 36.93.110; repealing section 12, chapter 189, Laws of 1967, section 6, chapter 111, Laws of 1969 ex. sess. and RCW 36.93.120; repealing section 13, chapter 189, Laws of 1967, section 7, chapter 111, Laws of 1969 ex. sess. and RCW 36.93.130; repealing section 14, chapter 189, Laws of 1967 and RCW 36.93.140; repealing section 15, chapter 189, Laws of 1967, section 8, chapter 111, Laws of 1969 ex. sess., section 10, chapter 220, Laws of 1975 1st ex. sess., section 13, chapter 5, Laws of 1979 ex. sess. and RCW 36.93.150; repealing section 16, chapter 189, Laws of 1967, section 9, chapter 111, Laws of 1969 ex. sess., section 97, chapter 81, Laws of 1971 and RCW 36.93.160; repealing section 17, chapter 189, Laws of 1967, section 1, chapter 142, Laws of 1979 ex.

sess. and RCW 36.93.170; repealing section 18, chapter 189, Laws of 1967, section 2, chapter 142, Laws of 1979 ex. sess. and RCW 36.93.180; repealing section 19, chapter 189, Laws of 1967 and RCW 36.93.190; repealing section 20, chapter 189, Laws of 1967 and RCW 36.93.200; repealing section 21, chapter 189, Laws of 1967 and RCW 36.93.210; repealing section 22, chapter 189, Laws of 1967 and RCW 36.93.220; repealing section 24, chapter 189, Laws of 1967 and RCW 36.93.900; repealing section 23, chapter 189, Laws of 1967 and RCW 36.93.910; and repealing section 10, chapter 111, Laws of 1969 ex. sess. and RCW 36.93.920.

To Committee on Local Government

HOUSE BILL NO. 1959, by Representative Barr:

AN ACT Relating to radioactive wastes.

To Committee on Rules

HOUSE BILL NO. 1960, by Representative Charnley:

AN ACT Relating to cities and towns; and amending section 74.04.040, chapter 26, Laws of 1959 and RCW 74.04.040.

To Committee on Local Government

HOUSE BILL NO. 1961, by Representatives Zimmerman, Heck, Bauer and Galloway:

AN ACT Relating to the building code; amending section 4, chapter 96, Laws of 1974 ex. sess. as amended by section 12, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.040; and amending section 7, chapter 96, Laws of 1974 ex. sess. as amended by section 59, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 19.27.070.

To Committee on Local Government

HOUSE BILL NO. 1962, by Representative Tupper:

AN ACT Relating to energy.

To Committee on Rules

HOUSE BILL NO. 1963, by Representative Isaacson:

AN ACT Relating to solid waste disposal sites; amending section 3, chapter 207, Laws of 1961 as last amended by section 125, chapter 141, Laws of 1979 and RCW 70.98.030; adding a new section to chapter 70.98 RCW; and creating a new section.

To Committee on Ecology

HOUSE BILL NO. 1964, by Representative Martinis:

AN ACT Relating to enforcement provisions for motor freight carriers.

To Committee on Rules

HOUSE BILL NO. 1965, by Representative Sanders:

AN ACT Relating to electrical inspections; and amending section 3, chapter 325, Laws of 1959 as last amended by section 1, chapter 97, Laws of 1967 ex. sess. and RCW 19.28.360.

To Committee on Local Government

HOUSE BILL NO. 1966, by Representatives Bond and Isaacson:

AN ACT Relating to energy growth forecasting.

To Committee on Rules

HOUSE BILL NO. 1967, by Representatives Oliver and Isaacson:

AN ACT Relating to annexation; amending section 35.13.130, chapter 7, Laws of 1965 as last amended by section 8, chapter 220, Laws of 1975 1st ex. sess. and RCW 35.13.130; amending section 35.13.140, chapter 7, Laws of 1965 and RCW 35.13.140; amending section 35.13.150, chapter 7, Laws of 1965 as amended by section 9, chapter 220, Laws of 1975 1st ex. sess. and RCW 35.13.150; amending section 35A.14.120, chapter 119, Laws of 1967 ex. sess. as amended by section 8, chapter 124, Laws of 1979 ex. sess. and RCW 35A.14.120; amending section 35A.14.130, chapter 119, Laws of 1967 ex. sess. and RCW 35A.14.130; and amending section 35A.14.140, chapter 119, Laws of 1967 ex. sess. as amended by section 16, chapter 220, Laws of 1975 1st ex. sess. and RCW 35A.14.140.

To Committee on Local Government

HOUSE BILL NO. 1968, by Representatives Sommers, Dunlap, O'Brien, Taller, Greengo, Thompson, Erickson, Polk, Craswell, Nelson (G), Schmitten, Teutsch and Maxie:

AN ACT Relating to property taxes; amending section 84.36.060, chapter 15, Laws of 1961 as amended by section 5, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.060; creating a new section; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 1969, by Representatives Mitchell, Kreidler and Whiteside:

AN ACT Relating to the department of social and health services; and amending section 74.09.120, chapter 26, Laws of 1959 as last amended by section 1, chapter 213, Laws of 1975 1st ex. sess. and RCW 74.09.120.

To Committee on Social and Health Services

HOUSE BILL NO. 1970, by Representative Knowles:

AN ACT Relating to collection agencies; and amending section 1, chapter 253, Laws of 1971 ex. sess. as amended by section 81, chapter 158, Laws of 1979 and RCW 19.16.100.

To Committee on Judiciary

HOUSE BILL NO. 1971, by Representatives Chandler, Heck, Van Dyken, Hastings, Valle, McCormick, Struthers, Ellis, Addison, Knowles, Tilly and Rohrbach:

AN ACT Relating to education; amending section 28A.04.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.010; amending section 28A.04.040, chapter 223, Laws of 1969 ex. sess. as last amended by section 49, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.04.040; amending section 1, chapter 19, Laws of 1975 and RCW 28A.04.065; amending section 28A.04.070, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.070; creating new sections; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.04 RCW.

To Committee on Education

HOUSE BILL NO. 1972, by Representatives Lux, Scott, Monohon and Erak:

AN ACT Relating to self-insurers; amending section 28, chapter 289, Laws of 1971 ex. sess. as amended by section 10, chapter 323, Laws of 1977 ex. sess. and RCW 51.14.030; amending section 32, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.080; and adding new sections to chapter 51.14 RCW.

To Committee on Labor

HOUSE BILL NO. 1973, by Representatives Greengo, Nisbet, Oliver, Bauer, Gallagher, May, Salatino, Mitchell, McGinnis, Kreidler, Charnley, Ehlers, McCormick, Sherman, Bender, Scott, North, Maxie, Heck, Gruger, Erickson, Knowles, Smith (R), O'Brien and Rohrbach (by Select Committee on Mobile Homes request):

AN ACT Relating to manufactured housing; adding a new chapter to Title 65 RCW; and making an appropriation.

To Committee on Judiciary

HOUSE BILL NO. 1974, by Representatives Bond and Isaacson:

AN ACT Relating to the cost of energy to consumers.

To Committee on Rules

HOUSE BILL NO. 1975, by Representative Bond:

AN ACT Relating to energy.

To Committee on Rules

HOUSE BILL NO. 1976, by Representatives Bauer, Galloway, Heck and Zimmerman:

AN ACT Relating to pollution control; amending section 1, chapter 127, Laws of 1972 ex. sess. and RCW 43.83A.010; and amending section 5, chapter 127, Laws of 1972 ex. sess. as amended by section 1, chapter 68, Laws of 1979 and RCW 43.83A.050.

To Committee on Ecology

HOUSE BILL NO. 1977, by Representative Fancher:

AN ACT Relating to agriculture.

To Committee on Rules

HOUSE BILL NO. 1978, by Representatives Sommers, Greengo, Nisbet, Taller, O'Brien, Nelson (G) and Monohon:

AN ACT Relating to the taxation of artistic and cultural organizations.

To Committee on Rules

HOUSE BILL NO. 1979, by Representatives Scott, Heck, Zimmerman, Mitchell, Martinis, O'Brien, King, Bauer, Hughes, May, Sherman, Maxie and Grimm (by Executive request):

AN ACT Relating to disaster relief; adding a new chapter to Title 38 RCW; and making an appropriation.

To Committee on Appropriations

HOUSE BILL NO. 1980, by Representatives Hughes, May, Valle and Pruitt:

AN ACT Relating to educational employment relations; amending section 17, chapter 288, Laws of 1975 1st ex. sess. and RCW 41.59.160; creating new sections; adding new sections to chapter 288, Laws of 1975 1st ex. sess. and to chapter 41.59 RCW; and providing penalties.

To Committee on Labor

HOUSE BILL NO. 1981, by Representatives Zimmerman, Thompson and Struthers (by Office of Financial Management request):

AN ACT Relating to the jail commission; amending section 2, chapter 232, Laws of 1979 ex. sess. and RCW 70.48.260; making an appropriation; and declaring an emergency.

To Committee on Local Government

HOUSE BILL NO. 1982, by Representatives Charnley, Brekke, Winsley, Burns, Sherman, Erickson, North, McCormick, Gallagher, Brown, Kreidler, Jovanovich, Galloway, Granlund, Eng, Valle, Salatino, Becker, Monohon, May, Gruger, Ehlers, Erak and Bender:

AN ACT Relating to the taxation of inventories; amending section 2, chapter 169, Laws of 1974 ex. sess. as amended by section 8, chapter 196, Laws of 1979 ex. sess. and RCW 82.04.442; amending section 8, chapter 169, Laws of 1974 ex. sess. as amended by section 17, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.470; amending section 9, chapter 169, Laws of 1974 ex. sess. and RCW 84.40.405; adding a new section to chapter 84.36 RCW; and repealing section 3, chapter 169, Laws of 1974 ex. sess. and RCW 84.40.400.

To Committee on Revenue

HOUSE BILL NO. 1983, by Representatives Rohrbach, Houchen, McGinnis, Ellis and Zimmerman:

AN ACT Relating to insurance; amending section 27, chapter 150, Laws of 1967 and RCW 48.22.030; and amending section 3, chapter 95, Laws of 1967 ex. sess. and RCW 48.22.040.

To Committee on Insurance

HOUSE BILL NO. 1984, by Representative Chandler:

AN ACT Relating to local government; adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.32 RCW; and declaring an emergency.

To Committee on Judiciary

HOUSE BILL NO. 1985, by Representatives Sanders, Teutsch and McDonald:

AN ACT Relating to nursing home cost reimbursement.

To Committee on Rules

HOUSE BILL NO. 1986, by Representative Salatino:

AN ACT Relating to Washington commodities; and amending section 1, chapter 179, Laws of 1933 as amended by section 1, chapter 164, Laws of 1937 and RCW 39.24.020.

To Committee on Energy and Utilities

**HOUSE BILL NO. 1987**, by Representatives Greengo, Nisbet, Gallagher, May, Salatino, Bauer, Mitchell, McGinnis, Oliver, Kreidler, Erickson, Charnley, Ehlers, McCormick, Sherman, Bender, Scott, North, Maxie, Heck, Gruger, Knowles, O'Brien and Winsley (by Select Committee on Mobile Homes request):

**AN ACT** Relating to revenue and taxation; adding a new section to chapter 84.40 RCW; and making an appropriation.

To Committee on Revenue

**HOUSE BILL NO. 1988**, by Representatives King, Warnke, Nisbet, Greengo, May, Salatino, Bauer, Mitchell, McGinnis, Oliver, Erickson, Kreidler, Ehlers, McCormick, Sherman, Scott, Bender, North, Maxie, Heck, Gruger, Knowles, O'Brien and Winsley (by Select Committee on Mobile Homes request):

**AN ACT** Relating to mobile homes; amending section 2, chapter 22, Laws of 1977 ex. sess. and RCW 46.44.170; and making an appropriation.

To Committee on Judiciary

**HOUSE BILL NO. 1989**, by Representatives Warnke, May, Nisbet, Greengo, Salatino, Bauer, Mitchell, McGinnis, Kreidler, Charnley, Ehlers, McCormick, Sherman, Bender, Scott, North, Maxie, Gruger, Heck, Erickson, Knowles, Smith (R), O'Brien and Winsley (by Select Committee on Mobile Homes request):

**AN ACT** Relating to manufactured homes; adding a new chapter to Title 19 RCW; and making an appropriation.

To Committee on Commerce

**HOUSE BILL NO. 1990**, by Representatives Fancher, Smith (C), Sanders, Amen, Teutsch, Flanagan, Isaacson, Clayton, Rohrbach, Hastings and McGinnis:

**AN ACT** Relating to inheritance and gift taxes; adding a new section to chapter 15, Laws of 1961 and to chapter 83.04 RCW; and adding a new section to chapter 210, Laws of 1979 ex. sess. and to chapter 83.58 RCW.

To Committee on Revenue

**HOUSE BILL NO. 1991**, by Representatives Thompson and Nelson (G):

**AN ACT** Relating to archaeology and historic preservation; amending section 1, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.010; amending section 2, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.020; amending section 7, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.090; adding a new section to chapter 195, Laws of 1977 ex. sess. and to chapter 43.51A RCW; and making an appropriation.

To Committee on Appropriations

**HOUSE BILL NO. 1992**, by Representatives Hastings, Isaacson, Struthers and Oliver:

**AN ACT** Relating to apprentice training facilities; amending section 1, chapter 223, Laws of 1979 ex. sess. and RCW 28B.14E.010; creating a new section; making an appropriation; and declaring an emergency.

To Committee on Labor

**HOUSE BILL NO. 1993**, by Representatives Clayton and Flanagan (by Employment Security Department request):

**AN ACT** Relating to unemployment compensation; amending section 19, chapter 2, Laws of 1970 ex. sess. as last amended by section 2, chapter 7, Laws of 1973 2nd ex. sess. and RCW 50.04.323; amending section 22, chapter 3, Laws of 1971 as last amended by section 18, chapter 292, Laws of 1977 ex. sess. and RCW 50.44.050; and creating a new section.

To Committee on Labor

**HOUSE JOINT MEMORIAL NO. 27**, by Representatives Barr, Fancher, Garrett, Nisbet, Amen, Smith (C), Williams, Hastings, Owen, Martinis, Rohrbach, Sanders, McCormick and Struthers:

Requesting support for western states in securing control over certain lands within their borders.

To Committee on Natural Resources



HOUSE JOINT MEMORIAL NO. 28, by Representative Williams:

Memorializing Congress regarding energy.

To Committee on Energy and Utilities

HOUSE JOINT MEMORIAL NO. 29, by Representatives Berentson, Rohrbach, Hastings, Rosbach and Dawson:

Requesting McNeil Island for use by the state.

To Committee on Institutions

HOUSE JOINT MEMORIAL NO. 30, by Representatives Becker, Nelson (D), Burns, Pruitt, Smith (R), Rinehart, Charnley, Sherman and Brekke:

Requesting federal legislation requiring Puget Sound refineries to hook up with a pipeline, if constructed.

To Committee on Energy and Utilities

HOUSE JOINT MEMORIAL NO. 31, by Representatives Williams, Eberle, Addison, Tupper, Zimmerman, Sprague, Dunlap and Isaacson:

Requesting Congress to designate one federal agency to process complicated energy licensing applications.

To Committee on Institutions

HOUSE JOINT MEMORIAL NO. 32, by Representatives Williams, Schmitten, Nisbet and Rosbach:

Requesting the national forest service to increase its long-term wood supply.

To Committee on Natural Resources

HOUSE JOINT MEMORIAL NO. 33, by Representatives Sanders, Polk, Barr, Dunlap, Valle, Galloway and Garrett:

Requesting federal governmental support of Metro's request for waiver of secondary sewage treatment.

To Committee on Ecology

HOUSE JOINT MEMORIAL NO. 34, by Representatives Tupper and Sprague:

Requesting investor-owned utilities to consider purchasing WPPSS nuclear plants.

To Committee on Energy and Utilities

HOUSE JOINT MEMORIAL NO. 35, by Representatives Schmitten, Vrooman, Martinis, Dawson, Monohon and Erak:

Memorializing Congress to enact legislation to assist the state's fishing industry.

To Committee on Natural Resources

HOUSE JOINT MEMORIAL NO. 36, by Representatives Scott, Garrett, Dunlap and Rohrbach:

Requesting steelhead trout to be established as a national game fish.

To Committee on Natural Resources

HOUSE JOINT MEMORIAL NO. 37, by Representatives Dunlap, McCormick, Williams, Scott and Tupper:

Requesting Congress to act positively and with due haste on a regional power system.

To Committee on Energy and Utilities

HOUSE JOINT MEMORIAL NO. 38, by Representatives Sanders, Isaacson, Rohrbach and Bond:

Requesting total deregulation of natural gas in 1980.

To Committee on Energy and Utilities

HOUSE JOINT RESOLUTION NO. 42, by Representatives Nelson (D), Sherman, Charnley and McCormick:

Authorizing the state to loan money for energy conservation purposes.

To Committee on Revenue

HOUSE JOINT RESOLUTION NO. 43, by Representative Bond:

Authorizing revisions to legislators' mileage reimbursement rates.

To Committee on State Government

HOUSE CONCURRENT RESOLUTION NO. 26, by Representatives Zimmerman, Greengo, Charnley, Van Dyken and Nelson (D):

Establishing a select committee to study and assist on problems relating to urban sprawl.

To Committee on Local Government

HOUSE CONCURRENT RESOLUTION NO. 27, by Representatives Thompson, Chandler and Heck:

Requesting cooperation of school districts of state with superintendent of public instruction in achieving a statewide system of cooperative school bus maintenance facilities.

To Committee on Education

HOUSE CONCURRENT RESOLUTION NO. 28, by Representatives Chandler, Heck and Taylor:

Recognizing the value of our student leaders.

To Committee on Education

HOUSE CONCURRENT RESOLUTION NO. 29, by Representatives Heck, Galloway, Bauer, Zimmerman, Barnes and Grimm:

Providing for a joint legislative committee to consult with like members from other states on higher education reciprocity programs.

To Committee on Higher Education

HOUSE CONCURRENT RESOLUTION NO. 30, by Representatives Addison, McCormick, Bender, Tupper, Sprague, Scott, Williams, Nisbet, Monohon and Taller:

Requesting speedy construction of addition to Ross Dam.

To Committee on Energy and Utilities

HOUSE CONCURRENT RESOLUTION NO. 31, by Representatives Heck, Brekke, McCormick, Gallagher, Warnke, Charnley, Bender, Garrett, Bauer and North:

Creating an ad hoc task force to study educational issues.

To Committee on Education

HOUSE CONCURRENT RESOLUTION NO. 32, by Representative Polk:

Providing for the international trade and business policy for the state of Washington.

To Committee on Natural Resources

#### MOTION

On motion of Mr. King, all bills listed on today's agenda under the fourth order of business were referred to the committees designated.

#### REPORT OF STANDING COMMITTEE

January 17, 1980

HOUSE BILL NO. 1515, Prime Sponsor: Representative Kreidler, revising requirements for health care planning. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Brekke, Flint, Kreidler, Lux, May, Mitchell, Pruitt, Schmitt, Stratton, Teutsch.

Passed to Committee on Rules for second reading.

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

#### MOTIONS

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

On motion of Mr. King, HOUSE BILL NO. 242 was rereferred from Committee on Rules to Committee on Judiciary.

On motion of Mr. King, HOUSE BILL NO. 1762 was rereferred from Committee on Judiciary to Committee on Local Government.

On motion of Mr. King, HOUSE BILL NO. 1820 was rereferred from Committee on Transportation to Committee on Insurance.

#### RESOLUTION

HOUSE RESOLUTION NO. 80-124, by Representatives Smith (R), Ellis, Knowles, Becker, Burns, Ehlers, Galloway, Granlund, Gruger, Kreidler, Lux, Rinehart, Salatino, Sommers and Valle:

WHEREAS, The people of the State of Washington and the nation today are deeply grieved by, and mourn the loss of, a truly outstanding citizen, William O. Douglas; and

WHEREAS, The President of this United States, Jimmy Carter, speaks with the voice of all of us in stating "Individual freedom in this country had no mightier champion"; and

WHEREAS, Justice Douglas' boyhood in Yakima, roaming the surrounding hills, his graduation from Whitman College at Walla Walla, and his all-seasons' home in Goose Prairie, in the midst of the Cascades which he loved so well, demonstrated his mighty and unceasing love for and desire to maintain the beauty of his beloved state of Washington; and

WHEREAS, William O. Douglas has demonstrated throughout his lifetime an ongoing commitment to the acquisition, preservation and enhancement of our nation's wilderness areas so that future generations of Americans would have the opportunity to experience and enjoy the physical and spiritual ambience of America's out-of-doors; and

WHEREAS, His stature on the Supreme Court of this United States, where he served longer than any other person, having sat with more than one third of all those appointed to our highest court in the land, is exemplified by the note his fellow jurists sent upon his retirement, stating that even then the court continued to recognize his knowledge and experience as a unique resource for said court to rely upon; and

WHEREAS, All who worked with Justice Douglas could agree with his fellow Justice, William Brennan, Jr., who said of Douglas "the only true genius I have ever known"; and

WHEREAS, Our Nation shall benefit not only from the concise and learned legal pronouncements found throughout the nation's lawbooks, but will have at hand forever his forthright opinions on freedom of expression, the right of privacy, and the necessity of conservation, buttressed by his love of the great Northwest, through his authorship of no less than twenty-one books; and

WHEREAS, William O. Douglas throughout his life fought for the free and unfettered dissemination of ideas, in the belief that the freedom to speak one's mind was the hallmark of American liberty and democracy and that, in his words "The First Amendment says 'Congress shall pass no law abridging freedom of speech or press' and I take it to mean what it says"; and

WHEREAS, Justice Douglas feared no controversy and fought consistently to make the halls of justice throughout America equally accessible to all people regardless of their economic status or how unpopular their cause might be; and

WHEREAS, All of Washington reveres the courage, capacity and accomplishments of one of our truly great citizens;

NOW, THEREFORE, BE IT RESOLVED, By this House of Representatives, That to Mrs. Douglas and the other members of the family, we send our sincere condolences; we know these words are inadequate to honor one whose use of words was an art itself; your loss we feel because Justice Douglas, in his books, in his orations, in his actions as a person, let us know how great was his love of life; whether it be on our coastal shoreline, the rolling hills of the Yakima Valley, along the streams in the Olympics or Cascades, in the mighty halls of justice in Washington D.C., traveling in the forgotten hinterlands of the world, or comingling with the powerful leaders of this country or others, Justice Douglas was at ease and enjoying it; no man can leave a greater heritage;

BE IT FURTHER RESOLVED, That the Chief Clerks of this House shall send to Mrs. Douglas, the immediate members of his family, and the United States Supreme Court, copies of this House Resolution

On motion of Mr. Smith (R), the resolution was adopted.

#### MOTIONS

Speaker Bagnariol moved that the Rules Committee be relieved of HOUSE BILL NO. 675, and the bill be placed at the top of today's second reading calendar.

Speaker Berentson moved the motion be amended, and the bill be rereferred to Committee on Ecology.

Speaker Berentson and Mr. Barr spoke in favor of the motion, and Speaker Bagnariol spoke against it.

#### POINT OF INQUIRY

Ms. Valle yielded to question by Mr. King.

Mr. King: "Representative Valle, in lieu of the hearings your committee has had on this bill and in lieu of the fact that we have approved the bill, to move it from committee by floor vote, and in view of the fact that over half of the members of this body attended a two-day seminar in the Tri-City area on nuclear waste storage, in your opinion do you feel there is any need for the Ecology Committee to continue to consider this matter or should we, as a group, address it?"

Ms. Valle: "I do not feel the Ecology Committee should consider House Bill No. 675 again. We had two extremely extensive hearings. They were held during the evening and had people, on both occasions, from out of state from the federal government as well as state officials. I'll put a list of those people who testified on everyone's desks tomorrow, so you can see. I'd like to simply point out that the bill we are..."

#### POINT OF ORDER

Mr. Polk: "Representative Valle answered the question and is now starting out a speech pointing out other things about the bill, Mr. Speaker."

The Speaker (Mr. O'Brien presiding): "Representative Valle, the question is whether or not the Ecology Committee needed additional meetings or hearings on the bill, and I think you are answering that question, aren't you?"

Ms. Valle: "Mr. Speaker, in view of extensive conference we had in Hanford and in view of the two extensive hearings we have had in the Ecology Committee; in view of the vote here, 58 votes in favor of bringing back the bill from the Committee on Ecology, I do not think the Ecology Committee needs to reconsider House Bill No. 675."

Representatives Tupper and Isaacson spoke in favor of the motion, and Ms. Becker spoke against it.

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

The motion to rerefer House Bill No. 675 to Committee on Ecology was lost.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Speaker Bagnariol that the Committee on Rules be relieved of House Bill No. 675, and the bill be placed at the top of today's second reading calendar.

Speaker Bagnariol spoke in favor of the motion, and Speaker Berentson spoke against it.

#### POINT OF ORDER

Mr. King: "The speaker is speaking to the issue rather than the motion to relieve the committee of the bill."

#### SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "Reed's Rule 120, 'Motion to Commit — Debate and Amendment. The motion to commit is debatable, but the merits of the main question are not open to discussion on this motion, since that discussion will be in order when the committee reports.' I would say that the Speaker has been rather tolerant in the remarks on both sides and I would ask you to remember that. Go ahead, Speaker Berentson."

Speaker Berentson concluded his remarks in opposition to the motion.

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

Mr. Newhouse spoke against the motion, and Ms. Becker spoke in favor of it.

Mr. Polk spoke against the motion.

#### POINT OF ORDER

Mr. King: "The speaker is referring to another member of the House in his remarks and that kind of conduct is clearly out of order."

Mr. Polk: "It's not often I refer to any other member in a positive sense and how good their remarks are, and in this case, because of your remarks, I had such high regard for them, I thought I should recall them to the body."

The Speaker (Mr. O'Brien presiding): "I appreciate your feelings, but I don't think it's timely that you pick this time to compliment me on my remarks."

Mr. Polk: "You don't even know what remarks I was going to quote."

The Speaker (Mr. O'Brien): "I don't want to take a chance with you, Representative Polk. Adhere to the question on hand please."

Mr. Polk concluded his remarks against the motion.

Mr. King demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion to relieve the Rules Committee of House Bill No. 675, and place it on today's third reading calendar, and the motion was lost by the following vote: Yeas, 47; nays, 48; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Houchen, Stratton, Vrooman.

#### MOTION

On motion of Mr. King, the House adjourned until 9:30 a.m., Wednesday, January 23, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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

## TENTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 23, 1980

The House was called to order at 9:30 a.m. by Speaker Berentson. The Clerk called the roll and all members were present except Representative Stratton, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Roi Lynn Munsey and Shelly Barnett. Prayer was offered by The Reverend Paul Beeman of the United First Methodist Church of Olympia.

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

### MESSAGE FROM THE SENATE

January 22, 1980

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3181,  
SUBSTITUTE SENATE BILL NO. 3184,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

### INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 3181, by Senators Gaspard, Rasmussen, Wojahn and Lee:

Modifying the solar energy system tax exemption.

To Committee on Revenue

SUBSTITUTE SENATE BILL NO. 3184, by Committee on Agriculture (originally sponsored by Senators Hansen and Talmadge):

Authorizing Kittitas County to purchase and convey lands known as the Liberty townsite.

To Committee on Local Government

### REPORTS OF STANDING COMMITTEES

January 21, 1980

HOUSE BILL NO. 540, Prime Sponsor: Representative Ehlers, providing deduction from business and occupation tax, and exemptions from sales and use taxes for nonprofit organizations, bazaars or rummage sales. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Brown, Erickson, Flanagan, Galloway, Granlund, Greengo, Hastings, Nelson (D), Sanders, Winsley.

Passed to Committee on Rules for second reading.

January 21, 1980

HOUSE BILL NO. 819, Prime Sponsor: Representative Bond, allowing sales tax refunds for the return of partial amounts of a bulk commodity. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Brown, Flanagan, Galloway, Granlund, Greengo, Hastings, Nelson (D), Rinehart, Sanders.

Passed to Committee on Rules for second reading.

January 21, 1980

HOUSE BILL NO. 1419, Prime Sponsor: Representative Scott, encouraging the use of renewable energy resources by gas and electric companies. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives McCormick, Co-Chairwoman; Charnley, Dunlap, Grimm, Isaacson, Nelson (D), Nisbet, Scott, Sherman, Sprague, Tupper, Wilson.

## MOTION

On motion of Mr. Polk, House Bill No. 1419 was rereferred to Committee on Revenue.

January 21, 1980

HOUSE BILL NO. 1420, Prime Sponsor: Representative Nelson (D), exempting energy conservation materials from the sales and use tax. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McCormick, Co-Chairwoman; Charnley, Grimm, Isaacson, Nelson (D), Nisbet, Scott, Sherman, Sprague, Tupper, Williams, Wilson.

## MOTION

On motion of Mr. Polk, House Bill No. 1420 was rereferred to Committee on Revenue.

January 22, 1980

HOUSE BILL NO. 1430, Prime Sponsor: Representative Whiteside, authorizing compensation for county planning commission and board of adjustment members. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Chandler, Garrett, North, Rohrbach, Rosbach, Teutsch, Van Dyken, Whiteside.

Passed to Committee on Rules for second reading.

January 21, 1980

HOUSE BILL NO. 1471, Prime Sponsor: Representative Keller, revising laws relating to insurance. Reported by Committee on Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rohrbach, Executive Chairman; Keller, Co-Chairman; Adams, Dawson, Erak, Garrett, McGinnis, Smith (R).

Passed to Committee on Rules for second reading.

January 21, 1980

HOUSE BILL NO. 1493, Prime Sponsor: Representative Erickson, exempting heat pump systems from property taxation. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives McCormick, Co-Chairwoman; Charnley, Nelson (D), Nisbet, Scott, Sherman, Sprague, Williams, Wilson.

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

## MOTION

On motion of Mr. Polk, House Bill No. 1493 was rereferred to Committee on Revenue.

January 21, 1980

HOUSE BILL NO. 1519, Prime Sponsor: Representative Adams, granting DSHS investigative personnel access to the central registry of child protective services. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:  
On page 1, line 24 after "persons, or" strike "otherwise associated with" and insert "under contract to or employed by"

On page 1, line 28-29, strike "and other licensed child placement agency personnel"

Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Brekke, Flint, Kreidler, Lux, May, Mitchell, Pruitt, Schmitt, Teutsch.

Passed to Committee on Rules for second reading.

January 21, 1980

HOUSE BILL NO. 1521, Prime Sponsor: Representative Whiteside, regulating transfers of property by persons seeking eligibility for public assistance. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Brekke, Flint, Kreidler, Lux, May, Mitchell, Pruitt, Schmitten, Teutsch.

Passed to Committee on Rules for second reading.

January 21, 1980

HOUSE BILL NO. 1546, Prime Sponsor: Representative Nisbet, modifying the solar energy system property tax exemption. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McCormick, Co-Chairwoman; Charnley, Grimm, Nelson (D), Nisbet, Sherman, Sprague, Williams, Wilson.

MINORITY recommendation: That the substitute bill do not pass. Signed by Representatives Dunlap, Isaacson, Tupper.

## MOTION

On motion of Mr. Polk, House Bill No. 1546 was rereferred to Committee on Revenue.

January 21, 1980

HOUSE JOINT MEMORIAL NO. 24, Prime Sponsor: Representative Scott, requesting federal help in promoting use of wood to relieve energy shortage. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives McCormick, Co-Chairwoman; Charnley, Dunlap, Grimm, Nelson (D), Nisbet, Scott, Sherman, Sprague, Tupper, Wilson.

Passed to Committee on Rules for second reading.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 10, by Committee on Revenue (originally sponsored by Representatives Winsley, Erickson, Sommers, Barr, Craswell, Fuller, Whiteside and Fancher):

Raising the property tax delinquency interest rate and shortening delinquency payment period.

The bill was read the second time.

On motion of Ms. Craswell, Second Substitute House Bill No. 10 was substituted for Substitute House Bill No. 10, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 10 was read the second time.

## MOTION

On motion of Mr. Polk, further consideration of Second Substitute House Bill No. 10 was deferred and the bill was ordered placed at the bottom of today's second reading calendar.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 240, by Committee on Revenue (originally sponsored by Representatives Sommers, Newhouse, Warnke, Flanagan, Erickson, Winsley, Bond and Sanders):

Making real estate excise tax a state tax.

The bill was read the second time.

On motion of Ms. Sommers, Second Substitute House Bill No. 240 was substituted for Engrossed Substitute House Bill No. 240, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 240 was read the second time.



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

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 240, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

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

Not voting: Representatives Kreidler, Smith R., Stratton.

Second Substitute House Bill No. 240, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 299**, by Committee on Revenue (originally sponsored by Representatives Nelson, G. and Sommers):

Modifying the 106% levy lid calculation.

The bill was read the second time.

On motion of Ms. Craswell, Second Substitute House Bill No. 299 was substituted for Substitute House Bill No. 299, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 299 was read the second time.

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

Mr. Nelson (G) spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 299, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

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

Voting nay: Representatives Gallagher, Tilly.

Not voting: Representatives Becker, Kreidler, Stratton.

Second Substitute House Bill No. 299, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 1016**, by Representatives Newhouse and Sommers:

Dividing sales and use exemption subsections into separate sections.

The bill was read the second time.

On motion of Ms. Craswell, Substitute House Bill No. 1016 was substituted for House Bill No. 1016, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1016 was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1016 was placed on final passage.

Mr. Newhouse spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1016, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

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

Not voting: Representatives Becker, Kreidler, Stratton.

Substitute House Bill No. 1016, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 1210**, by Committee on Education (originally sponsored by Representatives Galloway, Whiteside, Vrooman, Erickson, Van Dyken and Zimmerman):

Authorizing certain exceptions relating to second class school districts respecting beneficial interests in contracts.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendment, see Journal, 8th Day, January 21, 1980.)

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

The bill was ordered engrossed.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1210 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1210, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

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

Not voting: Representatives Becker, Deccio, Kreidler, Stratton.

Engrossed Substitute House Bill No. 1210, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 1410**, by Representatives Sommers and Greengo:

Modifying taxation of gambling devices.

The bill was read the second time.

Committee on Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, 8th Day, January 21, 1980)

On motion of Ms. Sommers, the committee amendments were adopted.

The bill was ordered engrossed.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1410 was placed on final passage.

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

#### POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Representative Sommers, why are the claw machines and other machines excepted from this tax?"

Ms. Sommers: "Representative Zimmerman, this language was drafted for us by the Gambling Commission attorneys and it's supposed to be consistent with the federal law. We are not making a change in policy; it's simply more of a technical decision with regard to revenue. This is the language which was presented to us."

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1410, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Sanders, Stratton.

Engrossed House Bill No. 1410, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

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

On motion of Mr. Polk, HOUSE BILL NO. 1405 was rereferred from Committee on State Government to Committee on Natural Resources.

On motion of Mr. Polk, HOUSE BILL NO. 1651 was rereferred from Committee on Social and Health Services to Committee on Revenue.

On motion of Mr. Polk, HOUSE BILL NO. 1794 was rereferred from Committee on Rules to Committee on Institutions.

On motion of Mr. Polk, HOUSE BILL NO. 1807 was referred to Committee on Transportation.

On motion of Mr. Polk, HOUSE BILL NO. 1848 was referred to Committee on Revenue.

On motion of Mr. Polk, HOUSE BILL NO. 1906 was referred to Committee on Judiciary.

On motion of Mr. Polk, HOUSE BILL NO. 1936 was rereferred from Committee on Local Government to Committee on Agriculture.

#### RESOLUTION

HOUSE RESOLUTION NO. 80-125, by Representatives Bagnariol and Lux:

WHEREAS, William O. Douglas has demonstrated throughout his lifetime an ongoing commitment to the acquisition, preservation and enhancement of our nation's wilderness areas so that future generations of Americans would have the opportunity to experience and enjoy the physical and spiritual beauty of America's out-of-doors; and

WHEREAS, Justice William O. Douglas lived and roamed the Goose Prairie area, in midst of the Cascades, the Cougar Lakes and the Goat Rocks; and

WHEREAS, The Cougar Lakes is an area of enormous natural beauty which includes high mountains and meadows dotted with lakes; and

WHEREAS, The Cougar Lakes area symbolizes what we value in Washington State and helped to shape the values and spirit of William O. Douglas; and

WHEREAS, Justice Douglas, a dedicated conservationist, has fought for 20 years for the preservation of the Cougar Lakes area;

WHEREAS, HR 4528, the Cougar Lakes Wilderness Act, with the bipartisan sponsorship of Representatives Mike Lowry and Joel Pritchard, is now pending before the Congress;  
 NOW, THEREFORE, BE IT RESOLVED, That this House of Representatives urge the Congress of the United States enact the Cougar Lakes Wilderness Act as a living memorial to Justice William O. Douglas;

BE IT FURTHER RESOLVED, That the Cougar Lakes Wilderness be designated as the "William O. Douglas Memorial Wilderness Area;"

AND BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted to the members of the House and the Senate Interiors Committees and members of the Washington State's Congressional delegation.

Mr. Schmitt moved adoption of the following amendment to the resolution:

On line 13 following "area;" strike all language through and including "Congress;" on line 16

Mr. Schmitt spoke in favor of the amendment, and Speaker Bagnariol spoke against it.

Mr. Newhouse spoke in favor of the amendment.

Speaker Bagnariol withdrew his objections to the amendment.

The amendment was adopted.

On motion of Mr. Schmitt the following amendments were adopted:

On line 18 following "United States" insert "to"

On line 18 following "enact" strike "the" and insert "a"

On line 23 following "House" strike "and Senate Interior Committees" and insert "Interior and Insular Affairs Committee and the Senate Energy and Natural Resources Committee"

On line 24 following "Washington" strike "State's" and insert "State"

Speaker Bagnariol spoke in favor of the resolution as amended.

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

#### MOTIONS

On motion of Mr. Polk, HOUSE BILL NO. 1593 was rereferred from Committee on Judiciary to Committee on Transportation.

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

Speaker Berentson called on Mr. Amen to preside.

#### SECOND READING

HOUSE BILL NO. 1417, by Representatives Winsley, Newhouse, Knowles and Ellis (by Judicial Council request):

Providing for sentencing after appeals from police court.

The bill was read the second time.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and House Bill No. 1417 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1417, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Stratton.

House Bill No. 1417, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1418, by Representatives Newhouse, Smith (R), Knowles and Ellis (by Judicial Council request):

Modifying the laws governing traffic infractions.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 8th Day, January 21, 1980.)

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

The bill was ordered engrossed.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1418 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1418, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Stratton.

Engrossed House Bill No. 1418, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1431, by Representatives Heck, Chandler, Bauer, Taylor and Galloway:

Removing duty of educational service district superintendent to examine certain records and check certain accounts.

The bill was read the second time.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and House Bill No. 1431 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1431, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Stratton.

House Bill No. 1431, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1449, by Representatives Heck and Chandler (by Superintendent of Public Instruction request):

Providing for receipt of certain ballots if not postmarked when received.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 8th Day, January 21, 1980.)

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

The bill was ordered engrossed.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1449 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1449, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Stratton.

Engrossed House Bill No. 1449, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1454, by Representatives Keller, Zimmerman, Rosbach, Brown, Vrooman and Charnley:

Authorizing investments of county funds.

The bill was read the second time.

On motion of Mr. Charnley, Substitute House Bill No. 1454 was substituted for House Bill No. 1454, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1454 was read the second time.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1454 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1454, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Amen, Stratton.

Substitute House Bill No. 1454, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1463, by Representatives Bauer, Heck, Zimmerman, Galloway, Grimm, Maxie, Walk, Ehlers, Taylor and Tupper:

Authorizing waiver of mandatory attendance law for certain students excused for purposes agreed to by school authorities.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendment, see Journal, 8th Day, January 21, 1980.)

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

House Bill No. 1463 was ordered engrossed.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1463 was placed on final passage.

Representatives Bauer, Taylor, Chandler, Ehlers, Greengo and Zimmerman spoke in favor of passage of the bill.

Mr. Taylor spoke again in favor of the bill, and Mr. Heck also spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1463, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

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

Voting nay: Representative Dawson.

Not voting: Representative Stratton.

Engrossed House Bill No. 1463, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Speaker Berentson resumed the Chair.

#### SECOND SUBSTITUTE HOUSE BILL NO. 10:

The House resumed consideration of the bill on second reading.

On motion of Mr. Zimmerman, the following amendments by Representatives Charnley and Zimmerman were adopted:

On page 2, line 5 after "his" insert "or her"

On page 3, line 22 after "legislative" strike "body" and insert "authority"

On page 4, line 3 strike "commissioners" and insert "((commissioners)) legislative authority"

On page 6, line 14 strike "board of county commissioners" and insert "((board of county commissioners)) county legislative authority"

On page 6, line 15 after "members of the" strike "board" and insert "((board)) legislative authority"

On page 6, line 17 strike "board" and insert "((board)) legislative authority"

On page 6, line 29 strike "said board" and insert "((said board)) the county legislative authority"

On page 7, line 8 strike "board of county commissioners" and insert "((board of county commissioners)) county legislative authority"

On page 7, beginning on line 10 strike "board of county commissioners" and insert "county legislative authority"

On page 8, line 13 strike "said board" and insert "((said board)) the county legislative authority"

On page 8, beginning on line 19, strike "said board" and insert "((said board)) the county legislative authority"

On page 8, line 22 strike "board" and insert "((board)) county legislative authority"

The bill was ordered engrossed.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Engrossed Second Substitute House Bill No. 10 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 10, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett,

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

Voting nay: Representatives Bauer, Sprague, Warnke.

Not voting: Representative Stratton.

Engrossed Second Substitute House Bill No. 10, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 714, by Representatives Vrooman, Schmitten, Martinis and Wilson:

Regulating the taking of crabs.

The bill was read the second time.

On motion of Mr. Vrooman, Substitute House Bill No. 714 was substituted for House Bill No. 714, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 714 was read the second time.

On motion of Mr. Vrooman, the following amendments by Representatives Vrooman and Schmitten were adopted:

On page 2, line 12 strike "1980" and insert "1981"

On page 2, line 30 strike "1981" and insert "1982"

The bill was ordered engrossed.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 714 was placed on final passage.

Representatives Vrooman and Schmitten spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 714, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

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

Voting nay: Representative Salatino.

Not voting: Representatives Charnley, Stratton.

Engrossed Substitute House Bill No. 714, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT RESOLUTION NO. 37, by Representatives Newhouse, Knowles, Smith (R) and Ellis:

Establishing a judicial performance and disciplinary commission.

The resolution was read the second time.

On motion of Mr. Newhouse, Substitute House Joint Resolution No. 37 was substituted for House Joint Resolution No. 37, and the substitute resolution was placed on the calendar for second reading.

Substitute House Joint Resolution No. 37 was read the second time.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Substitute House Joint Resolution No. 37 was placed on final passage.

Mr. Newhouse spoke in favor of passage of the resolution.



## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Joint Resolution No. 37, and the resolution passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Erickson, Stratton.

Substitute House Joint Resolution No. 37, having received the constitutional majority, was declared passed.

## THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 312, by Committee on Commerce (originally sponsored by Representative Nelson, G.):

Revising the laws regulating engineers and land surveyors.

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

Representatives Nelson (G) and Ehlers spoke in favor of the bill, and Mr. Eberle spoke against it.

## POINT OF INQUIRY

Mr. Greengo yielded to question by Mr. Barnes.

Mr. Barnes: "Representative Greengo, I'm a graduate geophysical engineer. I'm not operating on my own as a geophysical engineer in a consulting capacity or whatever. If I were prepared to do so, could I become registered under this law?"

Mr. Greengo: "Representative Barnes, the present provision of the law is that the Department of Licensing would offer a test in any branch of engineering in which that branch is taught and a degree is offered at some school in the state of Washington. However, if it is not taught, they don't offer the test, so I think the answer to your question is no, you cannot get a license in this state because I don't think it's offered at any school in this state."

Mr. Barnes spoke against passage of the bill, and Mr. Nelson (G) spoke again in favor of it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 312, and the bill passed the House by the following vote: Yeas, 75; nays, 22; not voting, 1.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Deccio, Dunlap, Ehlers, Ellis, Erak, Erickson, Flint, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Hughes, Isaacson, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, Mitchell, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Addison, Barnes, Barr, Bond, Clayton, Dawson, Eberle, Eng, Fancher, Flanagan, Fuller, Hastings, Houchen, Jovanovich, Martinis, McGinnis, Monohon, Owen, Rohrbach, Smith C. P., Van Dyken, Wilson.

Not voting: Representative Stratton.

Engrossed Substitute House Bill No. 312, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND SUBSTITUTE HOUSE BILL NO. 1000, by Committee on Revenue (originally sponsored by Representatives Oliver, McCormick, Nelson (D), Amen, Sanders, Haley, Barr, Clayton and Fuller):

Granting a temporary tax exemption for sales and use of alcohol in gasohol and related production facilities.

The bill was read the third time.

On motion of Mr. Polk, the rules were suspended, and Second Substitute House Bill No. 1000 was returned to second reading for the purpose of amendment.

On motion of Mr. Oliver, the following amendments by Representatives Oliver and Polk were adopted:

On page 1, beginning on line 7 strike all of section 1 and insert:

"Section 1. Section 13, chapter 196, Laws of 1979 1st ex. sess. and RCW 82.04.325 are each amended to read as follows:

The tax imposed by RCW 82.04.270(1) does not apply to any person who manufactures alcohol with respect to sales of said alcohol to be used in the production of gasohol for use as motor vehicle fuel, nor with respect to sales of gasohol for use as motor vehicle fuel. As used in this section, 'motor vehicle fuel' has the meaning given in RCW 82.36.010(2), and 'gasohol' means motor vehicle fuel which contains more than nine and one-half percent alcohol by volume."

On page 3, line 25 after "the" strike "primary"

On page 3, line 32 after "property" strike "and the land upon which such property is located"

On page 3, line 34 after "the" strike "primary"

On page 4, beginning on line 2 strike all of section 4 and insert:

"NEW SECTION. Sec. 4. Section 3, RCW 82.04.325 and subsection (12) of RCW 82.29A.130 as added to that section by this 1980 act shall expire on December 31, 1986."

On page 1, line 1 of the title after "taxation;" strike everything through "RCW" on line 3 and insert "amending section 13, chapter 196, Laws of 1979 1st ex. sess. and RCW 82.04.325; amending section 13, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 82.29A.130"

The bill was ordered engrossed.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed Second Substitute House Bill No. 1000 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1000, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Stratton.

Engrossed Second Substitute House Bill No. 1000, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Polk, the House adjourned until 9:30 a.m., Thursday, January 24, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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

**ELEVENTH DAY****MORNING SESSION**

House Chamber, Olympia, Wash., Thursday, January 24, 1980

The House was called to order at 9:30 a.m. by the Speaker (Mr. Bauer presiding). The Clerk called the roll and all members were present except Representatives Adams and Stratton, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Roxanne Cope and Shari Bade. Prayer was offered by The Reverend Paul Beeman of the First United Methodist Church of Olympia.

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

**REPORTS OF STANDING COMMITTEES**

January 23, 1980

HOUSE BILL NO. 21, Prime Sponsor: Representative Taller, creating more opportunities for part-time state employment. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on State Government.

January 23, 1980

HOUSE BILL NO. 31, Prime Sponsor: Representative Ehlers, requiring the legislature to pay the department of general administration for use of buildings and services. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on State Government.

January 23, 1980

SUBSTITUTE HOUSE BILL NO. 200, Prime Sponsor: Representative Erickson, expanding real estate excise tax to include used mobile homes. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Revenue.

January 23, 1980

HOUSE BILL NO. 266, Prime Sponsor: Representative Newhouse, exempting railroad companies from liability for injuries to trespassers on the railroad tracks. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Judiciary.

January 23, 1980

HOUSE BILL NO. 432, Prime Sponsor: Representative Valle, modifying the law on air pollution. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Ecology.

January 23, 1980

HOUSE BILL NO. 531, Prime Sponsor: Representative Hughes, providing a pilot litter control program. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Ecology.

January 23, 1980

HOUSE BILL NO. 584, Prime Sponsor: Representative Polk, mandating school districts and educational service districts to buy their liability insurance through the risk management office in the department of general administration. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Insurance.

January 22, 1980

HOUSE BILL NO. 770, Prime Sponsor: Representative Ehlers, transferring the powers and duties of the corporation division of the secretary of state to the department of licensing. Reported by Committee on State Government.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ehlers, Co-Chairman; Taller, Co-Chairman; Burns, Flint, Greengo, Jovanovich, McGinnis, O'Brien, Pruitt, Salatino, Tupper, Walk.

January 23, 1980

**SUBSTITUTE HOUSE BILL NO. 864,** Prime Sponsor: Representative Fancher, authorizing restrictions on the movement of cattle. Reported by Committee on Rules.

**MAJORITY recommendation:** Rerefer to Committee on Agriculture.

January 22, 1980

**HOUSE BILL NO. 1427,** Prime Sponsor: Representative Martinis, increasing the municipal public transit motor vehicle excise tax authorization. Reported by Committee on Transportation.

**MAJORITY recommendation:** Do pass. Signed by Representatives Wilson, Co-Chairman; Martinis, Co-Chairman; Bender, Burns, Charnley, Clayton, Dawson, Erak, Gallagher, Garrett, Isaacson, McCormick, Sherman, Smith (C), Sprague, Struthers, Walk.

January 22, 1980

**HOUSE BILL NO. 1445,** Prime Sponsor: Representative Erickson, reconstituting the Public Disclosure Commission. Reported by Committee on Constitution, Elections and Governmental Ethics.

**MAJORITY recommendation:** Do pass with the following amendment:

On page 3, line 24 after "section," strike the remainder of the section and insert "a commissioner pro tempore shall serve in the member's place. The members of the commission shall appoint, by majority vote, the commissioner pro tempore. The person appointed shall serve a three-year term. The first commissioner pro tempore shall be appointed by July 1, 1980. The commissioner pro tempore shall meet all qualifications required of a commission member and shall receive the same expenses and compensation as provided in RCW 42.17.350."

Signed by Representatives Oliver, Executive Chairman; Erickson, Co-Chairwoman; Barnes, Eng, Fuller, Granlund, Gruger, Hastings, Hughes.

January 23, 1980

**HOUSE BILL NO. 1451,** Prime Sponsor: Representative Zimmerman, establishing a natural resources fund. Reported by Committee on Natural Resources.

**MAJORITY recommendation:** Do pass. Signed by Representatives Schmitt, Executive Chairman; Vrooman, Co-Chairman; Adams, Dawson, Flint, Jovanovich, Martinis, McCormick, Mitchell, Monohon, Owen, Rosbach.

January 23, 1980

**HOUSE BILL NO. 1453,** Prime Sponsor: Representative Schmitt, creating a program to study the use of wood for energy and heat. Reported by Committee on Natural Resources.

**MAJORITY recommendation:** Do pass. Signed by Representatives Schmitt, Executive Chairman; Vrooman, Co-Chairman; Adams, Martinis, McCormick, Mitchell, Monohon, Owen, Rosbach.

January 22, 1980

**HOUSE BILL NO. 1475,** Prime Sponsor: Representative Erickson, modifying terminology relating to regular and special sessions of the legislature. Reported by Committee on Constitution, Elections and Governmental Ethics.

**MAJORITY recommendation:** Do pass. Signed by Representatives Oliver, Executive Chairman; Erickson, Co-Chairwoman; Barnes, Eng, Fuller, Granlund, Gruger, Hastings, Hughes.

January 22, 1980

**HOUSE BILL NO. 1497,** Prime Sponsor: Representative Schmitt, revising laws relating to life-sustaining procedures. Reported by Committee on Social and Health Services.

**MAJORITY recommendation:** Do pass. Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Brekke, Flint, Kreidler, Lux, May, Mitchell, Pruitt, Schmitt, Teutsch.

January 21, 1980

HOUSE BILL NO. 1520, Prime Sponsor: Representative Adams, granting DSHS personnel access to criminal records when investigating applicants for child care agency licenses. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Brekke, Flint, Kreidler, Lux, May, Mitchell, Pruitt, Schmitt, Teutsch.

January 22, 1980

HOUSE BILL NO. 1550, Prime Sponsor: Representative Erickson, permitting a choice of alternative local initiative and referendum powers for certain cities and towns. Reported by Committee on Constitution, Elections and Governmental Ethics.

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 24 after "provisions" strike all material down to and including "or," on line 25

Signed by Representatives Oliver, Executive Chairman; Erickson, Co-Chairwoman; Barnes, Eng, Fuller, Granlund, Gruger, Hastings, Hughes.

January 22, 1980

HOUSE BILL NO. 1585, Prime Sponsor: Representative Smith (R), correcting double amendments to RCW 18.26.040 and 18.26.070. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Winsley.

January 22, 1980

HOUSE BILL NO. 1586, Prime Sponsor: Representative Smith (R), correcting double amendments to RCW 28A.57.312, 28A.57.357, and 28A.57.358. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Winsley.

January 22, 1980

HOUSE BILL NO. 1587, Prime Sponsor: Representative Newhouse, correcting double amendments in Title 51 RCW. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Winsley.

January 22, 1980

HOUSE BILL NO. 1588, Prime Sponsor: Representative Newhouse, correcting double amendments to RCW 67.16.100. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Winsley.

January 22, 1980

HOUSE BILL NO. 1589, Prime Sponsor: Representative Newhouse, correcting double amendments to RCW 72.64.110. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Winsley.

#### MOTION

On motion of Mr. King, all bills listed on today's agenda under the fifth order of business were passed to Committee on Rules for second reading with the exception of the bills with the committee recommendation to rerefer to another committee.

The Speaker (Mr. Bauer presiding) declared the House to be at ease.  
Speaker Bagnariol called the House to order.

#### SECOND READING

HOUSE BILL NO. 325, by Representatives Sprague, Sanders, Greengo and Bond:  
Removing the inequalities on taxpayer overpayments.

The bill was read the second time.

On motion of Ms. Craswell, Substitute House Bill No. 325 was substituted for House Bill No. 325, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 325 was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 325, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Adams, Stratton.

Substitute House Bill No. 325, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 540**, by Representatives Ehlers and Erickson:

Providing deduction from business and occupation tax, and exemptions from sales and use taxes for nonprofit organizations' bazaars or rummage sales.

The bill was read the second time.

On motion of Ms. Sommers, Substitute House Bill No. 540 was substituted for House Bill No. 540, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 540 was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 540, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Adams, Stratton.

Substitute House Bill No. 540, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 1430**, by Representatives Whiteside, Smith (C), Clayton, Deccio, Flanagan, Newhouse, Isaacson and Oliver:

Authorizing compensation for county planning commission and board of adjustment members.

The bill was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and House Bill No. 1430 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1430, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

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

Voting nay: Representatives Fancher, Houchen.

Not voting: Representatives Adams, Stratton.

House Bill No. 1430, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1435, by Representatives Charnley, Zimmerman, Teutsch, Deccio, May, Bauer, Tilly, Galloway and Nisbet:

Removing limitations on use of fire protection district equipment.

The bill was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1435, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

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

Voting nay: Representative Barr.

Not voting: Representatives Adams, Stratton.

House Bill No. 1435, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1457, by Representatives Charnley, Rohrbach and Garrett:

Modifying the laws providing for joint county and city health departments.

The bill was read the second time.

On motion of Mr. Charnley, Substitute House Bill No. 1457 was substituted for House Bill No. 1457, and the substitute bill was placed on the calendar for second reading.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1457, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon,

Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Stratton.

Substitute House Bill No. 1457, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

**HOUSE BILL NO. 1521**, by Representatives Whiteside, Adams, Mitchell and Van Dyken (by Department of Social and Health Services request):

Regulating transfers of property by persons seeking eligibility for public assistance.

The bill was read the second time.

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

Mr. Whiteside spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1521, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Adams, Stratton.

House Bill No. 1521, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 1197**, by Representatives Pruitt, Fuller, Van Dyken, May and Nelson, D. (by Joint Board of Legislative Ethics request):

Extending the scope of the legislative ethics laws and establishing a statute of limitations for complaints thereunder.

The bill was read the second time.

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

On page 3, line 1 strike "six" and insert "three"

Representatives Newhouse and Fuller spoke in favor of the amendment, and Representatives Pruitt, Van Dyken and Oliver spoke against it.

The amendment was not adopted.

#### MOTION

On motion of Mr. King, further consideration of House Bill No. 1197 was deferred, and the bill was ordered placed at the top of tomorrow's second reading calendar.

**HOUSE BILL NO. 318**, by Representatives Winsley, Smith (R), Deccio, Addison and Tilly:

Revising the law on adoption.

The bill was read the second time.

On motion of Mr. Newhouse, Substitute House Bill No. 318 was substituted for House Bill No. 318, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 318 was read the second time.



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

Representatives Tilly, Chandler, Smith (R) and Wilson spoke in favor of passage of the bill, and Representatives Zimmerman and Owen spoke against it.

#### POINT OF INQUIRY

Mr. Smith (R) yielded to question by Mr. Salatino.

Mr. Salatino: "Representative Smith, there have been some questions of concern pertaining to the parents' rights and the adopted child's rights. Are we talking about a minor, a child of 17 or 18 years old, having the right to go through this process, or does the person have to be 21 years of age?"

Mr. Smith (R): "The person would have to be 21 years of age before he or she could petition. It would be an adopted adult child. I might add that one of the speakers indicated they didn't feel a person who had been irresponsible enough to give up a child for adoption should ever have any right to make contact with the child. I would just like to clarify that a person who has given up a child for adoption has no right to petition the court under this bill. It's only the adopted adult child who can start that process."

#### POINT OF INQUIRY

Mr. Greengo: "Representative Smith, I'm concerned about a question that hasn't been raised at all here. Right now, I see very few adoptions occurring mainly because the children are not made available for adoption. Many, many single parents are electing to keep their children and raise those children in what I consider to be less than ideal situations, when we have thousands and thousands of couples who are wanting to adopt children. My question is, is there anything in this bill that can be construed so as to reduce the number of adoptions simply because a single parent who wants to let her/his child be adopted, yet doesn't want to get into any hassle or the possibility of someday having that child come back? Maybe they wanted to put aside that part of their life; they put their child in a healthy environment and they don't want this brought back to them. Is there anything that would, without the parent's consent, be brought out and the net result be that it's going to reduce adoptions because people are going to say, 'If you put your child up for adoption, they can come right back.' Maybe the parent wouldn't want that."

Mr. Smith (R): "That is a good question, Representative Greengo, and it's something we should be concerned about. In the testimony we heard, the indications are that, if anything, this bill would allay the fears of—generally, mothers—putting up the child for adoption and offering them the hope they could make a decision at that time based on what they think is in the best interest of their child. I would submit that this decision to place a child for adoption is one of the most selfless decisions any mother could ever make because she is putting her own desires to raise that child aside for the best interests of the child. This bill would offer some hope down the line that if the child sought to find out about its identity, there would be a process, which would be a discreet process with respect to right of privacy, and if at that time the parent does not want to establish contact, he or she would not have to. The answer to your question is no, and, if anything, it would encourage adoption."

Mr. Greengo: "Well, Representative Smith, the reason I raised the question is that the digest I have says the disclosure would be discretionary with the courts. Does the parent who puts the child up for adoption necessarily have to sign a consent before the information can be transferred?"

Mr. Smith (R): "No, she or he need not sign a consent before it could be transferred, but they could sign the consent at that time and we envision that many people will. Even if they don't sign the consent at the time of the adoption, the court-appointed intermediary would make discreet contact with the biological parent or parents, and they would then make the decision whether or not they want to allow their identity disclosed. I'd like to add further, that over a period of a year or two, there were forty-three investigations by confidential intermediaries. This process has been going on by court rule in some parts of the state and this bill would make it uniform. Of the forty-three natural parents contacted, forty-two chose to establish a contact. The other one chose not to, and that was the end of the matter."

## POINT OF INQUIRY

Mr. Tilly yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Tilly, my major concern with this bill is that at some point in time at the end of the investigation of the petition, and all the process we go through, and the material that's been collected and the information—is there some point in time when someone in the judicial branch of government makes the determination as to whether or not the investigation should be revealed to the petitioner? In other words, the information about the real parents may not be in the best interest of the petitioner."

Mr. Tilly: "Representative Patterson, I think this is the nub of some people's doubts on this bill. I assure you that we felt that this confidentiality was built into the bill in section 6. It says the confidential intermediary shall not divulge the contents of the files or the results of any search except as authorized by the court. So, if an adopted child, 21 or over, petitions the court to find out who the natural parents are, the results are not given to the child until the results are given to the superior court judge. This process is already going on in most counties and we've heard a lot of compliments about the Washington Association of Adoptive Parents. This group has done a super job in working with people who are looking for the list. There's a question of the cost of bureaucracy. The cost of seeking your natural parents has to be borne by the petitioner rather than the public."

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

On motion of Mr. King, further consideration of Substitute House Bill No. 318 was deferred, and the bill was ordered placed on tomorrow's second reading calendar.

## MOTIONS

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

On motion of Mr. King, HOUSE BILL NO. 1582 was rereferred from Committee on Social and Health Services to Committee on Energy and Utilities.

On motion of Mr. King, HOUSE BILL NO. 1628 was rereferred from Committee on Judiciary to Committee on Agriculture.

On motion of Mr. King, HOUSE BILL NO. 1688 and HOUSE BILL NO. 1689 were rereferred from Committee on State Government to Committee on Energy and Utilities.

On motion of Mr. King, HOUSE BILL NO. 1852 was rereferred from Committee on Rules to Committee on Constitution, Elections and Governmental Ethics.

## MOTION

On motion of Mr. King, the House adjourned until 9:30 a.m., Friday, January 25, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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

## TWELFTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Friday, January 25, 1980

The House was called to order at 9:30 a.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present except Representatives Kreidler and Vrooman. Representative Kreidler was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Susan Pheasant and Paul Appel. Prayer was offered by The Reverend Paul Beeman of the First United Methodist Church of Olympia.

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

### MESSAGE FROM THE SENATE

January 24, 1980

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2236,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2236, by Senators Ridder, Lee, Goltz, Walgren, Moore, McDermott, Vognild, Talmadge and Lysen:

Providing collective bargaining rights for certain personnel of institutions of higher education.

To Committee on Labor

### MOTIONS

On motion of Mr. Polk, HOUSE BILL NO. 1763 was referred to Committee on State Government.

On motion of Mr. Polk, HOUSE BILL NO. 1875 was referred to Committee on State Government.

On motion of Mr. Polk, HOUSE BILL NO. 1941 was referred to Committee on Energy and Utilities.

On motion of Mr. Polk, HOUSE BILL NO. 1945 was referred to Committee on Education.

### REPORTS OF STANDING COMMITTEES

January 21, 1980

HOUSE BILL NO. 45, Prime Sponsor: Representative Clayton, increasing the scope of crop liens. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Co-Chairman; Fancher, Co-Chairman; Amen, Clayton, Erak, Hastings, Heck, Van Dyken.

January 24, 1980

HOUSE BILL NO. 1406, Prime Sponsor: Representative Newhouse, correcting double amendments in laws relating to motor vehicle offenses. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Tilly, Winsley.

January 24, 1980

HOUSE BILL NO. 1432, Prime Sponsor: Representative Granlund, removing school district director terms from assumption of office date common to counties, cities and towns and certain other special purpose districts. Reported by Committee on Education.

**MAJORITY recommendation:** Do pass. Signed by Representatives Heck, Co-Chairman; Bender, Craswell, Ehlers, Eng, Galloway, McDonald, Nelson (G), Taylor, Tupper, Warnke.

January 23, 1980

**HOUSE BILL NO. 1464,** Prime Sponsor: Representative Martinis, directing the construction and maintenance of recreational vehicle sanitary disposal systems in certain highway rest areas. Reported by Committee on Transportation.

**MAJORITY recommendation:** Do pass. Signed by Representatives Wilson, Co-Chairman; Martinis, Co-Chairman; Bender, Burns, Charnley, Clayton, Eberle, Garrett, Isaacson, McCormick, Patterson, Sprague, Struthers, Walk.

January 22, 1980

**HOUSE BILL NO. 1480,** Prime Sponsor: Representative Burns, giving college and university students responsibility in spending of funds for programs paid with services and activities fees. Reported by Committee on Higher Education.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Executive Chairman; Barnes, Co-Chairman; Burns, Erickson, Gruger, Salatino, Teutsch.

January 22, 1980

**HOUSE BILL NO. 1485,** Prime Sponsor: Representative Mitchell, revising laws on controlled substances. Reported by Committee on Social and Health Services.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Brekke, Flint, Kreidler, Lux, May, Mitchell, Pruitt, Schmitten, Teutsch.

January 23, 1980

**HOUSE BILL NO. 1510,** Prime Sponsor: Representative Warnke, extending grounds for termination of a franchise. Reported by Committee on Commerce.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Warnke, Co-Chairman; Greengo, Co-Chairman; Addison, Fuller, Gallagher, May, North, Owen, Sanders, Struthers.

January 22, 1980

**HOUSE BILL NO. 1511,** Prime Sponsor: Representative Pruitt, revising laws requiring identification of legend drugs. Reported by Committee on Social and Health Services.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Barr, Brekke, Flint, Kreidler, Lux, May, Mitchell, Pruitt, Schmitten, Teutsch.

January 22, 1980

**HOUSE BILL NO. 1570,** Prime Sponsor: Representative Winsley, modifying restrictions on commercial lending. Reported by Committee on Financial Institutions.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Winsley, Executive Chairwoman; Eng, Co-Chairman; Eberle, Knowles, Newhouse, Rosbach, Sommers.

January 23, 1980

**HOUSE BILL NO. 1640,** Prime Sponsor: Representative Brekke, modifying property exemptions for public assistance. Reported by Committee on Social and Health Services.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Barr, Brekke, Flint, Houchen, Kreidler, Lux, May, Pruitt, Teutsch.

January 24, 1980

**HOUSE BILL NO. 1686,** Prime Sponsor: Representative Chandler, utilizing accrual basis instead of cash basis in recognition of certain expenditures relating to school districts. Reported by Committee on Education.

**MAJORITY recommendation:** Do pass. Signed by Representatives Heck, Co-Chairman; Bender, Ehlers, Eng, Galloway, McDonald, Nelson (G), Van Dyken, Warnke.

January 23, 1980

HOUSE BILL NO. 1754, Prime Sponsor: Representative Gruger, establishing a demonstration project on adoptive services. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Barr, Brekke, Flint, Houchen, Kreidler, Lux, May, Pruitt, Teutsch.

January 23, 1980

SENATE BILL NO. 3183, Prime Sponsor: Senator Walgren, facilitating the restoration of transportation services interrupted by the sinking of the Hood Canal floating bridge. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 7 following section 3 add a new section to read as follows:

"NEW SECTION. Sec. 5. Section 8, chapter 166, Laws of 1977 1st ex. sess. and RCW 47.60.670 are each hereby repealed."

Renumber the remaining section.

On page 1, line 6 of the title after "RCW 90.58.030;" insert "repealing section 8, chapter 166, Laws of 1977 1st ex. sess. and RCW 47.60.670;"

Signed by Representatives Wilson, Co-Chairman; Martinis, Co-Chairman; Bender, Burns, Charnley, Clayton, Eberle, Garrett, McCormick, Patterson, Sprague, Struthers, Walk.

#### MOTION

On motion of Mr. Polk, all bills listed on today's agenda under the fifth order of business, were passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 1585, by Representatives Smith (R) and Newhouse (by Code Reviser's request):

Correcting double amendments to RCW 18.26.040 and 18.26.070.

The bill was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and House Bill No. 1585 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1585, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Kreidler, Vrooman.

House Bill No. 1585, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1586, by Representatives Smith (R) and Newhouse (by Code Reviser's request):

Correcting double amendments to RCW 28A.57.312, 28A.57.357 and 28A.57.358.

The bill was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and House Bill No. 1586 was placed on final passage.

Mr. Newhouse spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1586, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Kreidler, Vrooman.

House Bill No. 1586, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1587, by Representatives Newhouse and Smith, R. (by Code Reviser's request):

Correcting double amendments in Title 51 RCW.

The bill was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and House Bill No. 1587 was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1587, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Kreidler, Vrooman.

House Bill No. 1587, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1588, by Representatives Newhouse and Smith, R. (by Code Reviser's request):

Correcting double amendments to RCW 67.16.100.

The bill was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and House Bill No. 1588 was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1588, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Kreidler.

House Bill No. 1588, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Speaker Berentson assumed the Chair.

HOUSE BILL NO. 1589, by Representatives Newhouse and Smith, R. (by Code Reviser's request):

Correcting double amendments to RCW 72.64.110.

The bill was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and House Bill No. 1589 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1589, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Kreidler, Vrooman.

House Bill No. 1589, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1197, by Representatives Pruitt, Fuller, Van Dyken, May and Nelson, D. (by Joint Board of Legislative Ethics request):

Extending the scope of the legislative ethics laws and establishing a statute of limitations for complaints thereunder.

The bill was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and House Bill No. 1197 was placed on final passage.

Representatives Pruitt and Fuller spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1197, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

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

Not voting: Representatives Kreidler, Newhouse, Vrooman.

House Bill No. 1197, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 878, by Representative Knowles:

Clarifying the powers of sewer districts.

The bill was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and House Bill No. 878 was placed on final passage.

Representatives Knowles and Taylor spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 878, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Kreidler, Vrooman.

House Bill No. 878, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 982, by Representatives Gallagher, Dawson, Brown, Walk, Adams, Winsley, Erickson, Grimm, Granlund, Haley and Salatino:

Providing for Expo '89.

The bill was read the second time.

Mr. Brown moved adoption of the following amendment by Representatives Brown, Salatino, Erickson, Grimm, Granlund, Walk, Ehlers, Flint and Winsley:

On page 3, following section 6 add a new section as follows:

"NEW SECTION. Sec. 7. There is hereby appropriated from the state general fund to the Expo '89 commission created herein the sum of two hundred thousand dollars, or so much thereof as may be necessary, to carry out the purpose of this amendatory act."

Renumber the remaining section consecutively.

Mr. Brown spoke in favor of the amendment.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Keller: "Should this amendment pass, would the normal procedure then be for this measure to be referred to Committee on Appropriations?"

Speaker Berentson: "Representative Keller, our rules state now that all bills containing a direct appropriation must be referred to the Appropriations Committee before appearing on the second reading calendar. You bring up an interesting question, in that it is on the second reading calendar now. Should the amendment pass, then the action would have to be a motion to refer it to Appropriations Committee for consideration."

Mr. Gallagher spoke against the amendment, and Ms. Flint spoke in favor of it.

#### POINT OF INQUIRY

Mr. Gallagher yielded to question by Mr. Salatino.

Mr. Salatino: "Representative Gallagher, you mentioned Century 21 and the Expo in Spokane and that there were no moneys appropriated. Where did the funds come from for the existing commissions that were established under statute?"

Mr. Gallagher: "They came from a nonprofit organization that was set up by the commission. There was no money appropriated for the commission itself."

Mr. Salatino: "No state moneys?"

Mr. Gallagher: "None."

Representatives May, Adams and Polk spoke against the amendment, and Mr. Brown spoke again in favor of it.

The amendment was not adopted.

House Bill No. 982 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 1421, by Representatives Newhouse, Knowles and Ellis (by Judicial Council request):

Providing for subsistence, lodging, and travel expense of pro tem judges.

The bill was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and House Bill No. 1421 was placed on final passage.



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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1421, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Kreidler, Vrooman.

House Bill No. 1421, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Vrooman appeared at the bar of the House.

HOUSE BILL NO. 1425, by Representatives Taller, Ehlers, Greengo, Walk, Addison, Sommers, Williams, Jovanovich, Tupper, Burns, Gallagher, Granlund and Pruitt:

Requiring financial disclosure of the members and director of the commission for the blind.

The bill was read the second time.

Mr. Greengo moved adoption of the following amendments by Representatives Greengo and McGinnis:

On page 2, line 26 after "commission" strike "for a term limited to four years"

On page 2, line 29 after "amended." strike "A director may be reappointed to successive terms with the consent of the senate."

Representatives Greengo, McGinnis and Maxie spoke in favor of the amendments, and Representatives Taller, Pruitt, Newhouse, Ehlers and Sommers spoke against them.

Mr. Greengo spoke again in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Greengo and McGinnis to House Bill No. 1425, and the amendments were not adopted by the following vote: Yeas, 41; nays, 54; not voting, 3.

Voting yea: Representatives Addison, Barnes, Barr, Bond, Burns, Clayton, Dawson, Dunlap, Eberle, Ellis, Eng, Erak, Fancher, Flanagan, Flint, Fuller, Gallagher, Greengo, Hastings, Houchen, Isaacson, Knowles, Lux, Maxie, McGinnis, Mitchell, Nelson D., O'Brien, Oliver, Patterson, Polk, Rinehart, Rohrbach, Rosbach, Sanders, Smith C. P., Teutsch, Tilly, Van Dyken, Whiteside, Wilson.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Becker, Bender, Berentson, Brekke, Brown, Chandler, Charnley, Craswell, Deccio, Ehlers, Erickson, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Keller, King, Martinis, May, McDonald, Monohon, Nelson G. A., Newhouse, Nisbet, North, Owen, Pruitt, Salatino, Schmitt, Scott, Sherman, Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Thompson, Tupper, Valle, Vrooman, Walk, Warnke, Williams, Winsley, Zimmerman.

Not voting: Representatives Jovanovich, Kreidler, McCormick.

Mr. Greengo moved adoption of the following amendment by Representatives Greengo and McGinnis:

On page 2, line 26 after "years" strike ", be subject to senate confirmation."

Representatives Greengo and McGinnis spoke in favor of the amendment, and Representatives Taller and Ehlers spoke against it.

Mr. Greengo spoke again in favor of the amendment.

The amendment was not adopted.

On motion of Mr. Taller, the following amendment by Representatives Taller and Ehlers was adopted:

On page 2, line 29 after "senate." insert "Should a vacancy occur in the office of the director before the expiration of a term, any new appointee to the position shall begin serving a new term."

The bill was ordered engrossed.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1425 was placed on final passage.

Representatives Taller, Ehlers and Warnke spoke in favor of passage of the bill, and Mr. Greengo spoke against it.

Mr. Taller spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1425, and the bill passed the House by the following vote: Yeas, 79; nays, 17; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Flanagan, Flint, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Houchen, Hughes, Keller, King, Knowles, Lux, Martinis, May, McCormick, McDonald, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Barr, Clayton, Dawson, Deccio, Ellis, Fancher, Fuller, Gallagher, Greengo, Hastings, Isaacson, Maxie, McGinnis, Mitchell, Oliver, Sprague, Whiteside.

Not voting: Representatives Jovanovich, Kreidler.

Engrossed House Bill No. 1425, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 613, by Representatives King, Winsley, Owen, Monohon and Lux:

Authorizing the department of labor and industries to insure employers against liability for compensation and benefits for injuries and death under the federal longshoreman's and harbor workers' compensation act.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass with the following amendments:

On page 4, line 16 after "contributions" insert "or sums due the state longshoremen's and harbor workers' fund"

On page 4, beginning on line 17 after "costs;" strike all material down to and including "fund;" on line 19

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

House Bill No. 613 was ordered engrossed.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 613 was placed on final passage.

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

#### POINT OF INQUIRY

Mr. King yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative King, for the record, we're establishing quite an important precedent in attempting to solve a problem created by the federal government. Is it our intent that this new pool or fund established within Labor and Industries shall be self-sustained? We understand that money may be loaned to this fund to start out, but the rate should be high enough from those employers to cover the cost of the fund?"

Mr. King: "That is correct."

Mr. Newhouse: "Many employers within the state are asking for pooling within the funds under the existing system, which would be very similar to what we are doing with this bill, would it not?"

Mr. King: "I believe that it would be."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 613, and the bill passed the House by the following vote: Yeas, 91; nays, 5; not voting, 2.

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

Voting nay: Representatives Flanagan, Fuller, McDonald, McGinnis, Newhouse.

Not voting: Representatives Jovanovich, Kreidler.

Engrossed House Bill No. 613, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### MOTION

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

### REPORTS OF STANDING COMMITTEES

January 24, 1980

HOUSE BILL NO. 1450, Prime Sponsor: Representative Erickson, exempting small local governments from the public disclosure act. Reported by Committee on Constitution, Elections and Governmental Ethics.

MAJORITY recommendation: Do pass with the following amendments:

On page 17 add a new section to read as follows:

\*NEW SECTION. Sec. 6. There is added to chapter 42.17 RCW a new section to read as follows:

This 1980 act shall not excuse or exempt a person from having to perform a duty pertaining to the filing of any report, statement or other information where the person's performance was required prior to the effective date of this 1980 act. It shall, however, if consistent with the provisions of this 1980 act, excuse or exempt the performance of any duty pertaining to the filing of any report, statement, or other information which covers a period prior to the effective date of this 1980 act, and when the date by which performance would be required is after the effective date of this 1980 act."

On page 1, line 10 of the title after "42.17.190;" strike "and" and on line 13 after "42.17.240" insert "; and adding a new section to chapter 42.17 RCW"

Signed by Representatives Oliver, Executive Chairman; Erickson, Co-Chairman; Barnes, Eberle, Fuller, Granlund, Hastings.

Passed to Committee on Rules for second reading.

January 24, 1980

HOUSE BILL NO. 1852, Prime Sponsor: Representative Oliver, relating to school districts' special elections. Reported by Committee on Constitution, Elections and Governmental Ethics.

MAJORITY recommendation: The substitute Bill be substituted therefor and the substitute bill do pass. Signed by Representatives Oliver, Executive Chairman; Erickson, Co-Chairwoman; Barnes, Eberle, Fuller, Granlund, Gruger, Hastings, Hughes.

### MOTIONS

On motion of Mr. Polk, the rules were suspended, and House Bill No. 1852 was advanced to second reading and read the second time in full.

On motion of Mr. Oliver, Substitute House Bill No. 1852 was substituted for House Bill No. 1852, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1852 was read the second time.

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

Representatives Oliver, Taylor and Rohrbach spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1852, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett,

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

Voting nay: Representative Charnley.

Not voting: Representatives Jovanovich, Martinis.

Substitute House Bill No. 1852, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

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

On motion of Mr. Polk, HOUSE BILL NO. 1607 was rereferred from Committee on Appropriations to Committee on Financial Institutions.

On motion of Mr. Polk, HOUSE BILL NO. 1640 was rereferred from Committee on Rules to Committee on Appropriations.

On motion of Mr. Polk, HOUSE BILL NO. 1864 was rereferred from Committee on Appropriations to Committee on Local Government.

On motion of Mr. Polk, HOUSE BILL NO. 1950 was rereferred from Committee on Rules to Committee on Financial Institutions.

On motion of Mr. Polk, HOUSE JOINT MEMORIAL NO. 31 was rereferred from Committee on Institutions to Committee on Energy and Utilities.

On motion of Mr. Polk, HOUSE CONCURRENT RESOLUTION NO. 32 was rereferred from Committee on Natural Resources to Committee on Commerce.

#### MOTION

On motion of Mr. Polk, the House adjourned until 10:00 a.m., Monday, January 28, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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

## FIFTEENTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Monday, January 28, 1980

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Chandler, Fancher, Nelson (G), Oliver, Thompson, Whiteside and Speaker Bagnariol, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Molly Long and Diane Cobbs. Prayer was offered by The Reverend Richard Hart of the First Baptist Church of Olympia,

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

### MESSAGE FROM THE SENATE

January 25, 1980

Mr. Speaker:

The Senate has passed:

REENGROSSED SENATE BILL NO. 2204,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### INTRODUCTION AND FIRST READING

REENGROSSED SENATE BILL NO. 2204, by Senators Odegaard, Conner, Peterson, Newschwander, von Reichbauer and Talley:

Modifying the provisions for free hunting and fishing licenses.

To Committee on Natural Resources

### REPORTS OF STANDING COMMITTEES

January 24, 1980

SUBSTITUTE HOUSE BILL NO. 541, Prime Sponsor: Representative Ehlers, updating the state building code. Reported by Committee on State Government.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Ehlers, Co-Chairman; Addison, Burns, Flint, Greengo, Jovanovich, McGinnis, Pruitt, Tupper, Williams.

January 24, 1980

HOUSE BILL NO. 1143, Prime Sponsor: Representative Sherman, revising laws relating to extraterritorial activities of certain special purpose districts. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Garrett, North, Rohrbach, Rosbach, Teutsch, Van Dyken, Whiteside.

January 23, 1980

HOUSE BILL NO. 1205, Prime Sponsor: Representative Amen, adding part of the Snake River to the scenic river system. Reported by Committee on Natural Resources.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Schmitten, Executive Chairman; Vrooman, Co-Chairman; Adams, Dawson, Flint, Jovanovich, Martinis, McCormick, McDonald, Mitchell, Rosbach.

January 24, 1980

HOUSE BILL NO. 1412, Prime Sponsor: Representative Isaacson, regulating the transportation and disposal of radioactive wastes. Reported by Committee on Ecology.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Valle, Executive Chairwoman; Barr, Co-Chairman; Brekke, Galloway, Hughes, Isaacson, Nisbet, Pruitt, Rinehart, Sanders, Smith (C), Whiteside.

January 23, 1980

HOUSE BILL NO. 1438, Prime Sponsor: Representative Sanders, permitting the port commission to waive the rent security requirement. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Warnke, Co-Chairman; Greengo, Co-Chairman; Addison, Brekke, Fuller, North, Owen, Sanders, Struthers.

January 25, 1980

HOUSE BILL NO. 1446, Prime Sponsor: Representative Chandler, supplementing law relating to appeals involving adverse effects on status of teachers' contracts. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 4, beginning on line 22 strike everything through "amended" on line 24 and insert "any teacher, principal, supervisor, superintendent, or other certificated employee"

On page 4, line 25 after "from" strike everything through "board")" on line 30 and insert "any final action or failure to act upon the part of a school board relating to the discharge or other action adversely affecting his contract status, or failure to renew that employee's contract for the next ensuing term or either party in a hearing held pursuant to RCW 28A.58.455, as now or hereafter amended, desiring to appeal from"

Signed by Representatives Chandler, Co-Chairman; Bender, Galloway, McDonald, Nelson (G), Sommers, Taller, Tupper, Van Dyken.

January 24, 1980

HOUSE BILL NO. 1455, Prime Sponsor: Representative Zimmerman, providing for park and recreation service areas. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Garrett, North, Rohrbach, Rosbach, Teutsch, Van Dyken, Whiteside.

January 24, 1980

HOUSE BILL NO. 1458, Prime Sponsor: Representative Sanders, allowing public assistance recipients in nursing homes to retain wages from training or rehabilitative programs. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Whiteside, Co-Chairman; Brekke, Flint, Houchen, Mitchell, Pruitt, Schmitt, Teutsch.

January 25, 1980

HOUSE BILL NO. 1460, Prime Sponsor: Representative Bauer, mandating salaries of certificated employees in state schools for the blind to be comparable to others in school district where located. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 22 after "agencies." insert "Commencing with the 1981-82 school year, and each school year thereafter."

On page 1, line 23 after "conform to" insert "and be contemporary with"

Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Bauer, Chandler, Fancher, Grimm, Gruger, Heck, Taller, Taylor, Valle, Warnke, Williams, Zimmerman.

January 24, 1980

HOUSE BILL NO. 1462, Prime Sponsor: Representative Scott, authorizing municipal heating systems. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Chandler, Garrett, North, Rohrbach, Rosbach, Teutsch, Van Dyken, Vrooman, Whiteside.

January 24, 1980

HOUSE BILL NO. 1474, Prime Sponsor: Representative Charnley, providing for coordination of services in urban areas. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Chandler, Garrett, North, Rosbach, Van Dyken, Whiteside.

January 23, 1980

HOUSE BILL NO. 1517, Prime Sponsor: Representative Warnke, facilitating Washington state participation in the Portopia '81 exhibition in Kobe, Japan. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Warnke, Co-Chairman; Greengo, Co-Chairman; Addison, Brekke, Fuller, Gallagher, May, North, Owen, Sanders, Struthers.

January 25, 1980

HOUSE BILL NO. 1568, Prime Sponsor: Representative McCormick, requiring the use of gasohol in state vehicles. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 25 after "gasohol" insert "and other cost-effective alternative fuels"

Signed by Representatives Bond, Co-Chairman; McCormick, Co-Chairman; Charnley, Dunlap, Isaacson, Martinis, Monohon, Nelson (D), Nisbet, Scott, Sherman, Sprague, Williams, Wilson.

January 23, 1980

HOUSE BILL NO. 1578, Prime Sponsor: Representative Brekke, specifying additional types of I.D. accepted from persons buying liquor. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Warnke, Co-Chairman; Greengo, Co-Chairman; Brekke, Fuller, North, Owen, Sanders, Struthers.

January 24, 1980

HOUSE BILL NO. 1610, Prime Sponsor: Representative McDonald, creating the state investment board. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ehlers, Co-Chairman; Taller, Co-Chairman; Addison, Burns, Flint, Greengo, Jovanovich, McGinnis, Pruitt, Tupper, Walk, Williams.

January 24, 1980

HOUSE BILL NO. 1630, Prime Sponsor: Representative Fancher, authorizing distillation of alcohol for use as a motor vehicle fuel. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Co-Chairman; Fancher, Co-Chairwoman; Amen, Hastings, Heck, Scott, Van Dyken.

January 25, 1980

HOUSE BILL NO. 1676, Prime Sponsor: Representative Bauer, implementing law relating to student discipline in common schools. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Chandler, Co-Chairman; Heck, Co-Chairman; Bender, Craswell, Ehlers, Eng, Galloway, McDonald, Nelson (G), Sommers, Taller, Taylor, Tupper, Van Dyken, Warnke.

January 24, 1980

HOUSE BILL NO. 1681, Prime Sponsor: Representative Brekke, prioritizing requests for services to the state patrol crime lab. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Co-Chairman; Taller, Co-Chairman; Addison, Burns, Flint, Greengo, Jovanovich, McGinnis, Pruitt, Tupper, Walk, Williams.

January 25, 1980

HOUSE BILL NO. 1843, Prime Sponsor: Representative Heck, providing for an inventory and energy efficiency and safety audit of existing school facilities. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Chandler, Co-Chairman; Heck, Co-Chairman; Bender, Craswell, Eng, Galloway, McDonald, Nelson (G), Sommers, Taller, Taylor, Tupper, Van Dyken.

January 24, 1980

HOUSE JOINT MEMORIAL NO. 21, Prime Sponsor: Representative Grimm, requesting federal support to permit Washington youth to pick berries. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kreidler, Co-Chairman; Fancher, Co-Chairwoman; Amen, Becker, Hastings, Heck, Scott, Van Dyken.

On motion of Mr. King, all bills listed on today's agenda under the fifth order of business were passed to Committee on Rules for second reading with the exception of HOUSE BILL NO. 1462.

On motion of Mr. King, HOUSE BILL NO. 1462 was rereferred to Committee on Energy and Utilities.

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

#### SECOND READING

HOUSE BILL NO. 1404, by Representatives Ehlers, Taller, Williams, Pruitt, Burns, Greengo, Nisbet and Taylor (by House State Government Committee request):

Revising the law pertaining to the adjutant general and military department.

The bill was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and House Bill No. 1404 was placed on final passage.

Representatives Ehlers, Taller, Taylor, Amen, Berentson, Nisbet, Williams, McGinnis, Barnes and Deccio spoke in favor of the bill, and Representatives O'Brien, Struthers, Salatino and Erak spoke against it.

Representatives Ehlers and Taylor spoke again in favor of the bill, and Representatives Struthers and O'Brien again opposed it.

Mr. King demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1404, and the bill passed the House by the following vote: Yeas, 75; nays, 15; not voting, 8.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Deccio, Dunlap, Ehlers, Ellis, Eng, Erickson, Flanagan, Flint, Fuller, Galloway, Granlund, Greengo, Grimm, Gruger, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nisbet, North, Owen, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Taller, Taylor, Teutsch, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bond, Dawson, Eberle, Erak, Gallagher, Garrett, Hastings, Martinis, Maxie, O'Brien, Patterson, Salatino, Struthers, Tilly.

Not voting: Representatives Bagnariol, Chandler, Fancher, Nelson G. A., Newhouse, Oliver, Thompson, Whiteside.

House Bill No. 1404, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. King, HOUSE BILL NO. 145 was rereferred to Committee on Transportation.



SENATE BILL NO. 3183, by Senators Walgren, Conner, Guess, Lee and Gallagher (by Department of Transportation request):

Facilitating the restoration of transportation services interrupted by the sinking of the Hood Canal floating bridge.

The bill was read the second time.

Committee on Transportation recommendation: Do pass as amended. (For amendments, see Journal, 12th Day, January 25, 1980.)

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

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Senate Bill No. 3183 as amended by the House was placed on final passage.

Representatives Wilson, Nisbet, Patterson and Owen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3183 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

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

Not voting: Representatives Bagnariol, Chandler, Fancher, Nelson G. A., Oliver, Whiteside.

Senate Bill No. 3183 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

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

On motion of Mr. King, HOUSE BILL NO. 1093 was rereferred from Committee on Rules to Committee on Local Government.

On motion of Mr. King, HOUSE BILL NO. 1754 was rereferred from Committee on Rules to Committee on Appropriations.

#### MOTION

On motion of Mr. King, the House adjourned until 9:30 a.m., Tuesday, January 29, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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

**SIXTEENTH DAY****MORNING SESSION**

House Chamber, Olympia, Wash., Tuesday, January 29, 1980

The House was called to order at 9:30 a.m. by Speaker Berentson. The Clerk called the roll and all members were present except Speaker Bagnariol, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Belinda Kendall and Sharon Cook. Prayer was offered by The Reverend Richard Hart of the First Baptist Church of Olympia.

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

**MESSAGE FROM THE SENATE**

January 28, 1980

Mr. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2372,  
ENGROSSED SENATE BILL NO. 3011,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 3140,  
ENGROSSED SENATE BILL NO. 3220,  
ENGROSSED SENATE BILL NO. 3282,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

**INTRODUCTIONS AND FIRST READING**

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2372, by Committee on Constitution and Elections (originally sponsored by Senators Wilson and Lewis):

Providing for postponement of an election to fill a partisan elective office becoming vacant shortly before the primary.

To Committee on Constitution, Elections and Governmental Ethics.

ENGROSSED SENATE BILL NO. 3011, By Senator Bausch:

Eliminating the beaver tag requirement and increasing the trapper's license fee.

To Committee on Natural Resources

ENGROSSED SUBSTITUTE SENATE BILL NO. 3140, by Committee on Local Government (originally sponsored by Senators Walgren, Goltz and Rasmussen):

Authorizing combined city-county housing authorities.

To Committee on Local Government

ENGROSSED SENATE BILL NO. 3220, by Senators Talmadge, Hayner and Vognild:

Modifying procedures for civil judgments.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 3282, by Senators Marsh, Hayner and Talmadge:

Modifying the business corporation act.

To Committee on Judiciary

**REPORTS OF STANDING COMMITTEES**

January 25, 1980

HOUSE BILL NO. 1496, Prime Sponsor: Representative Galloway, requiring health insurance conversion rights for employees and their spouses. Reported by Committee on Insurance.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rohrbach, Executive Chairman; Keller, Co-Chairman; Adams, Dawson, Erak, Garrett, Houchen, Maxie, Smith (R).

January 25, 1980

**HOUSE BILL NO. 1622, Prime Sponsor:** Representative Keller, modifying the law on authorized insurer investments. Reported by Committee on Insurance.

**MAJORITY recommendation:** Do pass. Signed by Representatives Rohrbach, Executive Chairman; Keller, Co-Chairman; Adams, Dawson, Ellis, Erak, Garrett, Houchen, McGinnis, Smith (R).

January 25, 1980

**HOUSE BILL NO. 1667, Prime Sponsor:** Representative King, permitting employer group plans for industrial insurance. Reported by Committee on Labor.

**MAJORITY recommendation:** Do pass with the following amendment:  
On page 2, line 11 after "employer" insert "group"

Signed by Representatives Clayton, Executive Chairman; Lux, Co-Chairman; Fancher, King, Monohon, Smith (C).

January 25, 1980

**HOUSE BILL NO. 1692, Prime Sponsor:** Representative King, requiring notice about health and safety regulations. Reported by Committee on Labor.

**MAJORITY recommendation:** Do pass. Signed by Representatives Clayton, Executive Chairman; Lux, Co-Chairman; Fancher, King, Monohon, Smith (C).

#### MOTION

On motion of Mr. Polk, all bills listed on today's agenda under the fifth order of business were referred to Committee on Rules for second reading.

#### SECOND READING

**HOUSE BILL NO. 1481, by Representatives Burns, Teutsch, Erickson, Salatino, Gruger, Rinehart, Grimm, Brekke, Bauer, Heck, Charnley, Nelson (D) and Lux:**

Removing from limitations on higher education tuition and fee waivers, programs for students seeking high school diplomas or certificates.

The bill was read the second time.

On motion of Mr. Grimm, Substitute House Bill No. 1481 was substituted for House Bill No. 1481, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1481 was read the second time.

Mr. Barnes moved adoption of the following amendment:

On page 2, following section 1 insert a new section to read as follows:

"**NEW SECTION, Sec. 2.** There is hereby appropriated from the state general fund for the fiscal year ending June 30, 1981, to the state board for community college education, the sum of \$466,000 or so much thereof as may be necessary: **PROVIDED,** That the state board for community college education shall distribute this appropriation to those community college districts experiencing increased enrollments as a result of the enactment of chapter 148, Laws of 1979, 1st ex. sess., and this amendatory act."

Representatives Barnes and Patterson spoke in favor of the amendment, and Representatives Grimm, Burns, McDonald and Nelson (G) spoke against it.

Mr. Barnes spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Oliver moved adoption of the following amendment by Representatives Oliver and Erickson:

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

"**Sec. 2.** Section 28B.10.200, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 62, Laws of 1973 and RCW 28B.10.200 are each amended to read as follows:

The state universities shall each have the authority to award, during each academic year, not to exceed one hundred scholarships to students or graduates of universities or colleges of friendly foreign nations, and to exempt the recipients thereof from the payment of tuition, operating and service and activity fees for the scholarship period: **PROVIDED,** That the term 'friendly foreign nations' as used herein shall not include Iran.

Sec. 3. Section 2, chapter 262, Laws of 1979 ex. sess. and RCW 28B.15.742 are each amended to read as follows:

The boards of trustees of the regional universities and The Evergreen State College, respectively, are authorized and empowered for the period beginning July 1, 1979 and ending June 30, 1983, to waive all or a part of the difference between the tuition, operating, and services and activities fees charged to resident students and the tuition, operating, and services and activities fees charged to nonresident students during each academic year for not more than twenty students at each institution who are citizens of foreign nations extending such benefits to Washington residents. Such waiver programs shall not include Iranian citizens and, to the greatest extent possible, shall promote reciprocal placements for Washington residents."

Mr. Oliver spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Oliver yielded to question by Ms. Valle.

Ms. Valle: "Representative Oliver, how many students were you speaking of?"

Mr. Oliver: "Representative Valle, Representative Erickson will address that in her portion of the debate."

Representatives Valle and Van Dyken spoke against the amendment, and Ms. Erickson spoke in favor of it.

#### POINT OF INQUIRY

Mr. Oliver yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Oliver, when did you write this amendment?"

Mr. Oliver: "It was written approximately ten days ago."

Mr. Flanagan: "I thought maybe it was longer because things have kind of changed the last two or three weeks. It appears now Russia is a more unfriendly nation than Iran and I was wondering why you didn't include them in there also?"

Mr. Oliver: "There are no Russian students here at the taxpayers' expense."

#### POINT OF INQUIRY

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

Mr. Nelson (D): "Representative Oliver, what currently constitutes a friendly nation?"

Mr. Oliver: "That's on a day-by-day basis. If you'd ask the Carter Administration you'd have a difficult time finding just what is friendly and unfriendly. In terms of an actual real definition, I cannot give it to you. In terms of the context of the legislative policy, a friendly nation is one with which we have mutual cooperation from that nation to us. One nation which respects its laws; another nation which respects financial transactions; another nation which respects the integrity of the people of the nation. Obviously, in the case of Iran, they are not respecting any of those prerequisites."

Mr. Nelson (D): "According to current law, Representative Oliver, the state universities have the authority to award, and I guess my question is directed to that authority and who defines it — what has been decided currently so that they can't award these scholarships and waivers? Do you know what the current list is of friendly nations?"

Mr. Oliver: "No, I do not have a friendly list."

Representatives Nelson and Pruitt spoke against the amendment, and Mr. Struthers spoke in favor of it.

Mr. Bauer demanded the previous question, and the demand was not sustained.

Mr. Oliver spoke again in favor of the amendment.

The amendment was not adopted.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1481 was placed on final passage.

Representatives Burns, Grimm, Charnley, Chandler and Teutsch spoke in favor of passage of the bill, and Representatives Barnes, Williams and McGinnis spoke against it.

## POINT OF INQUIRY

Mr. Burns yielded to question by Mr. Bond.

Mr. Bond: "Just in order to put this thing into perspective, we've got a fiscal note here of the overall cost of this program, but what are we talking about to the cost of the individual involved if he paid instead of being able to do this for free?"

Mr. Burns: "Approximately \$320 annually, I believe."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1481, and the bill passed the House by the following vote: Yeas, 67; nays, 29; not voting, 2.

Voting yea: Representatives Adams, Addison, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Deccio, Dunlap, Ehlers, Ellis, Eng, Erak, Erickson, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Patterson, Pruitt, Rinehart, Salatino, Sanders, Schmitt, Scott, Sherman, Sommers, Sprague, Stratton, Taylor, Teutsch, Thompson, Tupper, Valle, Vrooman, Walk, Warnke, Wilson, Winsley.

Voting nay: Representatives Amen, Barnes, Bond, Clayton, Craswell, Eberle, Fancher, Flanagan, Flint, Hastings, Houchen, Hughes, Isaacson, McDonald, McGinnis, Mitchell, Newhouse, Polk, Rohrbach, Rosbach, Smith C. P., Smith R., Struthers, Taller, Tilly, Van Dyken, Whiteside, Williams, Zimmerman.

Not voting: Representatives Bagnariol, Oliver.

Substitute House Bill No. 1481, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

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

## RESOLUTION

HOUSE RESOLUTION NO. 80-128, by Representative Brown:

WHEREAS, The Mt. Tahoma School Thunderbirds' football team went through its 1979 schedule with twelve wins and no losses; and

WHEREAS, The Thunderbirds, under the direction of Coach George Nordi and his staff, conducted themselves as gentlemen and athletes all year; and

WHEREAS, The Thunderbirds defeated Rogers of Puyallup in the Kingdome for the state AAA championship by a score of 37-3, for their first state athletic championship; and

WHEREAS, Mt. Tahoma High School represents the city of Tacoma and the state of Washington as the state champions;

NOW, THEREFORE, BE IT RESOLVED, By the Washington State House of Representatives, That the Mt. Tahoma High School football team, its coaches, staff, cheer squad, trainers and entire student body be officially congratulated for their accomplishments in 1979; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to Mt. Tahoma High School for the coaches: George Nordi, Maurice Boughton, Don Leebrick, Dan Gurash and Mike Deutsch; the trainer, Ray Richards; the athletic director, Gregg Friberg; the front office: Carroll Kastle, principal, and Jim McDonald, Don Doran, vice-principals; band director, Stuart Lane; team physicians: Dr. Daniel Thomas and Dr. John Bargren; yell staff: Marilyn Strickland, Queen, Diedre Raynor, Mari McKinney and Cheryl Ball; song staff: Ruth Freyman, Queen, Donna Carr, Lee Uy and Stephanie Webber; Scott Nordi, manager; and all of the players: Brad Gobel, Mike Vindivich, Fred Baxter, Doug Parish, Darell Harper, Joel Harper, Ralph Gomes, Anthony Broughton, Ivan Castillo, Quinn Baxter, Ken Baker, Garland Beardon, Craig Meyer, Ramon Moore, Ron Eckert, Don Moore, Todd deCarteret, Dan Hart, Dan Flannery, John Moore, Kevin Harper, Arnie Richard, Curtis Sanders, Brian Humphrey, Malcolm Sorrell, Mike Young, Dirk Pettitt, Frank Hobbs, Charles Dalton, Fred Cooper, Vic Melton, John Hayward, Lacy Walker, Angelo Suarez, Todd Pressey, Todd Hunter, Mike Sonnier, Robert Ross, John Cole and Maurice Hanks.

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

## MOTIONS

On motion of Mr. Polk, HOUSE BILL NO. 1853 was referred to Committee on Education.

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

### SECOND READING

**HOUSE BILL NO. 1495**, by Representatives Barnes, Grimm, Ellis, Gruger, Teutsch, Salatino, Patterson, Burns, Oliver, Erickson and McGinnis:

Adding exemption to educational services registration act.

The bill was read the second time.

Committee on Higher Education recommendation: Majority, do pass as amended. (For amendment, see Journal, 8th Day, January 21, 1980.)

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

On motion of Mr. Barnes, the following amendment by Representatives Barnes, Erickson, Hastings and Oliver was adopted:

On page 2, following subsection 7, add a new subsection as follows:

"(8) Educational institutions that are certified by the Federal Aviation Administration under 14 CFR 141 and those educational institutions certified under 14 CFR 61 which offer instruction solely for avocational or recreational purposes."

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

On page 2, following section 1 add a new section as follows:

"NEW SECTION. Sec. 2. This 1980 act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 3 of the title following "RCW 28B.05.040" insert "; and declaring an emergency"

House Bill No. 1495 was ordered engrossed.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1495 was placed on final passage.

Representatives Barnes and Grimm spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1495, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Bagnariol.

Engrossed House Bill No. 1495, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 382**, by Representatives Gallagher, Wilson, Brown, Martinis and Van Dyken:

Requiring smoke detectors in certain dwelling units.

The bill was read the second time.

On motion of Mr. Warnke, Substitute House Bill No. 382 was substituted for House Bill No. 382, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 382 was read the second time.

Mr. Smith (R) moved adoption of the following amendments by Representatives Smith (R) and Ellis:

On page 1, line 7 strike "and maintained in"

On page 1, line 15 strike ", and maintained in"

Mr. Smith (R) spoke in favor of the amendments.

## POINT OF INQUIRY

Mr. Smith (R) yielded to question by Mr. Addison.

Mr. Addison: "Representative Smith, to establish legislative intent here, is it the intent of your amendments that it would not be the burden of the apartment owner to maintain the equipment?"

Mr. Smith (R): "The intent of my amendment is to allow the parties by their lease agreement to place that responsibility wherever they desire. It's not done in the statutes; there wouldn't be any problem with negligence, per se, but I would anticipate the landlord would have to put in his lease a requirement that the tenant maintain these. The landlord can't always get into the apartment to do that sort of thing and it would seem reasonable to have the tenant do it in the lease agreement."

Mr. Addison: "If the lease does not specify, is it your intent it would not be the apartment owner's responsibility?"

Mr. Smith (R): "The bill provides the unit will be operational when the tenant moves in and that would be the extent of the obligation under this bill."

## POINT OF INQUIRY

Mr. Smith (R) yielded to question by Mr. Deccio.

Mr. Deccio: "In the event of a rental where there is no lease agreement, what would be the requirement?"

Mr. Smith (R): "The requirement, as I indicated, would only be that it be operational when the tenant moves in."

Mr. Deccio: "Even if it's verbal?"

Mr. Smith (R): "Yes."

## POINT OF INQUIRY

Mr. Smith (R) yielded to question by Mr. Warnke.

Mr. Warnke: "Representative Smith, what would happen in the case of a large apartment building, two or more occupants, and a fire occurs, life is lost or damage results in units other than that in which the fire started and the lease agreement does not cover any semblance of maintenance of the smoke detectors. In that case where does the litigation rest?"

Mr. Smith (R): "Ordinarily fire insurance is casualty insurance that covers claims without regard to cause of the accident, except arson. I think the fire insurance would ordinarily be applicable regardless of who maintained or didn't maintain."

The amendments were adopted.

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

On page 1, line 9 following "December 31," strike "1980" and insert "1981"

On page 1, line 11 following "31," strike "1979" and insert "1980"

Mr. Smith (R) moved adoption of the following amendments by Representatives Smith (R) and Ellis:

On page 1, line 22 after "owner." beginning with "Maintenance" strike everything through "manufacturer." on line 24

On page 1, line 28 after "owner" strike "or tenant"

Mr. Smith (R) spoke in favor of the amendments, and Ms. Flint spoke against them.

The amendments were not adopted.

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

On page 1, line 15 after "manufactured," insert "and"

On page 1, line 15 after "units" strike the comma.

Mr. Eberle moved adoption of the following amendment:

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

"NEW SECTION. Section 1. There is added to chapter 82.08 RCW a new section to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales of or charges made for the installation of smoke detection devices in a dwelling unit.

'Smoke detection device' means an assembly incorporating in one unit a device which detects visible or invisible particles of combustion, the control equipment, and the alarm-sounding device, operated from a power supply either in the unit or obtained at the point of installation.

'Dwelling unit' means a single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.

**NEW SECTION.** Sec. 2. There is added to chapter 82.12 RCW a new section to read as follows:

The provisions of this chapter shall not apply in respect to the use of any smoke detection device in a dwelling unit.

'Smoke detection device' means an assembly incorporating in one unit a device which detects visible or invisible particles of combustion, the control equipment, and the alarm-sounding device, operated from a power supply either in the unit or obtained at the point of installation.

'Dwelling unit' means a single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.'

Mr. Eberle spoke in favor of the amendment, and Representatives Gallagher and Sanders spoke against it.

A division was called.

### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Eberle to Substitute House Bill No. 382, and the amendment was not adopted by the following vote: Yeas, 18; nays, 76; not voting, 4.

Voting yea: Representatives Berentson, Bond, Craswell, Deccio, Dunlap, Eberle, Ellis, Flint, Garrett, Greengo, Hastings, McDonald, McGinnis, Oliver, Polk, Smith C. P., Sprague, Struthers.

Voting nay: Representatives Adams, Addison, Amen, Barnes, Barr, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Dawson, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Granlund, Grimm, Gruger, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Patterson, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith R., Sommers, Stratton, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley.

Not voting: Representatives Bagnariol, Newhouse, Rohrbach, Zimmerman.

### STATEMENT FOR THE JOURNAL

My vote for this amendment was an error. My intention was to vote "No."

AVERY GARRETT, 11th District.

Substitute House Bill No. 382 was ordered engrossed.

Mr. Salatino moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 382 be placed on final passage.

The motion failed.

Engrossed Substitute House Bill No. 382 was passed to Committee on Rules for third reading.

Speaker Berentson called on Mr. Amen to preside.

HOUSE BILL NO. 1497, by Representatives Schmitten, Adams, Whiteside, Mitchell and Charnley:

Revising laws relating to life-sustaining procedures.

The bill was read the second time.

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

Mr. Schmitten spoke in favor of passage of the bill, and Mr. Greengo spoke against it.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1497, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt,



Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Tallier, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Bagnariol.

House Bill No. 1497, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1515, by Representatives Kreidler, Mitchell, Schmitt, Adams, Lux and Brekke:

Revising requirements for health care planning.

The bill was read the second time.

On motion of Mr. Whiteside, Substitute House Bill No. 1515 was substituted for House Bill No. 1515, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1515 was read the second time.

Mr. Tilly moved adoption of the following amendment:

On page 4, line 15 after "means" strike all the material down to the period on line 2 of page 5, and insert "an entity as defined in Public Law 93-641 and, in addition, any organization defined under RCW 48.46.020(1)"

Mr. Tilly spoke in favor of the amendment, and Representatives Kreidler and Whiteside spoke against it.

#### POINT OF INQUIRY

Mr. Tilly yielded to question by Mr. Ehlers.

Mr. Ehlers: "Representative Tilly, does this amendment in any way impact the requirement that private physicians would have to have a certificate of need? Does that impact that problem here?"

Mr. Tilly: "Representative Ehlers, that's not the intent. The way I understand the bill, it exempts HMO's from coming under certificates of need and I feel that if we're going to require every other health care provider to come under this, they should too. I think if we're going to have competition and if we're going to protect the public health and safety and cost, which is what certificate of need is probably designed to do, then I think these health care providers should come under certificate of need."

Mr. Polk spoke in favor of the amendment, and Mr. Kreidler again spoke against it.

#### POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Kreidler, as I understand it now, if a hospital needed to purchase a much-needed piece of equipment, they would have to provide certificate of need, is that correct? In this bill, if an HMO needed the same piece of equipment, they would not be required to get the certificate of need?"

Mr. Kreidler: "It depends on the type of equipment and so forth. The simple fact of the matter is, up until we passed House Bill No. 249 last year there was a double standard where actually the HMO's had to comply more than the others would have to provide in the way of certificate of need. This obviously goes the other way. In fact you have stated it correctly; there would be less of a requirement for the certificate of need on HMO's. I suppose the reason for this is it would offer an incentive for HMO development, feeling that had a cost benefit to the people of this country to see that kind of health care provided rather than continue with the present mode."

Mr. Deccio: "Representative Kreidler, if an HMO wanted to buy a piece of equipment that's already in a hospital or if a hospital were seeking to have that piece of equipment, they are required to have a certificate of need and HMO's would not? I guess I'm just asking the question, are the hospitals that are nonprofit on the same competitive footing as HMO's? If the other hospital had a piece of equipment already installed in which they had to go through the certificate of need, then the HMO could come along and buy that same piece of equipment without a certificate of need and thereby create an increase in medical costs?"

Mr. Kreidler: "That's assuming the HMO doesn't own its own hospital and we're talking about providing just the health care to its own enrolled members. HMO's typically only provide health care to members who are enrolled in their plan. The impact would be just to the people enrolled in that particular health plan."

Mr. Deccio: "But it is a fact that if a hospital has a piece of equipment which they had to acquire through the certificate of need process, then someone could come along and install the same piece of equipment without having to use that process?"

Mr. Kreidler: "It's true from the standpoint that that's what would happen. Whether it would impact the total health care cost to the community would be a debatable point because of the enrolled nature of HMO's to a limited number of people who would be subscribing for that approach."

Mr. Deccio spoke in favor of the amendment, and Representatives Whiteside and Nelson (D) spoke against it.

Mr. Polk spoke again in favor of the amendment and Mr. Adams spoke against it.

Mr. Bond spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Whiteside yielded to question by Ms. Teutsch.

Ms. Teutsch: "Representative Whiteside, as a point of clarification, would you please define 'HMO'?"

Mr. Whiteside: "Representative Teutsch, HMO stands for Health Maintenance Organization, and as Representative Nelson pointed out, it's the Group Health and the Kaiser Plan is also a health maintenance organization."

Mr. Tilly spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Tilly to Substitute House Bill No. 1515, and the amendment was not adopted by the following vote: Yeas, 35; nays, 61; not voting, 2.

Voting yea: Representatives Addison, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Eberle, Ellis, Eng, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McGinnis, Nelson G. A., Nisbet, Polk, Rohrbach, Rosbach, Sanders, Smith C. P., Sprague, Taller, Taylor, Tilly, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Amen, Barnes, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Dawson, Ehlers, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Newhouse, North, O'Brien, Owen, Patterson, Pruitt, Rinehart, Salatino, Schmitt, Scott, Sherman, Smith R., Sommers, Stratton, Struthers, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Winsley.

Not voting: Representatives Bagnariol, Oliver.

The Clerk read the following amendment by Representative Tilly:

On page 6, beginning on line 9 strike all the material down to and including the parentheses on line 11 and insert "and health maintenance organizations and includes the entities in or through which such services are provided as defined in Public Law 93.641"

With the consent of the House, Mr. Tilly withdrew the amendment.

On motion of Mr. Whiteside, the following amendment by Representatives Whiteside and Adams was adopted:

On page 17, line 4 after "served" insert ". When an application is made by an osteopathic or allopathic facility for a certificate of need to construct, expand, or modernize a health care facility, acquire major medical equipment, or add services, the need for that construction, expansion, modernization, acquisition of equipment, or addition of services shall be considered on the basis of the need for and the availability in the community of services and facilities for osteopathic and allopathic physicians and their patients. The department shall consider the application in terms of its impact on existing and proposed institutional training programs for doctors of osteopathy and medicine at the student, internship, and residency training levels"

The bill was ordered engrossed.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1515 was placed on final passage.

Mr. Kreidler spoke in favor of the bill, and Mr. Tilly spoke against it.

#### POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Barr.

Mr. Barr: "Representative Kreidler, how will this bill affect a doctor and doctor's clinic compared to what they've been under?"

Mr. Kreidler: "Representative Barr, that will be determined to a large extent by the federal regulations that are going to be adopted under the federal amendments that were adopted in Congress this last year. The requirement here, with doctors in their private offices, being the last possible date that could be taken to fill those requirement from the federal government. That has not been pushed up one bit earlier than was necessary in order to bring our act into compliance. That date was worked out with the Washington State Medical Association and it is with their agreement and understanding that we were dealing with what was the very minimum, the very last day, that we would come under compliance. They agreed that was the last we could do it, and in consequence, they understand the federal amendments are going to take effect and the regulations are going to be promulgated from the federal government, and have accepted the fact that our state is being responsible by not doing it any sooner than we absolutely needed to do it. That's what this bill provides for."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1515, and the bill passed the House by the following vote: Yeas, 91; nays, 6; not voting, 1.

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

Voting nay: Representatives Barr, Bond, Eng, Fancher, McGinnis, Tilly.

Not voting: Representative Bagnariol.

Engrossed Substitute House Bill No. 1515, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 45, by Representative Clayton (by request of the Committee on Agriculture of the 45th Legislature):

Increasing the scope of crop liens.

The bill was read the second time.

On motion of Mr. Kreidler, Substitute House Bill No. 45 was substituted for House Bill No. 45, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 45 was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 45 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 45, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Bagnariol.

Substitute House Bill No. 45, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

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

On motion of Mr. Polk, HOUSE BILL NO. 1930 was rereferred from Committee on Ecology to Committee on Energy and Utilities.

On motion of Mr. Polk, HOUSE BILL NO. 1981 was rereferred from Committee on Local Government to Committee on Appropriations.

#### MOTION

On motion of Mr. Polk, the House adjourned until 9:30 a.m., Wednesday, January 30, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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

## SEVENTEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 30, 1980

The House was called to order at 9:30 a.m. by Speaker Bagnariol. The Clerk called the roll and all members were present except Representatives Craswell, Owen and Sommers. Representative Craswell was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Audrey Laxton and Ian Austin. Prayer was offered by The Reverend Richard Hart of the First Baptist Church of Olympia.

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

## MESSAGES FROM THE SENATE

January 29, 1980

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2563,  
SUBSTITUTE SENATE BILL NO. 2751,  
SUBSTITUTE SENATE BILL NO. 3195,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

January 29, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3183, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2563, by Committee on Parks and Recreation (originally sponsored by Senators von Reichbauer, Lewis, Gaspard and Sellar):

Reorganizing and renaming the interagency committee for outdoor recreation.

To Committee on Parks and Recreation

SUBSTITUTE SENATE BILL NO. 2751, by Committee on Ecology (originally sponsored by Senators Rasmussen, Newschwander and Lysen):

Pertaining to pollution control facilities.

To Committee on Ecology

SUBSTITUTE SENATE BILL NO. 3195, by Committee on Parks and Recreation (originally sponsored by Senators Peterson, von Reichbauer and Wanamaker):

Providing for the purchase of the Heart Lake property by the parks and recreation commission.

To Committee on Parks and Recreation

## MOTION

On motion of Mr. King, all bills listed on today's agenda under the fourth order of business were referred to the committees designated.

## REPORTS OF STANDING COMMITTEES

January 29, 1980

HOUSE BILL NO. 1414, Prime Sponsor: Representative Heck, authorizing students attending college in another state to receive financial aid when reciprocity agreement exists with institution students attending. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Executive Chairman; Barnes, Co-Chairman; Burns, Gruger, McGinnis, Oliver, Teutsch.

January 28, 1980

HOUSE BILL NO. 1429, Prime Sponsor: Representative Owen, regulating the taking of shellfish on private tidelands. Reported by Committee on Natural Resources.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Schmitt, Executive Chairman; Vrooman, Co-Chairman; Ellis, Flint, Martinis, McCormick, Mitchell, Monohon, Owen, Rosbach, Smith (R).

January 28, 1980

HOUSE BILL NO. 1500, Prime Sponsor: Representative North, providing for a preservation study of the Mt. Peak area. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass. Signed by Representatives North, Executive Chairwoman; Fuller, Co-Chairman; Brown, Sprague, Stratton.

January 28, 1980

HOUSE BILL NO. 1565, Prime Sponsor: Representative Becker, providing for children's trust fund. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Brekke, Kreidler, Lux, Mitchell, Pruitt, Stratton, Teutsch.

January 28, 1980

HOUSE BILL NO. 1596, Prime Sponsor: Representative Kreidler, requiring county programs to reserve agricultural land. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kreidler, Co-Chairman; Amen, Becker, Erak, Heck, Van Dyken.

MINORITY recommendation: The substitute bill do not pass. Signed by Representatives Fancher, Co-Chairwoman; Clayton, Hastings, Scott.

January 28, 1980

HOUSE BILL NO. 1598, Prime Sponsor: Representative Schmitt, adding two members to the salmon advisory council. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 8 strike "twelve" and insert "fourteen"

On page 2, line 19 after "boats;" strike "two" and insert "(two) four"

Signed by Representatives Schmitt, Executive Chairman; Vrooman, Co-Chairman; Ellis, McCormick, Mitchell, Monohon, Owen, Rosbach, Smith (R).

January 25, 1980

HOUSE BILL NO. 1605, Prime Sponsor: Representative Newhouse, revising workers' compensation laws. Reported by Committee on Labor.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clayton, Executive Chairman; Lux, Co-Chairman; Fancher, King, Monohon, Smith (C).

January 29, 1980

HOUSE BILL NO. 1614, Prime Sponsor: Representative Grimm, increasing the authorized amount for bonds for higher education capital improvements. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Executive Chairman; Barnes, Co-Chairman; Burns, Gruger, McGinnis, Oliver, Teutsch.

January 28, 1980

HOUSE BILL NO. 1620, Prime Sponsor: Representative Wilson, making an appropriation to the department of transportation. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Co-Chairman; Martinis, Co-Chairman; Bender, Burns, Charnley, Clayton, Dawson, Eberle, Erak, Gallagher, Isaacson, McCormick, Patterson, Sherman, Smith (C), Sprague, Struthers.

January 28, 1980

HOUSE BILL NO. 1628, Prime Sponsor: Representative Fancher, deleting limits on civil liability for certain actions involving dogs. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 1 of the title after "to" insert "damage by"

Signed by Representatives Kreidler, Co-Chairman; Fancher, Co-Chairwoman; Amen, Becker, Clayton, Erak, Hastings, Heck, Scott, Van Dyken.

January 28, 1980

HOUSE BILL NO. 1685, Prime Sponsor: Representative Charnley, permitting cities to regulate parking facilities not owned by the city. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Charnley, Co-Chairman; Brown, Chandler, Garrett, Keller, North, Rosbach, Stratton, Teutsch, Van Dyken.

January 28, 1980

HOUSE BILL NO. 1762, Prime Sponsor: Representative Rosbach, permitting courts to require contributions to a county or interlocal drug fund as a condition of probation. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, following line 19 add a new section as follows:

**NEW SECTION.** Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title after "probation;" strike "and"

On page 1, line 4 of the title after "9.95.210" insert "; and declaring an emergency"

Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Chandler, Garrett, North, Rosbach, Stratton, Teutsch, Van Dyken, Whiteside.

January 28, 1980

HOUSE BILL NO. 1779, Prime Sponsor: Representative Van Dyken, providing for a compilation county by county on lands currently in agricultural production and lands with viable potential for such production. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 18 after "conversions." insert "The factors involved in such conversions shall include, but not be limited to, the selling price per acre, the diversity of crops grown or livestock raised, and the average price of these crops and/or livestock per year over the last five years."

On page 1, line 25 after "sum of" strike "ten" and insert "twenty-five"

Signed by Representatives Kreidler, Co-Chairman; Fancher, Co-Chairwoman; Amen, Becker, Erak, Hastings, Heck, Scott, Van Dyken.

January 28, 1980

HOUSE BILL NO. 1943, Prime Sponsor: Representative Patterson: Authorizing excess levies for road districts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Chandler, Garrett, North, Rosbach, Stratton, Teutsch, Van Dyken, Whiteside.

January 28, 1980

HOUSE JOINT MEMORIAL NO. 35, Prime Sponsor: Representative Schmitten, memorializing Congress to enact legislation to assist the state's fishing industry. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Schmitten, Executive Chairman; Vrooman, Co-Chairman; Ellis, McCormick, Mitchell, Monohon, Owen, Rosbach, Smith (R).

#### MOTIONS

On motion of Mr. King, all bills listed on today's agenda under the fifth order of business were passed to Committee on Rules for second reading.

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

## THIRD READING

SUBSTITUTE HOUSE BILL NO. 318, by Committee on Judiciary (originally sponsored by Representatives Winsley, Smith, R., Deccio, Addison and Tilly):

Revising the law on adoption.

The House resumed consideration of the bill on third reading. (For previous action, see Journal, 11th Day, January 24, 1980.)

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 318, and the bill passed the House by the following vote: Yeas, 82; nays, 8; not voting, 8.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Bender, Bond, Brekke, Burns, Chandler, Charnley, Clayton, Craswell, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Fuller, Galloway, Garrett, Granlund, Greengo, Gruger, Hastings, Heck, Houchen, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson.

Voting nay: Representatives Brown, Erickson, Flint, Gallagher, Rosbach, Van Dyken, Winsley, Zimmerman.

Not voting: Representatives Becker, Berentson, Dawson, Grimm, Isaacson, Oliver, Owen, Sommers.

Substitute House Bill No. 318, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE JOINT RESOLUTION NO. 22, by Representatives O'Brien, Zimmerman, Garrett, Nelson (G), Sommers, Bauer, Galloway, Teutsch, Heck and Taller:

Providing the means to pay the indebtedness on public development projects.

## MOTION

On motion of Mr. King, the rules were suspended, and Engrossed House Joint Resolution No. 22 was returned to second reading and placed at the top of today's second reading calendar.

HOUSE JOINT RESOLUTION NO. 31, by Representatives Oliver, Erickson, Fuller, Gruger, Barnes, Granlund, Sommers, Tupper, Nelson (D), Isaacson, Burns, Taller, Brekke, Williams, Valle, Schmitt, Sherman, Nisbet, Addison, Sprague, Haley, Rosbach and Taylor:

Establishing a redistricting commission.

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

Mr. Oliver spoke in favor of passage of the resolution.

## ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 31, and the resolution passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

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

Voting nay: Representatives Eberle, Hastings.

Not voting: Representatives Becker, Owen, Sommers.

House Joint Resolution No. 31, having received the constitutional majority, was declared passed.



**SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO. 6**, by Committee on Social and Health Services (originally sponsored by Representatives Becker, Whiteside, Adams, Zimmerman, King, Polk, Gruger and Galloway):

Establishing a task force on children and families.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Concurrent Resolution No. 6, and the resolution passed the House by the following vote: Yeas, 83; nays, 9; not voting, 6.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Charnley, Clayton, Dawson, Deccio, Dunlap, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Barnes, Bond, Eberle, Flanagan, Hastings, Houchen, Newhouse, Oliver, Wilson.

Not voting: Representatives Chandler, Craswell, McDonald, Owen, Rosbach, Sommers.

Substitute House Concurrent Resolution No. 6, having received the constitutional majority, was declared adopted.

**SUBSTITUTE HOUSE BILL NO. 340**, by Committee on Institutions (originally sponsored by Representatives Struthers, Becker, Dunlap, Clayton, Smith, C. and Bond - by Department of Social and Health Services request):

Requiring parents to support their children in juvenile institutions.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 340, and the bill passed the House by the following vote: Yeas, 84; nays, 9; not voting, 5.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Becker, Bender, Bond, Brown, Burns, Chandler, Charnley, Clayton, Dawson, Deccio, Dunlap, Eberle, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Patterson, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Brekke, Ehlers, Heck, Houchen, Kreidler, Oliver, Pruitt, Wilson.

Not voting: Representatives Berentson, Craswell, Owen, Polk, Sommers.

Substitute House Bill No. 340, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SECOND SUBSTITUTE HOUSE BILL NO. 370**, by Committee on Appropriations (originally sponsored by Representatives Bender, Chandler, Charnley, Gruger, Burns, Eng, Valle, Nelson, G., Winsley, Brekke, Teutsch, Pruitt, Schmitt, Nelson, D., Mitchell and Douthwaite):

Mandating funds for programs for gifted students.

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

#### MOTION

On motion of Mr. King, the rules were suspended, and Second Substitute House Bill No. 370 was returned to second reading for amendment.

On motion of Mr. Bender, the following amendments by Representatives Bender and Chandler were adopted:

On page 4, strike all of section 10 and renumber the remaining sections consecutively.

On page 1, line 9 of the title after "RCW 28A.16.010;" insert "and" and on line 10 of the title strike everything after "RCW 28A.16.010" through line 11 and insert a period.

The bill was ordered engrossed.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed Second Substitute House Bill No. 370 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 370, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

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

Voting nay: Representative Heck.

Not voting: Representatives Craswell, Owen, Sommers.

Engrossed Second Substitute House Bill No. 370, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

**SUBSTITUTE HOUSE BILL NO. 38**, by Committee on State Government (originally sponsored by Representatives Taller, Ehlers, Sommers, Nelson, G. and Sanders):

Establishing a program of training and career development for state civil service employees.

The bill was read the third time.

#### MOTION

On motion of Mr. King, the rules were suspended, and Substitute House Bill No. 38 was returned to second reading for purpose of amendment.

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

Beginning on page 2, line 31 strike all of section 3 and insert the following:

\*Sec. 3. Section 15, chapter 1, Laws of 1961 as last amended by section 57, chapter 151, Laws of 1979 and RCW 41.06.150 are each amended to read as follows:

The board shall adopt rules, consistent with the purposes and provisions of this chapter and with the best standards of personnel administration, regarding the basis and procedures to be followed for:

(1) The dismissal, suspension, or demotion of an employee, and appeals therefrom;

(2) Certification of names for vacancies, including departmental promotions, with the number of names equal to two more names than there are vacancies to be filled, such names representing applicants rated highest on eligibility lists;

(3) Examinations for all positions in the competitive and noncompetitive service;

(4) Appointments;

(5) Training and career development;

(6) Probationary periods of six months and rejections therein;

~~((6))~~ (7) Transfers;

~~((7))~~ (8) Sick leaves and vacations;

~~((8))~~ (9) Hours of work;

~~((9))~~ (10) Layoffs when necessary and subsequent reemployment, both according to seniority;

~~((10))~~ (11) Determination of appropriate bargaining units within any agency: PROVIDED, That in making such determination the board shall consider the duties, skills, and working conditions of the employees, the history of collective bargaining by the employees and their bargaining representatives, the extent of organization among the employees, and the desires of the employees;

~~((11))~~ (12) Certification and decertification of exclusive bargaining representatives: PROVIDED, That after certification of an exclusive bargaining representative and upon said representative's request, the director shall hold an election among employees in a bargaining unit to determine by a majority whether to require as a condition of employment membership in the certified exclusive bargaining representative on or after the thirtieth day following the beginning of employment or the date of such election, whichever is the later, and the failure of an employee to comply with such a condition of employment shall constitute cause

for dismissal: PROVIDED FURTHER, That no more often than once in each twelve month period after expiration of twelve months following the date of the original election in a bargaining unit and upon petition of thirty percent of the members of a bargaining unit the director shall hold an election to determine whether a majority wish to rescind such condition of employment: PROVIDED FURTHER, That for purposes of this clause membership in the certified exclusive bargaining representative shall be satisfied by the payment of monthly or other periodic dues and shall not require payment of initiation, reinstatement, or any other fees or fines and shall include full and complete membership rights: AND PROVIDED FURTHER, That in order to safeguard the right of nonassociation of public employees, based on bona fide religious tenets or teachings of a church or religious body of which such public employee is a member, such public employee shall pay to the union, for purposes within the program of the union as designated by such employee that would be in harmony with his individual conscience, an amount of money equivalent to regular union dues minus any included monthly premiums for union sponsored insurance programs, and such employee shall not be a member of the union but shall be entitled to all the representation rights of a union member:

((+2)) (13) Agreements between agencies and certified exclusive bargaining representatives providing for grievance procedures and collective negotiations on all personnel matters over which the appointing authority of the appropriate bargaining unit of such agency may lawfully exercise discretion;

((+3)) (14) Written agreements may contain provisions for payroll deductions of employee organization dues upon authorization by the employee member and for the cancellation of such payroll deduction by the filing of a proper prior notice by the employee with the appointing authority and the employee organization: PROVIDED, That nothing contained herein shall permit or grant to any employee the right to strike or refuse to perform his official duties;

((+4)) (15) Adoption and revision of a comprehensive classification plan for all positions in the classified service, based on investigation and analysis of the duties and responsibilities of each such position;

((+5)) (16) Allocation and reallocation of positions within the classification plan;

((+6)) (17) Adoption and revision of a state salary schedule to reflect the prevailing rates in Washington state private industries and other governmental units, such adoption and revision subject to approval by the director of financial management in accordance with the provisions of chapter 43.88 RCW;

((+7) Training programs, including in-service, promotional and supervisory;))

(18) Increment increases within the series of steps for each pay grade based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service; and

(19) Providing for veteran's preference as required by existing statutes, with recognition of preference in regard to layoffs and subsequent reemployment for veterans and their widows by giving such eligible veterans and their widows additional credit in computing their seniority by adding to their unbroken state service, as defined by the board, the veteran's service in the military not to exceed five years. For the purposes of this section, 'veteran' means any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge shall be given: PROVIDED, HOWEVER, That the widow of a veteran shall be entitled to the benefits of this section regardless of the veteran's length of active military service: PROVIDED FURTHER, That for the purposes of this section 'veteran' shall not include any person who has voluntarily retired with twenty or more years of active military service and whose military retirement pay is in excess of five hundred dollars per month."

On page 7, line 7, after "this" strike "1979" and insert "1980"

On page 7, line 20, after "this" strike "1979" and insert "1980"

On page 8, line 3, after "this" strike "1979" and insert "1980"

On page 9, line 16, after "this" strike "1979" and insert "1980"

On page 9, line 34, after "sum of" strike "two hundred eighty-eight thousand" and insert "one hundred forty-four thousand five hundred four"

On page 10, line 1, after "this" strike "1979" and insert "1980"

On page 10, line 2, after "this" strike "1979" and insert "1980"

In line 5 of the title, after "section" strike "1, chapter 152, Laws of 1977 ex. sess." and insert "57, chapter 151, Laws of 1979"

The bill was ordered engrossed.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 38 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 38, and the bill passed the House by the following vote: Yeas, 92; nays, 3; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Dawson, Deccio, Dunlap, Eberle,

Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sprague, Stratton, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley.

Voting nay: Representatives Barnes, Wilson, Zimmerman.

Not voting: Representatives Craswell, Owen, Sommers.

Engrossed Substitute House Bill No. 38, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 542**, by Representatives Bauer, Chandler, Erickson, Barnes, Blair, Thompson, Patterson, Galloway, Heck, Whiteside, McGinnis, Taylor and Hurley:

Abolishing existing educational television commission and creating another; setting out its powers and duties, and making appropriations thereto.

The bill was read the third time.

#### MOTION

On motion of Mr. Salatino, the rules were suspended, the Engrossed House Bill No. 542 was returned to second reading for purpose of amendment.

On motion of Mr. Whiteside, the following amendments by Representatives Whiteside, Bauer and Chandler were adopted:

On page 3, following subsection (4) insert a new subsection as follows:

"(5) The commission shall be housed in the office of the state planning and community affairs agency."

On page 5, line 10 after "Act of" strike "1978" and insert "1980"

Beginning on page 7, line 22 after "Sec. 11." strike all the material down to and including "necessary." on page 8, line 23 and insert: "There is hereby appropriated from the state general fund for the biennium ending June 30, 1981, to the Washington State Public Broadcasting Commission, the sum of fifty-five thousand dollars for the purposes of this 1980 act: PROVIDED, That any moneys so appropriated may also be used for matching federal grants."

The bill was ordered reengrossed.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Reengrossed House Bill No. 542 was placed on final passage.

Representatives Bauer and Whiteside spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Amen.

Mr. Amen: "I see in this that there's over \$3 million appropriated, but I've been also informed this isn't in there any more. Is that correct?"

Mr. Bauer: "Yes. The amount is now \$55,000. It was in the amendment we just passed."

Mr. Bond spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 542, and the bill passed the House by the following vote: Yeas, 67; nays, 25; not voting, 6.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Ehlers, Ellis, Eng, Erak, Erickson, Flint, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., North, O'Brien, Oliver, Patterson, Pruitt, Rinehart, Salatino, Schmitt, Scott, Sherman, Smith R., Stratton, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Winsley.

Voting nay: Representatives Addison, Amen, Barr, Bond, Clayton, Dawson, Eberle, Fancher, Flanagan, Fuller, Hastings, Houchen, McDonald, Nelson G. A., Nisbet, Polk, Rohrbach, Rosbach, Sanders, Smith C. P., Sprague, Struthers, Williams, Wilson, Zimmerman.

Not voting: Representatives Craswell, Deccio, Dunlap, Newhouse, Owen, Sommers.

Reengrossed House Bill No. 542, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 46**, by Representative Clayton (by Committee on Agriculture of the 45th Legislature request):

Providing for promoting markets for state agricultural products.

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

Mr. Clayton spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 46, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

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

Not voting: Representatives Craswell, Owen, Sommers, Tilly.

Engrossed House Bill No. 46, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED HOUSE BILL NO. 829**, by Representatives Haley, Kreidler, Craswell, Thompson and Smith (R):

Increasing the funding of family court.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 829, and the bill passed the House by the following vote: Yeas, 90; nays, 3; not voting, 5.

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

Voting nay: Representatives Barnes, Whiteside, Wilson.

Not voting: Representatives Craswell, Oliver, Owen, Sommers, Tilly.

Engrossed House Bill No. 829, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 395**, by Committee on Social and Health Services (originally sponsored by Representatives Adams, Whiteside, Thompson, Haley, Pruitt, Gruger, Wilson, Salatino, McCormick, Mitchell, Schmitt, Taller, Bauer, King, Lux, Kreidler, Erak, Newhouse, Deccio, Martinis and Brown):

Revising laws regulating chiropractors.

The bill was read the third time.

#### MOTION

On motion of Mr. King, the rules were suspended, and Substitute House Bill No. 395 was returned to second reading for the purpose of amendment.

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

Strike everything after the enacting clause and insert:

Section 1. Section 1, chapter 53, Laws of 1959 as amended by section 1, chapter 50, Laws of 1965 ex. sess. and RCW 18.25.015 are each amended to read as follows:

There is hereby created a state board of chiropractic examiners consisting of three practicing chiropractors to conduct examinations and perform duties as provided in this chapter.

Members of the board shall be appointed by the governor ~~((from a list of five or more names submitted by the Washington Chiropractors Association, Inc. and/or the Chiropractic Society of Washington)), who may consider such persons who are recommended for appointment by chiropractic associations of this state.~~ ~~((At))~~ For at least five years preceding the time of their appointment, and during their tenure of office, the members of the board must be actual residents of Washington, licensed to practice chiropractic in this state, and must be citizens of the United States.

In order that the terms of ~~((one))~~ members shall expire ~~((each year))~~ in succession, first members appointed shall serve ~~((one))~~ as follows: One for a term of three years, one for a term of two years, and one for a term of one year; thereafter appointments shall be for a term of three years. Vacancies of members shall be filled by the governor as in the case of original appointment, such appointee to hold office for the remainder of the unexpired term.

Sec. 2. Section 10, chapter 5, Laws of 1919 as last amended by section 22, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.25.070 are each amended to read as follows:

(1) Every person practicing chiropractic shall, as a prerequisite to annual renewal of license, submit to the director at the time of application therefor, satisfactory proof showing attendance of at least twenty-five hours during the preceding ~~((year))~~ three-year period, at one or more chiropractic symposiums which are recognized and approved by the board of chiropractic examiners: PROVIDED, That the board may, for good cause shown, waive said attendance. The following guidelines for such symposiums shall apply:

~~((++))~~ (a) Symposiums which shall be approved ~~((:))~~ by the board ~~((:))~~ for licensees practicing or residing within the state of Washington are those sponsored or conducted by ~~((the Washington Chiropractor's Association, the Chiropractic Society of Washington))~~ any chiropractic association in the state, the American Chiropractic Association, ~~((or))~~ The International Chiropractic Association, or an approved chiropractic college ~~((and))~~ or other institutions or organizations which devote themselves to lectures or demonstrations concerning matters which are recognized in the state of Washington chiropractic licensing laws ~~((:))~~;

~~((2))~~ ~~((Symposiums approved;))~~ (b) Rules shall be adopted by the board ~~((:))~~ for licensees practicing and residing outside the state ~~((are those sponsored or conducted by an approved chiropractic college or a recognized chiropractic organization which is representative of the chiropractors of a state, a territory, a province, or a country.~~

(3) To be eligible for approval, a symposium shall:

(a) Be sponsored by an approved chiropractic college or a recognized chiropractic organization which is representative of the chiropractors of a state, a territory, a province, or a country; and

(b) Extend over a period of at least two days, and offer an education program consisting of at least eight hours; and

(c) Include instruction by at least two outstanding chiropractic educators) who shall meet all requirements established by the board by rules and regulations.

(2) Every person practicing chiropractic within this state shall pay on or before the first day of September of each year, after a license is issued to him as herein provided, to said director a renewal license fee to be determined by the director as provided in RCW 43.24.085 as now or hereafter amended. The director shall, thirty days or more before September first ~~((:))~~ of each year, mail to all chiropractors in the state a notice of the fact that the renewal fee will be due on or before the first of September. Nothing in this chapter shall be construed so as to require that the receipts shall be recorded as original licenses are required to be recorded.

The failure of any licensed chiropractor to pay his annual license renewal fee by the first day of October following the date on which the fee was due shall work a forfeiture of his license. It shall not be reinstated except upon ~~((written application))~~ evidence that continuing educational requirements have been fulfilled and the payment of a penalty to be determined by the director as provided in RCW 43.24.085 as now or hereafter amended, together with all annual license renewal fees delinquent at the time of the forfeiture, and those for each year thereafter up to the time of reinstatement. Should the licensee allow his license to elapse for more than three years, he must be reexamined as for a new license.

**NEW SECTION.** Sec. 3. There is added to chapter 18.25 RCW a new section to read as follows:

The board shall have authority to grant accreditation to chiropractic schools and colleges.

The board shall have authority to adopt educational standards which may include standards of any accreditation agency recognized by the office of education of the department of health and human services, or any portion of such standards, as the board's standards: PROVIDED, That such standards, so adopted, shall contain, as a minimum of on-campus instruction in chiropractic, the following: Principles of chiropractic, two hundred hours; adjustive technique, four hundred hours; spinal roentgenology, one hundred seventy-five hours; symptomatology and diagnosis, four hundred twenty-five hours; clinic, six hundred twenty-five hours: PROVIDED FURTHER, That such standards shall not mandate, as a requirement for either graduation or accreditation, or include in the computation of hours of chiropractic instruction required by this section, instruction in the following: Mechanotherapy, physiotherapy, acupuncture, acupressure, or dietary therapy.

The board shall approve and accredit chiropractic colleges and schools which apply for board accreditation and approval and which meet to the board's satisfaction the educational standards adopted by the board. It shall be the responsibility of the college to apply for accreditation and approval, and of a student to ascertain whether a college or school has been accredited or approved by the board.

**NEW SECTION.** Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

**NEW SECTION.** Sec. 5. If any provision of this 1980 act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

In the title, page 1, line 1, strike everything after "chiropractic;" and insert "amending section 1, chapter 53, Laws of 1959 as amended by section 1, chapter 50, Laws of 1965 ex. sess. and RCW 18.25.015; amending section 10, chapter 5, Laws of 1919 as last amended by section 22, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.25.070; adding a new section to chapter 18.25 RCW; repealing section 9, chapter 5, Laws of 1919 and RCW 18.25.060; and declaring an emergency."

The bill was ordered engrossed.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 395 was placed on final passage.

Mr. Adams spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Polk.

Mr. Polk: "Representative Adams, the question is on the first page of your amendment, lines 26 through 33, where it says, 'For at least five years preceding the time of their appointment, and during their tenure of office, the members of the board must be actual residents of Washington, licensed to practice chiropractic in this state, and must be citizens of the United States.' Prior to that line, I had read that language talking about people who the Governor could appoint as persons who were recommended for appointment by the association, and I had assumed that anyone could be appointed to this board, such as consumers, which has been one of the drifts of this Legislature for the past few years. Was I wrong? Do they actually have to be licensed chiropractors before they can be appointed to the board?"

Mr. Adams: "Yes, they must be licensed chiropractors before they can be appointed to the examining board."

Mr. Tilly spoke against passage of the bill, and Mr. Newhouse spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 395, and the bill passed the House by the following vote: Yeas, 89; nays, 5; not voting, 4.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Patterson, Pruiitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sprague, Stratton, Struthers, Tally, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley.

Voting nay: Representatives Barnes, Polk, Rohrbach, Tilly, Zimmerman.

Not voting: Representatives Craswell, McGinnis, Owen, Sommers.

Engrossed Substitute House Bill No. 395, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 810**, by Committee on Revenue (originally sponsored by Representatives Barr, Sommers, Craswell, Thompson and Fuller):

Modifying the law on forest lands and open space, agricultural and timber lands.

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

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

## POINT OF INQUIRY

Mr. Barr yielded to question by Mr. Schmittten.

Mr. Schmittten: "Representative Barr, does this change the notification of who is responsible or does it change the assessment of the responsible parties? Currently, the purchaser would pay that; does this change notification that he is responsible, or is it saying that the owner is now going to pay the burden?"

Mr. Barr: "It changes the ultimate responsibility to the seller rather than the purchaser, as it is now. Along with that, it sets it up under the procedure I mentioned that it has a reasonable length of time to be settled. It could be a matter of negotiation between the buyer and the seller as to who really pays it. It seems reasonable and puts it back on a man-to-man basis."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 810, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

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

Voting nay: Representative Schmittten.

Not voting: Representatives Craswell, Owen, Sommers, Wilson.

Substitute House Bill No. 810, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

Mr. King moved that the Rules Committee be relieved of SUBSTITUTE HOUSE BILL NO. 20, and that it be placed on today's third reading calendar.

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

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

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Representative King that the Rules Committee be relieved of Substitute House Bill No. 20, and the bill be placed on today's third reading calendar.

Mr. King spoke in favor of the motion.

## POINT OF ORDER

Mr. Polk: "Mr. Speaker, I would ask that you ask Representative King to restrict his comments to the motion before us and not to the merits of the bill."

The Speaker (Mr. O'Brien presiding): "Representative King hasn't gone into the merits of the bill as yet."

Mr. King continued his remarks in favor of the motion, and Mr. Polk spoke against it.

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

Speaker Berentson spoke against the motion, and Speaker Bagnariol spoke in favor of it.

Speaker Berentson spoke again in opposition to the motion.

## POINT OF ORDER

Mr. Ehlers: "Mr. Speaker, would Representative Berentson speak to the point of relieving the committee of the bill. He's getting into the issue. They warned us of that a few minutes ago when Representative King was speaking."



The Speaker (Mr. O'Brien presiding): "Speaker Berentson, will you hold your remarks to the question. The main question isn't open and we'd like you to just state the reasons why you don't think the committee should be relieved of the bill."

Speaker Berentson continued his remarks against the motion.

Mr. Polk spoke again in opposition to the motion, and Mr. King spoke again in favor of it.

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

#### ROLL CALL

The Clerk called the roll on the motion to relieve the Rules Committee of Substitute House Bill No. 20, and place it on today's third reading calendar, and the motion was lost by the following vote: Yeas, 47; nays, 47; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Stratton, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Craswell, Nisbet, Owen, Sommers.

#### MESSAGE FROM THE SENATE

January 30, 1980

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3183,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKERS

The Speaker (Mr. O'Brien presiding) announced the Speakers were signing:

SENATE BILL NO. 3183.

#### MOTION

On motion of Mr. King, HOUSE BILL NO. 1508 was rereferred from Committee on Transportation to Committee on Energy and Utilities.

#### MOTION

On motion of Mr. King, the House adjourned until 9:30 a.m., Thursday, January 31, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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

## EIGHTEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 31, 1980

The House was called to order at 9:30 a.m. by Speaker Berentson. The Clerk called the roll and all members were present except Representative Heck, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Julie Lordahl and Alexander Higgins. Prayer was offered by The Reverend Richard Hart of the First Baptist Church of Olympia.

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

## MESSAGE FROM THE SENATE

January 30, 1980

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2174,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2174, by Senator Van Hollebeke:

Prohibiting the unlawful possession and sale of drug-related paraphernalia.

To Committee on Judiciary

## MOTION

On motion of Mr. Polk, HOUSE BILL NO. 1690 was referred to Committee on Education.

## REPORTS OF STANDING COMMITTEES

January 29, 1980

HOUSE BILL NO. 31, Prime Sponsor: Representative Ehlers, creating rules review committees and procedures.

Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ehlers, Co-Chairman; Taller, Co-Chairman; Addison, Burns, Flint, Jovanovich, McGinnis, Pruitt, Salatino, Tupper, Walk, Williams.

January 29, 1980

SUBSTITUTE HOUSE BILL NO. 200, Prime Sponsor: Representative Erickson, expanding real estate excise tax to include used mobile homes. Reported by Committee on Revenue.

MAJORITY recommendation: The second substitute bill proposed by the Committee on Revenue be substituted therefor and the second substitute bill do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Brown, Erickson, Flanagan, Galloway, Granlund, Greengo, Hastings, Nelson (D), O'Brien, Rinehart, Sanders, Winsley.

January 29, 1980

HOUSE BILL NO. 728, Prime Sponsor: Representative Douthwaite, permitting the state employee's insurance board to self-fund any insurance program under its jurisdiction. Reported by Committee on State Government.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Ehlers, Co-Chairman; Taller, Co-Chairman; Burns, Flint, Greengo, Jovanovich, Pruitt, Tupper.

January 28, 1980

HOUSE BILL NO. 1090, Prime Sponsor: Representative Zimmerman, relating to local government. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Garrett, Keller, North, Rosbach, Stratton, Teutsch, Van Dyken, Whiteside.

January 29, 1980

HOUSE BILL NO. 1093, Prime Sponsor: Representative Charnley, relating to special purpose districts. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Chandler, Garrett, North, Rohrbach, Rosbach, Stratton, Teutsch, Van Dyken, Vrooman, Whiteside.

January 28, 1980

HOUSE BILL NO. 1251, Prime Sponsor: Representative Nelson (D), pertaining to economic development. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Brown, Erickson, Galloway, Granlund, Greengo, Nelson (D), Rinehart, Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Addison, Bond, Flanagan, Hastings, Sanders.

January 30, 1980

HOUSE BILL NO. 1405, Prime Sponsor: Representative Thompson, designating the sea otter as the state animal. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Schmitt, Executive Chairman; Adams, Dawson, Ellis, Flint, Jovanovich, McCormick, McDonald, Mitchell, Monohon, Rosbach.

January 30, 1980

HOUSE BILL NO. 1407, Prime Sponsor: Representative Rosbach, modifying joint tenancy provisions relating to savings and loan associations. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Winsley, Executive Chairwoman; Eng, Co-Chairman; Deccio, Eberle, Knowles, Newhouse, Rinehart, Rosbach, Schmitt.

January 29, 1980

HOUSE BILL NO. 1434, Prime Sponsor: Representative Erickson, permitting replies to recall charges and directing the attorney general to determine the sufficiency of the charge against a prosecuting attorney. Reported by Committee on Constitution, Elections and Governmental Ethics.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 19 after "synopsis." strike the remainder of the section and insert "Such response shall be submitted by the seventh consecutive day after service of the notice."

On page 2, line 6 after "charge" and before the comma insert "if such has been filed"

On page 2, strike all of line 12 and insert:

"(((Here insert the ballot synopsis of the charge.)))

(Here insert the ballot synopsis of the charge.)      (Here insert the officer's response to the charge.)"

Signed by Representatives Oliver, Executive Chairman; Erickson, Co-Chairwoman; Barnes, Eberle, Granlund, Gruger, Hastings, Hughes.

January 30, 1980

HOUSE BILL NO. 1467, Prime Sponsor: Representative North, establishing moorage fees in marine state parks. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass. Signed by Representatives North, Executive Chairwoman; Fuller, Co-Chairman; Brown, Sprague, Stratton.

January 30, 1980

HOUSE BILL NO. 1468, Prime Sponsor: Representative North, requiring watercraft registration. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives North, Executive Chairwoman; Fuller, Co-Chairman; Brown, Stratton.

January 29, 1980

HOUSE BILL NO. 1524, Prime Sponsor: Representative Ehlers, modifying the law on public employment salary surveys. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Co-Chairman; Taller, Co-Chairman; Addison, Burns, Flint, Greengo, Jovanovich, McGinnis, O'Brien, Pruitt, Salatino, Walk.

January 28, 1980

HOUSE BILL NO. 1558, Prime Sponsor: Representative Zimmerman, exempting certain dwellings from the access roadway requirements of the fire code. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Garrett, North, Rosbach, Stratton, Teutsch, Van Dyken, Whiteside.

January 28, 1980

HOUSE BILL NO. 1575, Prime Sponsor: Representative Charnley, permitting classification of county roads as primitive roads. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Chandler, Garrett, North, Rosbach, Stratton, Teutsch, Van Dyken, Whiteside.

January 29, 1980

HOUSE BILL NO. 1581, Prime Sponsor: Representative Oliver, establishing county candidates' and voters' pamphlets. Reported by Committee on Constitution, Elections and Governmental Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Oliver, Executive Chairman; Erickson, Co-Chairwoman; Barnes, Eberle, Eng, Fuller, Granlund, Gruger, Hastings, Hughes.

January 29, 1980

HOUSE BILL NO. 1703, Prime Sponsor: Representative Martinis, increasing the time for which a temporary permit for driving trucks, buses or cabs may be issued. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 24 after "issue" strike "a temporary" and insert "~~((a-temporary))~~ an instruction"

On page 1, line 26 after "This" strike "temporary" and insert "~~((temporary))~~ instruction"

On page 1, line 29 strike "temporary" and insert "~~((temporary))~~ instruction"

Signed by Representatives Wilson, Co-Chairman; Martinis, Co-Chairman; Burns, Charnley, Eberle, Erak, Gallagher, Garrett, McCormick, Patterson, Smith (C), Sprague, Struthers, Walk.

January 28, 1980

HOUSE BILL NO. 1723, Prime Sponsor: Representative Sommers, modifying the inheritance tax law. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Bond, Brown, Erickson, Flanagan, Galloway, Granlund, Greengo, Hastings, Rinehart, Sanders, Winsley.

January 29, 1980

HOUSE BILL NO. 1725, Prime Sponsor: Representative Sommers, recalculating levies when statutory limits would be exceeded. Reported by Committee on Revenue.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Brown, Erickson, Flanagan, Galloway, Granlund, Nelson (D), O'Brien, Rinehart, Winsley.

**MINORITY recommendation:** Do not pass. Signed by Representatives Addison, Bond, Hastings, Sanders.

January 30, 1980

**HOUSE BILL NO. 1741, Prime Sponsor:** Representative Schmitt, modifying provisions relating to free hunting and fishing licenses for disabled veterans. Reported by Committee on Natural Resources.

**MAJORITY recommendation:** Do pass. Signed by Representatives Schmitt, Executive Chairman; Adams, Dawson, Ellis, Flint, Jovanovich, McCormick, Mitchell, Monohon, Rosbach.

January 29, 1980

**HOUSE BILL NO. 1743, Prime Sponsor:** Representative Brown, authorizing certain cities to appoint a park commission. Reported by Committee on Local Government.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Chandler, Garrett, Keller, North, Rohrbach, Rosbach, Stratton, Teutsch, Van Dyken, Vrooman, Whiteside.

January 28, 1980

**HOUSE BILL NO. 1757, Prime Sponsor:** Representative Addison, recalculating the 106% limit after the expiration of an emergency medical services levy. Reported by Committee on Revenue.

**MAJORITY recommendation:** Do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Brown, Erickson, Flanagan, Galloway, Granlund, Greengo, Sanders, Winsley.

January 29, 1980

**HOUSE BILL NO. 1778, Prime Sponsor:** Representative Patterson, establishing and funding seven additional drivers' licensing stations. Reported by Committee on Transportation.

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

January 30, 1980

**HOUSE BILL NO. 1784, Prime Sponsor:** Representative Amen, implementing law relating to payment of bonds or U.S. contract payments of certain irrigation districts. Reported by Committee on Agriculture.

**MAJORITY recommendation:** Do pass. Signed by Representatives Kreidler, Co-Chairman; Fancher, Co-Chairwoman; Amen, Becker, Clayton, Hastings, Heck, Scott, Van Dyken.

January 29, 1980

**HOUSE BILL NO. 1807, Prime Sponsor:** Representative Walk, directing stricter regulation and inspection of hazardous cargoes. Reported by Committee on Transportation.

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

January 30, 1980

**HOUSE BILL NO. 1820, Prime Sponsor:** Representative Brown, extending the time period for filing accident reports. Reported by Committee on Insurance.

**MAJORITY recommendation:** Do pass. Signed by Representatives Rohrbach, Executive Chairman; Keller, Co-Chairman; Adams, Dawson, Ellis, Erak, Garrett, Houchen, Maxie, McGinnis, Smith (R), Zimmerman.

January 29, 1980

HOUSE BILL NO. 1829, Prime Sponsor: Representative Erickson, permitting voter registration at high schools and fire stations. Reported by Committee on Constitution, Elections and Governmental Ethics.

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 14 after "each" strike "high" and insert "common"

Signed by Representatives Oliver, Executive Chairman; Erickson, Co-Chairwoman; Barnes, Eberle, Eng, Fuller, Granlund, Gruger, Hastings.

January 28, 1980

HOUSE BILL NO. 1841, Prime Sponsor: Representative Van Dyken, exempting state furnished meals to the aged from sales and use taxes. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Bond, Brown, Erickson, Flanagan, Galloway, Granlund, Greengo, Hastings, Nelson (D), Rinehart, Sanders, Winsley.

January 29, 1980

HOUSE BILL NO. 1870, Prime Sponsor: Representative Sherman, requiring a bill of lading for hazardous material to be red. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Co-Chairman; Martinis, Co-Chairman; Bender, Burns, Charnley, Clayton, Dawson, Eberle, Erak, Gallagher, Garrett, McCormick, Patterson, Sherman, Smith (C), Sprague, Struthers, Walk.

January 29, 1980

HOUSE BILL NO. 1901, Prime Sponsor: Representative Kreidler, redefining life estate for purposes of the residential property tax exemption. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Bond, Brown, Erickson, Flanagan, Galloway, Granlund, Greengo, Nelson (D), Rinehart, Sanders, Winsley.

January 30, 1980

HOUSE BILL NO. 1916, Prime Sponsor: Representative Hughes, establishing a lobo wolf preserve. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives North, Executive Chairwoman; Fuller, Co-Chairman; Brown, Sprague, Stratton.

January 30, 1980

HOUSE BILL NO. 1950, Prime Sponsor: Representative Newhouse, revising laws relating to banking. Reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Winsley, Executive Chairwoman; Eng, Co-Chairman; Deccio, Eberle, Knowles, Kreidler, Newhouse, Rinehart, Rosbach, Schmitt.

January 30, 1980

HOUSE BILL NO. 1976, Prime Sponsor: Representative Bauer, providing for pollution control facilities. Reported by Committee on Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Valle, Executive Chairwoman; Barr, Co-Chairman; Brekke, Galloway, Hughes, Nisbet, Pruitt, Rinehart, Smith (C), Whiteside.

January 29, 1980

HOUSE BILL NO. 1987, Prime Sponsor: Representative Greengo, providing for fair market value assessments of mobile homes for property taxation. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 10 after "models of" strike "manufactured" and insert "mobile"

Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Brown, Flanagan, Granlund, Greengo, Hastings, Nelson (D), O'Brien, Rinehart, Sanders, Winsley.

January 30, 1980

HOUSE JOINT MEMORIAL NO. 26, Prime Sponsor: Representative Dunlap, requesting Congress to establish steelhead trout as a national game fish. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Schmitten, Executive Chairman; Adams, Dawson, Ellis, Flint, Jovanovich, McCormick, McDonald, Mitchell, Monohon, Rosbach.

January 28, 1980

HOUSE CONCURRENT RESOLUTION NO. 26, Prime Sponsor: Representative Zimmerman, establishing a select committee to study and assist on problems relating to urban sprawl. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Chandler, Garrett, Keller, North, Rosbach, Stratton, Teutsch, Van Dyken, Whiteside.

January 29, 1980

HOUSE CONCURRENT RESOLUTION NO. 29, Prime Sponsor: Representative Heck, providing for a joint legislative committee to consult with like members from other states on higher education reciprocity programs. Reported by Committee on Higher Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Executive Chairman; Barnes, Co-Chairman; Burns, Gruger, McGinnis, Oliver, Teutsch.

#### MOTIONS

On motion of Mr. Polk, all bills listed on today's agenda under the fifth order of business were passed to Committee on Rules for second reading with the exception of House Bill No. 31.

On motion of Mr. Polk, the rules were suspended, and HOUSE BILL NO. 31 was advanced to second reading.

#### SECOND READING

HOUSE BILL NO. 31, by Representatives Ehlers, Taller, Struthers, Walk, Sanders and Addison:

Requiring the legislature to pay the department of general administration for use of buildings and services.

The bill was read the second time.

On motion of Mr. Ehlers, Substitute House Bill No. 31 was substituted for House Bill No. 31, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 31 was read the second time.

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

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

#### POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Newhouse.

Mr. Newhouse: "At the risk of getting in front of a train, Representative Ehlers, could you tell me if perhaps this is an alternative to the Senate overriding the veto on Substitute House Bill No. 29?"

Mr. Ehlers: "It might be construed as that."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 31, and the bill passed the House by the following vote: Yeas, 89; nays, 8; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo,

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

Voting nay: Representatives Barnes, Clayton, Flanagan, Newhouse, O'Brien, Smith C. P., Tilly, Wilson.

Not voting: Representative Sommers.

Substitute House Bill No. 31, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SECOND SUBSTITUTE HOUSE BILL NO. 1141**, by Committee on Appropriations (originally sponsored by Representatives Hurley, Zimmerman, North, Winsley, Charnley, Fuller, Granlund, Nelson G., Clayton, Sprague, Wilson and Tilly):

Establishing a reservation system for state park campsites.

The bill was read the second time.

Committee on Parks and Recreation recommendation: Majority, do pass as amended. (For amendments, see Journal, 4th Day, January 17, 1980.)

On motion of Ms. North, the committee amendments were adopted.

The bill was ordered engrossed.

On motion of Mr. Polk, the rules were suspended, the second reading considered the third, and Engrossed Second Substitute House Bill No. 1141 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1141, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

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

Voting nay: Representative Owen.

Not voting: Representatives Deccio, Heck.

Engrossed Second Substitute House Bill No. 1141, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 1406**, by Representative Newhouse:

Correcting double amendments in laws relating to motor vehicle offenses.

The bill was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and House Bill No. 1406 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1406, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R.,



Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Heck.

House Bill No. 1406, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Speaker Berentson called on Mr. Amen to preside.

HOUSE BILL NO. 1427, by Representatives Martinis, Wilson, Sherman, Chandler, Nelson (D), Bauer, Heck, Bender, Brekke, Burns, Charnley, Erak, Galloway, Garrett, Granlund, Gruger, King, Monohon, Pruitt and Vrooman:

Increasing the municipal public transit motor vehicle excise tax authorization.

The bill was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and House Bill No. 1427 was placed on final passage.

Representatives Martinis, Dunlap and Greengo spoke in favor of passage of the bill, and Mr. Flanagan spoke against it.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Martinis, we've been talking about percentages here and I always like to relate the number of dollars that will be involved. Could you relate to the body what the cost of this will be to the general fund of the state in the first year and then project it on that five or six year program that we had in the committee?"

Mr. Martinis: "Yes, Representative Patterson, but first of all, let's clarify for those people here who are dubious about a new tax: This is not a new tax. This is general fund revenue. The first year, 1981, that any transit system would be financed — and we're talking about Metro — it would be \$5.9 million. The reason for not going the full amount is the delay in the statute in appropriating that money back to the public transit system. Then in the second year it would be approximately \$12 million. Prior to percentages of the match funds, Metro — and we speak of Metro because they will be the first ones to use it and they have the one that has the fine public transit system in the state of Washington — is approximately, give or take one or two percent, one-third, one-third, one-third. One-third from the fare box, one-third from the .3 sales tax, and one-third from the state general fund. Metro has recently raised their rates and they've been criticized by some of the local newspapers. They are projecting another fare box increase also to meet the rising cost of transits. This additional 1% will go along with the percentage that Metro has been trying to adhere to, and this will not increase their percentages, but it will increase their dollar subsidy, but we'll still go along with the one-third, one-third, one-third. Metro has been trying very hard and very sincerely to keep those percentages in line."

Representatives Tupper and Whiteside spoke in favor of the bill, and Mr. Newhouse spoke against it.

Mr. Martinis spoke again in favor of the bill.

Mr. Polk demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1427, and the bill passed the House by the following vote: Yeas, 82; nays, 15; not voting, 1.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Flint, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Polk, Pruitt, Rinehart, Rohrbach, Salatino, Sanders, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Bond, Craswell, Fancher, Flanagan, Fuller, Hastings, McGinnis, Newhouse, Oliver, Patterson, Rosbach, Schmitten, Taylor, Tilly.

Not voting: Representative Heck.

House Bill No. 1427, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1445, by Representatives Erickson, Oliver, King, Fuller, Hughes, Barnes, Eng, Tilly, Granlund, Gruger, Pruitt and Winsley:

Reconstituting the Public Disclosure Commission.

The bill was read the second time.

Committee on Constitution, Elections and Governmental Ethics recommendation: Majority, do pass as amended. (For amendment, see Journal, 11th Day, January 24, 1980.)

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

The bill was ordered engrossed.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1445 was placed on final passage.

Representatives Erickson and Oliver spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1445, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

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

Voting nay: Representatives Gallagher, O'Brien.

Not voting: Representative Heck.

Engrossed House Bill No. 1445, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1471, by Representatives Keller, Dawson and Deccio (by Insurance Commissioner request):

Revising laws relating to insurance.

The bill was read the second time.

On motion of Mr. Keller, Substitute House Bill No. 1471 was substituted for House Bill No. 1471, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1471 was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1471, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

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

Voting nay: Representative Patterson.

Not voting: Representative Heck.

Substitute House Bill No. 1471, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1485, by Representatives Mitchell, Teutsch, Whiteside, Flint, Houchen, Brekke, Kreidler and Granlund (by Washington State Board of Pharmacy request):

Revising laws on controlled substances.

The bill was read the second time.

On motion of Mr. Whiteside, Substitute House Bill No. 1485 was substituted for House Bill No. 1485, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1485 was read the second time.

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

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

#### POINT OF INQUIRY

Mr. Mitchell yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Representative Mitchell, down in our area of the state, many Portland and Oregon physicians, in prescribing drugs for patients from the Washington side of the river, have had a problem with their being able to have those filled. Does this measure in any way deal with that or correct that problem?"

Mr. Mitchell: "Are you speaking in terms of amphetamines that are prescribed in Oregon for Washington residents?"

Mr. Zimmerman: "Correct."

Mr. Mitchell: "It depends upon what the medication has been prescribed for."

Mr. Zimmerman: "Say the doctor had prescribed it for an illness of a patient who resides on this side and he had come back to his local drugstore in Washington and wanted it filled. At the present time, there is some restriction which prevents that, and I wondered if we are correcting it in this bill, or if there is another measure that is correcting it?"

Mr. Mitchell: "Number one, if the medication has been legally prescribed, it can be filled; however, there still is a problem of reciprocity across the borders of our neighboring states of Idaho and Oregon. There is legislation coming from the Senate to take care of this problem."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1485, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Heck.

Substitute House Bill No. 1485, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1510, by Representatives Warnke and Greengo:

Extending grounds for termination of a franchise.

The bill was read the second time.

On motion of Mr. Warnke, Substitute House Bill No. 1510 was substituted for House Bill No. 1510, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1510 was read the second time.

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

Representatives Warnke and Greengo spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1510, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

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

Substitute House Bill No. 1510, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1516, by Representatives Teutsch, Pruitt, Brekke, Whiteside, Mitchell, Kreidler, Stratton, May, Flint, Lux, Adams, Eng, Barr, Gallagher, Valle, Erak and Maxie:

Establishing requirements for in-home services.

The bill was read the second time.

On motion of Mr. Whiteside, Substitute House Bill No. 1516 was substituted for House Bill No. 1516, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1516 was read the second time.

On motion of Ms. Teutsch, the following amendment was adopted:

On page 1, line 27 after "~~department~~" strike "shall" and insert "may"

The bill was ordered engrossed.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1516 was placed on final passage.

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

#### POINT OF INQUIRY

Mr. Whiteside yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Whiteside, I'm in favor of the bill, but I'm a little concerned about some of the verbiage in the very last proviso. It talks about federal funds that are available, and it says, '...state general fund moneys shall be conserved with federal funds.' I'm concerned about duplication here because we do have an appropriation of \$326,000. Does this mean that as federal funds become available, then the federal funds will be substituted for the state funds and the state funds will then be preserved in the general funds?"

Mr. Whiteside: "I hesitate to use the word 'substitute.' It merely means that we will conserve our state general revenue by using the federal funds if they are available. There will not be a duplication of funding and we felt by using the word 'conserve' it was much better than to use the word 'substituting' because the federal government misinterprets that and then we are penalized."

#### POINT OF INQUIRY

Mr. Whiteside yielded to question by Ms. Maxie.

Ms. Maxie: "Representative Whiteside, on page 2 of this substitute bill there is a section which address the question of compensation for the health care providers. I would ask you to elaborate on why this is addressed in this bill. I would like to get the sentiment of the people who initiated the interest here in this area."

Mr. Whiteside: "In the Social and Health Services Committee, it was brought out that people's (providing the care services) checks were late by as much as three, four, five, six

months and we wanted to put some language in here which would encourage the department to be more prompt in their payments. Along with that, this concern was also expressed by the Department of Social and Health Services and so, consequently, the House Social and Health Services Committee, in conjunction with DSHS, worked out a program and that is that any person who is a provider of any in-home service, whether it's care service, homemaker service, home health service, if the check is late by more than two weeks from the time it was expected, the Department of Social and Health Services now has a hotline number whereby the people can call the Department and they will look into the reason for the delay rather than going with the several layers of bureaucracy trying to get that answer."

Representatives Maxie and Pruitt spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1516, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

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

Engrossed Substitute House Bill No. 1516, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1520, by Representatives Adams, Whiteside, Mitchell, Galloway, Gallagher, Hughes, Erak and Stratton (by Department of Social and Health Services request):

Granting DSHS personnel access to criminal records when investigating applicants for child care agency licenses.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 1520 was substituted for House Bill No. 1520, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1520 was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1520 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1520, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

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

Substitute House Bill No. 1520, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE JOINT RESOLUTION NO. 22, by Representatives O'Brien, Zimmerman, Garrett, Nelson (G), Sommers, Bauer, Galloway, Teutsch, Heck and Taller:

Providing the means to pay the indebtedness on public development projects.

The resolution was read the second time.

Mr. Flanagan moved adoption of the following amendment by Representatives Flanagan and Dunlap:

Beginning on line 9 strike all material down to and including the period on line 19 and insert:

"Article VII, section 12. Notwithstanding section 1 of this Article, the legislature may provide that all or a portion of the real property taxes levied against any increase in the true and fair value of property within the project boundaries which may be reasonably construed to have arisen from a public development or redevelopment project may be used to pay any public obligation incurred for the project. A taxing authority shall not pledge funds for payment of such obligations from any state or local tax source other than those derived from the previously mentioned increase in true and fair value or other revenue derived from within such project; and such obligation shall not constitute general indebtedness of the taxing authority. No taxing authority may pledge its full faith and credit toward the payment of such obligations without a vote of the people. Nothing in this section shall authorize aggregate tax levies in excess of the limitation on levies in section 2 of this Article."

Representatives Flanagan, O'Brien and Dunlap spoke in favor of the amendment, and it was adopted.

The resolution was ordered reengrossed.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Reengrossed House Joint Resolution No. 22 was placed on final passage.

Representatives O'Brien, Flanagan and Zimmerman spoke in favor of passage of the resolution.

#### POINT OF INQUIRY

Mr. Flanagan yielded to question by Mr. Dunlap.

Mr. Dunlap: "If HJR 22 is approved by the Legislature and the voters, is there any way that the state could be held financially responsible for payment of any defaulted bonds issued by any local taxing authority?"

Mr. Flanagan: "No. Any such bonds would be issued in the name of the local taxing authority, and only that agency could be held responsible."

Mr. Dunlap: "Will this amendment permit the use of local revenues other than the increased property taxes created by the project?"

Mr. Flanagan: "Yes, it would permit the use of revenues from leases, rents and user fees from within the defined project boundaries."

Mr. Dunlap: "Would it also permit the use of increased local sales, B&O or utility taxes?"

Mr. Flanagan: "No. No tax revenue would be available to support the project, other than the property tax increment."

Mr. Dunlap: "Could federal grants-in-aid or private donations be used to support a development project?"

Mr. Flanagan: "Yes. Only state or local tax sources would be prohibited."

Mr. Dunlap: "Does this amendment have anything to do with lending the credit of the state or local governments?"

Mr. Flanagan: "Absolutely not. HJR 22 would amend Article VII of the Constitution — the article dealing with the distribution of taxes. Article VIII of the Constitution is the article that deals with the lending of credit. This measure has nothing to do with that issue. HJR 41, which is also moving in this House, deals with that issue."

Mr. Dunlap spoke in favor of the resolution.

#### POINT OF INQUIRY

Mr. Dunlap yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Dunlap, as I heard your discussion dealing with constitutional questions, I wondered if you had cleared these constitutional questions with the Supreme Court?"

Mr. Dunlap: "No, we have not."

Mr. Jovanovich spoke against passage of the resolution.

## POINT OF INQUIRY

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

Mr. Nelson (D): "Representative Flanagan, in this bill as amended it says, 'No taxing authority may pledge its full faith and credit toward the payment of such obligations without a vote of the people.' My question is, is it true that when government agencies or entities enter into a project, such as is contemplated under this type of program, that they will always or most generally pledge their faith and credit toward any obligation? Isn't that generally true in any action? And may I conclude from that, that there will be a vote as a matter of course, a public vote, on most if not all of projects that are developed in that?"

Mr. Flanagan: "I think you have to distinguish between general obligation bonds and revenue bonds. In the case of revenue bonds, the facilities provided are paid for entirely by the users of the project or the facility or whatever it is. It doesn't take a vote of the people. Those things are done quite a lot all over the state and all over the country on that basis. I think you have to distinguish between the two types of bonds. That's basically one of the things I was trying to make clear so that people wouldn't think that these were bonds based on revenue and then find out they were tied to general obligation bonds."

Representatives O'Brien and Galloway spoke in favor of the resolution.

Mr. Patterson demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Joint Resolution No. 22, and the resolution passed the House by the following vote: Yeas, 84; nays, 13; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Dawson, Deccio, Dunlap, Ellis, Erak, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Hughes, Isaacson, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Barnes, Craswell, Eberle, Ehlers, Eng, Erickson, Houchen, Jovanovich, Nelson D., North, Rohrbach, Sherman, Wilson.

Not voting: Representative Bond.

Reengrossed House Joint Resolution No. 22, having received the constitutional majority, was declared passed.

## SENATE AMENDMENTS TO HOUSE BILL

January 30, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1852 with the following amendments:

On page 3, line 7 after "elections" insert "except for those elections held pursuant to a home-rule charter adopted under Article XI, section 4 of the state Constitution"

On page 4, line 5 after "March" insert "PROVIDED HOWEVER, That in any county holding an election on the second Tuesday in March of 1980 pursuant to a home-rule charter adopted under Article XI, section 4 of the state Constitution, any city, town, or district where any portion of the registered voters of that city, town or district reside within that charter county may hold special elections on the second Tuesday in March of 1980"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTIONS

Mr. Oliver moved that the House do not concur in the Senate amendments to Substitute House Bill No. 1852, and ask the Senate to recede therefrom.

Mr. King moved that the House do concur in the Senate amendments.

Mr. King spoke in favor of the motion, and Mr. Oliver spoke against it.

A division was called.

## ROLL CALL

The Clerk called the roll on the motion that the House concur in the Senate amendments to Substitute House Bill No. 1852, and the motion was lost by the following vote: Yeas, 47; nays, 47; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Stratton, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Eng, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Grimm, Mitchell, Nelson G. A., Winsley.

HOUSE BILL NO. 1412, by Representatives Isaacson, Barr, Oliver, Williams and Wilson:

Regulating the transportation and disposal of radioactive wastes.

The bill was read the second time.

On motion of Ms. Valle, Substitute House Bill No. 1412 was substituted for House Bill No. 1412, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1412 was read the second time.

Ms. Valle moved adoption of the following amendments by Representatives Valle, Pruitt, Nisbet, Rinehart, Isaacson, Galloway, Sanders, Hughes and Brekke:

On page 2, following line 8 insert a new section to read as follows:

"NEW SECTION. Sec. 3. There is added to chapter 70.98 RCW a new section to read as follows:

A license issued pursuant to this chapter to dispose of radioactive waste shall continue in effect and the responsibility and authority for possession of buried radioactive waste shall continue until the department finds that the plan established for preparation of the of the site for transfer to another person has been satisfactorily implemented in a manner to reasonably assure protection of the public health and safety and the department takes action to terminate the licensee's responsibility and authority under such license. The expiration date on a license to dispose of radioactive waste shall apply only to the above ground activities of the licensee and to the authority to bury radioactive wastes. Material buried under such license may not be transferred by abandonment or otherwise in the absence of specific authorization by the department."

Renumber the remaining sections and correct internal references.

On page 4, beginning on line 2 after "(11)" strike all material down through "body." on line 4 and insert "Medical waste" means radioactive waste from all therapy, diagnosis or research in medical fields and radioactive waste which results from the production and manufacture of radioactive material used for therapy, diagnosis or research in medical fields if such wastes would otherwise be defined as low-level radioactive waste under the provisions of RCW 70.98.030(12)(a)(i) and (b). "Medical waste" does not include spent fuel or waste from the fuel of an isotope production reactor."

On page 4, after line 24 insert a new subsection as follows:

"(13) 'State licensed disposal site' or 'disposal site licensed pursuant to this chapter' means a radioactive waste disposal site whose operation is licensed and otherwise regulated by the agency under the provisions of this chapter."

Representatives Valle, Barr, Bagnariol and Isaacson spoke in favor of the amendments, and they were adopted.

On motion of Ms. Valle, the following amendment by Representatives Valle, Barr, Isaacson and Hughes was adopted:

On page 5, on line 3 following "medical waste" strike all material down to and including "body" on line 5

On motion of Mr. Isaacson, the following amendment by Representatives Isaacson and Valle was adopted:

On page 4, after line 24 insert a new subsection to read as follows:

"(13) 'Entity' means any unit not addressed in the definition of 'person.'"

The bill was ordered engrossed.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1412 was placed on final passage.



Representatives Valle, Barr, Nelson (D), Polk, Bagnariol and Tupper spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Barr yielded to question by Mr. Tupper.

Mr. Tupper: "Representative Barr, my concern is on the regional aspect of this bill. One of the things we've talked about putting in is to insure that we're only dealing with wastes coming from this particular region. We do not have a definition of region in the bill and on page 5, lines 9 and 10, although we deal with region, there is no real restriction as to what the region is. My concern is what legislative intent will be established here on the floor or in your committee as to what is defined by region and what insures the state from, say, the eastern seaboard would not be able to sign a contract with our state and report it as regionalized waste?"

Mr. Barr: "Representative Tupper, it was not intended to be a regional bill by the intent of it specifically, but I think the middle ground I spoke of is accomplished in this bill and it can be a reasonable bill because when a regional compact is adopted by both states involved and by the legislatures, it has to come back to us and we have the opportunity then to have the control over which state we have a compact with and if it is the thinking and the wishes of the legislature at that time, it can be ultimately a regional bill. And then, of course, it would have to be adopted by the U.S. Congress also. I think that is the end result and there again, it does not limit other states as far as some would like, but it is a middle ground, and I think it will, ultimately end up being a regional bill as we see fit to make it later."

#### POINT OF INQUIRY

Ms. Becker yielded to question by Ms. Valle.

Ms. Valle: "Will you tell us what will happen on July 1, 1981 in this bill? Section 5 of this bill allows for out-of-state waste to be brought into the state under an interstate compact. How would such a compact be adopted? Please speak to the regional aspect of this bill if there is one?"

Ms. Becker: "In response to your first question, Representative Valle, section 5 is the heart of the bill in terms of what would happen after July 1, 1981. After that time no radioactive waste from outside the state could be brought into the state of Washington unless it came under the exception for low level waste as provided in section 5. As far as the interstate compact aspect is concerned, and that is also in section 5, the intent of this language is to require an interstate compact under the interstate compact clause of Article I, section 10 of the United States Constitution. Under the Constitution, an interstate compact must be adopted by the legislatures of the states which are party to the agreement and it must then be ratified by the United States Congress. With respect to the regional aspect of the bill, I think Representative Barr addressed that very well. Under the interstate compact process, it would be up to the legislature to decide at that time what regions it wanted to be included in terms of bringing in low-level radioactive wastes. I would reiterate, however, that the bill does not provide such an exception for high-level wastes, which is banned under the terms of this bill."

Mr. Oliver spoke in favor of the bill.

#### MOTION

On motion of Mr. Polk, the rules were suspended, and Engrossed Substitute House Bill No. 1412 was returned to second reading for the purpose of amendment.

#### MOTION FOR RECONSIDERATION

Mr. Isaacson, having voted on the prevailing side, moved that the House now reconsider the vote by which the Isaacson/Valle amendment to page 4, line 24 was adopted.

The motion was carried.

The Isaacson/Valle amendment was reconsidered and failed to be adopted.

On motion of Mr. Polk, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1412 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1412, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Craswell, Newhouse.

Engrossed Substitute House Bill No. 1412, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTIONS

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

On motion of Mr. Polk, HOUSE BILL NO. 1929 was rereferred from Committee on Rules to Committee on Financial Institutions.

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

Speaker Berentson called the House to order.

## MESSAGE FROM THE SENATE

January 31, 1980

Mr. Speaker:

The Senate has receded from its amendments to SUBSTITUTE HOUSE BILL NO. 1852, and has passed the bill without the Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKERS

Speaker Berentson announced the Speakers were signing:

SUBSTITUTE HOUSE BILL NO. 1852.

## MOTION

On motion of Speaker Bagnariol, the House adjourned until 9:30 a.m., Friday, February 1, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk

VITO T. CHIECHI, Chief Clerk

## NINETEENTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Thursday, February 1, 1980

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kathy Kepner and Lisa Mar. Prayer was offered by The Reverend Richard Hart of the First Baptist Church of Olympia.

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

### MESSAGES FROM THE SENATE

January 31, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1852,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

January 31, 1980

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3179,

ENGROSSED SUBSTITUTE SENATE BILL NO. 3250,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

### INTRODUCTIONS AND FIRST READING

SUBSTITUTE SENATE BILL NO. 3179, by Committee on State Government (originally sponsored by Senators Shinpoch, Rasmussen and von Reichbauer):

Expanding the membership of the horse racing commission.

To Committee on State Government

ENGROSSED SUBSTITUTE SENATE BILL NO. 3250, by Committee on Ways and Means (originally sponsored by Senators Fleming, Jones, Day, Sellar, McDermott, Ridder and Morrison - by Select Committee on Nursing Home request):

Establishing a nursing home audit and cost reimbursement system.

To Committee on Appropriations

### REPORTS OF STANDING COMMITTEES

January 30, 1980

HOUSE BILL NO. 1416, Prime Sponsor: Representative Eng, making miscellaneous changes in law relating to credit unions. Reported by Committee on Financial Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Winsley, Executive Chairwoman; Eng, Co-Chairman; Eberle, Knowles, Kreidler, Newhouse, Rinehart, Rosbach, Schmitten.

January 30, 1980

HOUSE BILL NO. 1461, Prime Sponsor: Representative Martinis, providing for household goods storage warehouses. Reported by Committee on Transportation.

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

January 30, 1980

HOUSE BILL NO. 1484, Prime Sponsor: Representative Smith (R), revising laws relating to insurance. Reported by Committee on Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rohrbach, Executive Chairman; Keller, Co-Chairman; Adams, Dawson, Ellis, Erak, Garrett, Houchen, Maxie, McGinnis, Smith (R), Zimmerman.

January 30, 1980

HOUSE BILL NO. 1491, Prime Sponsor: Representative Pruitt, establishing a program for health promotion. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Barr, Brekke Flint, Kreidler, Pruitt, Stratton, Teutsch.

January 30, 1980

HOUSE BILL NO. 1593, Prime Sponsor: Representative Garrett, updating the Model Traffic Ordinance. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Co-Chairman; Martinis, Co-Chairman; Bender, Burns, Charnley, Clayton, Dawson, Erak, Gallagher, Garrett, Isaacson, McCormick, Patterson, Smith (C), Sprague, Tilly, Walk.

January 30, 1980

HOUSE BILL NO. 1683, Prime Sponsor: Representative Wilson, clarifying responsibility for motor vehicle violations. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Co-Chairman; Martinis, Co-Chairman; Bender, Burns, Charnley, Dawson, Erak, Gallagher, Garrett, McCormick, Patterson, Smith (C), Sprague, Tilly, Walk.

January 31, 1980

HOUSE BILL NO. 1718, Prime Sponsor: Representative Struthers, providing for work training programs in state institutions. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Struthers, Executive Chairman; Becker, Co-Chairwoman; Barr, Granlund, Houchen, Mitchell, Nelson (D), Walk.

January 31, 1980

HOUSE BILL NO. 1813, Prime Sponsor: Representative Van Dyken, establishing attendance incentive programs for school districts and educational service district employees. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Heck, Co-Chairman; Bender, Craswell, Ehlers, Eng, Galloway, McDonald, Nelson (G), Sommers, Taller, Taylor, Tupper, Valle, Van Dyken, Warnke.

January 31, 1980

HOUSE BILL NO. 1888, Prime Sponsor: Representative Becker, requiring juvenile disposition standards to be published in the State Register. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Struthers, Executive Chairman; Becker, Co-Chairwoman; Barr, Granlund, Houchen, Mitchell, Nelson (D), Walk.

January 31, 1980

HOUSE BILL NO. 1952, Prime Sponsor: Representative Lux, making miscellaneous changes in law relating to employment compensation. Reported by Committee on Labor.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clayton, Executive Chairman; Lux, Co-Chairman; Dunlap, Fancher, Flanagan, King, Scott, Smith (C).

January 30, 1980

HOUSE BILL NO. 1983, Prime Sponsor: Representative Rohrbach, revising laws relating to motor vehicle insurance. Reported by Committee on Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rohrbach, Executive Chairman; Keller, Co-Chairman; Adams, Dawson, Ellis, Erak, Garrett, Houchen, Maxie, McGinnis, Smith (R), Zimmerman.

January 31, 1980

HOUSE CONCURRENT RESOLUTION NO. 27, Prime Sponsor: Representative Thompson, requesting cooperation of school districts of state with superintendent of public instruction in achieving a statewide system of cooperative school bus maintenance facilities. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 24 after "the" strike everything through "Utilities" on line 25 and insert "education"

Signed by Representatives Heck, Co-Chairman; Bender, Craswell, Ehlers, Eng, Galloway, McDonald, Nelson (G), Sommers, Taller, Taylor, Tupper, Valle, Van Dyken, Warnke.

#### MOTION

On motion of Mr. King, all bills listed on today's agenda under the fifth order of business were passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 1686, by Representatives Chandler and Heck (by Superintendent of Public Instruction request):

Utilizing accrual basis instead of cash basis in recognition of certain expenditures relating to school districts.

The bill was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1686, and the bill passed the House by the following vote: Yeas, 86; nays, 0; not voting, 12.

Voting yea: Representatives Addison, Bagnariol, Barnes, Barr, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Charnley, Craswell, Dawson, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Amen, Bauer, Chandler, Clayton, Deccio, Dunlap, Granlund, Knowles, Oliver, Rohrbach, Tilly.

House Bill No. 1686, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT MEMORIAL NO. 6, by Representatives Flanagan, Martinis, Clayton, Newhouse, Owen, Jovanovich, Garrett, Monohon, Patterson, Amen and Nelson (G):

Asking the federal government to give states more authority in environmental regulations.

The memorial was read the second time.

#### MOTION

Mr. Polk moved that the rules be suspended, the second reading considered the third, and House Joint Memorial No. 6 be placed on final passage.

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

Mr. Flanagan spoke in favor of the motion, and Ms. Valle spoke against it.

## ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance House Joint Memorial to final passage, and the motion failed to receive the necessary two-thirds majority by the following vote: Yeas, 49; nays, 44 not voting, 4.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, Monohon, Nelson D., North, O'Brien, Owen, Rinehart, Salatino, Scott, Smith R., Stratton, Thompson, Valle, Vrooman, Walk, Warnke.

Not voting: Representatives Chandler, Ehlers, McCormick, Sherman.

House Joint Memorial No. 6 was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 39, by Committee on State Government (originally sponsored by Representatives Ehlers, Taller, Sommers, Struthers, Walk, Nelson, G. and Clayton):

Making uniform the compensation of various boards and commissions.

The bill was read the second time.

On motion of Mr. Ehlers, Second Substitute House Bill No. 39 was substituted for Engrossed Substitute House Bill No. 39, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 39 was read the second time.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 39, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

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

Not voting: Representatives Addison, Erickson, McCormick, Schmitt.

Second Substitute House Bill No. 39, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 182, by Representatives Nelson (G), Warnke and Greengo (by Legislative Committee on Commerce request):

Establishing the innovation service institute.

The bill was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and House Bill No. 182 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 182, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap,

Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives McCormick, Newhouse.

House Bill No. 182, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 541**, by Committee on State Government (Originally sponsored by Representatives Ehlers, Lux and Gallagher):

Updating the state building code.

The bill was read the second time.

On motion of Mr. Ehlers, Second Substitute House Bill No. 541 was substituted for Substitute House Bill No. 541, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 541 was read the second time.

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

Representatives Ehlers and Zimmerman spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 541, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

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

Voting nay: Representatives Barr, Wilson.

Not voting: Representative McCormick.

Second Substitute House Bill No. 541, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 561**, by Representatives Sanders, Nelson (G), Bond, McDonald and McGinnis:

Regulating rental of space for aircraft.

The bill was read the second time.

On motion of Mr. Newhouse, Substitute House Bill No. 561 was substituted for House Bill No. 561, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 561 was read the second time.

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

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

#### POINT OF INQUIRY

Mr. Sanders yielded to question by Mr. Struthers.

Mr. Struthers: "Representative Sanders, is there any opposition to this bill from city or county-owned airports?"

Mr. Sanders: "I'm not aware of any opposition."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 561, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Gallagher, McCormick.

Substitute House Bill No. 561, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 819, by Representatives Bond, Nelson (D), Sanders, Addison, Flanagan, Brown, Hastings, Granlund, Greengo, Craswell and McGinnis:

Allowing sales tax refunds for the return of partial amounts of a bulk commodity.

The bill was read the second time.

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

Strike subsection (2) and insert:

"(2) If a partial amount of fuel for water or space-heating purposes is returned by the buyer, the price for purposes of calculating the tax shall be the original sale price less the amount refunded. The seller shall refund to the buyer sales tax paid by the buyer based on the amount refunded and shall deduct from gross proceeds of sales in computing tax liability an amount equal to the amount refunded."

The bill was ordered engrossed.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 819 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 819, and the bill passed the House by the following vote: Yeas, 96; nays, 0, not voting, 2.

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

Not voting: Representatives McCormick, Rohrbach.

Engrossed House Bill No. 819, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1143, by Representatives Sherman, Zimmerman and Charnley:

Revising laws relating to extraterritorial activities of certain special purpose districts.

The bill was read the second time.

On motion of Mr. Charnley, Substitute House Bill No. 1143 was substituted for House Bill No. 1143, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1143 was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1143 was placed on final passage.

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



## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1143, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

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

Voting nay: Representative Wilson.

Substitute House Bill No. 1143, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1205, by Representatives Amen, Patterson and Charnley:

Adding part of the Snake River to the scenic river system.

The bill was read the second time.

On motion of Mr. Amen, Substitute House Bill No. 1205 was substituted for House Bill No. 1205, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1205 was read the second time.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1205, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

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

Substitute House Bill No. 1205, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1254, by Representatives Sprague, Garrett, Bender and Wilson:

Establishing procedures for adding areas to cities in public transportation benefit areas.

The bill was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and House Bill No. 1254 was placed on final passage.

Mr. Sprague spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1254, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R.,

Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

House Bill No. 1254, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

HOUSE BILL NO. 1262, by Representatives Addison, Sommers, Craswell, Sanders, Galloway, Hastings, Greengo, Brown, Erickson, Granlund and Flanagan:

Removing postage costs from sales tax.

The bill was read the second time.

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

Mr. Addison spoke in favor of the bill.

#### POINT OF INQUIRY

Ms. Craswell yielded to question by Mr. Ehlers.

Mr. Ehlers: "Representative Craswell, would organizations or firms that are in the business of mail solicitation for political purposes and/or candidates receive exemption in this bill?"

Ms. Craswell: "No, this is only for merchandise through the mail."

Mr. Ehlers: "Nonpolitical? In other words, on the basis of a person who is ordering the material? Not any other purpose?"

Ms. Craswell: "As I understand it, it would be just for merchandise and no other purpose."

#### POINT OF INQUIRY

Mr. Addison yielded to question by Mr. Nelson (D):

Mr. Nelson (D): "Representative Addison, as I understand this bill, it would allow an exemption from the sales tax for the use of the U.S. Postal service, but it would still require the sales tax on postage charges or mailing charges or delivery charges if the person were to use a private mail delivery. Is that correct?"

Mr. Addison: "The bill only affects U.S. postage. However the Department of Revenue is handling the other delivery services which will remain the same."

Mr. Nelson (D): "Can you explain the rationale then for that discrimination? If I chose to mail something via the United Parcel Service which is private — say I had a small business and I was delivering merchandise to customers — they would have to pay for that sales tax charged on that postal service if I used the private service, but they would not if I chose to mail it to them, using the U.S. Postal Service? Is that correct?"

Mr. Addison: "Again, the bill does not address private; however, the bill only addresses the U.S. postage and however the Department handles the private companies will remain the same."

Mr. Nelson (D): "Can you explain the rationale then, in your mind, for the benefit to users of the U.S. Postal Service over the private services?"

Mr. Addison: "The rationale is simply this: When you go the United States Post Office and buy stamps you're not charged sales tax, so it would be equitable when people are purchasing goods through the mail just to keep things uniform."

Mr. Nelson (D) spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1262, and the bill passed the House by the following vote: Yeas, 73; nays, 22; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Becker, Bender, Berentson, Bond, Brown, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Gallagher, Greengo, Grimm, Hastings, Heck, Houchen, Hughes, Isaacson, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McDonald, McGinnis, Mitchell, Nelson G. A.,

Newhouse, Nisbet, O'Brien, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Smith C. P., Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Brekke, Burns, Ehlers, Eng, Erak, Erickson, Galloway, Granlund, Gruger, Jovanovich, Lux, Monohon, Nelson D., North, Pruitt, Rinehart, Sherman, Smith R., Sommers, Valle, Warnke.

Not voting: Representatives Garrett, McCormick, Scott.

House Bill No. 1262, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1432, by Representatives Granlund, Taller, Galloway, Winsley, Heck, Chandler, Eberle, Scott, Jovanovich, Salatino, Walk and Dawson:

Removing school district director terms from assumption of office date common to counties, cities and towns and certain other special purpose districts.

The bill was read the second time.

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

Representatives Granlund and Heck spoke in favor of passage of the bill, and Mr. Charnley spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1432, and the bill passed the House by the following vote: Yeas, 90; nays, 5; not voting, 3.

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

Voting nay: Representatives Charnley, Hastings, Oliver, Van Dyken, Wilson.

Not voting: Representatives Becker, Bond, Newhouse.

House Bill No. 1432, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1438, by Representatives Sanders, Warnke, Greengo, Owen, Addison, Schmitt, Martinis and Flint:

Permitting the port commission to waive the rent security requirement.

The bill was read the second time.

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

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

#### POINT OF INQUIRY

Mr. Sanders yielded to question by Mr. Jovanovich.

Mr. Jovanovich: "Representative Sanders, the way this bill is written by striking the language that they did, wouldn't you agree that this waiver of security requirement is entirely at the discretion of the local port authorities? In other words, they would say who would and who would not have to meet these requirements?"

Mr. Sanders: "Yes, Representative Jovanovich, that is the purpose of the bill, to allow the local port commission to decide when they need security for the rent."

Mr. Jovanovich spoke against the bill, and Representatives Struthers, Martinis and Warnke spoke in favor of it.

Mr. Jovanovich spoke again in opposition to the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1438, and the bill passed the House by the following vote: Yeas, 83; nays, 13; not voting, 2.

Voting yea: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brown, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Erak, Erickson, Fancher, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hastings, Heck, Houchen, Hughes, Isaacson, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Brekke, Burns, Charnley, Eng, Flanagan, Gruger, Jovanovich, Nelson D., Pruitt, Rinehart, Rohrbach, Smith C. P., Valle.

Not voting: Representatives Adams, Newhouse.

House Bill No. 1438, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1453, by Representatives Schmitt, Vrooman, Addison, Brekke, Fuller, Keller, Mitchell, Monohon, Nisbet, Oliver, Pruitt, Salatino, Sanders and Walk:

Creating a program to study the use of wood for energy and heat.

The bill was read the second time.

On motion of Mr. Schmitt, the following amendment by Representatives Schmitt and Vrooman was adopted:

On page 2, line 21 strike section 6 and renumber the remaining sections consecutively.

The bill was ordered engrossed.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1453 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1453, and the bill passed the House by the following vote: Yeas, 93; nays, 4; not voting, 1.

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

Voting nay: Representatives Barnes, Flint, Rohrbach, Smith C. P.

Not voting: Representative Brown.

Engrossed House Bill No. 1453, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1458, by Representatives Sanders, Gruger, Teutsch, Adams, Tupper, Lux, McDonald, Whiteside, Addison, Brekke, Charnley, Houchen, Maxie, Mitchell, Pruitt, Taller, Van Dyken and Winsley:

Allowing public assistance recipients in nursing homes to retain wages from training or rehabilitative programs.

The bill was read the second time.

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

Representatives Sanders and Teutsch spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Sanders yielded to question by Mr. Charnley.

Mr. Charnley: "Representative Sanders, the one concern I have is with the changes in inflation and in Title 19. Is there a connection or a way that the state laws would reflect that?"

Mr. Sanders: "Yes, Title 19 is spelled out in the bill, so as the federal government increases the allowance under Title 19, then the same allowance to the handicapped would be increased in the state of Washington."

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1458, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

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

House Bill No. 1458, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1460, by Representatives Bauer, Heck, Zimmerman, Galloway and Thompson:

Mandating salaries of certificated employees in state schools for the blind to be comparable to others in school district where located.

The bill was read the second time.

Committee on Appropriations recommendation: Majority, do pass as amended. (For amendments, see Journal, 15th Day, January 28, 1980.)

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

The bill was ordered engrossed.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1460 was placed on final passage.

Representatives Bauer, Zimmerman and Galloway spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1460, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Berentson, Polk.

Engrossed House Bill No. 1460, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1475, by Representatives Erickson and Oliver:

Modifying terminology relating to regular and special sessions of the legislature.

The bill was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and House Bill No. 1475 was placed on final passage.

Representatives Erickson and Oliver spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1475, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Mitchell.

House Bill No. 1475, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

I intended to vote "Yes" on House Bill No. 1475, but my vote was not registered on the machine.

JAMES B. MITCHELL, 39th District.

HOUSE BILL NO. 1480, by Representatives Burns, Grimm, Erickson, Patterson, Teutsch, Gruger, Oliver, Brekke, Pruitt, Nelson (D), Lux and Rinehart:

Giving college and university students responsibility in spending of funds for programs paid with services and activities fees.

The bill was read the second time.

On motion of Mr. Grimm, Substitute House Bill No. 1480 was substituted for House Bill No. 1480, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1480 was read the second time.

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

On page 1, line 7 before "for" strike "recommendation" and insert "recommendations"

On page 1, line 8 after "such" strike "programs are" and insert "budget recommendations are intended to be"

The bill was ordered engrossed.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1480 was placed on final passage.

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

#### POINT OF INQUIRY

Mr. Burns yielded to question by Mr. Grimm.

Mr. Grimm: "Services and activities fees are commonly used to construct and maintain capital facilities such as student union buildings. Are these projects encompassed within provisions of this bill?"

Mr. Burns: "Yes. The bill specifically provides for student involvement in the budgeting process to the extent that services and activities fees are involved. Where funding for capital projects is provided by S&A fees, they will be included as would other budget recommendations. The procedures, of course, would not allow impairment of existing bond contracts."

Mr. Grimm: "This bill applies to the initial annual budgeting process. Is it your intention that it also include amendments to a previously adopted services and activities budget?"

Mr. Burns: "Yes. It is the intent that the procedures used in formulating the initial budget will also be adhered to if any subsequent changes are necessary."

Representatives Barnes and Grimm spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1480, and the bill passed the House by the following vote: Yeas, 90; nays, 4; not voting, 4.

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

Voting nay: Representatives Eberle, McDonald, Rohrbach, Rosbach.

Not voting: Representatives Berentson, Clayton, Flint, Polk.

Engrossed Substitute House Bill No. 1480, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1511, by Representatives Pruitt, Mitchell, Teutsch, Whiteside, Stratton, Schmitt, Flint, Lux, Houchen, Vrooman and Gallagher:

Revising laws requiring identification of legend drugs.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 1511 was substituted for House Bill No. 1511, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1511 was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1511 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1511, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Bender, Charnley.

Substitute House Bill No. 1511, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1519, by Representatives Adams, Whiteside, Brekke, Gallagher and Erak (by Department of Social and Health Services request):

Granting DSHS investigative personnel access to the central registry of child protective services.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 10th Day, January 23, 1980.)

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

The bill was ordered engrossed.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1519 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1519, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Bender, Charnley.

Engrossed House Bill No. 1519, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1568, by Representatives McCormick, Bond, Scott, Grimm, Oliver, Monohon, Kreidler, Sanders, Maxie, McGinnis, Burns, Taylor, Gallagher, Smith (C), Mitchell, Granlund, Pruitt, Rinehart, Lux, Stratton, Valle, Bauer and Erak:

Requiring the use of gasohol in state vehicles.

The bill was read the second time.

Committee on Energy and Utilities recommendation: Majority, do pass as amended. (For amendment, see Journal, 15th Day, January 28, 1980.)

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

The bill was ordered engrossed.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1568 was placed on final passage.

Mr. Scott spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1568, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

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

Voting nay: Representative Barnes.

Not voting: Representatives Berentson, Deccio, Dunlap, Polk.

Engrossed House Bill No. 1568, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1610, by Representatives McDonald, Sommers, Taller, Nelson (G), Thompson, Becker, Nisbet, McGinnis, Garrett, Schmitt, Taylor, Williams, Struthers, Addison, Granlund, Hughes, Dunlap, Greengo, Sanders, Nelson (D) and Hastings:

Creating the state investment board.

The bill was read the second time.

On motion of Mr. Taller, Substitute House Bill No. 1610 was substituted for House Bill No. 1610, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1610 was read the second time.

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



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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1610, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

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

Substitute House Bill No. 1610, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1630, by Representatives Fancher, Kreidler, Zimmerman, Addison, Amen, Hastings, Schmittens, Taylor, Tilly, Barr, Whiteside, Struthers, Patterson, Mitchell, Flanagan, Nisbet, Tupper, Bond, Van Dyken, Rosbach, Smith (C), Houchen, Rohrbach, Scott, Granlund, McGinnis, Oliver, Burns, Teutsch, Williams, Erak, Pruitt, Rinehart and Bauer:

Authorizing distillation of alcohol for use as a motor vehicle fuel.

The bill was read the second time.

On motion of Mr. Kreidler, Substitute House Bill No. 1630 was substituted for House Bill No. 1630, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1630 was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1630 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1630, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Bauer.

Substitute House Bill No. 1630, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1676, by Representatives Bauer, Sanders, Salatino, Tupper, Eng, Winsley, Grimm, Bond, Ehlers, Erickson, McGinnis, Burns, Gallagher, Sherman, Valle, King, Hughes, Brown, Owen and Bender:

Implementing law relating to student discipline in common schools.

The bill was read the second time.

On motion of Mr. Chandler, Substitute House Bill No. 1676 was substituted for House Bill No. 1676, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1676 was read the second time.

On motion of Mr. Heck, the following amendment by Representatives Heck and Chandler was adopted:

On page 1, section 1, line 21 after "PROVIDED, That" strike the remainder of the subsection and insert "except in emergency circumstances, the teacher shall have first attempted one or more alternative forms of corrective action."

The bill was ordered engrossed.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1676 was placed on final passage.

Representatives Bauer, Chandler and Salatino spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Amen.

Mr. Amen: "Representative Bauer, on page 1, subsection (3) it says the school district board of directors shall have written procedures on the discipline development, then it goes on to say such procedures shall be developed with participation of parents in the community. What do you envision there as participation by the parents in the communities? For instance, could someone come back later on, if the directors had tried to get the participation and there had been no participation, could someone come back and say there was not participation by parents in the community?"

Mr. Bauer: "I think probably in many communities there is participation. Maybe in some communities it will be difficult. I think this will be an encouragement and an expression by us to the people of the state that we want them to participate. It will be motivational as far as we're concerned toward them, that we encourage the community to come in and help develop those discipline policies that are going to affect the kids of that district. I would hope that every community would feel it is welcome to participate and this is an encouragement."

Mr. Amen: "If the school directors have made an effort to get the participation, would that suffice?"

Mr. Bauer: "I would think so, yes."

Mr. Tilly spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Heck.

Mr. Heck: "Representative Bauer, section 1, subsection 3 provides that the school board shall adopt written procedures and policies to provide for an exclusion of students in excess of one day as long as it conforms to state board rules and regulations. What is the length of time that a student may be excluded from school or class under the state board rules and regulations for short term suspension?"

Mr. Bauer: "Five days."

Representatives Chandler, Dunlap and Taylor spoke in favor of the bill, and Mr. Barnes spoke against it.

#### MOTIONS

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

On motion of Mr. Salatino, HOUSE BILL NO: 1817 was rereferred from Committee on Rules to Committee on Institutions.

On motion of Mr. Salatino, the House recessed until 2:00 p.m.

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#### AFTERNOON SESSION

The House was called to order at 2:00 p.m. by The Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Keller, Monohon and Teutsch. Representative Monohon was excused.

#### MOTION

On motion of Mr. King, HOUSE BILL NO. 1451 was rereferred from Committee on Rules to Committee on Appropriations.

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

REPORTS OF STANDING COMMITTEES

January 31, 1980

HOUSE BILL NO. 614, Prime Sponsor: Representative Lux, including notice to terminate tenancy within the definition of retaliatory action. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, after line 28 add a new section as follows:

**"NEW SECTION.** Sec. 2. There is a new section added to chapter 59.18 RCW as follows:

If an action of forcible entry or detainer or unlawful detainer commenced under this chapter is based upon nonpayment of rent, within seven days of completed service of the summons and complaint, the defendant shall be required to pay into the court the deficient amount of rent claimed by plaintiff and shall pay into the court the rent due thereafter during the pendency of the action. Such payment shall not be required if the defendant submits a sworn statement that the rent claimed by the plaintiff has in fact been paid, or that he has a legal or equitable defense or set-off arising out of the tenancy, together with such documentation as the court may require.

Failure to comply with this section shall be grounds for immediate issuance of an order requiring immediate vacation of the premises by the defendant which may be enforced by action of the sheriff."

Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Sherman, Thompson, Tilly, Winsley.

January 31, 1980

HOUSE BILL NO. 646, Prime Sponsor: Representative Valle, revising the law on waste management. Reported by Committee on Ecology.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION.** Section 1. There is added to chapter 70.105 RCW a new section to read as follows:

(1) The department is designated as the state agency for implementing the federal resource conservation and recovery act (42 U.S.C. Sec. 6901 et seq.).

(2) The power granted to the department by this section is the authority to:

(a) Establish a permit system for owners or operators of facilities which treat, store, or dispose of dangerous wastes: PROVIDED, That spent containers of pesticides or herbicides which have been used in normal farm operations and which are not extremely hazardous wastes, shall not be subject to the permit system;

(b) Establish standards for the safe transport, treatment, storage, and disposal of dangerous wastes as may be necessary to protect human health and the environment;

(c) Establish, to implement this section:

(i) A manifest system to track dangerous wastes;

(ii) Reporting, monitoring, recordkeeping, labeling, sampling requirements; and

(iii) Owner, operator, and transporter responsibility;

(d) Enter at reasonable times establishments regulated under this section for the purposes of inspection, monitoring, and sampling; and

(e) Adopt rules necessary to implement this section.

**NEW SECTION.** Sec. 2. There is added to chapter 70.105 RCW a new section to read as follows:

At the request of the department, the attorney general is authorized to bring such injunctive, declaratory, or other actions to enforce any requirement of this chapter.

**NEW SECTION.** Sec. 3. There is added to chapter 70.105 RCW a new section to read as follows:

Rules implementing section 1 of this act shall be submitted to the house and senate committees on ecology for review prior to being adopted in accordance with chapter 34.04 RCW."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "dangerous wastes; and adding new sections to chapter 70.105 RCW."

Signed by Representatives Valle, Executive Chairwoman; Barr, Co-Chairman; Brekke, Hughes, Isaacson, Nisbet, Pruitt, Rinehart, Sanders, Smith (C).

January 31, 1980

HOUSE BILL NO. 652, Prime Sponsor: Representative May, limiting the amount of areas zoned residential which may exclude mobile homes. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Garrett, Keller, North, Stratton, Vrooman.

January 31, 1980

HOUSE BILL NO. 656, Prime Sponsor: Representative O'Brien, implementing law relating to sale or lease of school district or educational service district surplus property. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Heck, Co-Chairman; Bender, Craswell, Ehlers, Galloway, McDonald, Nelson (G), Sommers, Taller, Taylor, Tupper, Valle, Van Dyken, Warnke.

January 31, 1980

HOUSE BILL NO. 676, Prime Sponsor: Representative Oliver, modifying the obligation of the state to assume a share of election costs. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, after line 19 add a new section as follows:

"NEW SECTION. Sec. 2. This act shall take effect on January 1, 1982."

Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Deccio, Ehlers, Fancher, Gruger, Heck, Hughes, Keller, Maxie, McDonald, Nisbet, Polk, Taylor, Valle, Vrooman, Warnke, Zimmerman.

January 31, 1980

HOUSE BILL NO. 866, Prime Sponsor: Representative Rohrbach, establishing procedures for submitting to the voters the question of port district size and number of commissioners. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 9, beginning with "such" strike all the matter down to and including "county" on line 11 and insert "a port district, which lies within or is coterminous with the county, based on the total vote cast in the last election of the particular port district, shall, by resolution submit to the voters of such port district"

Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Garrett, Keller, Rohrbach, Rosbach, Stratton, Teutsch, Van Dyken, Vrooman.

January 31, 1980

HOUSE BILL NO. 1177, Prime Sponsor: Representative Kreidler, providing for state employees who suffer serious illnesses and injuries. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ehlers, Co-Chairman; Taller, Co-Chairman; Addison, Burns, Flint, Greengo, McGinnis, Pruitt, Tupper, Walk, Williams.

January 31, 1980

HOUSE BILL NO. 1398, Prime Sponsor: Representative Sanders, modifying the laws governing initiatives and referendums in counties and cities. Reported by Committee on Constitution, Elections and Governmental Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Oliver, Executive Chairman; Erickson, Co-Chairwoman; Eng, Fuller, Granlund, Gruger, Hastings, Hughes.

January 31, 1980

HOUSE BILL NO. 1423, Prime Sponsor: Representative Erickson, revising laws relating to number and election of commissioners in port districts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Garrett, Keller, Rohrbach, Stratton, Teutsch, Vrooman.

January 31, 1980

HOUSE BILL NO. 1443, Prime Sponsor: Representative Ellis, revising grounds for permitting interception of private communications. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 13 after "There" delete "are reasonable grounds" and insert "~~are reasonable grounds~~) is probable cause"

On page 1, line 14 after "endangered," delete "that a human life is in danger," and insert "((~~that a human life is in danger;~~))"

On page 1, line 18 after "security" delete "the preservation of human life," and insert "((~~the preservation of human life;~~))"

On page 1, line 20 after "There" delete "are reasonable grounds" and insert "is probable cause"

Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Sherman, Thompson, Tilly, Winsley.

January 31, 1980

HOUSE BILL NO. 1466, Prime Sponsor: Representative Taylor, reestablishing levels school districts shall put public bids out for on improvements and purchases. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Heck, Co-Chairman; Bender, Ehlers, Eng, Galloway, McDonald, Nelson (G), Sommers, Taller, Taylor, Tupper, Valle, Van Dyken, Warnke.

January 31, 1980

HOUSE BILL NO. 1492, Prime Sponsor: Representative Rohrbach, providing for the approval of property, casualty, and accident insurance for public employees. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ehlers, Co-Chairman. Taller, Co-Chairman; Addison, Burns, Flint, Greengo, McGinnis, Pruitt, Salatino, Tupper, Walk.

January 31, 1980

HOUSE BILL NO. 1507, Prime Sponsor: Representative Greengo, modernizing initiative and referendum petition requirements. Reported by Committee on Constitution, Elections and Governmental Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Oliver, Executive Chairman; Erickson, Co-Chairwoman; Fuller, Granlund, Gruger, Hastings, Hughes.

January 31, 1980

HOUSE BILL NO. 1512, Prime Sponsor: Representative Sanders, increasing the value for private docks exempted under the shoreline management act. Reported by Committee on Ecology.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Valle, Executive Chairwoman; Barr, Co-Chairman; Isaacson, Nisbet, Pruitt, Sanders, Smith (C).

January 31, 1980

HOUSE BILL NO. 1566, Prime Sponsor: Representative Teutsch, establishing pilot programs for health care accessibility. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 7 strike "insure" and insert "promote"

On page 2, line 9 strike "monolingual" and insert "non-English or limited English speaking"

On page 4, line 23, after "sum of" insert "one hundred forty-five thousand six hundred dollars"

Signed by Representatives Adams, Co-Chairman; Barr, Brekke, Flint, Houchen, Kreidler, Lux, Mitchell, Pruitt, Schmitt, Stratton, Teutsch.

January 31, 1980

HOUSE BILL NO. 1567, Prime Sponsor: Representative Sherman, prohibiting the sale of pull-tab beverage containers. Reported by Committee on Ecology.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION. Section 1. The legislature finds that beverage containers designed to be opened through the use of detachable metal rings or tabs are hazardous to the health and welfare of the citizens of this state and detrimental to certain wildlife. The detachable parts are susceptible to ingestion by human beings and wildlife. The legislature, in enacting this act, intends to eliminate the danger posed by these unnecessary containers by prohibiting their retail sale in this state.

**NEW SECTION.** Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

(1) 'Beverage' means beer or other malt beverage or mineral water, soda water, or soft drink in liquid form and intended for human consumption.

(2) 'Beverage container' means a separate, sealed can containing a beverage.

(3) 'Department' means the department of ecology.

**NEW SECTION.** Sec. 3. No person shall sell or offer to sell at retail in this state any beverage container so designed and constructed that a metal part of the container is intended to be detached in opening the container in a normal manner through use of a metal ring or tab. Nothing in this section prohibits the sale of a beverage container which container's only detachable part is a piece of pressure sensitive tape, foil, or soft material.

**NEW SECTION.** Sec. 4. The department shall administer and enforce this chapter. The department shall adopt rules interpreting and implementing this chapter. Any rule adopted under this section shall be adopted under the administrative procedure act, chapter 34.04 RCW.

**NEW SECTION.** Sec. 5. Any person who violates any provision of this chapter or any rule adopted by the department under this chapter is subject to a civil penalty not exceeding five hundred dollars for each violation. Each day of a continuing violation is a separate violation.

**NEW SECTION.** Sec. 6. Sections 2 through 5 of this act constitute a new chapter in Title 70 RCW.

**NEW SECTION.** Sec. 7. This act shall take effect on February 1, 1981."

On page 1, line 1 of the title, strike everything after "AN ACT Relating to beverage containers;" and insert "adding a new chapter to Title 70 RCW; prescribing penalties; and providing an effective date."

Signed by Representatives Valle, Executive Chairwoman; Barr, Co-Chairman; Brekke, Hughes, Nisbet, Pruitt, Rinehart.

MINORITY recommendation: Do not pass amendments without further amending effective date.

Signed by Representatives Isaacson, Smith (C).

January 31, 1980

HOUSE BILL NO. 1609, Prime Sponsor: Representative Sanders, increasing the maximum allowed state aid to local airport projects. Reported by Committee on Transportation.

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

January 31, 1980

HOUSE BILL NO. 1623, Prime Sponsor: Representative Erickson, requiring distribution of the voters' pamphlet at least one month prior to the elections. Reported by Committee on Constitution, Elections and Governmental Ethics.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 16 strike "one month" and insert "two weeks"

On page 1, line 25 strike "one month" and insert "two weeks"

On page 2, line 7 strike "one month" and insert "two weeks"

Signed by Representatives Oliver, Executive Chairman; Erickson, Co-Chairwoman; Eng, Fuller, Granlund, Gruger, Hughes.

January 31, 1980

HOUSE BILL NO. 1656, Prime Sponsor: Representative Martinis, modifying port districts' authority to acquire and operate facilities. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Garrett, Keller, Rosbach, Stratton, Teutsch, Van Dyken, Vrooman.

January 31, 1980

HOUSE BILL NO. 1662, Prime Sponsor: Representative Granlund, requiring written permission to use a person's name in a political endorsement. Reported by Committee on Constitution, Elections and Governmental Ethics.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 6 after "advertisement" insert "or distribute any pamphlet, brochure or any other campaign material"

On page 1, line 8 after "person" strike all material down to and including "another" on line 10 and insert "possesses a written statement of such endorsement signed by the individual"

Signed by Representatives Oliver, Executive Chairman; Erickson, Co-Chairman; Eng, Fuller, Granlund, Hughes.

January 31, 1980

HOUSE BILL NO. 1672, Prime Sponsor: Representative Thompson, modifying provisions affecting minimum medical and health standards for law enforcement officers and fire fighters. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 10 strike everything after the enacting clause and insert the following:

**"NEW SECTION.** Section 1. Law enforcement officers or fire fighters, as defined in chapter 41.26 RCW, shall not become employed until the individual has met and has been certified as having met minimum medical and health standards: PROVIDED, That an elected sheriff or an appointed chief of police or fire chief shall not be required to meet the age standard.

**NEW SECTION.** Sec. 2. By January 1, 1981, each employer of law enforcement officers or fire fighters as defined in chapter 41.26 RCW, through its civil service commission where applicable, shall adopt minimum medical and health standards for employment. In adopting such standards, the employer shall consider the standards codified in WAC 415-104-510 through 415-104-755 as those standards exist on the effective date of this act, and shall adopt equal or higher standards. The employer shall also adopt procedures to insure compliance with this section, including procedures for certification that individuals have actually met minimum medical and health standards. Such standards when adopted by an employer shall constitute bona fide occupational qualifications for the purposes of chapter 49.60 RCW. Each employer shall publish the standards and procedures required by this section. The cost of medical examinations contemplated by this section are to be paid by the employer.

**NEW SECTION.** Sec. 3. Section 1 of this act shall take effect January 1, 1981. The remainder of this act shall take effect July 1, 1980.

**NEW SECTION.** Sec. 4. Sections 1 and 2 of this act are each added to chapter 41.04 RCW."

On page 1, after line 1 of the title, strike the remainder of the title and insert "adding new sections to chapter 41.04 RCW; and providing effective dates."

Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Deccio, Ehlers, Fancher, Gruger, Heck, Hughes, Keller, Maxie, McDonald, Nisbet, Polk, Taylor, Valle, Vrooman, Warnke, Zimmerman.

January 31, 1980

HOUSE BILL NO. 1764, Prime Sponsor: Representative Erak, requiring vendors of medical oxygen tanks to certify the adequacy of the oxygen supply. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Co-Chairman; Barr, Brekke, Flint, Houchen, Kreidler, Lux, Mitchell, Pruitt, Schmitt, Stratton.

January 31, 1980

HOUSE BILL NO. 1798, Prime Sponsor: Representative Grimm, requiring an investigation before employing a correctional officer. Reported by Committee on Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Struthers, Executive Chairman; Becker, Co-Chairwoman; Granlund, Mitchell, Nelson (D), Owen, Walk.

January 31, 1980

HOUSE BILL NO. 1803, Prime Sponsor: Representative Sprague, providing attorney fees when LID's collect delinquent accounts. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Tilly, Winsley.

January 31, 1980

HOUSE BILL NO. 1805, Prime Sponsor: Representative Tilly, clarifying legislative intent as to the phrase "public or private insurance" as used in the victims of crime compensation act. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 4, line 23 strike "forty" and insert "sixty"

Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Sherman, Thompson, Tilly, Winsley.

January 31, 1980

HOUSE BILL NO. 1823, Prime Sponsor: Representative Gruger, prohibiting false campaign materials and practices. Reported by Committee on Constitution, Elections and Governmental Ethics.

MAJORITY recommendation: Do pass. Signed by Representatives Oliver, Executive Chairman; Erickson, Co-Chairwoman; Fuller, Granlund, Gruger, Hastings, Hughes.

January 31, 1980

HOUSE BILL NO. 1826, Prime Sponsor: Representative Amen, regulating blood banks. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Barr, Houchen, Kreidler, Lux, Mitchell, Schmitten, Teutsch.

January 31, 1980

HOUSE BILL NO. 1911, Prime Sponsor: Representative Owen, requiring only one copy of certain codes to be filed with local governments. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Garrett, Keller, North, Rohrbach, Rosbach, Stratton, Teutsch, Van Dyken, Vrooman, Whiteside.

January 31, 1980

HOUSE BILL NO. 1960, Prime Sponsor: Representative Charnley, requiring notice of certain city programs to be provided counties. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Garrett, Keller, North, Rohrbach, Rosbach, Stratton, Teutsch, Van Dyken, Vrooman, Whiteside.

January 31, 1980

HOUSE BILL NO. 1969, Prime Sponsor: Representative Mitchell, providing guidelines for contract pharmacy purchases. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:  
On page 2, line 10 strike "periodical" and insert "periodic"

Signed by Representatives Adams, Co-Chairman; Barr, Flint, Houchen, Kreidler, Mitchell, Schmitten, Stratton.

January 31, 1980

HOUSE BILL NO. 1971, Prime Sponsor: Representative Chandler, providing for two members on state board of education representative of private schools, Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Heck, Co-Chairman; Bender, Craswell, Ehlers, Eng, McDonald, Nelson (G), Sommers, Taller, Taylor, Tupper, Valle, Van Dyken, Warnke.

January 31, 1980

HOUSE BILL NO. 1984, Prime Sponsor: Representative Chandler, prohibiting local governments from establishing penalties for DWI that are less than the state penalties. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Sherman, Thompson, Tilly, Winsley.

January 30, 1980

HOUSE JOINT RESOLUTION NO. 41, Prime Sponsor: Representative Warnke, modifying restrictions on the use of public funds. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 17 after "by" insert "a two-thirds vote of"

On page 1, line 20 after "or (c)" insert "except as provided in section 5 of Article XVI and section 1 of Article XXIX,"

Signed by Representatives Warnke, Co-Chairman; Greengo, Co-Chairman; Brekke, Fuller, Gallagher, Oliver, Owen, Sanders, Struthers.



January 31, 1980

HOUSE CONCURRENT RESOLUTION NO. 28, Prime Sponsor: Representative Chandler, recognizing the value of our student leaders. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Heck, Co-Chairman; Bender, Craswell, Ehlers, Eng, Galloway, McDonald, Nelson (G), Sommers, Taller, Taylor, Tupper, Valle, Van Dyken, Warnke.

## MOTION

On motion of Mr. King, all bills listed on the supplemental agenda under the fifth order of business were passed to Committee on Rules for second reading.

## SECOND READING

## ENGROSSED SUBSTITUTE HOUSE BILL NO. 1676:

The House resumed consideration of the bill on second reading.

On motion of Mr. King, the rules were suspended, and the bill was returned to second reading for the purpose of amendment.

On motion of Mr. King, further consideration of Engrossed Substitute House Bill No. 1676 was deferred, and the bill was ordered placed on the second reading calendar following House Joint Memorial No. 24.

HOUSE BILL NO. 1681, by Representatives Brekke, Taller, Galloway, Brown, Erak, Tupper, Pruitt, Nelson (D), Sanders, Burns, Jovanovich and Granlund:

Prioritizing requests for services to the state patrol crime lab.

The bill was read the second time.

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

Representatives Brekke and Greengo spoke in favor of passage of the bill.

Ms. Brekke spoke again in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1681, and the bill passed the House by the following vote: Yeas, 91; nays, 5; not voting, 2.

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

Voting nay: Representatives Barr, Flanagan, Mitchell, Struthers, Wilson.

Not voting: Representatives Keller, Teutsch.

House Bill No. 1681, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1843, by Representatives Heck, Chandler and Maxie (by Superintendent of Public Instruction request):

Providing for an inventory and energy efficiency and safety audit of existing school facilities.

The bill was read the second time.

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

Mr. Heck spoke in favor of passage of the bill, and Mr. Struthers spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1843, and the bill passed the House by the following vote: Yeas, 67; nays, 27; not voting, 4.

Voting yea: Representatives Adams, Addison, Bagnariol, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Deccio, Dunlap, Ehlers, Ellis, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Houchen, Hughes, Isaacson, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Mitchell, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Owen, Polk, Pruitt, Rinehart, Salatino, Sanders, Schmitt, Scott, Sherman, Sommers, Stratton, Taller, Taylor, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Winsley.

Voting nay: Representatives Amen, Barnes, Barr, Clayton, Dawson, Eberle, Fancher, Flanagan, Flint, Fuller, Hastings, Jovanovich, McDonald, McGinnis, Nisbet, Oliver, Patterson, Rohrbach, Rosbach, Smith C. P., Smith R., Sprague, Struthers, Tilly, Williams, Wilson, Zimmerman.

Not voting: Representatives Keller, Monohon, Teutsch, Whiteside.

House Bill No. 1843, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT MEMORIAL NO. 21, by Representatives Grimm, Van Dyken, Walk, Heck, Bauer, Zimmerman, Ehlers, Erickson, Vrooman, Galloway, Kreidler, Scott, Fancher, Warnke, Salatino, Becker, Adams, Gallagher, Brown, Granlund, North, Mitchell, Nisbet, Williams, Teutsch, Taylor and Rosbach:

Requesting federal support to permit Washington youth to pick berries.

The memorial was read the second time.

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

On page 1, line 28 following "pesticide" insert ", herbicide or fungicide"

The memorial was ordered engrossed.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed House Joint Memorial No. 21 was placed on final passage.

Representatives Grimm and Van Dyken spoke in favor of the memorial.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Memorial No. 21, and the memorial passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

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

Not voting: Representatives Keller, Monohon, Teutsch.

Engrossed House Joint Memorial No. 21, having received the constitutional majority, was declared passed.

HOUSE JOINT MEMORIAL NO. 24, by Representatives Scott, Wilson, Monohon, Tupper, Grimm, Sprague, Charnley, McCormick, Sherman, King, Nelson (D), Brekke, Williams, Sanders, Granlund, Vrooman, Pruitt, Warnke, Rinehart, Bauer, Fuller, Erak, North, Stratton and Brown:

Requesting federal help in promoting use of wood to relieve energy shortage.

The memorial was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and House Joint Memorial No. 24 was placed on final passage.

Mr. Scott spoke in favor of passage of the memorial.

## ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 24, and the memorial passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

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

Not voting: Representatives Keller, Monohon, Teutsch.

House Joint Memorial No. 24, having received the constitutional majority, was declared passed.

#### ENGROSSED SUBSTITUTE HOUSE BILL NO. 1676:

The House resumed consideration of the bill on second reading.

Mr. Heck moved adoption of the following amendment by Representatives Heck and Chandler:

On page 1, line 24 after "action" insert ": PROVIDED FURTHER, That in no event without the consent of the teacher shall an excluded student be returned during the balance of that class or activity period"

Representatives Heck and Chandler spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Heck yielded to question by Mr. Chandler.

Mr. Chandler: "In this amendment, Representative Heck, what does the term 'class or activity period' mean?"

Mr. Heck: "Representative Chandler, in the instance of a middle school, where they have segmentalized class periods, or junior high school and above, it would mean a class period. In the instance of elementary schools, I think it means until the conclusion of any activity period or until a recess or lunch or some natural break in the instructional setting of the classroom."

The amendment was adopted.

The bill was ordered reengrossed.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Reengrossed Substitute House Bill No. 1676 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute House Bill No. 1676, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

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

Voting nay: Representative Barnes.

Not voting: Representatives Bond, Keller, Monohon, Schmitten, Teutsch.

Reengrossed Substitute House Bill No. 1676, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1090, by Representatives Zimmerman and Charnley:

Relating to local government.

The bill was read the second time.

On motion of Mr. Zimmerman, Substitute House Bill No. 1090 was substituted for House Bill No. 1090, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1090 was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1090, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Bond, Keller, Monohon, Nelson G. A., Teutsch.

Substitute House Bill No. 1090, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1414, by Representatives Heck, Barnes, Grimm, Bauer, Zimmerman, Galloway and Vrooman:

Authorizing students attending college in another state to receive financial aid when reciprocity agreement exists with institution students attend.

The bill was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1414, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

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

Voting nay: Representative Nisbet.

Not voting: Representatives Bond, Ellis, Keller, Monohon, Teutsch, Tilly, Zimmerman.

House Bill No. 1414, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1429, by Representatives Owen, Nisbet, Smith (R), Vrooman, Craswell and Schmitt:

Regulating the taking of shellfish on private tidelands.

The bill was read the second time.

On motion of Mr. Heck, Substitute House Bill No. 1429 was substituted for House Bill No. 1429, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1429 was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1429 was placed on final passage.

Representatives Owen and Nisbet spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Owen yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Representative Owen, what does this do in terms of the other resources that people have on their own property?"

Mr. Owen: "Representative Zimmerman, the attorneys have ruled that oysters and clams are the property of the property owners. They are not public property. If you have a crab, for instance, going across your property, that is not yours because it's moving across, or fish or anything of that nature would fall into the category of public. However, the oysters and clams are stationary and both the Department of Fisheries and the Department of Natural Resources have determined that is the property of the property owner, so I don't see that you're opening up anything as far as this is concerned. By the way, they are not put there by the Department of Fisheries or the Department of Natural Resources, at all, they are put there completely by the owners of the land."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1429, and the bill passed the House by the following vote: Yeas, 92; nays, 2; not voting, 4.

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

Voting nay: Representatives Heck, Zimmerman.

Not voting: Representatives Bond, Keller, Monohon, Teutsch.

Substitute House Bill No. 1429, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1434, by Representatives Erickson, Tilly, Gruger, Oliver and Smith (R):

Permitting replies to recall charges and directing the attorney general to determine the sufficiency of the charge against a prosecuting attorney.

The bill was read the second time.

Committee on Constitution, Elections and Governmental Ethics recommendation: Majority, do pass as amended. (For amendments, see Journal, 18th Day, January 31, 1980.)

On motion of Ms. Erickson, the committee amendments were adopted.

The bill was ordered engrossed.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1434 was placed on final passage.

Representatives Erickson and Tilly spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1434, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

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

Not voting: Representatives Bond, Keller, Monohon, Teutsch.

Engrossed House Bill No. 1434, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1455, by Representatives Zimmerman, Charnley, Van Dyken, North and Sherman:

Providing for park and recreation service areas.

The bill was read the second time.

On motion of Mr. Zimmerman, Substitute House Bill No. 1455 was substituted for House Bill No. 1455, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1455 was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1455 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1455, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Granlund, Keller, Monohon, Scott, Teutsch.

Substitute House Bill No. 1455, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1467, by Representatives North and Fuller:

Establishing moorage fees in marine state parks.

The bill was read the second time.

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

Mr. Taller spoke against the motion, and Ms. North spoke in favor of it.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance House Bill No. 1467 to final passage, and the motion failed to receive the necessary two-thirds majority, by the following vote: Yeas, 49; nays, 44; not voting, 5.

Voting yea: Representatives Adams, Amen, Barr, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Jovanovich, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Nelson D., Newhouse, North, O'Brien, Pruitt, Rinehart, Salatino, Sherman, Smith R., Sommers, Stratton, Thompson, Valle, Vrooman, Walk, Warnke, Zimmerman.

Voting nay: Representatives Addison, Barnes, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flint, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Nisbet, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Smith C. P., Sprague, Struthers, Taller, Taylor, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley.

Not voting: Representatives Bagnariol, Hughes, Keller, Monohon, Teutsch.

House Bill No. 1467 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 1496, by Representatives Galloway, Maxie, Keller, Smith (R), Rinehart, Brekke, Winsley, Teutsch, McGinnis, Vrooman, Zimmerman, Garrett, Erak, Taylor, Ellis, Gallagher, Rohrbach, Granlund and Gruger:

Requiring health insurance conversion rights for employees and their spouses.

The bill was read the second time.

On motion of Mr. Rohrbach, Substitute House Bill No. 1496 was substituted for House Bill No. 1496, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1496 was read the second time.

On motion of Ms. Galloway, the following amendment was adopted:

On page 1, line 14 after "policy" insert "coverage"

The bill was ordered engrossed.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1496 was placed on final passage.

Representatives Galloway and Rohrbach spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Rohrbach yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Rohrbach, as I understand, the intent of this bill is to deal with individual policies as well as group policies and any form of disability, medical, hospital, sickness and accident. Is that correct?"

Mr. Rohrbach: "Representative Deccio, it's my understanding that it applies to those policies which are itemized in the bill and it deals with the conversion of the policy coverage, not necessarily the exact terms of the original policy."

Mr. Deccio: "Individual as well as group policies?"

Mr. Rohrbach: "Yes, the bill deals with disability, group disability, health care service plans and group health care service plans. It covers both individual and group policies."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1496, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

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

Not voting: Representatives Keller, Monohon, Teutsch.

Engrossed Substitute House Bill No. 1496, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1524, by Representatives Ehlers and Taller:

Modifying the law on public employment salary surveys.

The bill was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and House Bill No. 1524 was placed on final passage.

Mr. Ehlers spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1524, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle,

Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Fuller.

Not voting: Representatives Bond, Keller, Monohon, Teutsch.

House Bill No. 1524, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1593, by Representatives Garrett, Patterson, Stratton, Struthers and Ellis:

Updating the Model Traffic Ordinance.

The bill was read the second time.

On motion of Mr. Warnke, the rules were suspended, the second reading considered the third, and House Bill No. 1593 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1593, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

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

Not voting: Representatives Bond, Fuller, Keller, McDonald, Monohon, Teutsch, Tilly.

House Bill No. 1593, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1605, by Representatives Newhouse, King, Scott, Monohon, Clayton, McGinnis, Smith (C), May, Lux, Brekke, Erickson, Sanders, Mitchell, Addison, McCormick, Sherman, Valle, Garrett, Erak, Brown, Owen, Granlund, Bauer, Bender, Adams, Gallagher, Rosbach and Burns:

Revising workers' compensation laws.

The bill was read the second time.

On motion of Mr. King, Substitute House Bill No. 1605 was substituted for House Bill No. 1605, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1605 was read the second time.

#### MOTION

On motion of Mr. King, further consideration of Substitute House Bill No. 1605 was deferred, and the bill was ordered placed at the top of Monday's second reading calendar.

HOUSE BILL NO. 1614, by Representatives Grimm and Barnes (by Office of Financial Management request):

Increasing the authorized amount of bonds for higher education capital improvements.

The bill was read the second time.

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

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



## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1614, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Amen, Keller, Monohon, Rinehart, Teutsch.

House Bill No. 1614, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1620, by Representatives Wilson, Martinis, Eberle, Owen, Houchen, Nisbet and Smith, R. (by Office of Financial Management request):

Making an appropriation to the department of transportation.

The bill was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and House Bill No. 1620 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1620, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Bond, Ellis, Keller, Monohon, Teutsch.

House Bill No. 1620, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

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

## MESSAGE FROM THE SENATE

February 1, 1980

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3359,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3359, by Committee on Constitution and Elections (originally sponsored by Senator Woody):

Avoiding a conflict between dates of political caucuses and elections.

## MOTIONS

On motion of Mr. King, the rules were suspended, and Engrossed Substitute Senate Bill No. 3359 was advanced to second reading and read the second time in full.

On motion of Mr. King, further consideration of Engrossed Substitute Senate Bill No. 3359 was deferred and the bill was ordered placed on the second reading calendar following House Bill No. 1692.

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

### SECOND READING

HOUSE BILL NO. 1667, by Representatives King, Newhouse, McCormick, Pruitt, North, Owen, Granlund, Becker, Bauer, Grimm and Adams:

Permitting employer group plans for industrial insurance.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, 16th Day, January 29, 1980.)

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

The bill was ordered engrossed.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1667 was placed on final passage.

Representatives King and Lux spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1667, and the bill passed the House by the following vote: Yeas, 87; nays, 6; not voting, 5.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Brekke, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Nelson D., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rohrbach, Salatino, Sanders, Schmitten, Scott, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Brown, Gallagher, Lux, Rinehart, Rosbach, Sherman.

Not voting: Representatives Bond, Keller, Monohon, Nelson G. A., Teutsch.

Engrossed House Bill No. 1667, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### STATEMENT FOR THE JOURNAL

I would like to change my "No" vote to "Yes."

WILMA ROSBACH, 20th District.

HOUSE BILL NO. 1408, by Representative Thompson:

Authorizing the creation of solid waste disposal districts.

The bill was read the second time.

On motion of Mr. Charnley, Substitute House Bill No. 1408 was substituted for House Bill No. 1408, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1408 was read the second time.

On motion of Mr. Thompson, the following amendment by Representatives Thompson, Zimmerman and Charnley was adopted:

On page 3, line 35 strike the two sentences following "Upon" through "party" on line 3 of page 4.

The bill was ordered engrossed.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1408 was placed on final passage.

Representatives Thompson, Charnley and Flanagan spoke in favor of passage of the bill, and Representatives Craswell and Rohrbach spoke against it.

## POINT OF INQUIRY

Ms. Craswell yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Craswell, is this one of the methods that could be used to circumvent the 106% levy lid that we have?"

Ms. Craswell: "Yes, it certainly is. The people have put a 106% lid on local government, but this is one way to get around it. The lid only applies to property tax in this state and this leaves it wide open."

## POINT OF INQUIRY

Mr. Thompson yielded to question by Ms. Sommers.

Ms. Sommers: "Representative Thompson, in any way would this be seen as a way to circumvent the 106% lid on property tax?"

Mr. Thompson: "Emphatically not, Representative Sommers. This bill only adds the authorization for excess levies to be voted upon by the people of the district. The excise tax authority bears no relation to the property tax matter. It would only be levied upon action of the county commissioners and designed to fit the programs that they perceive to operate these waste disposal facilities. It could be designed in a way, for instance, to not impact senior citizens; to not impact people who have other means of recycling their waste, but that would be a local decision. An important decision to make as well is that the district itself would bear the cost of its own disposal, not the general fund, as Representative Flanagan has pointed out. I want to stress again that this does not affect the property tax."

Ms. Craswell again opposed the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1408, and the bill passed the House by the following vote: Yeas, 70; nays, 23; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Clayton, Ehlers, Ellis, Eng, Erak, Erickson, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Houchen, Hughes, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Mitchell, Nelson D., Newhouse, Nisbet, North, O'Brien, Owen, Patterson, Pruitt, Rinehart, Rosbach, Salatino, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Addison, Barnes, Barr, Chandler, Craswell, Dawson, Deccio, Dunlap, Eberle, Fancher, Flint, Hastings, Isaacson, Jovanovich, McDonald, McGinnis, Nelson G. A., Oliver, Polk, Rohrbach, Sanders, Sprague, Taller.

Not voting: Representatives Berentson, Bond, Keller, Monohon, Teutsch.

Engrossed Substitute House Bill No. 1408, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1685, by Representatives Charnley, Brown, Chandler and Lux:

Permitting cities to regulate parking facilities not owned by the city.

The bill was read the second time.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1685, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

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

Not voting: Representatives Bond, Keller, Monohon, Teutsch.

House Bill No. 1685, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1692, by Representatives King, Newhouse and Lux:

Requiring notice about health and safety regulations.

The bill was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and House Bill No. 1692 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1692, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

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

Not voting: Representatives Bond, Chandler, Hughes, Keller, Monohon, Owen, Teutsch, Whiteside.

House Bill No. 1692, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

Mr. King moved that Engrossed Substitute Senate Bill No. 3359 be made a special order of business for 4:45 p.m. today.

#### POINT OF PARLIAMENTARY INQUIRY

Speaker Berentson: "Mr. Speaker, this motion would take a majority vote, wouldn't it?"

The Speaker (Mr. O'Brien presiding): "Yes, it would take 50 votes."

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

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

With the consent of the House, Mr. King withdrew his motion.

#### MOTION

Mr. King moved that the rules be suspended and Engrossed Substitute Senate Bill No. 3359 be advanced to third reading.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed Substitute Senate Bill No. 3359 to third reading, and the motion failed to receive the necessary two-thirds majority, by the following vote: Yeas, 48; nays, 46; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Stratton, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Keller, Nelson G. A., Teutsch.

## MOTION

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

## REPORTS OF STANDING COMMITTEES

January 30, 1980

HOUSE BILL NO. 981, Prime Sponsor: Representative O'Brien, regulating sale on consignment of works of fine art. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Warnke, Co-Chairman; Greengo, Co-Chairman; Addison, Brekke, Fuller, Gallagher, May, North, Oliver, Owen, Sanders, Struthers.

Passed to Committee on Rules for second reading.

January 31, 1980

HOUSE BILL NO. 1183, Prime Sponsor: Representative Smith (R), revising the criminal code. Reported by Committee on Judiciary.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Thompson, Winsley.

Passed to Committee on Rules for second reading.

January 31, 1980

HOUSE BILL NO. 1420, Prime Sponsor: Representative Nelson (D), exempting energy conservation materials from the sales and use tax. Reported by Committee on Revenue.

MAJORITY recommendation: The second substitute bill by the Committee on Revenue be substituted therefor and the second substitute bill do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Brown, Erickson, Granlund, Greengo, Nelson (D), Rinehart, Sanders, Winsley.

Passed to Committee on Rules for second reading.

January 31, 1980

HOUSE BILL NO. 1422, Prime Sponsor: Representative Newhouse, providing for review of proceedings in courts of limited jurisdiction. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Newhouse, Executive Chairman; Ellis, Knowles, Tilly, Winsley.

Passed to Committee on Rules for second reading.

January 31, 1980

HOUSE BILL NO. 1447, Prime Sponsor: Representative Schmitt, revising the game code. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 49, line 26 after "trials" insert "involving live wildlife" and after "dogs" strike all material down to and including "birds" on line 28

On page 50, line 7 after "trial" insert "involving live wildlife"

On page 67, line 15 strike "Promote, conduct," and insert "Conduct,"

On page 67, line 16 after "trials" and before the semicolon insert "using wildlife"

Signed by Representatives Schmitt, Executive Chairman; Vrooman, Co-Chairman; Adams, Dawson, Ellis, Flint, Martinis, McDonald, Monohon, Owen, Rosbach, Wilson.

Passed to Committee on Rules for second reading.

January 31, 1980

HOUSE BILL NO. 1486, Prime Sponsor: Representative Monohon, restricting issuance of free razor clamming licenses. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

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

"NEW SECTION, Sec. 2. This act shall take effect on July 1, 1980."

On page 1, line 1 of the title after "clams;" strike "and" and on line 2 of the title after "75.25.040" insert "; and providing an effective date"

Signed by Representatives Schmitt, Executive Chairman; Vrooman, Co-Chairman; Adams, Ellis, Flint, Martinis, McDonald, Monohon, Owen, Rosbach, Wilson.

Passed to Committee on Rules for second reading.

January 31, 1980

HOUSE BILL NO. 1546, Prime Sponsor: Representative Nisbet, modifying the solar energy system property tax exemption. Reported by Committee on Revenue.

MAJORITY recommendation: The second substitute bill by the Committee on Revenue be substituted therefor and the second substitute bill do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Brown, Erickson, Greengo, Hastings, Nelson (D), Rinehart, Winsley.

Passed to Committee on Rules for second reading.

January 31, 1980

HOUSE BILL NO. 1555, Prime Sponsor: Representative Schmitt, protecting unique wildlife. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Schmitt, Executive Chairman; Vrooman, Co-Chairman; Adams, Dawson, Ellis, Flint, Martinis, McDonald, Monohon, Owen, Rosbach, Wilson.

Passed to Committee on Rules for second reading.

January 31, 1980

HOUSE BILL NO. 1624, Prime Sponsor: Representative Vrooman, increasing the bond limit for salmon enhancement. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Schmitt, Executive Chairman; Vrooman, Co-Chairman; Dawson, Ellis, Flint, Martinis, McDonald, Monohon, Owen, Rosbach.

Passed to Committee on Rules for second reading.

January 30, 1980

HOUSE BILL NO. 1663, Prime Sponsor: Representative Warnke, requiring inclusion of contractors' registration number in advertising materials. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendment:

On page 12, line 21 after "number" insert ": PROVIDED, That signs on motor vehicles subject to RCW 46.16.010 and on-premise signs shall not constitute advertising as provided in this section"

Signed by Representatives Warnke, Co-Chairman; Greengo, Co-Chairman; Addison, Brekke, Gallagher, North, Oliver, Struthers.

Passed to Committee on Rules for second reading.

January 31, 1980

HOUSE BILL NO. 1729, Prime Sponsor: Representative Smith (R), requiring consent of both living parents for the adoption of a minor and making it unlawful to buy or sell children. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Sherman, Thompson, Tilly, Winsley.

Passed to Committee on Rules for second reading.

February 1, 1980

HOUSE BILL NO. 1817, Prime Sponsor: Representative Becker, relating to state institutions. Reported by Committee on Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Struthers, Executive Chairman; Becker, Co-Chairwoman; Barr, Houchen, Mitchell, Nelson (D), Owen, Rohrbach, Walk.

Passed to Committee on Rules for second reading.

January 31, 1980

HOUSE BILL NO. 1867, Prime Sponsor: Representative Brown, redefining income for the senior citizen property tax exemption. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 18 strike "eleven" and insert "ten"

On page 5, after line 6 insert:

"NEW SECTION. Sec. 4. This 1980 act is effective for property taxes due in 1982 and thereafter."

On page 1, line 7 of the title strike "and" and after "84.36 RCW" insert "; and creating a new section"

Signed by Representatives Sommers, Co-Chairwoman; Addison, Brown, Erickson, Granlund, Greengo, Nelson (D), Rinehart, Sanders, Winsley.

Passed to Committee on Rules for second reading.

January 31, 1980

HOUSE BILL NO. 1873, Prime Sponsor: Representative Becker, revising the uniform parentage act. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Sherman, Thompson, Tilly, Winsley.

Passed to Committee on Rules for second reading.

January 31, 1980

HOUSE BILL NO. 1928, Prime Sponsor: Representative Smith (R), granting the power of eminent domain to certain energy facilities. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Tilly, Winsley.

Passed to Committee on Rules for second reading.

January 31, 1980

HOUSE BILL NO. 1988, Prime Sponsor: Representative King, requiring that the holder of a security interest in a mobile home be notified of the movement of the home. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Tilly, Winsley.

Passed to Committee on Rules for second reading.

February 1, 1980

HOUSE CONCURRENT RESOLUTION NO. 31, Prime Sponsor: Representative Heck, creating an ad hoc task force to study educational issues. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Chandler, Co-Chairman; Heck, Co-Chairman; Bender, Ehlers, Eng, Galloway, Sommers, Tupper, Warnke.

Passed to Committee on Rules for second reading.

February 1, 1980

HOUSE CONCURRENT RESOLUTION NO. 32, Prime Sponsor: Representative Polk, providing for the international trade and business policy for the state of Washington. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Warnke, Co-Chairman; Greengo-Co-Chairman; Addison, Fuller, Gallagher, May, North, Oliver, Sanders, Struthers.

Passed to Committee on Rules for second reading.

## MOTION

On motion of Mr. King, the House adjourned until 10:00 a.m., Monday, February 4, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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



**TWENTY-SECOND DAY**

**MORNING SESSION**

House Chamber, Olympia, Wash., Friday, February 4, 1980

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Becky Werner and Cindy Davidson. Prayer was offered by The Reverend Lester Olson of the Gloria Dei Lutheran Church of Olympia.

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

**MESSAGE FROM THE GOVERNOR**

February 1, 1980

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

I am returning herewith without my approval **SUBSTITUTE HOUSE BILL NO. 1852**, entitled:

"AN ACT Relating to school districts' special elections;"

I am entirely in sympathy with the intent of this act to avoid conflicts in scheduling between local special elections and statewide political party caucuses. However, the bill appears to be highly susceptible to constitutional challenge because its title refers only to school districts' special elections, while its substance deals with all local special elections. On the basis of previous State Supreme Court rulings under Article II, Section 19 of the State constitution, I feel that legal challenges would probably be successful and that the results of special elections held under this bill's provisions would thereby be invalidated. This would include a number of bond issues and special levies.

For this reason, I have determined to veto Substitute House Bill No. 1852.

Sincerely,  
**DIXY LEE RAY, Governor.**

**MESSAGE FROM THE SENATE**

February 1, 1980

Mr. Speaker:

The Senate has passed:

- SUBSTITUTE SENATE BILL NO. 2084,
- SECOND SUBSTITUTE SENATE BILL NO. 2381,
- SENATE BILL NO. 2396,
- SENATE BILL NO. 2501,
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3136,
- SENATE BILL NO. 3185,
- SUBSTITUTE SENATE BILL NO. 3224,
- SUBSTITUTE SENATE BILL NO. 3226,
- SUBSTITUTE SENATE BILL NO. 3232,
- SENATE BILL NO. 3236,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 3237,
- SENATE BILL NO. 3244,
- SENATE BILL NO. 3245,
- SUBSTITUTE SENATE BILL NO. 3246,
- ENGROSSED SENATE BILL NO. 3254,
- SUBSTITUTE SENATE BILL NO. 3256,
- SENATE BILL NO. 3280,

## SENATE BILL NO. 3288,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

**SUBSTITUTE SENATE BILL NO. 2084**, by Committee on Ways and Means (originally sponsored by Senator Conner):

Exempting nonprofit youth organizations from the timber excise tax.

To Committee on Revenue

**SECOND SUBSTITUTE SENATE BILL NO. 2381**, by Committee on Judiciary (originally sponsored by Senators Talmadge, Bottiger and Gallagher):

Revising superior court clerks' fees.

To Committee on Judiciary

**SENATE BILL NO. 2396**, by Senators Wilson, Matson, Donohue and Hayner:

Exempting certain intra-family transfers from the excise tax on real estate transfers.

To Committee on Revenue

**SENATE BILL NO. 2501**, by Senators Benitz, Gaspard and Hansen:

Modifying powers of public utility districts relating to conservation, utilization, development, and management of water resources.

To Committee on Local Government

**ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3136**, by Committee on Constitution and Elections (originally sponsored by Senator Goltz):

Exempting additional records from public inspection and copying under public disclosure act.

To Committee on Constitution, Elections and Governmental Ethics

**SENATE BILL NO. 3185**, by Senators Hansen, Benitz and Conner:

Modifying minimum rental requirements for oil and gas leases on state lands.

To Committee on Natural Resources

**SUBSTITUTE SENATE BILL NO. 3224**, by Committee on Agriculture (originally sponsored by Senator Hansen):

Revising laws governing elections of county weed board members.

To Committee on Constitution, Elections and Governmental Ethics

**SUBSTITUTE SENATE BILL NO. 3226**, by Committee on Social and Health Services (originally sponsored by Senator Day):

Revising laws relating to prescriptions.

To Committee on Social and Health Services

**SUBSTITUTE SENATE BILL NO. 3232**, by Committee on Ways and Means (originally sponsored by Senators Rasmussen, Donohue, Clarke and Odegaard):

Modifying inheritance and gift tax laws.

To Committee on Revenue

**SENATE BILL NO. 3236**, by Senators Walgren, Clarke, Hayner, Wojahn, Matson and Pullen:

Making an attended hit and run involving personal injury a class C felony.

To Committee on Judiciary

ENGROSSED SUBSTITUTE SENATE BILL NO. 3237, by Committee on Transportation (originally sponsored by Senator Henry):

Regulating the granting of franchises to use highway-related utilities.

To Committee on Transportation

SENATE BILL NO. 3244, by Senators Donohue, Shinpoch, Jones, Wojahn, Gaspard, Scott and Lee:

Providing certain elective membership in the LEOFF retirement system.

To Committee on Appropriations

SENATE BILL NO. 3245, by Senators Donohue, Shinpoch, Jones, Wojahn, Gaspard and Scott:

Clarifying certain public retirement laws.

To Committee on Appropriations

SUBSTITUTE SENATE BILL NO. 3246, by Committee on Ways and Means (originally sponsored by Senators Donohue, Shinpoch, Jones, Gaspard and Scott):

Providing for error corrections in public retirement systems' records and payments.

To Committee on Appropriations.

ENGROSSED SENATE BILL NO. 3254, by Senators Ridder, Day, Donohue and Jones:

Exempting certain medically necessary items from the sales and use tax.

To Committee on Revenue

SUBSTITUTE SENATE BILL NO. 3256, by Committee on Natural Resources (originally sponsored by Senators Gallagher, Rasmussen and Lee):

Modifying the fish tax.

To Committee on Natural Resources

SENATE BILL NO. 3280, by Senators Van Hollebeke, Wojahn, Quigg and Hurley (by Department of Licensing request):

Revising laws relating to real estate brokers and salesmen.

To Committee on Commerce

SENATE BILL NO. 3288, by Senator Van Hollebeke:

Selecting juries for courts of limited jurisdiction.

To Committee on Judiciary

#### MOTION

On motion of Mr. Polk, all bills listed on today's agenda under the fourth order of business were referred to the committees designated.

#### REPORTS OF STANDING COMMITTEES

January 31, 1980

HOUSE BILL NO. 1409, Prime Sponsor: Representative Newhouse, penalizing the operation of a motor vehicle without insurance. Reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Knowles, Tilly, Winsley.

February 1, 1980

HOUSE BILL NO. 1465, Prime Sponsor: Representative Pruitt, specifying disciplinary action that may be taken by the legislative ethics boards. Reported by Committee on Constitution, Elections and Governmental Ethics.

MAJORITY recommendation: Do pass. Signed by Representatives Oliver, Executive Chairman; Erickson, Co-Chairwoman; Barnes, Fuller, Granlund, Gruger, Hughes.

January 31, 1980

HOUSE BILL NO. 1472, Prime Sponsor: Representative Vrooman, allowing exchange of public land to further public land management. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 19, after "resources" strike the comma and insert "(;)" . Any such exchange of real property must be

On page 1, line 20 after "consolidating" strike "and" and insert "((and)) ."

On page 1, line 20 after "up" strike ", or furthering the management of" and insert "or for the purposes set forth in the enabling legislation"

On page 1, line 29 after "consolidating" strike "and" and insert "((and)) ."

On page 2, beginning on line 1 after "or" strike "furthering the management of state lands" and insert "for any other purpose set forth in the enabling legislation"

Signed by Representatives Schmitt, Executive Chairman; Vrooman, Co-Chairman; Dawson, Ellis, Flint, Martinis, McDonald, Owen, Rosbach, Wilson.

January 31, 1980

HOUSE BILL NO. 1518, Prime Sponsor: Representative Sanders, modifying minimum rental requirements for oil and gas leases on state lands. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Schmitt, Executive Chairman; Vrooman, Co-Chairman; Adams, Dawson, Ellis, Flint, Martinis, McDonald, Monohon, Owen, Rosbach, Wilson.

February 1, 1980

HOUSE BILL NO. 1553, Prime Sponsor: Representative Williams, modifying state allotment procedures. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Barnes, Becker, Ehlers, Fancher, Grimm, Gruger, Heck, McDonald, Nisbet, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

February 1, 1980

HOUSE BILL NO. 1602, Prime Sponsor: Representative Oliver, permitting invalidation of the filing of a candidate not legally qualified to assume office. Reported by Committee on Constitution, Elections and Governmental Ethics.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 25 after "him" insert "within seven days, excluding weekends and legal holidays, of the day the declaration is filed"

Signed by Representatives Oliver, Executive Chairman; Erickson, Co-Chairwoman; Fuller, Granlund, Gruger, Hughes.

February 1, 1980

HOUSE BILL NO. 1604, Prime Sponsor: Representative Nelson (G), modifying the allocation of funds appropriated to state retirement systems. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Barnes, Becker, Ehlers, Fancher, Grimm, Gruger, Heck, McDonald, Nisbet, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

January 31, 1980

HOUSE BILL NO. 1638, Prime Sponsor: Representative Vrooman, restricting application of the shoreline management act to forest practices. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Schmitt, Executive Chairman; Vrooman, Co-Chairman; Adams, Dawson, Ellis, Flint, Martinis, Monohon, Owen, Rosbach, Wilson.

February 1, 1980

HOUSE BILL NO. 1640, Prime Sponsor: Representative Brekke, modifying property exemptions for public assistance. Reported by Committee on Appropriations.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass, and the substitute bill by the Committee on Social and Health

Services not be adopted. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Barnes, Becker, Ehlers, Fancher, Grimm, Gruger, Heck, McDonald, Nisbet, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

February 1, 1980

HOUSE BILL NO. 1719, Prime Sponsor: Representative King, allowing certain public employees credit for military service without need to restore withdrawn contributions not affecting creditable service. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 30, after "service" strike everything through "employment" on page 2, line 1.

Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Becker, Ehlers, Fancher, Grimm, Gruger, Heck, McDonald, Nisbet, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

February 1, 1980

HOUSE BILL NO. 1726, Prime Sponsor: Representative Ehlers, modifying membership provisions of the teachers' retirement system. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Thompson, Co-Chairman; Barnes, Becker, Ehlers, Grimm, Gruger, Heck, Nisbet, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

February 1, 1980

HOUSE BILL NO. 1780, Prime Sponsor: Representative Struthers, providing for the use of surplus food fish and shellfish by state institutions. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, after line 12 strike the remainder of the bill and insert the following:

"The director is authorized to (seH) give to the department of social and health services for use in state institutions food fish or shellfish caught or taken during test fishing or fish culture operations conducted by the department.

The director is authorized to sell food fish or shellfish caught or taken during test fishing operations conducted by the department for the purpose of food fish or shellfish resource evaluation studies. The director may sell such fish if the department of social and health services is not able to use the fish.

The director is prohibited from selling spawned-out salmon carcasses or salmon in spawning condition for human consumption: PROVIDED, That such salmon and carcasses may be given to state institutions or schools or to economically depressed people, unless such salmon are found to be unfit for human consumption by the department of social and health services. That which is not fit for human consumption may be sold by the director for animal food, fish food, or for industrial purposes."

Signed by Representatives Struthers, Executive Chairman; Becker, Co-Chairwoman; Barr, Granlund, Houchen, Mitchell, Nelson (D), Owen, Rohrbach, Walk.

February 1, 1980

HOUSE BILL NO. 1794, Prime Sponsor: Representative Struthers, relating to institutional impact account. Reported by Committee on Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Struthers, Executive Chairman; Becker, Co-Chairwoman; Barr, Granlund, Houchen, Mitchell, Nelson (D), Owen, Rohrbach, Walk.

February 1, 1980

HOUSE BILL NO. 1796, Prime Sponsor: Representative Scott, limiting cell occupancy at Monroe upon new construction. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 9 after "Reformatory," strike all remaining language and insert the following new language, "such housing units shall not exceed in occupancy the maximum capacity for which the units were designed. The maximum capacity of such housing units shall be based on nationally accepted standards and shall be published in the Washington State Register at the time the architectural design for such units is completed."

Signed by Representatives Struthers, Executive Chairman; Becker, Co-Chairwoman; Barr, Granlund, Houchen, Mitchell, Nelson (D), Owen, Rohrbach, Walk.

February 1, 1980

HOUSE BILL NO. 1831, Prime Sponsor: Representative Brown, removing mandatory insurance policy examination requirements. Reported by Committee on Insurance.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, line 8 after "binders," strike "renewal certificates," and insert "((renewal certificates;))"

On page 1, line 11 after "(2) strike all material down to and including "examination:))" and insert "A bureau shall examine documents with regard to such kinds of insurance as the commissioner may, after hearing, reasonably require to be submitted for examination, except (a) computerized policies, and (b) renewal policies. After July 1, 1981, no insurance documents shall be required to be submitted for examination."

Signed by Representatives Rohrbach, Executive Chairman; Keller, Co-Chairman; Adams, Dawson, Garrett, Maxie, McGinnis, Smith (R).

February 1, 1980

**HOUSE CONCURRENT RESOLUTION NO. 24,** Prime Sponsor: Representative Fuller, establishing a separate body of Joint Ethics Rules. Reported by Committee on Constitution, Elections and Governmental Ethics.

**MAJORITY recommendation:** Do pass. Signed by Representatives Oliver, Executive Chairman; Erickson, Co-Chairwoman; Barnes, Fuller, Granlund, Gruger, Hughes.

#### MOTIONS

On motion of Mr. Polk, all bills listed on today's agenda under the fifth order of business were passed to Committee on Rules for second reading.

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

#### RESOLUTION

**HOUSE RESOLUTION NO. 80-133,** by Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith (C), Smith (R), Sommers, Sprague, Stratton, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley and Zimmerman:

**WHEREAS,** The people of the State of Washington and the United States of America share a common heritage and bond with the people of the Canadian province of British Columbia; and

**WHEREAS,** The people of Washington State and the people of British Columbia have joined in support of their respective nations' common interests with respect to human rights and sovereign dignity for many generations; and

**WHEREAS,** The common bonds of friendship and respect of our great people for one another manifested itself through the Canadian government's overt act of unprecedented political courage on January 28, 1980 by rescuing our fellow Americans from the tyrannical bonds of the Iranian militants illegally holding American hostages in the United States embassy in Tehran; and

**WHEREAS,** Our gratitude for this most courageous service from the Canadian government and the Canadians involved in Iran, who obviously jeopardized their own safety in rendering this aid, is most deep and heartfelt;

**NOW, THEREFORE, BE IT RESOLVED,** That the people of the State of Washington express their sincere gratitude to the people of the Canadian Province of British Columbia and to all the citizens of Canada for their unselfish and daring act of mercy through formal resolution by its members assembled in regular session this day February 4, 1980; and

**BE IT FURTHER RESOLVED,** That the people of the State of Washington, through their members of the Washington State House of Representatives now assembled in annual session, symbolize this act of friendship by posting of the flag of the Dominion of Canada in a conspicuous place of honor in the chambers of the Washington State House of Representatives until sine die; and

**BE IT FURTHER RESOLVED,** That copies of this resolution be immediately transmitted to The Right Honorable Joe Clark, Premier of Canada; The Right Honorable William Bennett, Premier of the Province of British Columbia; The Honorable Mr. Jimmy Carter, President of the United States of America; and the Governor of the State of Washington.

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

MOTION

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

SECOND READING

HOUSE BILL NO. 1718, by Representatives Struthers, Becker, Nelson D., Taylor, Galloway and Salatino (by Department of Social and Health Services request):

Providing for work training programs in state institutions.

The bill was read the second time.

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

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1718, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

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

Not voting: Representatives Chandler, Teutsch, Thompson, Whiteside.

House Bill No. 1718, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1723, by Representatives Sommers and Craswell:

Modifying the inheritance tax law.

The bill was read the second time.

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

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1723, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

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

Not voting: Representatives Chandler, Teutsch, Thompson, Whiteside.

House Bill No. 1723, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1743, by Representatives Brown, Zimmerman and Charnley:

Authorizing certain cities to appoint a park commission.

The bill was read the second time.

On motion of Mr. Charnley, Substitute House Bill No. 1743 was substituted for House Bill No. 1743, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1743 was read the second time.

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

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

#### POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Representative Charnley, would you consider this bill permissive and would it not have any effect on Seattle?"

Mr. Charnley: "Yes, I can categorically say this is permissive. There is only one metropolitan district in the state, and that's in Tacoma. The language on lines 11 and 12 both use the word 'may' so it's strictly permissive."

#### POINT OF INQUIRY

Mr. Brown yielded to question by Mr. Wilson.

Mr. Wilson: "Representative Brown, are the Park Commissioners in Tacoma currently elected or are they appointed?"

Mr. Brown: "Currently, they are elected."

Mr. Wilson: "Would they not then also represent the wishes of the people of Tacoma as well as the council on how the parks are run?"

Mr. Brown: "This bill redefines the boundaries and makes the boundaries free of Tacoma. Presently, the metropolitan park district is just a little larger than the city boundaries. Until the elected officials are away from that of the city, they are the governing body of the metropolitan park district and the city of Tacoma provides the metropolitan park district with funds but has no control over those funds after the park district receives them. For this reason, the city of Tacoma has, in the past asked for, and hopefully will receive, that control."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1743, and the bill passed the House by the following vote: Yeas, 92; nays, 2; not voting, 4.

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

Voting nay: Representatives Greengo, Wilson.

Not voting: Representatives Chandler, Teutsch, Thompson, Whiteside.

Substitute House Bill No. 1743, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1757, by Representative Addison:

Recalculating the 106% limit after the expiration of an emergency medical services levy.

The bill was read the second time.

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

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

#### POINT OF INQUIRY

Mr. Addison yielded to question by Ms. Rinehart.

Ms. Rinehart: "Representative Addison, is it possible, if we pass this bill, it will give authority to the city council to increase taxes?"

Mr. Addison: "No."



## POINT OF INQUIRY

Ms. Sommers yielded to question by Ms. Rinehart.

Ms. Rinehart: "Representative Sommers, I would like to ask you the same question. Is it possible, if we pass this bill, we are allowing the city council to raise taxes?"

Ms. Sommers: "The answer is yes, and I'm surprised at the prior answer of no. It's very clear that Representative Addison's bill would allow the city council to raise taxes of the city taxpayers by the amount which he described. What happens is that the city received an unexpected amount of taxes from the EMS levy of about \$2 million and they made the promise, as was mentioned, to the city taxpayers that they would reduce the regular levy by that amount, but what this bill does is to allow them to recapture that at the end of the six-year levy when the six-year levy expires. It's a way around the 6% lid and the amount would actually be in excess of \$2 million because it's \$2 million increased by 6% a year compounded for the six years, so that would be closer to \$3 million."

Representatives Craswell and Addison spoke in favor of the bill, and Ms. Rinehart spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1757, and the bill passed the House by the following vote: Yeas, 51; nays, 42; not voting, 5.

Voting yea: Representatives Adams, Addison, Amen, Barnes, Barr, Berentson, Bond, Brown, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, King, Knowles, Martinis, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Schmitt, Smith C. P., Smith R., Sprague, Struthers, Taller, Taylor, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley.

Voting nay: Representatives Bauer, Becker, Bender, Brekke, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, Kreidler, Lux, Maxie, May, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Sanders, Scott, Sherman, Sommers, Stratton, Valle, Vrooman, Walk, Warnke, Zimmerman.

Not voting: Representatives Bagnariol, Chandler, McCormick, Teutsch, Thompson.

House Bill No. 1757, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

I support House Bill No. 1757 to protect the Seattle Medic One program and encourage tax reduction by city governments throughout our state.

This bill will not allow the city of Seattle or any other city to raise taxes for any taxpayer. It will, in fact, encourage the reduction of property taxes of cities within counties which have passed special property tax levies to fund Medic One services.

The provisions of this legislation would take effect only if two conditions have been met. First, a city must have reduced its regular property taxes by an amount equal to taxes imposed by Medic One levy election within a county. Secondly, the Medic One levy must expire and not be reimposed. Within these conditions, a city council could restore its original funding source for Medic One services.

Without this legislation, few cities would consider lowering their tax rates because of the penalty imposed — a more restrictive future lid. Cities should be encouraged to levy the lowest possible tax rate, but not be forced to keep taxes at the maximum level. This bill assures cities that after the EMS levy expires, the 106% lid will pick up at the same taxing level that it would have, had the city not lowered the tax burden.

In no case would this law provide for increased taxes on any home within the city affected by the levy.

BRUCE ADDISON, 34th District.

## STATEMENT FOR THE JOURNAL

It was my intention to vote in favor of House Bill No. 1757.

PAUL SANDERS, 48th District.

Representative Polk assumed the Chair.

HOUSE BILL NO. 1778, by Representatives Patterson, Chandler, Wilson, Teutsch, Craswell, Barnes, Rohrbach, North, Sherman, Eberle, Warnke and Amen:

Establishing and funding seven additional drivers' licensing stations.

The bill was read the second time.

On motion of Mr. Wilson, Substitute House Bill No. 1778 was substituted for House Bill No. 1778, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1778 was read the second time.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1778 was placed on final passage.

Representatives Patterson and North spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1778, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

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

Voting nay: Representative Eng.

Not voting: Representatives Chandler, Teutsch.

Substitute House Bill No. 1778, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1784, by Representatives Amen, Kreidler, Fancher, Van Dyken, Erak, Scott, Clayton, Flanagan and Smith (C):

Implementing law relating to payment of bonds or U.S. contract payments of certain irrigation districts.

The bill was read the second time.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and House Bill No. 1784 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1784, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Chandler, Teutsch.

House Bill No. 1784, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1807, by Representatives Walk, Martinis, Wilson, Monohon and Owen:

Directing stricter regulation and inspection of hazardous cargoes.

The bill was read the second time.

On motion of Mr. Wilson, Substitute House Bill No. 1807 was substituted for House Bill No. 1807, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1807 was read the second time.

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

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

#### POINT OF INQUIRY

Mr. Walk yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "I didn't see a fiscal note attached to this particular measure. Could you tell me what you feel it will cost?"

Mr. Walk: "Representative Zimmerman, this question was brought up in committee and there is no fiscal note because there is no direct fiscal impact as it now stands. This is within the general jurisdiction of the State Patrol now. As you are aware, they have been carrying on motor vehicle safety checks and this is a gray area and the State Patrol wants clear directions as they undergo their current inspections."

Mr. Zimmerman: "You don't think the State Patrol will ask for additional funds to do this?"

Mr. Walk: "No, but as it currently stands they will be asking for additional manpower to undergo what they are doing now. This is in the general jurisdiction of what they are now doing. The State Patrol is short-handed, and again this is not adding additional duties to them; it's giving them clearer direction in carrying out their current duties."

Ms. Monohon spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1807, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Teutsch.

Substitute House Bill No. 1807, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Amen resumed the Chair.

HOUSE BILL NO. 1820 by Representatives Brown, Winsley, Rohrbach and Keller:

Extending the time period for filing accident reports.

The bill was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1820, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt,

Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Teutsch.

House Bill No. 1820, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1841, by Representatives Van Dyken, Whiteside, Adams, Sommers, Eberle, Addison, Flint, Rohrbach, Williams, Nisbet, Zimmerman, Smith (C), Erickson, Maxie and Charnley:

Exempting state furnished meals to the aged from sales and use taxes.

The bill was read the second time.

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

Mr. Van Dyken spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1841, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Teutsch.

House Bill No. 1841, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1870, by Representatives Sherman, Martinis, Bender, Becker, Walk, Keller and Charnley:

Requiring a bill of lading for hazardous material to be red.

The bill was read the second time.

On motion of Mr. Martinis, the following amendments by Representatives Martinis and Wilson were adopted:

On page 2, line 27 after "receipt" insert ", manifest"

On page 2, line 28 after "49 CFR 172," insert "transported by motor vehicle upon the public highways of this state,"

The bill was ordered engrossed.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1870 was placed on final passage.

Representatives Sherman and Martinis spoke in favor of passage of the bill, and Mr. Tilly spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1870, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

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

Voting nay: Representatives McDonald, Tilly.

Not voting: Representatives Teutsch, Zimmerman.

Engrossed House Bill No. 1870, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1901, by Representatives Kreidler, Craswell and Sommers:

Redefining life estate for purposes of the residential property tax exemption.

The bill was read the second time.

On motion of Mr. Kreidler, Substitute House Bill No. 1901 was substituted for House Bill No. 1901, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1901 was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1901, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Teutsch.

Substitute House Bill No. 1901, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1950, by Representatives Newhouse and Deccio:

Revising laws relating to banking.

The bill was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1950, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Teutsch.

House Bill No. 1950, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1952, by Representatives Lux, Clayton, King and Heck (by Employment Security Department request):

Making miscellaneous changes in law relating to employment compensation.

The bill was read the second time.

On motion of Mr. Lux, Substitute House Bill No. 1952 was substituted for House Bill No. 1952, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1952 was read the second time.

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

On page 7, line 35 before "hardship" strike "a substantial" and insert "an unreasonable"

The bill was ordered engrossed.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1952 was placed on final passage.

Representatives Lux and Clayton spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1952, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

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

Voting nay: Representative Warnke.

Not voting: Representative Teutsch.

Engrossed Substitute House Bill No. 1952, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1976, by Representatives Bauer, Galloway, Heck and Zimmerman:

Providing for pollution control facilities.

The bill was read the second time.

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

Representatives Bauer and Barr spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1976, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Teutsch.

House Bill No. 1976, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1983, by Representatives Rohrbach, Houchen, McGinnis, Ellis and Zimmerman:

Revising laws relating to motor vehicle insurance.

The bill was read the second time.

On motion of Mr. Keller, Substitute House Bill No. 1983 was substituted for House Bill No. 1983, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1983 was read the second time.

Mr. Smith (R) moved adoption of the following amendment by Representatives Smith (R), Rohrbach and Keller:

On page 1, beginning on line 25 after "than" strike all the material down to and including "policy" on line 26 and insert "the damages which the covered person is legally entitled to recover"

Representatives Smith (R) and Rohrbach spoke in favor of the amendment, and it was adopted.

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

On page 2, line 22 following "be" strike "the same" and insert "in the same amount"

On page 2, line 24 following "subsection" strike "(2)" and insert "(4)"

On page 6, line 36 strike "forty" and insert "fifty"

The bill was ordered engrossed.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1983 was placed on final passage.

Representatives Rohrbach and Smith (R) spoke in favor of the bill, and Mr. Barnes spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1983, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

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

Voting nay: Representative Barnes.

Not voting: Representative Teutsch.

Engrossed Substitute House Bill No. 1983, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1987, by Representatives Greengo, Nisbet, Gallagher, May, Salatino, Bauer, Mitchell, McGinnis, Oliver, Kreidler, Erickson, Charnley, Ehlers, McCormick, Sherman, Bender, Scott, North, Maxie, Heck, Gruger, Knowles, O'Brien and Winsley (by Select Committee on Mobile Homes request):

Providing for fair market value assessments of mobile homes for property taxation.

The bill was read the second time.

Committee on Revenue recommendation: Majority, do pass as amended. (For amendment, see Journal, 18th Day, January 31, 1980.)

On motion of Ms. Sommers, the committee amendment was adopted.

The bill was ordered engrossed.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1987 was placed on final passage.

Representatives Greengo and May spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1987, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R.,

Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Teutsch.

Engrossed House Bill No. 1987, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT MEMORIAL NO. 35, by Representatives Schmittens, Vrooman, Martinis, Dawson, Monohon and Erak:

Memorializing Congress to enact legislation to assist the state's fishing industry.

The memorial was read the second time.

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

Representatives Schmittens and Vrooman spoke in favor of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 35, and the memorial passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives May, Teutsch.

House Joint Memorial No. 35, having received the constitutional majority, was declared passed.

#### MOTION

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

#### REPORTS OF STANDING COMMITTEES

February 1, 1980

SUBSTITUTE HOUSE BILL NO. 1196, Prime Sponsor: Representative Struthers, implementing law relating to gambling. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendments:

On page 4, line 19 after "premises" strike all material down to and including "center" on line 20

On page 8, line 29 after "upon" insert "written"

On page 8, line 30 after "application," insert "after investigation and ballot,"

On page 13, line 25 after "conducted" insert ": PROVIDED FURTHER, That no fund raising event may be held in any building, or portion thereof, or at any other specific location or portion thereof, within thirty-two days following any other fund-raising event held in that building or at that specific location"

On page 15, line 26 after "premises" strike all material down to and including "center," on line 27

On page 19, line 31 after "conducted" strike all material down to and including "itself" on line 32 and insert "to promote a product or service"

On page 20, line 21 strike "lottery or other" and insert "drawing or other promotional"

On page 20, after line 22 insert:

"(1) Bona fide charitable or nonprofit organizations are hereby authorized to conduct drawings for prizes in connection with and immediately following a foot race or jogging fun run conducted by that organization over a measured course of one mile or longer but only when:

(a) The drawing is from among tickets or entry blanks distributed only to each regularly registered participant who has actually finished the race or run with each such finisher receiving the same number of entries as each other finisher; and

(b) The sole consideration for entry into the drawing is payment of a single registration fee for the race or run of not more than ten dollars and finishing the race or run; and

(c) All proceeds from these registration fees are retained by the organization to be used for its lawful purposes, including the necessary expenses of conducting the race or run and drawing; and

(d) While no license is required, the organization maintains records of all income and expenses in connection with the race or run, and drawings, for a period of one year and the drawings are conducted pursuant to all applicable provisions of this chapter and rules and regulations adopted pursuant thereto."



On page 21, line 27 after "premises," strike all material down to and including "center," on line 28

On page 31, following section 7, add a new section as follows:

"**NEW SECTION.** Sec. 8. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 18 strike "and"

On page 1, line 19 after "9.46 RCW" insert "; and declaring an emergency"

Signed by Representatives Greengo, Co-Chairman; Brekke, Fuller, North, Oliver, Owen, Sanders, Struthers.

Passed to Committee on Rules for second reading.

February 1, 1980

HOUSE BILL NO. 1560, Prime Sponsor: Representative Greengo, authorizing percentage leases for municipal property for charitable organizations' gambling activities. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 25 after "RCW 9.46.030" strike all material down to and including "premises if" on line 26 and insert "or upon any ((teased)) premises under a lease or other rental agreement if"

On page 1, line 28 after "activity" strike all material down to and including "town," on line 3 of page 2 and insert ": **PROVIDED**, That the provisions of this subsection prohibiting the rental for any premises to be paid, wholly or partly, on the basis of a percentage of receipts or profits directly or indirectly from gambling do not apply to a lease or other rental agreement by any county, city or town with respect to the premises owned by such county, city or town, or to a lease or other rental agreement by any agricultural fair authorized under the provisions of chapters 15.76 or 36.37 RCW."

Signed by Representatives Warnke, Co-Chairman; Greengo, Co-Chairman; Brekke, Fuller, Gallagher, May, North, Owen, Sanders, Struthers.

Passed to Committee on Rules for second reading.

February 1, 1980

HOUSE BILL NO. 1698, Prime Sponsor: Representative Sanders, modifying inspection of records under the industrial insurance laws. Reported by Committee on Labor.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clayton, Executive Chairman; Dunlap, Fancher, Flanagan, Jovanovich, King, Scott, Smith (C).

Passed to Committee on Rules for second reading.

January 31, 1980

HOUSE BILL NO. 1745, Prime Sponsor: Representative Scott, providing essential basic services assistance. Reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Adams, Co-Chairman; Barr, Brekke, Flint, Houchen, Kreidler, Lux, Mitchell, Pruitt, Schmitt, Stratton, Teutsch.

February 1, 1980

HOUSE BILL NO. 1758, Prime Sponsor: Representative King, establishing a model reemployment and assistance project for injured workers. Reported by Committee on Labor.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clayton, Executive Chairman; Lux, Co-Chairman; Dunlap, Fancher, Flanagan, Jovanovich, King, Scott, Smith (C).

Passed to Committee on Rules for second reading.

February 1, 1980

HOUSE BILL NO. 1785, Prime Sponsor: Representative Jovanovich, requiring a meeting of all persons required to sign an injured worker's accident report. Reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendment:

On line 9 after "report," insert "except when such persons are not able to meet by reason of disability or death."

Signed by Representatives Lux, Co-Chairman; Dunlap, Fancher, Jovanovich, King, Scott.

MINORITY recommendation: Do not pass. Signed by Representatives Clayton, Executive Chairman; Flanagan, Smith (C).

Passed to Committee on Rules for second reading.

February 1, 1980

HOUSE BILL NO. 1809, Prime Sponsor: Representative Clayton, enacting the agricultural migrant labor act of 1980. Reported by Committee on Labor.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clayton, Executive Chairman; Lux, Co-Chairman; Dunlap, Fancher, Flanagan, Jovanovich, King, Scott, Smith (C).

Passed to Committee on Rules for second reading.

#### MOTION

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

#### AFTERNOON SESSION

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

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 1605, by Committee on Labor (originally sponsored by Representatives Newhouse, King, Scott, Monohon, Clayton, McGinnis, Smith, C., May, Lux, Brekke, Erickson, Sanders, Mitchell, Addison, Burns, McCormick, Sherman, Valle, Garrett, Erak, Brown, Owen, Granlund, Bauer, Bender, Adams, Gallagher, Rosbach and Burns):

Revising the workers' compensation laws.

The bill was read the second time.

On motion of Mr. King, the following amendment by Representatives King, Newhouse, Erak and Hughes was adopted:

On page 4, following line 14 insert the following:

"(e) Coverage of professional athletes and the classifications and rates established for professional sports teams."

Reletter the remaining subsections accordingly.

On motion of Mr. King, the following amendment by Representatives King and Newhouse was adopted:

On page 24, following line 8 add a new section to read as follows:

"**NEW SECTION.** Sec. 20. Unless extended by the legislature, the changes made by section 6 of this act shall expire on June 1, 1981 and on June 1, 1981, the provisions of section 6 shall revert to the provisions that existed in such section immediately prior to the effective date of this act."

On motion of Mr. Newhouse, the following amendment by Representatives Newhouse and King was adopted:

Beginning on page 5, line 8 strike all material down to and including "claims." on page 6, line 11 and insert the following:

"Sec. 5. Section 51.28.010, chapter 23, Laws of 1961 as last amended by section 32, chapter 350, Laws of 1977 ex. sess. and RCW 51.28.010 are each amended to read as follows:

Whenever any accident occurs to any worker it shall be the duty of such worker or someone in his or her behalf to forthwith report such accident to his or her employer, superintendent or foreman or forewoman in charge of the work, and of the employer to at once report such accident and the injury resulting therefrom to the department pursuant to RCW 51.28.025, as now or hereafter amended, where the worker has received treatment from a physician, has been hospitalized, disabled from work, or has died as the apparent result of such accident and injury; **PROVIDED, That an employer who is qualified as a self-insured employer under chapter 51.14 RCW shall report to the department according to procedures established under RCW 51.28.025 as now or hereafter amended.**

Upon receipt of such notice of accident, the department or self-insurer shall immediately forward to the worker or his or her beneficiaries or dependents notification, in nontechnical language, of their rights under this title and information on rehabilitation services available to the worker. Six months after the accident,

the department or self-insurer shall again forward the rehabilitation services information to the injured worker if such worker is still receiving temporary total disability payments.

Sec. 6. Section 39, chapter 289, Laws of 1971 ex. sess. as amended by section 5, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.28.025 are each amended to read as follows:

(1) Whenever an employer has notice or knowledge of an injury or occupational disease sustained by any workman in his employment who has received treatment from a physician, has been hospitalized, disabled from work or has died as the apparent result of such injury or occupational disease, he shall immediately report the same to the department on forms prescribed by it. Whenever such employer is qualified as a self-insurer under chapter 51.14 RCW, the duty to report to the department shall arise only after any worker in his employment has died as the apparent result of an occupational injury or disease, such worker has received treatment from a physician and has been hospitalized, or such worker is disabled from work. The department shall develop a standard procedure and numbering system to be utilized by the self-insurer for audit purposes and periodic reporting to the department of all medical-only claims. Unless extended by the legislature, the changes made to RCW 51.28.025 by this section of this 1980 act shall expire on June 1, 1981, and on June 1, 1981 the provisions of RCW 51.28.025 shall revert to the provisions that existed in such section immediately prior to the effective date of this act. The report shall include:

- (a) The name, address, and business of the employer;
  - (b) The name, address, and occupation of the workman;
  - (c) The date, time, cause, and nature of the injury or occupational disease;
  - (d) Whether the injury or occupational disease arose in the course of the injured workman's employment;
  - (e) All available information pertaining to the nature of the injury or occupational disease including but not limited to any visible signs, any complaints of the workman, any time lost from work, and the observable effect on the workman's bodily functions, so far as is known; and
  - (f) Such other pertinent information as the department may prescribe by regulation.
- (2) Failure or refusal to file the report required by subsection (1) shall subject the offending employer to a penalty of one hundred dollars for each offense, to be collected in a civil action in the name of the department and paid into the supplemental pension fund."

On motion of Mr. Clayton, the following amendments by Representatives Clayton, King and Newhouse were adopted:

On page 24, after line 6 add the following sections:

"Sec. 20. Section 51.52.050, chapter 23, Laws of 1961 as last amended by section 75, chapter 350, Laws of 1977 ex. sess. and RCW 51.52.050 are each amended to read as follows:

Whenever the department or a self-insurer, in the case of a medical only claim reported to the department under RCW 51.28.025, has made any order, decision, or award, it shall promptly serve the worker, beneficiary, employer, or other person affected thereby, with a copy thereof by mail, which shall be addressed to such person at his or her last known address as shown by the records of the department. The copy, in case the same is a final order, decision, or award, shall bear on the same side of the same page on which is found the amount of the award, a statement, set in black faced type of at least ten point body or size, that such final order, decision, or award must be appealed to the board, Olympia, within sixty days, or the same shall become final.

Whenever the department or a self-insurer, in the case of a medical only claim reported to the department under RCW 51.28.025, has taken any action or made any decision relating to any phase of the administration of this title the worker, beneficiary, employer, or other person aggrieved thereby may appeal to the board and said appellant shall have the burden of proceeding with the evidence to establish a prima facie case for the relief sought in such appeal. Any such person aggrieved by the decision and order of the board may thereafter appeal to the superior court, as prescribed in this chapter.

Sec. 21. Section 51.52.070, chapter 23, Laws of 1961 as last amended by section 77, chapter 350, Laws of 1977 ex. sess. and RCW 51.52.070 are each amended to read as follows:

The notice of appeal to the board shall set forth in full detail the grounds upon which the person appealing considers such order, decision, or award is unjust or unlawful, and shall include every issue to be considered by the board, and it must contain a detailed statement of facts upon which such worker, beneficiary, employer, or other person relies in support thereof. The worker, beneficiary, employer, or other person shall be deemed to have waived all objections or irregularities concerning the matter on which such appeal is taken other than those specifically set forth in such notice of appeal or appearing in the records of the department or a self-insurer, in the case of a medical only claim which is reported to the department under RCW 51.28.025. The department or a self-insurer, in the case of a medical only claim which is reported to the department under RCW 51.28.025, shall promptly transmit its original record, or a legible copy thereof produced by mechanical, photographic, or electronic means, in such matter to the board.

On page 1, line 24 of the title after "51.36.050;" insert "amending section 51.52.050, chapter 23, Laws of 1961 as last amended by section 75, chapter 350, Laws of 1977 ex. sess. and RCW 51.52.050; amending section 51.52.070, chapter 23, Laws of 1961 as last amended by section 77, chapter 350, Laws of 1977 ex. sess. and RCW 51.52.070;"

The bill was ordered engrossed.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1605 was placed on final passage.

Representatives Newhouse and King spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Newhouse, I notice there is a proviso in this bill that requires another member on the board that is to represent the injured worker. Does this mean there has to be an injured worker, and if he ceases to be injured, is he still qualified to be represented on the commission?"

Mr. Newhouse: "The suggestion for this came from those who had gone through the rehabilitation center—people who were permanently disabled—and it is our understanding that the one so appointed will be someone who has been permanently disabled, lost a leg or something like that, and would be very conversant with the problems of the rehabilitation center. This is one of the areas, of course, the committee has studied the most, figuring the best answer to many of these problems is to, as soon as possible, get the injured workman back to some kind of employment even if he's not able to perform the type of task he did before."

Mr. Lux spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Newhouse, I think I heard you say that this was going to improve the situation for injured workmen. One of the biggest concerns I have about our present system of workmen's comp, I get more calls from injured workmen stating that the Department is sitting on their claim and they are not getting properly served. How, in this bill, are injured workmen going to be processed more rapidly?"

Mr. Newhouse: "In several ways, Representative Tilly. I wish I could answer you more completely, but, for instance, we have a rather strong feeling after reviewing rehabilitation that the Department has not soon enough referred the injured workmen for rehabilitation and there are some time tables in here in which the Department should review the case and if they are slightly disabled, or need rehabilitation, refer them to some type of a center that could rehabilitate them as soon as possible. I think perhaps more importantly in the area of self-insurance, one of the real paperwork pile-ups on the desks of Labor and Industries has to be that the medical-only claims have to be referred to the Department before they can be closed. Of course, medical-only are not usually serious injuries, which will involve just sending the worker to the doctor and maybe he loses a half a day, and he is not eligible for time loss benefits, which would require a minimum of several days off. In this case we will allow the employer and his agency to go ahead and proceed with those claims, process them, close them and get the injured worker back on the job without waiting for the Department, with their several weeks pile-up of paperwork activity, to close the claim."

Mr. Clayton spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1605, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

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

Not voting: Representatives Salatino, Teutsch, Thompson.

Engrossed Substitute House Bill No. 1605, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1422, by Representatives Newhouse and Ellis (by Judicial Council request):

Providing for review of proceedings in courts of limited jurisdiction.

The bill was read the second time.

On motion of Mr. Newhouse, Substitute House Bill No. 1422 was substituted for House Bill No. 1422, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1422 was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1422, and the bill passed the House by the following vote: Yeas, 91; nays, 4; not voting, 3.

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

Voting nay: Representatives Ehlers, Owen, Sherman, Smith R.

Not voting: Representatives Salatino, Teutsch, Thompson.

Substitute House Bill No. 1422, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1443, by Representatives Ellis, Knowles and Tally:

Revising grounds for permitting interception of private communications.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 19th Day, February 1, 1980.)

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

The bill was ordered engrossed.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1443 was placed on final passage.

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

#### POINT OF INQUIRY

Mr. Ellis yielded to question by Ms. Rinehart.

Ms. Rinehart: "Representative Ellis, you gave us a clipping that discusses the Seattle Intelligence Ordinance. My concern in supporting this bill is that ordinance. Does it change that ordinance in any way?"

Mr. Ellis: "It does not and that is the reason I included it. The Seattle Ordinance relates to police investigation and our statute doesn't touch that."

#### POINT OF INQUIRY

Mr. Smith (R) yielded to question by Mr. Thompson.

Mr. Thompson: "Representative Smith, is it necessary to obtain a warrant to obtain permission for a wiretap?"

Mr. Smith (R): "Yes, Representative Thompson, one of the amendments that was spoken to changed the wording from existing law to be that 'reasonable' grounds could believe that a crime has been committed as a basis for doing a wiretap. The new wording is that 'probable' is

the grounds for the judge to believe that a crime is being committed. That is the same wording as in the fourth amendment for obtaining a search warrant, so it would be the same standard, the same procedure."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1443, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

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

Voting nay: Representative Eng.

Not voting: Representatives Salatino, Teutsch.

Engrossed House Bill No. 1443, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Polk assumed the Chair.

HOUSE BILL NO. 1447, by Representatives Schmitten and Vrooman:

Revising the game code.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, 19th Day, February 1, 1980.)

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

The bill was ordered engrossed.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1447 was placed on final passage.

Representatives Schmitten, Vrooman and Monohon spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Schmitten yielded to question by Mr. Barr.

Mr. Barr: "Representative Schmitten, you referred to part 1 and part 2 and I'm not clear in my mind — does this bill deal with part 1 and part 2 is coming later or does it deal with both parts?"

Mr. Schmitten: "Representative Barr, it deals with part 1, that dealing with a technical measure primarily. Part 2 will be the philosophical measure of how to fund the Game Department. Should we charge those people for using the trails, the boat ramps, etc., for running the Game Department. That will be coming up next."

Mr. Barr: "In a later bill?"

Mr. Schmitten: "Yes."

Mr. Barr: "You related all the people who benefited from this bill, but it doesn't mention private landowners. What do they have and what has been their response about this?"

Mr. Schmitten: "There's nothing directed specifically to landowners. It has been a growing concern of state agencies acquiring more land. I think you would be relieved to know that with the Department of Game we have a safeguard saying that we won't allow them condemnation powers without their coming back and going through us. This is different than all the other local government entities or most departments in that they can have the condemnation powers. The Department of Game has to come before this body and ask for the vacation of private land before giving them the right for condemnation."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1447, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Teutsch.

Engrossed House Bill No. 1447, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1575, by Representatives Charnley, Whiteside, Thompson and Van Dyken:

Permitting classification of county roads as primitive roads.

The bill was read the second time.

On motion of Mr. Charnley, Substitute House Bill No. 1575 was substituted for House Bill No. 1575 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1575 was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1575 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1575, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Teutsch.

Substitute House Bill No. 1575, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1826, by Representatives Amen, Adams, Whiteside, Patterson, Brekke, Mitchell, Schmitten, Teutsch and Williams:

Regulating blood banks.

The bill was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and House Bill No. 1826 was placed on final passage.

Representatives Amen, Ehlers and Adams spoke in favor of passage of the bill, and Representatives McGinnis, Stratton and Brekke spoke against it.

Mr. Amen spoke again in favor of the bill, and Mr. Schmitten also spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1826, and the bill passed the House by the following vote: Yeas, 87; nays, 10; not voting, 1.

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

Voting nay: Representatives Barnes, Bond, Brekke, Eberle, Flint, McGinnis, Nelson D., Pruitt, Rohrbach, Stratton.

Not voting: Representative Teutsch.

House Bill No. 1826, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 1943**, by Representatives Patterson, Zimmerman, Amen, North, Whiteside and Flanagan:

Authorizing excess levies for road districts.

The bill was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1943, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

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

Voting nay: Representatives Keller, Vrooman, Warnke.

Not voting: Representative Teutsch.

House Bill No. 1943, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 614**, by Representatives Lux, Douthwaite, Burns, Valle, Ehlers, Zimmerman and King:

Including notice to terminate tenancy within the definition of retaliatory action.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, 19th Day, February 1, 1980.)

On motion of Mr. Smith (R), the committee amendment was not adopted.

On motion of Mr. Smith (R), the following amendments by Representatives Smith (R) and Newhouse were adopted:

On page 1, after line 28 strike all further material and insert:

**\*NEW SECTION, Sec. 2.** There is added to chapter 59.18 RCW a new section to read as follows:

In an action of forcible entry or detainer or unlawful detainer commenced under this chapter which is based upon nonpayment of rent as provided in RCW 59.12.030(3), the summons shall provide notice to the defendant of the provisions of this section, and if the summons and complaint are served upon the defendant before filing in the court, the plaintiff shall additionally give to the defendant written notice of such filing and the cause number. In such an action, the defendant shall be required, within seven days after notice of filing or completed service of the summons and complaint, whichever occurs later, to pay into the court the amount of rent alleged to be due in the complaint, and shall thereafter pay into the court any subsequent rent alleged to be due during the pendency of the action. If the defendant submits to the court a signed statement swearing or affirming that the rent alleged due in the complaint has been paid, or that he has a legal or equitable defense or set-off arising out of the tenancy, such payment shall not be required to the extent of such prior payment or set-off.



Failure to comply with this section shall be grounds for immediate issuance of a writ of restitution directing the sheriff to deliver possession of the premises to the plaintiff."

On page 1, line 3 of the title after "RCW 59.18.240" insert "and adding a new section to chapter 59.18 RCW"

The bill was ordered engrossed.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 614 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 614, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

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

Voting nay: Representative Oliver.

Not voting: Representative Teutsch.

Engrossed House Bill No. 614, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1609, by Representatives Sanders, Eberle, Bond, Sprague, Martinis, Brown, Charnley, Bender, Clayton, Isaacson, Addison and Garrett:

Increasing the maximum allowed state aid to local airport projects.

The bill was read the second time.

On motion of Mr. Wilson, Substitute House Bill No. 1609 was substituted for House Bill No. 1609, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1609 was read the second time.

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

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

#### POINT OF INQUIRY

Mr. Sanders yielded to question by Ms. North.

Ms. North: "Representative Sanders, with this additional money will there be more money for studies? As I read the bill, there would be."

Mr. Sanders: "We're really not increasing the revenue to the department. The department gets its revenue from the two cents per gallon gasoline tax which they would get anyway. This does not increase the revenue to the department. It just increases the authority per project that the department can work."

Ms. North: "As I read the bill it would increase the amount for development of the airport. This would include the studying of airports and I want you to know that eastern King County has been bombarded with studies during the last five years funded by King County, I think in this case, to establish an airport to replace the Bellevue airport. This will be used for another commercial purpose. I do hope we are not subjecting this again to so many hearings for an airport which we don't want."

Mr. Sanders: "The department already has adequate study money to study the airport projects it would like to study."

Mr. Sanders spoke again in favor of the bill, and Mr. Martinis spoke also in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1609, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Teutsch.

Substitute House Bill No. 1609, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

Mr. Polk moved that the Rules Committee be relieved of HOUSE BILL NO. 1371, and the bill be placed on the second reading calendar following House Bill No. 1988.

Representatives Polk and King spoke in favor of the motion, and the motion was carried.

## MOTION

On motion of Mr. Polk, the rules were suspended, the Rules Committee was relieved of ENGROSSED SUBSTITUTE SENATE BILL NO. 3359, and the bill was returned to second reading and placed on the calendar following House Bill No. 1371.

HOUSE BILL NO. 1624, by Representatives Vrooman, Schmitten, Martinis, Wilson, Monohon, Dunlap, Erak, Smith, R., Sanders, Mitchell and Addison (by Department of Fisheries request):

Increasing the bond limit for salmon enhancement.

The bill was read the second time.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1624, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Teutsch.

House Bill No. 1624, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1762, by Representatives Rosbach, North, Fuller, Whiteside, Rohrbach, Keller, Zimmerman, Charnley, Brown, Williams and Garrett:

Permitting courts to require contributions to a county or interlocal drug fund as a condition of probation.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 17th Day, January 30, 1980.)

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

The bill was ordered engrossed.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1762 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1762, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Teutsch.

Engrossed House Bill No. 1762, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1829, by Representatives Erickson, Oliver, Keller, Valle, Monohon and Erak:

Permitting voter registration at high schools and fire stations.

The bill was read the second time.

Committee on Constitution, Elections and Governmental Ethics recommendation: Majority, do pass as amended. (For amendment, see Journal, 18th Day, January 31, 1980.)

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

The bill was ordered engrossed.

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

Ms. Erickson spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1829, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Teutsch.

Engrossed House Bill No. 1829, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 200, by Committee on Revenue (originally sponsored by Representatives Erickson, Winsley, Erak, Ehlers, Scott, Warnke, Gruger, Grimm, Walk, Kreidler, Owen, Granlund, North, Becker and Bender):

Expanding real estate excise tax to include used mobile homes.

The bill was read the second time.

On motion of Ms. Sommers, Second Substitute House Bill No. 200 was substituted for Substitute House Bill No. 200, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 200 was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 200, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Heck, Teutsch.

Second Substitute House Bill No. 200, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 981, by Representatives O'Brien, Zimmerman, Polk, Salatino and Ehlers:

Regulating sale on consignment of works of fine art.

The bill was read the second time.

On motion of Mr. Warnke, Substitute House Bill No. 981 was substituted for House Bill No. 981, and the substitute bill was placed on the calendar for second reading.

#### MOTION

Mr. Dunlap moved that further consideration of Substitute House Bill No. 981 be deferred, and the bill be placed on the calendar following House Bill No. 1466.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to defer further consideration of Substitute House Bill No. 981, and the motion was carried by the following vote: Yeas, 84; nays, 13; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Galloway, Garrett, Granlund, Greeno, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, Kreidler, Lux, Martinis, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Stratton, Struthers, Taller, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Brekke, Brown, Ehlers, Gallagher, Grimm, King, Knowles, Maxie, Polk, Rinehart, Salatino, Sprague, Walk.

Not voting: Representative Teutsch.

HOUSE BILL NO. 1093, by Representatives Charnley and Zimmerman:

Relating to special purpose districts.

The bill was read the second time.

On motion of Mr. Charnley, Substitute House Bill No. 1093 was substituted for House Bill No. 1093, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill no. 1093 was read the second time.

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

Mr. Van Dyken spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1093, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Teutsch.

Substitute House Bill No. 1093, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1398, by Representatives Sanders and Bond:

Modifying the laws governing initiatives and referendums in counties and cities.

The bill was read the second time.

On motion of Mr. Oliver, Substitute House Bill No. 1398 was substituted for House Bill No. 1398, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1398 was read the second time.

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

Representatives Sanders and Hughes spoke in favor of the bill, and Mr. Zimmerman spoke against it.

## POINT OF INQUIRY

Mr. Sanders yielded to question by Ms. Erickson.

Ms. Erickson: "Representative Sanders, we've heard some discussion about this program and the effect it would have on Initiative 62. I wonder if you would explain that?"

Mr. Sanders: "This legislation extends the power to individuals in the state to cause a vote of the people. The bill does not necessarily have any fiscal impact on local government. It is not involved with any new programs as that term is commonly used. I believe the use of efficiency provisions does not apply to a neighboring power."

Mr. Charnley spoke against the bill, and Mr. Nisbet spoke in favor of it.

## POINT OF INQUIRY

Mr. Sanders yielded to question by Mr. Lux.

Mr. Lux: "You made the comment, Representative Sanders, that there was no fiscal impact to this. If the situation should happen where there are a number of initiatives and referendums and all these signatures had to be counted, what kind of an impact would that have on the county or the city? Who pays for this?"

Mr. Sanders: "It's estimated that the cost of the additional initiatives or referendums that would result from this bill would be approximately \$10,000. It's a very small amount."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1398, and the bill passed the House by the following vote: Yeas, 77; nays, 20; not voting, 1.

Voting yea: Representatives Addison, Bagnariol, Barnes, Bauer, Becker, Bender, Brekke, Brown, Burns, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Eng, Erak, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Pruitt, Rinehart, Rohrbach, Sanders, Schmitt, Scott, Sherman, Smith R., Sommers, Stratton, Struthers, Taller, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley.

Voting nay: Representatives Adams, Amen, Barr, Berentson, Bond, Chandler, Charnley, Clayton, Ellis, Erickson, Fancher, Flanagan, Newhouse, Patterson, Polk, Rosbach, Salatino, Smith C. P., Sprague, Zimmerman.

Not voting: Representative Teutsch.

Substitute House Bill No. 1398, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Newhouse assumed the Chair.

HOUSE BILL NO. 1407, by Representatives Rosbach, Chandler, Eng, Taylor and Williams:

Modifying joint tenancy provisions relating to savings and loan associations.

The bill was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1407, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

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

Not voting: Representatives Flint, Garrett, Monohon, Teutsch.

House Bill No. 1407, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1416, by Representatives Eng, Winsley, Lux, Bauer, Charnley and Garrett:

Making miscellaneous changes in law relating to credit unions.

The bill was read the second time.

On motion of Mr. Eng, Substitute House Bill No. 1416 was substituted for House Bill No. 1416, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill no. 1416 was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1416, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

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

Not voting: Representatives Flint, Rohrbach, Teutsch.

Substitute House Bill No. 1416, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1464, by Representatives Martinis, Wilson, Scott, Mitchell, Sprague, King, Addison, Gallagher, Garrett, Grimm, Houchen, Keller, Smith (R) and Walk:

Directing the construction and maintenance of recreational vehicle sanitary disposal systems in certain highway rest areas.

The bill was read the second time.

On motion of Mr. Van Dyken, the following amendment by Representatives Van Dyken and Becker was adopted:

On page 1, beginning on line 16 strike all of subsection (4) and renumber the following subsections consecutively.

MOTION

On motion of Mr. Dunlap, further consideration of House Bill No. 1464 was deferred, and the bill was ordered placed on the calendar following House Bill No. 1558.

HOUSE BILL NO. 1183, by Representatives Smith (R) and Knowles:

Redefines and classifies specified felonies, and dangerous misdemeanors and revises specified sentences.

The bill was read the second time.

On motion of Mr. Warnke, Second Substitute House Bill No. 1183 was substituted for House Bill No. 1183, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1183 was read the second time.

Mr. Tilly moved adoption of the following amendment:

On page 15, following section 25 add a new section as follows:

\*Sec. 26. Section 7, chapter 206, Laws of 1977 ex. sess. and RCW 10.94.030 are each amended to read as follows:

(1) Whenever the death penalty is imposed, and upon the judgment becoming final in the trial court, the sentence shall be reviewed on the record by the supreme court of Washington. The clerk of the trial court within ten days after receiving the transcript, shall transmit the entire record and transcript to the supreme court of Washington together with a notice prepared by the clerk and a report prepared by the trial judge. The notice shall set forth the title and docket number of the case, the name of the defendant and the name and address of the defendant's attorney, a narrative statement of the judgment, the offense, and the punishment prescribed. The report shall be in the form of a standard questionnaire prepared and supplied by the supreme court of Washington.

(2) The supreme court of Washington shall consider the punishment as well as any errors enumerated by way of appeal.

(3) With regard to the sentence, the court shall determine:

(a) Whether the evidence supports the jury's findings; and

(b) Whether the sentence of death is excessive or disproportionate to the penalty imposed in similar cases, considering both the crime and the defendant: PROVIDED, That similar cases shall be those wherein the murder was committed under one or more of the aggravating circumstances defined in RCW 9A.32.045.

(4) Both the defendant and the state shall have the right to submit briefs within the time provided by the court, and to present oral argument to the court.

(5) The court shall include in its decision a reference to those similar cases which it took into consideration. In addition to its authority regarding correction of errors, the court, with regard to review of death sentences, shall be authorized to:

(a) Affirm the sentence of death; or

(b) Set the sentence aside and remand the case for resentencing by the trial judge based on the record and argument of counsel. The records of those similar cases referred to by the supreme court of Washington in its decision and the extracts prepared therefor shall be provided to the resentencing judge for the judge's consideration.

(6) The sentence review shall be in addition to direct appeal, if taken, and the review and appeal shall be consolidated for consideration. The court shall render its decision on legal errors enumerated, the factual substantiation of the verdict, and the validity of the sentence."

Renumber the remaining sections consecutively.

Mr. Tilly spoke in favor of the amendment, and Mr. Smith (R) spoke against it.

Mr. Tilly spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Tilly to page 15 of Second Substitute House Bill No. 1183, and the amendment was not adopted by the following vote: Yeas, 49; nays, 47; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Fuller, Greengo, Grimm, Hastings, Houchen,

Hughes, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitten, Smith C. P., Sprague, Struthers, Taller, Taylor, Tilly, Tupper, Van Dyken, Walk, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Ehlers, Eng, Erak, Erickson, Flint, Gallagher, Galloway, Garrett, Granlund, Gruger, Heck, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Stratton, Thompson, Valle, Vrooman, Warnke.

Not voting: Representatives Teutsch, Wilson.

#### MOTION FOR RECONSIDERATION

Ms. Flint, having voted on the prevailing side, moved that the House reconsider the vote by which the Tilly amendment was not adopted.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the Tilly amendment was lost, and the motion was carried by the following vote: Yeas, 49; nays, 47; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Hughes, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitten, Smith C. P., Sprague, Struthers, Taller, Taylor, Tilly, Tupper, Van Dyken, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Stratton, Thompson, Valle, Vrooman, Walk, Warnke.

Not voting: Representatives Teutsch, Wilson.

The Speaker (Mr. Newhouse presiding) stated the question before the House to be reconsideration of the Tilly amendment.

Mr. Smith (R) spoke against the amendment.

#### ROLL CALL

The Clerk called the roll on reconsideration of the amendment by Representative Tilly to Second Substitute House Bill No. 1183, and the amendment was adopted by the following vote: Yeas, 51; nays, 45; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Grimm, Hastings, Houchen, Hughes, Isaacson, Martinis, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Owen, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitten, Smith C. P., Sprague, Struthers, Taller, Taylor, Tilly, Tupper, Van Dyken, Walk, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Gruger, Heck, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Stratton, Thompson, Valle, Vrooman, Warnke.

Not voting: Representatives Teutsch, Wilson.

Mr. Tilly moved adoption of the following amendment:

On page 15, following section 25 add a new section as follows:

\*Sec. 26. Section 2, chapter 206, Laws of 1977 ex. sess. and RCW 10.94.020 are each amended to read as follows:

(1) If notice of intention to request the death penalty has been served and filed by the prosecution in accordance with RCW 10.94.010, then a special sentencing proceeding shall be held in the event the defendant is found guilty of murder in the first degree under RCW 9A.32.030(1)(a).

(2) If the prosecution has filed a request for the death penalty in accordance with RCW 10.94.010, and the trial jury returns a verdict of murder in the first degree under RCW 9A.32.030(1)(a), then, at such time as the verdict is returned, the trial judge shall reconvene the same trial jury to determine in a separate special sentencing proceeding whether there are one or more aggravating circumstances and whether there are mitigating circumstances sufficient to merit leniency, as provided in RCW 9A.32.045 as now or hereafter amended, and to answer special questions pursuant to subsection (10) of this section. The special sentencing proceeding shall be held as soon as possible following the return of the jury verdict.



(3) At the commencement of the special sentencing proceeding the judge shall instruct the jury as to the nature and purpose of the proceeding and as to the consequences of its findings as provided in RCW 9A.32.040 as now or hereafter amended.

(4) In the special sentencing proceeding, evidence may be presented relating to the presence of any aggravating or mitigating circumstances as enumerated in RCW 9A.32.045 as now or hereafter amended. Evidence of aggravating circumstances shall be limited to evidence relevant to those aggravating circumstances specified in the notice required by RCW 10.94.010.

(5) Any relevant evidence which the court deems to have probative value may be received regardless of its admissibility under usual rules of evidence: PROVIDED, That the defendant is accorded a fair opportunity to rebut any hearsay statements: PROVIDED FURTHER, That evidence secured in violation of the Constitutions of the United States or the state of Washington shall not be admissible.

(6) Upon the conclusion of the evidence, the judge shall give the jury appropriate instructions and the prosecution and the defendant or defendant's counsel shall be permitted to present argument. The prosecution shall open and conclude the argument to the jury.

(7) The jury shall then retire to deliberate. Upon reaching a decision, the jury shall specify each aggravating circumstance that it unanimously determines to have been established beyond a reasonable doubt. In the event the jury finds no aggravating circumstances the defendant shall be sentenced pursuant to RCW 9A.32.040(3) as now or hereafter amended.

(8) If the jury finds there are one or more aggravating circumstances it must then decide whether it is also unanimously convinced beyond a reasonable doubt there are not sufficient mitigating circumstances to merit leniency. If the jury makes such a finding, it shall proceed to answer the special questions submitted pursuant to subsection (10) of this section.

(9) If the jury finds there are one or more aggravating circumstances but fails to be convinced beyond a reasonable doubt there are not sufficient mitigating circumstances to merit leniency the defendant shall be sentenced pursuant to RCW 9A.32.040(2) as now or hereafter amended.

~~((10) If the jury finds that there are one or more aggravating circumstances and is unanimously convinced beyond a reasonable doubt that there are not sufficient mitigating circumstances to merit leniency, the jury shall answer the following questions:~~

~~(a) Did the evidence presented at trial establish the guilt of the defendant with clear certainty?~~

~~(b) Are you convinced beyond a reasonable doubt that there is a probability that the defendant would commit additional criminal acts of violence that would constitute a continuing threat to society?~~

~~The state shall have the burden of proving each question and the court shall instruct the jury that it may not answer either question in the affirmative unless it agrees unanimously.~~

~~If the jury answers both questions in the affirmative, the defendant shall be sentenced pursuant to RCW 9A.32.040(1) as now or hereafter amended.~~

~~If the jury answers either question in the negative the defendant shall be sentenced pursuant to RCW 9A.32.040(2) as now or hereafter amended.))"~~

Remember the remaining sections consecutively.

Mr. Tilly spoke in favor of the amendment, and Representatives Knowles and SMith (R) spoke against it.

### POINT OF INQUIRY

Mr. Tilly yielded to question by Mr. Struthers.

Mr. Struthers: "Representative Tilly, I thought I rather understood the amendment, and now after so much conversation on the floor, I'm becoming confused. Could you tell me directly, if we adopt the amendment, will this weaken the death penalty bill that is now before us?"

Mr. Tilly: "Well, I think it depends on which side of the aisle you're on and I'm not talking about this aisle, I'm talking about the liberal versus the conservative. I feel that it would strengthen the people's right to find people guilty and punish them. There's questions always raised on the issue of capital punishment concerning constitutionality, and if we wait for what the Supreme Court is going to rule, we probably shouldn't even be in business this session, because they are always coming down with different decisions."

### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to Second Substitute House Bill No. 1183, and the amendment was not adopted by the following vote: Yeas, 44; nays, 52; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Bender, Berentson, Bond, Clayton, Craswell, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Fuller, Greengo, Hastings, Houchen, Hughes, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitz, Smith C. P., Sprague, Struthers, Taller, Tilly, Tupper, Van Dyken, Whiteside, Williams, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Ehlers, Eng, Erak, Erickson, Flint, Gallagher, Galloway, Garrett, Granlund, Grimm,

Gruger, Heck, Jovanovich, Keller, King, Knowles, Kroidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Stratton, Taylor, Thompson, Valle, Vrooman, Walk, Warnke, Winsley.

Not voting: Representatives Teutsch, Wilson.

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

On page 2, line 15 of the title after "RCW 9A.88.030;" insert "amending section 7, chapter 206, Laws of 1977 ex. sess. and RCW 10.94.030;"

The bill was ordered engrossed.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Engrossed Second Substitute House Bill No. 1183 was placed on final passage.

Mr. Smith (R) spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1183, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Teutsch.

Engrossed Second Substitute House Bill No. 1183, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1466, by Representatives Taylor, McCormick, Amen, Sommers, Chandler, Bauer, Heck, Houchen, Galloway, Nisbet and Smith (C):

Reestablishing levels school districts shall put public bids out for on improvements and purchases.

The bill was read the second time.

On motion of Mr. Chandler, Substitute House Bill No. 1466 was substituted for House Bill No. 1466, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1466 was read the second time.

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

Representatives Taylor and Warnke spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1466, and the bill passed the House by the following vote: Yeas, 92; nays, 4; not voting, 2.

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

Voting nay: Representatives Bond, Craswell, Sanders, Sprague.

Not voting: Representatives Becker, Teutsch.

Substitute House Bill No. 1466, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE HOUSE BILL NO. 981**, by Committee on Commerce (originally sponsored by Representatives O'Brien, Zimmerman, Polk, Salatino and Ehlers):

Regulating sale on consignment of works of fine art.

The bill was read the second time.

Mr. Dunlap moved adoption of the following amendment:

On page 3, following section 7 strike section 8 and renumber the remaining sections consecutively.

Mr. Dunlap spoke in favor of the amendment, and Representatives O'Brien and Warnke spoke against it.

Mr. Dunlap spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Dunlap to Substitute House Bill No. 981, and the amendment was not adopted by the following vote: Yeas, 45; nays, 51; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitten, Smith C. P., Sprague, Struthers, Taller, Taylor, Tilly, Tupper, Van Dyken, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Stratton, Thompson, Valle, Vrooman, Walk, Warnke, Wilson.

Not voting: Representatives Oliver, Teutsch.

Mr. Salatino moved that the rules be suspended, the second reading considered the third, and Substitute House Bill No. 981 be advanced to final passage.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Substitute House Bill No. 981 to final passage, and the motion failed to receive the necessary two-thirds majority, by the following vote: Yeas, 58; nays, 36; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Fuller, Gallagher, Galloway, Granlund, Greengo, Grimm, Gruger, Heck, Houchen, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, McCormick, Mitchell, Monohon, Nelson D., Newhouse, North, O'Brien, Oliver, Owen, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Stratton, Taller, Taylor, Thompson, Tupper, Valle, Vrooman, Walk, Warnke, Wilson, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Garrett, Hastings, Isaacson, McGinnis, Nelson G. A., Nisbet, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitten, Smith C. P., Sprague, Struthers, Tilly, Van Dyken, Whiteside, Williams.

Not voting: Representatives May, McDonald, Teutsch, Zimmerman.

Substitute House Bill No. 981 was passed to Committee on Rules for third reading.

**HOUSE BILL NO. 1486**, by Representatives Monohon, Schmitten, Erak, Vrooman, Smith (R), Mitchell, Rosbach and Nisbet:

Restricting issuance of free razor-clamming licenses.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, 19th Day, February 1, 1980.)

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

Mr. Pruitt moved adoption of the following amendment:

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

**"NEW SECTION. Sec. 2.** There is added to chapter 75.25 RCW a new section to read as follows:

It shall be lawful to dig the personal-use daily bag limit of razor clams for another person if that person has in possession a physical disability permit approved by the director, and is in the nearby vicinity with the digger where such digging occurs."

Mr. Pruitt spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Pruitt yielded to question by Ms. Monohon.

Ms. Monohon: "Representative Pruitt, I'm concerned with the phrase in here in the amendment, 'nearby vicinity.' Can this be construed to mean that physically an individual can remain in his home, be within five or ten miles of the beach, or must he be physically present and on the beach?"

Mr. Pruitt: "No, it's our intent, Representative Monohon, that the person would need to be nearby, not at their home a few miles away to qualify. If the person were on the beach and perhaps even in a car in the parking lot beside the beach, that person could qualify."

Mr. Schmitt spoke against the amendment, and Mr. Martinis spoke in favor of it.

The amendment was adopted.

On motion of Mr. Vrooman, the committee amendment to the title was adopted.

On motion of Mr. Pruitt, the following amendment to the title was adopted;

On page 1, line 1 of the title after "clams;" strike "and" and on line 2 of the title after "RCW 75.25-.040" insert "; and adding a new section to chapter 75.25 RCW"

The bill was ordered engrossed.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1486 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1486, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Teutsch.

Engrossed House Bill No. 1486, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Mr. Garrett moved that the vote by which Substitute House Bill No. 981 was passed to Committee on Rules be reconsidered.

#### SPEAKER'S RULING (MR. NEWHOUSE PRESIDING)

The Speaker (Mr. Newhouse presiding): "The bill has been referred to the Rules Committee and the Speaker has ruled that it would take a motion to suspend the rules and relieve the Rules Committee. The reason for the suspension of the rules is because of the one-day rule for each order of business, Representative Garrett."

#### MOTION

Mr. Garrett moved that the rules be suspended and the Rules Committee be relieved of Substitute House Bill No. 981, and the bill be placed on the third reading calendar.

#### POINT OF ORDER

Mr. O'Brien: "I don't understand your ruling on the suspension of the rules to take a bill from the Rules Committee."

SPEAKER'S RULING (MR. NEWHOUSE PRESIDING)

The Speaker (Mr. Newhouse presiding): "My interpretation of the rules, Representative O'Brien, is that the bill was acted upon on second reading today, and it would take a suspension of the rules to put it on the third reading calendar for today."

Mr. O'Brien: "Who told you the bill was in the Rules Committee?"

The Speaker (Mr. Newhouse presiding): "To all purposes of the House, as you have ruled many times, once the Speaker has said it passed to Rules Committee, it is in the possession of the Rules Committee."

The Speaker (Mr. Newhouse presiding) stated the question before the House to be the motion to suspend the rules and relieve the Rules Committee of Substitute House Bill No. 981 and place it on the third reading calendar today.

Mr. Garrett spoke in favor of the motion, and Mr. Polk spoke against it.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 3359, by Committee on Constitution and Elections (originally sponsored by Senator Woody):

Avoiding a conflict between dates of political caucuses and elections.

The bill was read the second time.

Mr. Polk moved adoption of the following amendments:

On page 2, line 23 after "election" strike all material down to and including "may be" on line 24 and insert "may also be"

On page 3, line 7 beginning with "except" strike all material down to and including "Constitution" on line 9

On page 4, line 5 after "election" strike all material down to and including "may be" on line 6 and insert "may also be"

On page 4, line 7 after "March" strike all material down to and including "1980" on line 13

On page 4, line 32, beginning with "Notwithstanding" strike all material down to and including the period on page 5, line 7.

Representatives Polk, Taylor and Flint spoke in favor of the amendments, and Representatives King, Erickson and Barnes spoke against them.

Mr. Polk spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Polk to Engrossed Substitute Senate Bill No. 3359, and the amendments were not adopted by the following vote: Yeas, 43; nays, 50; not voting, 5.

Voting yea: Representatives Amen, Barr, Berentson, Bond, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rosbach, Smith C. P., Sprague, Struthers, Taller, Taylor, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bender, Brekke, Brown, Burns, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kroidler, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rohrbach, Salatino, Sanders, Scott, Sherman, Smith R., Sommers, Stratton, Thompson, Tilly, Valle, Vrooman, Walk, Warnke.

Not voting: Representatives Addison, Becker, Lux, Schmitt, Teutsch.

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

On page 5, line 1 after "least" strike "forty-two" and insert "thirty-five"

On page 5, line 2 after "date." strike "Notwithstanding the provisions of RCW 29.07.160, the" and insert "The"

On page 5, line 8 insert the following additional section:

"Sec. 4. Section 29.07.160, chapter 9, Laws of 1965 as last amended by section 4, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.160 are each amended to read as follows:

The registration files of all precincts shall be closed against original registration or transfers for thirty days immediately preceding every election and primary to be held in such precincts, respectively.

The county auditor shall give notice of the closing of said files for original registration and transfer by one publication in a newspaper of general circulation in the county at least five days before such closing, except as provided for special elections in accordance with section 3 of this 1980 act."

Remember the following section consecutively.

In line 1 of the title after "elections;" insert "amending section 29.07.160, chapter 9, Laws of 1965 as last amended by section 4, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.160;"

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 3359 as amended by the House was placed on final passage.

Representatives Oliver, King, Stratton, Rohrbach and Barnes spoke in favor of passage of the bill, and Representatives Taylor, Fuller and Polk spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3359 as amended by the House, and the bill passed the House by the following vote: Yeas, 69; nays, 26; not voting, 3.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Craswell, Dawson, Dunlap, Ehlers, Erak, Erickson, Fancher, Flint, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Hastings, Heck, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nisbet, North, O'Brien, Oliver, Owen, Pruitt, Rinehart, Rohrbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Stratton, Struthers, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Winsley.

Voting nay: Representatives Amen, Barr, Chandler, Charnley, Clayton, Deccio, Ellis, Eng, Flanagan, Fuller, Greengo, Houchen, McGinnis, Newhouse, Patterson, Polk, Rosbach, Sommers, Sprague, Taller, Taylor, Van Dyken, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Eberle, Nelson G. A., Teutsch.

Engrossed Substitute House Bill No. 3359 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Polk, the House recessed until 9:30 a.m., Tuesday, February 5, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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

**TWENTY-THIRD DAY**

**MORNING SESSION**

House Chamber, Olympia, Wash., Tuesday, February 5, 1980

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Shannon Hughes, Tracy Kaps and Jon Maltos. Prayer was offered by The Reverend Lester Olson of the Gloria Dei Lutheran Church of Olympia.

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

**MESSAGE FROM THE SENATE**

February 4, 1980

Mr. Speaker:

The Senate has passed:

- SUBSTITUTE SENATE BILL NO. 2299,
- REENGROSSED SENATE BILL NO. 2433,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 2443,
- SENATE BILL NO. 2566,
- SUBSTITUTE SENATE BILL NO. 2581,
- SUBSTITUTE SENATE BILL NO. 2616,
- SECOND SUBSTITUTE SENATE BILL NO. 2748,
- SECOND SUBSTITUTE SENATE BILL NO. 2865,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 3108,
- SUBSTITUTE SENATE BILL NO. 3133,
- SUBSTITUTE SENATE BILL NO. 3169,
- ENGROSSED SENATE BILL NO. 3175,
- SUBSTITUTE SENATE BILL NO. 3186,
- ENGROSSED SENATE BILL NO. 3190,
- SENATE BILL NO. 3202,
- SUBSTITUTE SENATE BILL NO. 3207,
- SENATE BILL NO. 3214,
- SENATE BILL NO. 3219,
- SUBSTITUTE SENATE BILL NO. 3228,
- ENGROSSED SENATE BILL NO. 3234,
- SENATE BILL NO. 3240,
- ENGROSSED SENATE BILL NO. 3241,
- ENGROSSED SENATE BILL NO. 3243,
- SENATE BILL NO. 3251,
- ENGROSSED SENATE BILL NO. 3253,
- SUBSTITUTE SENATE BILL NO. 3257,
- SUBSTITUTE SENATE BILL NO. 3262,
- SUBSTITUTE SENATE BILL NO. 3297,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 3309,
- ENGROSSED SENATE BILL NO. 3320,
- SUBSTITUTE SENATE BILL NO. 3330,
- ENGROSSED SENATE BILL NO. 3331,
- SENATE BILL NO. 3415,
- SUBSTITUTE SENATE BILL NO. 3442,
- SENATE BILL NO. 3474,
- ENGROSSED SENATE BILL NO. 3499,
- SUBSTITUTE SENATE BILL NO. 3581,
- ENGROSSED SENATE BILL NO. 3593,
- SUBSTITUTE SENATE BILL NO. 3602,
- SENATE JOINT MEMORIAL NO. 113,

## SENATE JOINT RESOLUTION NO. 132,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

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

## THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 382, by Committee on Commerce (originally sponsored by Representatives Gallagher, Wilson, Brown, Martinis and Van Dyken):

Requiring smoke detectors in certain dwelling units.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 382, and the bill passed the House by the following vote: Yeas, 82; nays, 10; not voting, 6.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barr, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Gruger, Heck, Houchen, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Stratton, Tally, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley.

Voting nay: Representatives Barnes, Bond, Craswell, Hastings, McDonald, Sommers, Sprague, Struthers, Tilly, Zimmerman.

Not voting: Representatives Berentson, Grimm, Isaacson, Newhouse, Polk, Walk.

Engrossed Substitute House Bill No. 382, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. King, Engrossed Substitute House Bill No. 382 was ordered transmitted immediately to the Senate.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 894, by Committee on Social and Health Services (originally sponsored by Representatives Kreidler, Zimmerman, Valle, Nelson, D., Burns and Lux - by Department of Social and Health Services request):

Regulating sources and uses of radiation.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 894, and the bill passed the House by the following vote: Yeas, 91; nays, 3; not voting, 4.

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

Voting nay: Representatives Hastings, Struthers, Wilson.

Not voting: Representatives Berentson, Granlund, Grimm, Polk.

Engrossed Substitute House Bill No. 894, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



**SUBSTITUTE HOUSE BILL NO. 898**, by Committee on Social and Health Services (originally sponsored by Representatives Kreidler, Whiteside, Becker and Adams):

Revising laws relating to health officers.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 898, and the bill passed the House by the following vote: Yeas, 87; nays, 10; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Hughes, Jovanovich, Keller, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Sherman, Smith C. P., Smith R., Sommers, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Houchen, Isaacson, King, Martinis, Mitchell, Monohon, Owen, Scott, Sprague, Wilson.

Not voting: Representative Walk.

Substitute House Bill No. 898, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

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

#### SECOND READING

**HOUSE BILL NO. 1550**, by Representatives Erickson and Oliver:

Permitting a choice of alternative local initiative and referendum powers for certain cities and towns.

The bill was read the second time.

Committee on Constitution, Elections and Governmental Ethics recommendation: Majority, do pass as amended. (For amendment, see Journal, 11th Day, January 24, 1980.)

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

The bill was ordered engrossed. On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1550 was placed on final passage.

Ms. Erickson spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1550, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Bond.

Engrossed House Bill No. 1550, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1555, by Representatives Schmitten, Becker, Flint, Jovanovich, Rosbach, Vrooman, Wilson, Martinis, Addison, Mitchell, Ellis and Charnley:

Protecting unique wildlife.

The bill was read the second time.

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

Representatives Schmitten, Tilly and Hughes spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1555, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

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

House Bill No. 1555, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1558, by Representatives Zimmerman, Heck, Bauer, Monohon, Galloway and Williams:

Exempting certain dwellings from the access roadway requirements of the fire code.

The bill was read the second time.

On motion of Mr. Charnley, Substitute House Bill No. 1558 was substituted for House Bill No. 1558, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1558 was read the second time.

Mr. Ehlers moved adoption of the following amendment by Representatives Ehlers, Zimmerman, Bauer, Heck, Erak, Galloway and Monohon:

On page 2, beginning on line 5 strike subsection (5) and insert the following:

“(5) The provisions of the uniform fire code concerning access roadways for fire department apparatus shall not apply to dwellings which are classified as group R, division 3 occupancies or group M occupancies in the 1976 edition of the uniform building code.”

Representatives Ehlers, Bauer and Zimmerman spoke in favor of the amendment, and Mr. Charnley spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Ehlers and others to Substitute House Bill No. 1558, and the amendment was adopted by the following vote: Yeas, 69; nays, 25; not voting, 4.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barr, Bauer, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, McDonald, McGinnis, Monohon, Nelson D., Nelson G. A., Nisbet, O'Brien, Oliver, Owen, Polk, Pruitt, Salatino, Sanders, Schmitten, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Thompson, Tilly, Tupper, Vrooman, Walk, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Barnes, Becker, Bender, Brekke, Brown, Burns, Charnley, Flint, Gallagher, Houchen, May, McCormick, Mitchell, North, Patterson, Rinehart, Rosbach, Scott, Sherman, Stratton, Teutsch, Valle, Van Dyken, Warnke, Wilson.

Not voting: Representatives Lux, Maxie, Newhouse, Rohrbach.

The bill was ordered engrossed. On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1558 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1558, and the bill passed the House by the following vote: Yeas, 93; nays, 5; not voting, 0.

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

Voting nay: Representatives Charnley, May, North, Stratton, Warnke.

Engrossed Substitute House Bill No. 1558, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1464, by Representatives Martinis, Wilson, Scott, Mitchell, Sprague, King, Addison, Gallagher, Garrett, Grimm, Houchen, Keller, Smith (R) and Walk:

Directing the construction and maintenance of recreational vehicle sanitary disposal systems in certain highway rest areas.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

Mr. Charnley moved adoption of the following amendment by Representatives Charnley and Patterson:

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

NEW SECTION. Sec. 2. There is added to chapter 46.16 RCW a new section to read as follows:

In addition to other fees for the licensing of vehicles there shall be paid and collected annually for each camper, travel trailer and motor home as the same are defined in RCW 82.50.010 a fee of one dollar to be deposited in the RV account of the motor vehicle fund.

NEW SECTION. Sec. 3. There is added to chapter 46.68 RCW a new section to read as follows:

There is hereby created in the motor vehicle fund the RV account. All moneys hereafter deposited in said account shall be used by the department of transportation for the construction and maintenance of recreational vehicle sanitary disposal systems at rest areas on federal-aid highways.

NEW SECTION. Sec. 4. This act shall take effect July 1, 1980."

Representatives Charnley, Patterson and Valle spoke in favor of the amendment, and Representatives Scott, Martinis and Wilson spoke against it.

Mr. Charnley spoke again in favor of the amendment, and Mr. Martinis spoke again in opposition to it.

Mr. Salatino demanded an electric roll call vote on the amendment, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Charnley and Patterson to House Bill No. 1464, and the amendment was adopted by the following vote: Yeas, 51; nays, 46; not voting, 1.

Voting yea: Representatives Amen, Barnes, Barr, Berentson, Bond, Brekke, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Eng, Fancher, Flanagan, Flint, Fuller, Granlund, Greengo, Hastings, Lux, Maxie, McDonald, Monohon, Nelson D., Nelson G. A., Newhouse, O'Brien, Patterson, Polk, Rinehart, Rohrbach, Rosbach, Sherman, Smith C. P., Sommers, Stratton, Struthers, Tally, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Whiteside, Zimmerman.

Voting nay: Representatives Adams, Addison, Bagnariol, Bauer, Becker, Bender, Brown, Erak, Erickson, Gallagher, Galloway, Garrett, Grimm, Gruger, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, May, McCormick, McGinnis, Mitchell, Nisbet, North, Oliver, Owen, Pruitt, Salatino, Sanders, Schmitt, Scott, Smith R., Sprague, Thompson, Vrooman, Walk, Warnke, Williams, Wilson, Winsley.

Not voting: Representative Ehlers.

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

On page 1, line 2 of the title after "47.38 RCW" insert "; adding a new section to chapter 46.16 RCW; adding a new section to chapter 46.68 RCW; and providing an effective date"

The bill was ordered engrossed. On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1464 was placed on final passage.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Smith (C).

Mr. Smith (C): "Representative Martinis, in committee meeting I expressed my concern about the problems of the Winchester Wasteway because it was one of our canals and the problems it might create in the Columbia Basin Project. I'm wondering if the Department of Ecology, the county commissioners, the Bureau of Reclamation and those entities that will be concerned about this will be approached by the Department of Transportation before these will be built?"

Mr. Martinis: "Representative Smith, there is nothing in this bill that would circumvent local authority in this. If there was a problem with the sewage treatment at the Winchester Wasteway, and it did present a health problem, the facility would not be able to be constructed. Yesterday the arguments on removing Bow Hill were that there was a restriction on adding new hook-ups to that sewerage system. Even without this amendment it would have prohibited Bow Hill from the construction. There is nothing here that would preempt your concern."

Mr. Smith (C) spoke against the bill.

#### POINT OF INQUIRY

Mr. Ehlers asked Mr. Martinis to yield to question, and Mr. Martinis refused to yield.

Mr. Ehlers spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1464, and the bill passed the House by the following vote: Yeas, 92; nays, 6; not voting, 0.

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

Voting nay: Representatives Amen, Ehlers, Erickson, May, Smith C. P., Warnke.

Engrossed House Bill No. 1464, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Salatino, HOUSE BILL NO. 1817 was made a Special Order of Business for 11:35 a.m. today.

HOUSE BILL NO. 1628, by Representatives Fancher, Kreidler, Barr, Scott, Clayton, Erak and Smith (C):

Deleting limits on civil liability for certain actions involving dogs.

The bill was read the second time.

Committee on Agriculture recommendation: Majority, do pass as amended. (For amendment, see Journal, 17th Day, January 30, 1980.)

On motion of Ms. Fancher, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1628 was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1628, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

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

Engrossed House Bill No. 1628, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1703, by Representatives Martinis, Tilly, Wilson and Gallagher:

Increasing the time for which a temporary permit for driving trucks, buses or cabs may be issued.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 18th Day, January 31, 1980.)

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

The bill was ordered engrossed. On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1703 was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1703, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

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

Engrossed House Bill No. 1703, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1729, by Representatives Smith (R) and Erickson:

Requiring the consent of both living parents for the adoption of a minor and making it unlawful to buy or sell children.

The bill was read the second time.

On motion of Mr. Salatino, Substitute House Bill No. 1729 was substituted for House Bill No. 1729, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1729 was read the second time.

On motion of Mr. Erak, the following amendments by Representatives Erak and Taylor were adopted:

On page 3, after line 22 insert the following:

**NEW SECTION.** Sec. 6. There is added to chapter 9A.64 RCW a new section to read as follows:

(1) It is unlawful for any person to sell or purchase a minor child.

(2) A transaction shall not be a purchase or sale under subsection (1) of this section if any of the following exists:

(a) The transaction is between the parents of the minor child; or

(b) The transaction is between a person receiving or to receive the child and a benevolent or charitable society recognized under RCW 26.37.010, as now existing or hereafter amended; or

(c) The transaction is between the person receiving or to receive the child and a state agency or other governmental agency; or

(d) The transaction is pursuant to chapter 26.34 RCW, as now existing or hereafter amended; or

(e) The transaction is pursuant to court order; or

(f) The only consideration paid by the person receiving or to receive the child is intended to pay for the hospital or medical expenses involved in the birth of the child, or attorneys' fees and court costs involved in effectuating transfer of child custody.

(3) Child selling is a class B felony and child buying is a class B felony."

Renumber the remaining sections consecutively.

On page 1, line 7 after "sections;" insert "adding a new section to chapter 9A.64 RCW; prescribing penalties;"

On motion of Mr. Smith (R), the following amendment by Representatives Smith (R) and Newhouse was adopted:

On page 3 after line 18 strike everything down to and including "1979." on line 22 and insert the following:

\*NEW SECTION. Sec. 5. An action or proceeding for adoption commenced after September 1, 1979, and not later than ninety days after the effective date of this 1980 act, which complies with the jurisdictional and procedural requirements of chapter 26.32 RCW as it existed prior to September 1, 1979, shall not be invalid because of a failure to comply with the requirements of chapter 165, Laws of 1979 ex. sess. However, the court in its discretion need not apply this section upon the pleading of a person who alleges, within ninety days after the effective date of this 1980 act, that this section prejudices him or her in the exercise of any right."

The bill was ordered engrossed. On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1729 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1729, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

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

Engrossed Substitute House Bill No. 1729, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1663, by Representatives Warnke, Greengo, Tilly, Erickson and Smith (R):

Requiring inclusion of contractor's registration number in advertising materials.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendment, see Journal, 19th Day, February 1, 1980.)

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

On motion of Mr. Ehlers, the following amendments by Representatives Ehlers, Warnke and Erickson were adopted:

On page 2, after line 6 insert the following:

\*Sec. 2. Section 2, chapter 25, Laws of 1974 ex. sess. and RCW 18.27.090 are each amended to read as follows:

This chapter shall not apply to:

(1) An authorized representative of the United States government, the state of Washington, or any incorporated city, town, county, township, irrigation district, reclamation district, or other municipal or political corporation or subdivision of this state;

(2) Officers of a court when they are acting within the scope of their office;

(3) Public utilities operating under the regulations of the public service commission in construction, maintenance, or development work incidental to their own business;

(4) Any construction, repair, or operation incidental to the discovering or producing of petroleum or gas, or the drilling, testing, abandoning, or other operation of any petroleum or gas well or any surface or underground mine or mineral deposit when performed by an owner or lessee;

(5) The sale or installation of any finished products, materials, or articles of merchandise which are not actually fabricated into and do not become a permanent fixed part of a structure;

(6) Any construction, alteration, improvement, or repair of personal property;

(7) Any construction, alteration, improvement, or repair carried on within the limits and boundaries of any site or reservation under the legal jurisdiction of the federal government;

(8) Any person who only furnished materials, supplies, or equipment without fabricating them into, or consuming them in the performance of, the work of the contractor;

(9) Any work or operation on one undertaking or project by one or more contracts, the aggregate contract price of which for labor and materials and all other items is less than ~~((two))~~ five hundred fifty dollars, such work or operations being considered as of a casual, minor, or inconsequential nature. The exemption prescribed in this subsection does not apply in any instance wherein the work or construction is only a part of a larger or major operation, whether undertaken by the same or a different contractor, or in which a division of the operation is made into contracts of amounts less than ~~((two))~~ five hundred fifty dollars for the purpose of evasion of this chapter or otherwise. The exemption prescribed in this subsection does not apply to a person who advertises or puts out any sign or card or other device which might indicate to the public that he is a contractor, or that he is qualified to engage in the business of contractor;

(10) Any construction or operation incidental to the construction and repair of irrigation and drainage ditches of regularly constituted irrigation districts or reclamation districts; or to farming, dairying, agriculture, viticulture, horticulture, or stock or poultry raising; or to clearing or other work upon land in rural districts for fire prevention purposes; except when any of the above work is performed by a registered contractor;

(11) An owner who contracts for a project with a registered contractor;

(12) Any person working on his own property, whether occupied by him or not, and any person working on his residence, whether owned by him or not but this exemption shall not apply to any person otherwise covered by this chapter who constructs an improvement on his own property with the intention and for the purpose of selling the improved property;

(13) Owners of commercial properties who use their own employees to do maintenance, repair, and alteration work in or upon their own properties;

(14) A licensed architect or civil or professional engineer acting solely in his professional capacity, an electrician licensed under the laws of the state of Washington, or a plumber licensed under the laws of the state of Washington or licensed by a political subdivision of the state of Washington while operating within the boundaries of such political subdivision. The exemption provided in this subsection is applicable only when the licensee is operating within the scope of his license;

(15) Any person who engages in the activities herein regulated as an employee of a registered contractor with wages as his sole compensation or as an employee with wages as his sole compensation;

(16) Contractors on highway projects who have been prequalified as required by chapter 13 of the Laws of 1961, RCW 47.28.070, with the highway department to perform highway construction, reconstruction, or maintenance work."

On page 1, line 1 of the title, after "contractors;" insert "amending section 2, chapter 25, Laws of 1974 ex. sess. and RCW 18.27.090;"

The bill was ordered engrossed. On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1663 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1663, and the bill passed the House by the following vote: Yeas, 95; nays, 3; not voting, 0.

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

Voting nay: Representatives Clayton, Hastings, Zimmerman.

Engrossed House Bill No. 1663, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1798, by Representative Grimm:

Requiring an investigation before employing a correctional officer.

The bill was read the second time.

On motion of Mr. Struthers, Substitute House Bill No. 1798 was substituted for House Bill No. 1798, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1798 was read the second time. On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Grimm spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1798, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

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

Substitute House Bill No. 1798, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1813, by Representatives Van Dyken, Heck, Nelson (G), Barnes, Ellis, Galloway, Whiteside, Eberle, Taller, Addison, Nisbet, Flint, Rohrbach, Williams, Zimmerman, Mitchell, Chandler, Sprague, Struthers, Dawson, Smith (C), Becker, Pruitt, Rinehart and Taylor:

Establishing attendance incentive programs for school districts and educational service district employees.

The bill was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and House Bill No. 1813 was placed on final passage.

Mr. Van Dyken spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1813, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

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

House Bill No. 1813, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1873, by Representative Becker:

Revising the uniform parentage act.

The bill was read the second time.

ON motion of Mr. Newhouse, Substitute House Bill No. 1873 was substituted for House Bill No. 1873, and the substitute bill was placed on the calendar for second reading.



Substitute House Bill No. 1873 was read the second time. On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Becker spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1873, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

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

Substitute House Bill No. 1873, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1960, by Representative Charnley:

Requiring notice of certain city programs be provided to counties.

The bill was read the second time.

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

Mr. Charnley spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1960, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

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

House Bill No. 1960, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1988, by Representatives King, Warnke, Nisbet, Greengo, May, Salatino, Bauer, Mitchell, McGinnis, Oliver, Erickson, Kreidler, Ehlers, McCormick, Sherman, Scott, Bender, North, Maxie, Heck, Gruger, Knowles, O'Brien and Winsley (by Select Committee on Mobile Homes request):

Requiring that the holder of a security interest in a mobile home be notified of the movement of the home.

The bill was read the second time.

On motion of Mr. Salatino, Substitute House Bill No. 1988 was substituted for House Bill No. 1988, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1988 was read the second time. On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1988, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

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

Substitute House Bill No. 1988, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SPECIAL ORDER OF BUSINESS

The hour of 11:35 a.m. having arrived, the Speaker (Mr. O'Brien presiding) announced the question before the House to be the Special Order of Business, HOUSE BILL NO. 1817 on second reading.

HOUSE BILL NO. 1817, by Representatives Becker and Struthers:

Relating to state institutions.

The bill was read the second time.

On motion of Mr. Struthers, Substitute House Bill No. 1817 was substituted for House Bill No. 1817, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1817 was read the second time.

Mr. Scott moved adoption of the following amendment by Representatives Scott and Mitchell:

On page 7, after line 23 insert:

"(iii) If any housing units other than those authorized by chapter 338, Laws of 1977 ex. sess. are constructed or completed on or after the effective date of this act on the grounds currently occupied by the Monroe Reformatory, such housing units shall not exceed in occupancy the maximum capacity for which the units were designed. The maximum capacity of such housing units shall be based on nationally accepted standards and shall be published in the Washington State Register at the time the architectural design for such units is completed."

Representatives Scott, Mitchell, Owen and Struthers spoke in favor of the amendment, and it was adopted.

On motion of Ms. Becker, the following amendment by Representatives Becker and Struthers was adopted:

On page 7, after line 23 insert the following:

"(iii) The actions to be taken by the governor pursuant to the provisions of this act should be construed to include but shall not be limited to application on behalf of the state for acquisition of the McNeil Island prison site pursuant to the terms of the Federal Surplus Property Disposal Act."

The bill was ordered engrossed. On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1817 was placed on final passage.

Representatives Becker and Struthers spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Struthers yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Struthers, I've been looking at the bill, and I'm quite concerned about the words on page 7, lines 4 through 7, and then continuing in subsection (b) on page 9. It simply says what the state legislative intent is, but it's quite short on what the Governor's report is to contain. I'm quite fearful that the Governor's report might simply say we don't like it and stop. What do you contemplate that the Governor's report will contain? What sort of report are you thinking of and what is the committee's thinking of what should be in this report?"

Mr. Struthers: "Representative Greengo, the intent of that language is to see that the Governor pursue the congressional delegation in making every effort possible to acquire the use of McNeil Island for the state of Washington as a prison site. That's the intent that is intended here in this language."

Mr. Greengo: "Is there any intent that the Governor or her staff go into—I'm concerned about subsection (b) where it talks about where in the event they go into the site and decide not to use McNeil, she can go ahead and use Monroe and I'm concerned about that decision, about the cost effectiveness of it. Is there any attempt that the Governor justify a decision if it is other than going to McNeil?"

Mr. Struthers: "The only way the Governor could justify not going to McNeil, in my opinion, would be if McNeil Island is not available. So the intent here is drafted that they could go to either Shelton which limited to 120 beds and the balance of the 500 beds that the original appropriation included, could be built then at Monroe."

Representatives Flint and Nelson (D) spoke in favor of the bill.

#### POINT OF INQUIRY

Ms. Becker yielded to question by Mr. Bond.

Mr. Bond: "Representative Becker, I was curious, and I would appreciate your advising me, if the language in this bill covers acquisition by lease as one of the possible methods?"

Ms. Becker: "Yes, Representative Bond, I believe it would be covered on page 6, line 36, where one of the avenues indicated would be to institute negotiations with appropriate federal authorities for the acquisition of the McNeil site."

Mr. Bond spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Struthers yielded to question by Ms. Granlund.

Ms. Granlund: "Representative Struthers, we've been talking a great deal about the urgency of needed space. I think we're all aware of how important that is. I'm given the information that we have about the availability of McNeil and I think it's been made pretty clear to us. Do you think we're serving the best interest of the Department of Corrections and the state of Washington by pursuing McNeil Island when we do have land available to us already? And why?"

Mr. Struthers: "Representative Granlund, yes, I certainly think we're doing the best for the taxpayers of the state of Washington by going after facilities that the report Mr. Johnson, the person who made the report, stated that it is better than the Monroe facility, better than the facility at Walla Walla. These facilities are ready to go. The new 144 bed facility at Monroe that is currently under construction was supposed to have been on line in June of 1979. It still isn't on line and so I say to you that we have these facilities, these that are available to us now and certainly we can pick up a newspaper or listen to the media today, and see pointed out to us how important it is to relieve the overcrowded conditions. I say that those facilities are available to us now and it is the quickest bed space we have available."

Ms. Granlund spoke against passage of the bill, and Representatives Struthers, Taller, Hughes, Berentson, Salatino, Greengo, Smith (R) and Taylor spoke in favor of it.

Speaker Bagnariol demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1817, and the bill passed the House by the following vote: Yeas, 93; nays, 4; not voting, 1.

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

Voting nay: Representatives Granlund, North, O'Brien, Stratton.

Not voting: Representative Gallagher.

Engrossed Substitute House Bill No. 1817, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Salatino, the House recessed until 1:15 p.m.

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#### AFTERNOON SESSION

The House was called to order at 1:15 p.m. by the Speaker (Mr. Bauer presiding). The Clerk called the roll and all members were present.

#### MOTION

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

#### INTRODUCTION AND FIRST READING

**SUBSTITUTE SENATE BILL NO. 2299**, by Committee on Transportation (originally sponsored by Senators Gaspard, Bottiger and Moore):

Requiring railroads to provide first aid training for certain employees.

To Committee on Transportation

**REENGROSSED SENATE BILL NO. 2433**, by Senators Day, Ridder and Shinpoch:

Revising the definition of unemployable persons.

To Committee on Labor

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2443**, by Committee on Local Government (originally sponsored by Senators Wilson, Sellar and Talley):

Reconstituting the state building code advisory council.

To Committee on State Government

**SENATE BILL NO. 2566**, by Senators Scott and Shinpoch:

Disestablishing an inactive program of state aid to county probation services.

To Committee on Institutions

**SUBSTITUTE SENATE BILL NO. 2581**, by Committee on State Government (originally sponsored by Senators Wojahn and Pullen - by State Employees' Insurance Board request):

Permitting the state employees' insurance board to self-fund any insurance program under its jurisdiction.

To Committee on State Government

**SUBSTITUTE SENATE BILL NO. 2616**, by Committee on Commerce (originally sponsored by Senators Bausch, von Reichbauer, Morrison, Ridder and Vognild):

Permitting minor disk jockeys and sound and lighting technicians to go into taverns and bars.

To Committee on Commerce

**SECOND SUBSTITUTE SENATE BILL NO. 2748**, by Committee on Agriculture (originally sponsored by Senators Day and Benitz):

Increasing the compensation of members of the board of directors for irrigation districts.

to Committee on Local Government.

SECOND SUBSTITUTE SENATE BILL NO. 2865, by Committee on Constitution and Elections (originally sponsored by Senators Odegaard, Ridder, Talmadge, Fleming, Peterson, Wilson, Goltz and Walgren):

Regulating political advertising.

To Committee on Constitution, Elections and Governmental Ethics.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3108, by Committee on Education (originally sponsored by Senators McDermott, Gould and Gaspard):

Exempting school buses from the motor vehicle excise tax.

To Committee on Transportation

SUBSTITUTE SENATE BILL NO. 3133, by Committee on Transportation (originally sponsored by Senators Scott, Gould and Gaspard):

Exempting all school buses from payment of vehicle license fees.

To Committee on Transportation

SUBSTITUTE SENATE BILL NO. 3169, by Committee on Labor (originally sponsored by Senator Conner):

Modifying workers' compensation period for temporary total disability.

To Committee on Labor

ENGROSSED SENATE BILL NO. 3175, by Senators Talley, Woody, Lee, Gallagher, Conner, Bausch, Odegaard and Peterson:

Permitting the public to cut free firewood on state lands prior to slash burning.

To Committee on Natural Resources

SUBSTITUTE SENATE BILL NO. 3186, by Committee on Agriculture (originally sponsored by Senators Hansen, Benitz and Conner):

Allowing the commissioner of public lands or his agent to vote and serve as director in certain irrigation districts.

To Committee on Agriculture

ENGROSSED SENATE BILL NO. 3190, by Senators Odegaard and Talley:

Authorizing transportation of members of the public to school sports activities by school transportation when such transportation has been authorized for students and school employees supervising same.

To Committee on Education

SENATE BILL NO. 3202, by Senator Day:

Repeal law relating to basic sciences.

To Committee on Social and Health Services

SUBSTITUTE SENATE BILL NO. 3207, by Committee on Judiciary (originally sponsored by Senators Talmadge, Clarke, Marsh, McDermott and Van Hollebeke):

Adding five judges to the King county superior court.

To Committee on Judiciary

SENATE BILL NO. 3214, by Senators Wilson and Guess:

Repealing a limitation on road contract awards.

To Committee on Local Government

SENATE BILL NO. 3219, by Senators Talley, Marsh, Henry, Odegaard and von Reichbauer: Commemorating the 175th anniversary of the Lewis and Clark expedition.

To Committee on Transportation

**SUBSTITUTE SENATE BILL NO. 3228**, by Committee on Ecology (originally sponsored by Senator Williams):

Modifying the motor vehicle emission control law.

To Committee on Ecology

**ENGROSSED SENATE BILL NO. 3234**, by Senators Walgren, Odegaard, Wilson, Fleming, Rasmussen and Matson:

Establishing procedures for review of administrative rules by the attorney general.

To Committee on State Government

**SENATE BILL NO. 3240**, by Senators Walgren, Odegaard, Wilson, von Reichbauer, Marsh, Woody, Wojahn, Peterson, Vognild, Fleming, Day, Ridder, Rasmussen, Hurley, Moore, Talmadge and Talley:

Enacting the Coordinated Review and Accountability Act of 1980.

To Committee on State Government

**ENGROSSED SENATE BILL NO. 3241**, by Senators Talmadge, Scott, Conner and Day:

Allowing military recruiters equal access to common schools and institutions of higher education.

To Committee on Education

**ENGROSSED SENATE BILL NO. 3243**, by Senators Henry, Quigg and Talley:

Providing for household goods storage warehouses.

To Committee on Transportation

**SENATE BILL NO. 3251**, by Senators Goltz and Benitz:

Authorizing students attending college in another state to receive financial aid when reciprocity agreement exists with institution students attend.

To Committee on Higher Education

**ENGROSSED SENATE BILL NO. 3253**, by Senators Rasmussen and Matson:

Rearranging the law on electricians.

To Committee on Commerce

**SUBSTITUTE SENATE BILL NO. 3257**, by Committee on Social and Health Services (originally sponsored by Senators Day, Donohue and Haley):

Establishing a program of poison control and drug information service.

To Committee on Social and Health Services

**SUBSTITUTE SENATE BILL NO. 3262**, by Committee on Financial Institutions and Insurance (originally sponsored by Senators Bausch, Talley and Lee):

Making miscellaneous changes in law relating to credit unions.

To Committee on Financial Institutions

**SUBSTITUTE SENATE BILL NO. 3297**, by Committee on Local Government (originally sponsored by Senators Wilson, Rasmussen and Lewis):

Modifying the law on warrants.

To Committee on Local Government

**ENGROSSED SUBSTITUTE SENATE BILL NO. 3309**, by Committee on Social and Health Services (originally sponsored by Senators Day, Jones, Talmadge and Moore):

Regulating ocularists.

To Committee on Social and Health Services

ENGROSSED SENATE BILL NO. 3320, by Senators Bottiger and Clarke:

Permitting agencies to issue summary orders in contested cases.

To Committee on Judiciary

SUBSTITUTE SENATE BILL NO. 3330, by Committee on Social and Health Services (originally sponsored by Senators Day, Moore and Talmadge):

Permitting university hospitals to make purchases directly from cooperative hospital service organizations.

To Committee on Social and Health Services

ENGROSSED SENATE BILL NO. 3331, by Senators Henry, Guess and Talley:

Establishing penalties for the illegal transportation of dangerous commodities.

To Committee on Transportation

SENATE BILL NO. 3415, by Senators Day, Fleming, Moore, Talmadge, Vognild, Wanamaker and Henry:

Including hearing aid dogs under the white cane law.

To Committee on Social and Health Services

SUBSTITUTE SENATE BILL NO. 3442, by Committee on Natural Resources (originally sponsored by Senators Peterson, Gallagher and Gaspard):

Prohibiting ownership of commercial salmon fishing licenses by alien corporations.

To Committee on Natural Resources

SENATE BILL NO. 3474, by Senators Peterson and Talley:

Protecting landowners from tort liability for unintentional injuries to persons cutting firewood on the property.

To Committee on Judiciary

ENGROSSED SENATE BILL NO. 3499, by Senators Day, Jones, Bradburn and Morrison:

Providing a program to aid fragile children.

To Committee on Social and Health Services

SUBSTITUTE SENATE BILL NO. 3581, by Committee on Education (originally sponsored by Senators McDermott, Gould, Talmadge, Hayner, Gaspard, Ridder and Morrison):

Supplementing law relating to lease or rental of school property of whatsoever kind.

To Committee on Education

ENGROSSED SENATE BILL NO. 3593, by Senators Henry, Guess, Van Hollebeke, Gallagher, Quigg, Lee, Matson, von Reichbauer, Goltz, Donohue, Lewis, Talley, Peterson, Moore, Rasmussen, Day, Benitz, Odegaard, Walgren, Wanamaker, Talmadge and Hansen:

Vesting rights of the state in unappropriated public lands.

To Committee on Natural Resources

SUBSTITUTE SENATE BILL NO. 3602, by Committee on State Government (originally sponsored by Senator Walgren):

Exempting the legislative information system from the jurisdiction of the data processing authority.

To Committee on State Government

SENATE JOINT MEMORIAL NO. 113, by Senators Peterson, Rasmussen and Talley:

Memorializing Congress to enact legislation to assist the state's fishing industry.

To Committee on Natural Resources

SENATE JOINT RESOLUTION NO. 132, by Senators Henry, Guess, Van Hollebeke, Gallagher, Lee, Quigg, Talley, Goltz, Donohue, Lewis, Hansen, Moore, Rasmussen, Day, Benitz, Odegaard, Waigren, Wanamaker, Talmadge and von Reichbauer:

Modifying the state's disclaimer of rights to unappropriated public lands.

To Committee on Natural Resources

#### MOTION

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

#### THIRD READING

SUBSTITUTE HOUSE BILL NO. 981, by Committee on Commerce (originally sponsored by Representatives O'Brien, Zimmerman, Polk, Salatino and Ehlers):

Regulating sale on consignment of works of fine art.

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

Representatives O'Brien and Dunlap spoke in favor of the bill, and Mr. Barnes spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 981, and the bill passed the House by the following vote: Yeas, 91; nays, 6; not voting, 1.

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

Voting nay: Representatives Barnes, Barr, Clayton, Ellis, Hastings, McGinnis.

Not voting: Representative Oliver.

Substitute House Bill No. 981, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

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

#### MOTION

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

#### SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 27, by Representatives Thompson, Chandler and Heck:

Requesting cooperation of school districts of state with superintendent of public instruction in achieving a statewide system of cooperative school bus maintenance facilities.

The resolution was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendment, see Journal, 19th Day, February 1, 1980.)

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

The resolution was ordered engrossed. On motion of Mr. Warnke, the rules were suspended, the second reading considered the third, and Engrossed House Concurrent Resolution No. 27 was placed on final passage.

Mr. Thompson spoke in favor of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Concurrent Resolution No. 27, and the resolution was adopted by the following vote: Yeas, 97; nays, 0; not voting, 1.



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

Not voting: Representative Oliver.

Engrossed House Concurrent Resolution No. 27, having received the constitutional majority, was declared adopted.

HOUSE CONCURRENT RESOLUTION NO. 28, by Representatives Chandler, Heck and Taylor:

Recognizing the value of our student leaders.

The resolution was read the second time.

On motion of Mr. Heck, Substitute House Concurrent Resolution No. 28 was substituted for House concurrent Resolution No. 28, and the substitute resolution was placed on the calendar for second reading.

Substitute House Concurrent Resolution No. 28 was read the second time. On motion of Mr. King, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Mr. Chandler spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Concurrent Resolution No. 28, and the resolution was adopted by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Oliver.

Substitute House Concurrent Resolution No. 28, having received the constitutional majority, was declared adopted.

HOUSE BILL NO. 1371, by Representatives Charnley and Zimmerman:

Relating to county road projects.

The bill was read the second time.

Mr. Charnley moved adoption of the following amendment by Representatives Charnley, Whiteside, Patterson, Brown, Zimmerman, Tilly, Schmitt and Stratton:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION. Section 1. There is added to chapter 36.77 RCW a new section to read as follows:

The board may cause any county road to be constructed or improved by day labor as provided in this section.

(1) As used in this section, 'county road construction budget' means the aggregate total of those costs as defined by the budgeting, accounting, and reporting system for counties and cities and other local governments authorized under RCW 43.09.200 and 43.09.230 as prescribed in the state auditor's budget, accounting, and reporting manual's (BARS) road and street construction accounts 541.00 through 541.90 in effect April 1, 1975: PROVIDED, That such costs shall not include those costs assigned to the preliminary engineering account 541.11, right of way accounts 541.20 through 541.25, ancillary operations account 541.80, and ferries account 541.81 in the budget, accounting, and reporting manual.

(2) The total amount of day labor construction programs one county may perform annually shall total no more than the amounts determined in the following manner:

(a) Any county with a total annual county road construction budget of four million dollars or more may accumulate a day labor road construction budget equal to no more than eight hundred thousand dollars or fifteen percent of the county's total annual county road construction budget, whichever is greater.

(b) Any county with a total annual county road construction budget over one million five hundred thousand dollars and less than four million dollars may accumulate a day labor road construction budget equal to not more than five hundred twenty-five thousand dollars or twenty percent of the county's total annual county road construction budget, whichever is greater.

(c) Any county with a total annual county road construction budget over five hundred thousand dollars and less than one million five hundred thousand dollars may accumulate a day labor road construction budget equal to two hundred fifty thousand dollars or thirty-five percent of the county's total annual county road construction budget, whichever is greater.

(d) Any county with a total annual county road construction budget less than five hundred thousand dollars may accumulate a day labor road construction budget equal to two hundred fifty thousand dollars: PROVIDED, That any county with a total annual road construction budget of less than five hundred thousand dollars may, by resolution of the board at the time the county road construction budget is adopted, elect to construct or improve county roads by day labor in an amount not to exceed thirty-five thousand dollars on any one project, including labor, equipment, and materials; such election to be in lieu of the two hundred fifty thousand dollar limit provided for in this section, except that any project means a complete project and the division of any project into units of work or classes of work so as to permit construction by day labor is not authorized.

Any county that adopts a county road construction budget unreasonably exceeding that county's actual road construction expenditures for the same budget year which has the effect of permitting the county to exceed the day labor amounts established in this section is in violation of the county road administration board's standards of good practice under RCW 36.78.020 and is in violation of this section. Any county, whose expenditure for day labor for road construction projects unreasonably exceeds the limits specified in this section, is in violation of the county road administration board's standards of good practice under RCW 36.78.020 and is in violation of this section.

(3) Notwithstanding any other provision in this section, whenever the construction work or improvement is the installation of electrical traffic control devices, highway illumination equipment, electrical equipment, wires, or equipment to convey electrical current, in an amount exceeding ten thousand dollars for any one project including labor, equipment, and materials, such work shall be performed by contract as in this chapter provided. This section means a complete project and does not permit the construction of any project by day labor by division of the project into units of work or classes of work.

NEW SECTION. Sec. 2. Section 36.77.060, chapter 4, Laws of 1963, section 1, chapter 32, Laws of 1977 ex. sess. and RCW 36.77.060 are each repealed.

NEW SECTION. Sec. 3. This act shall take effect on January 1, 1981."

Representatives Charnley, Whiteside and Stratton spoke in favor of the amendment, and it was adopted.

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

On page 1, line 1 of the title after "projects" insert "; adding a new section to chapter 36.77 RCW; repealing section 36.77.060, chapter 4, Laws of 1963, section 1, chapter 32, Laws of 1977 ex. sess. and RCW 36.77.060; and providing an effective date"

The bill was ordered engrossed. On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1371 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1371, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

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

Voting nay: Representatives Eberle, Polk, Sprague.

Not voting: Representative Oliver.

Engrossed House Bill No. 1371, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1484, by Representatives Smith (R), Dawson, Garrett, Deccio and Brown (by Insurance commissioner request):

Revising laws relating to insurance.

The bill was read the second time.

On motion of Mr. Rohrbach, Substitute House Bill No. 1484 was substituted for House Bill No. 1484, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1484 was read the second time.

Mr. Keller moved adoption of the following amendment by Representatives Keller, Garrett and Smith (R):

On page 10, after line 21 insert a new section to read as follows:

**\*NEW SECTION.** Sec. 12. There is added to chapter 48.30 RCW a new section to read as follows: The use of insurance contracts written in language which is not reasonably clear, simple, legible, and generally readable to an average policyholder shall constitute misrepresentation of the insurance policy for the purposes of RCW 48.30.090. This section shall apply only to personal contracts of private passenger automobile, homeowners, or dwelling fire insurance issued or renewed after December 31, 1981."

Representatives Keller and Smith (R) spoke in favor of the amendment, and Representatives Rohrbach and Barnes spoke against it.

Mr. Keller spoke again in favor of the amendment.

POINT OF INQUIRY

Mr. Rohrbach yielded to question by Mr. patterson.

Mr. Patterson: "Representative Rohrbach, do you have any idea what this amendment will cost the Insurance Commissioners' Office?"

Mr. Rohrbach: "Representative Patterson, I don't think anyone can give you a statement on that because we've had very little time in advance on this amendment to ask the Insurance Commissioner's Office, and we don't have a figure on that."

Mr. Patterson: "You don't even have a rough estimate?"

Mr. Rohrbach: "No, I don't."

POINT OF INQUIRY

Mr. Keller yielded to question by Ms. Teutsch.

Ms. Teutsch: "Representative Keller, it has been drawn to my attention that there have been some problems of sexual discrimination in the insurance laws. I wondered if, in your amendment, where it indicates that the contracts would be written in language readable and clear, you could perhaps take care of some of these problems and indications in the language where the contract would say 'he' rather than 'she'?"

Mr. Keller: "I'm not sure I can really answer your question, Representative Teutsch, or that I even understand it. What we're trying to do is have the language in insurance policies readable for the average person. On the sex discrimination issue, I guess it would have to be handled in different legislation."

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Keller and others to Substitute House Bill No. 1484, and the amendment was adopted by the following vote: Yeas, 66; nays, 31; not voting, 1.

Voting yea: Representatives Adams, Addison, Bagnariol, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Deccio, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Houchen, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Sanders, Scott, Sherman, Smith R., Sommers, Stratton, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Williams, Winsley.

Voting nay: Representatives Amen, Barnes, Barr, Bond, Clayton, Craswell, Dawson, Dunlap, Fancher, Flanagan, Flint, Greengo, Hastings, Isaacson, McDonald, Mitchell, Nelson G. A., Newhouse, Patterson, Polk, Rohrbach, Rosbach, Schmitt, Smith C. P., Sprague, Struthers, Taller, Tilly, Whiteside, Wilson, Zimmerman.

Not voting: Representative Oliver.

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

On page 1, line 20 of the title after "48.19.010;" strike "and" and on line 22 after "48.44.010" insert "; and adding a new section to chapter 48.30 RCW"

The bill was ordered engrossed.

Mr. Salatino moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1484 be placed on final passage.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed Substitute House Bill No. 1484 to final passage, and the motion failed to receive the necessary two-thirds majority by the following vote: Yeas, 52; nays, 45; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Sanders, Scott, Sherman, Sommers, Stratton, Taylor, Thompson, Valle, Van Dyken, Vrooman, Walk, Warnke, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Patterson, Polk, Rohrbach, Rosbach, Schmitt, Smith C. P., Smith R., Sprague, Struthers, Taller, Teutsch, Tilly, Tupper, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representative Oliver.

Engrossed Substitute House Bill No. 1484 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 1177, by Representative Kreidler:

Providing for state employees who suffer serious illnesses and injuries.

The bill was read the second time.

On motion of Mr. Taller, Substitute House Bill No. 1177 was substituted for House Bill No. 1177, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1177 was read the second time. On motion of Mr. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### POINT OF INQUIRY

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

Mr. Van Dyken: "Representative Kreidler, last session and this session extending to teachers, we allowed for the employees to cash in or cash out accrued sick leave. If the state employee cashed out his or her sick leave prior to having this extended illness this bill addresses, would they have to buy back that sick leave or would they be able to, in effect, get double coverage, cashing out the sick leave and then coming under the provisions of this bill?"

Mr. Kreidler: "The answer is that there would be no opportunity for them to ever cash in their sick leave because in that case they would have been retiring for that to ever happen. This is for the individual who works, an active employee, who has used up all of his or her sick leave or all vacation time and only then would they be eligible to be considered and, in that case, they wouldn't be looking for a regular retirement; it would be a disability retirement. It's in the brief period where they are going to be applying for disability retirement, as my example said, someone who is dying of cancer, that there is no opportunity for them to have attempted or tried to cash in any sick leave. That would have to be used up before they would even be considered for this."

#### POINT OF INQUIRY

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

Mr. Nelson (G): "Representative Kreidler, I'd like to be sure where the money is coming from that will cover these people who have gone on to the disability retirement. Could you tell me where the source is?"

Mr. Kreidler: "The regulations are going to have to be adopted by the state employees' insurance board. I presume they would incorporate that into the total insurance coverage package that applies to state employees. That's where the money would be generated. They are going to have to adopt the regulations that would apply here."

Mr. Nelson (G): "Then the employee is going to contribute? Do you know to what extent the state contribution will be?"

Mr. Kreidler: "It would depend on how much it is utilized. The maximum we're looking at is affecting one hundred to one hundred fifty people in the whole state out of all the state employees. As you can see it's a very small number out of the total number of state employees. I would assume the state employees' insurance board would come up with a proposal which could incorporate it."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1177, and the bill passed the House by the following vote: Yeas, 93; nays, 4; not voting, 1.

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

Voting nay: Representatives Fuller, Houchen, McDonald, Wilson.

Not voting: Representative Oliver.

Substitute House Bill No. 1177, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1461, by Representatives Martinis and Wilson:

Providing for household goods storage warehouses.

The bill was read the second time.

On motion of Mr. Martinis, Substitute House Bill No. 1461 was substituted for House Bill No. 1461, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1461 was read the second time. On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1461, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Oliver.

Substitute House Bill No. 1461, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1570, by Representatives Winsley, Eng and Sanders:

Modifying restrictions on commercial lending.

The bill was read the second time.

On motion of Ms. Winsley, Substitute House Bill No. 1570 was substituted for House Bill No. 1570, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1570 was read the second time.

Mr. Tilly moved adoption of the following amendment:

On page 1, line 16 following "purposes" insert "and if the interest rate charged did not exceed three percentage points above the discount rate on ninety day commercial paper in effect at the twelfth district federal reserve bank on the 10th day of the preceding month, or 12 percent, whichever is greater"

Mr. Tilly spoke in favor of the amendment, and Ms. Winsley spoke against it.

Mr. Tilly spoke again in favor of the amendment.

The amendment was not adopted.

On motion of Mr Eng, the following amendment by Representatives Eng and Winsley was adopted:

On page 1, line 28 after "transactions" strike "and debit balances in any customer account"

The bill was ordered engrossed. On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1570 was placed on final passage.

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

#### POINT OF INQUIRY

Mr. Eng yielded to question by Mr. Knowles.

Mr. Knowles: "Representative Eng, calling your attention to the phrase 'commercial loan,' could that in any way impact or be allowed for residential loans or mortgages?"

Mr. Eng: "Representative Knowles, some members have expressed concern where the term 'investment' would enter into this bill. Investments is just another form of business and people who borrow money to finance investments should be treated in the same way as other business borrowers. However it should be made clear that the purchase of a person's dwelling is not an investment under this act, but that it's rather a consumer transaction and it's still subject outside of this bill to the usury law."

Representatives Struthers, Lux, Schmitt and Barr spoke against passage of the bill, and Representatives King and McGinnis spoke in favor of it.

Mr. Ehlers demanded the previous question, and the demand was not sustained.

Mr. Clayton spoke against the bill, and Ms. Winsley spoke again in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1570, and the bill passed the House by the following vote: Yeas, 58; nays, 39; not voting, 1.

Voting yea: Representatives Bagnariol, Barnes, Bauer, Becker, Berentson, Bond, Brekke, Chandler, Craswell, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Gallagher, Galloway, Granlund, Grimm, Heck, Hughes, Keller, King, Knowles, Kreidler, Martinis, Maxie, McCormick, McDonald, McGinnis, Nelson D., Nelson G. A., Newhouse, North, Owen, Patterson, Polk, Rohrbach, Rosbach, Salatino, Sanders, Scott, Sherman, Smith R., Sommers, Stratton, Taller, Teutsch, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Adams, Addison, Amen, Barr, Bender, Brown, Burns, Charnley, Clayton, Dawson, Deccio, Ellis, Fuller, Garrett, Greengo, Gruger, Hastings, Houchen, Isaacson, Jovanovich, Lux, May, Mitchell, Monohon, Nisbet, O'Brien, Pruitt, Rinehart, Schmitt, Smith C. P., Sprague, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Williams, Wilson.

Not voting: Representative Oliver.

Engrossed Substitute House Bill No. 1570, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1492, by Representatives Rohrbach, Keller, Taller, Hughes, Ehlers, McGinnis, Salatino, Ellis and Maxie:

Providing for the approval of property, casualty, and accident insurance for public employees.

The bill was read the second time.

On motion of Mr. Ehlers, Substitute House Bill No. 1492 was substituted for House Bill No. 1492, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1492 was read the second time. On motion of Mr. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1492, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Oliver.

Substitute House Bill No. 1492, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1512, by Representatives Sanders, Barr, Nisbet, North, Teutsch, Owen, Isaacson, Craswell, Smith (R), McDonald and Polk:

Increasing the value for private docks exempted under the shoreline management act.

The bill was read the second time.

On motion of Ms. Valle, Substitute House Bill No. 1512 was substituted for House Bill No. 1512, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1512 was read the second time. On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1512, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Oliver.

Substitute House Bill No. 1512, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1553, by Representatives Williams, Taller, Nelson (G), Mitchell and Nisbet:

Modifying state allotment procedures.

The bill was read the second time.

Mr. Flanagan moved adoption of the following amendment by Representatives Flanagan, Smith (C) and Amen:

On page 1, line 16 after "funds" insert ", except those funds for programs conducted pursuant to RCW 28B.50.092;"

Mr. Flanagan spoke in favor of the amendment, and Mr. Nelson (G) spoke against it.

The amendment was not adopted.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1553 was placed on final passage.

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

#### POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Smith (C).

Mr. Smith (C): "I was approached by Big Bend Community College on this issue. They are very afraid of losing this fund they've been using all these years, that Representative Flanagan spoke about. They also stated it would be very useless for them to be really interested in a program of this type if they are not going to benefit from the use of the money. Can you assure me that the money will return to the Big Bend Community College?"

Mr. Williams: "The purpose of the bill is to give the Office of Financial Management the ability to see the amount of funds which are available to them so they can in fact report to the Legislature. I can no more guarantee these funds to Big Bend than you can guarantee there will be funds for Lower Columbia. We don't know what's going to happen in the future."

Mr. Smith (C) spoke against passage of the bill, and Representatives Thompson and McDonald spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1553, and the bill passed the House by the following vote: Yeas, 85; nays, 11; not voting, 2.

Voting yea: Representatives Adams, Addison, Bagnariol, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flint, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Salatino, Schmitten, Scott, Sherman, Smith R., Sommers, Sprague, Stratton, Taller, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barnes, Barr, Clayton, Flanagan, Fuller, Hastings, Rosbach, Smith C. P., Struthers, Teutsch.

Not voting: Representatives Oliver, Sanders.

House Bill No. 1553, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1598, by Representatives Schmitten and Monohon (by Department of Fisheries request):

Adding two members to the salmon advisory council.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, 17th Day, January 30, 1980.)

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

The bill was ordered engrossed. On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1598 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1598, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Owen, Patterson, Polk, Pruitt, Rinehart,



Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Oliver.

Engrossed House Bill No. 1598, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1604, by Representatives Nelson, G and Thompson (by Office of Financial Management request):

Modifying the allocation of funds appropriated to state retirement systems.

The bill was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and House Bill No. 1604 was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1604, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Oliver.

House Bill No. 1604, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 646, by Representatives Valle, Barr, Gruger, Scott, Granlund, Jovanovich and Lux:

Revising the law on waste management.

The bill was read the second time.

Committee on Ecology recommendation: Majority, do pass as amended. (For amendments, see Journal, 19th Day, February 1, 1980.)

Ms. Valle moved adoption of the committee amendment to page 1.

Representatives Valle and Barr spoke in favor of the committee amendment, and it was adopted.

On motion of Ms. Valle, the committee amendment to the title was adopted.

The bill was ordered engrossed. On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 646 was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 646, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

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

Not voting: Representative Oliver.

Engrossed House Bill No. 646, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. King, the remainder of the bills on today's calendar were rereferred to Committee on Rules.

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

On motion of Mr. King, SUBSTITUTE HOUSE BILL NO. 1758 was rereferred from Committee on Rules to Committee on Appropriations.

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

#### MESSAGES FROM THE SENATE

February 5, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3359, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 5, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3359,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKERS

Speaker Berentson announced the Speakers were signing:

SUBSTITUTE SENATE BILL NO. 3359.

#### MOTION

On motion of Mr. Sanders, the House adjourned until 10:00 a.m., Wednesday, February 6, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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

TWENTY-FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 6, 1980

The House was called to order at 10:00 a.m. by Speaker Berentson. The Clerk called roll and all members were present except Representatives Deccio, Garrett and King, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lucia Tsai, Catherine Czelder and Kenneth Vargha. Prayer was offered by The Reverend Lester Olson of the Gloria Dei Lutheran Church of Olympia.

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

MESSAGE FROM THE SENATE

February 5, 1980

Mr. Speaker:

The Senate has passed;

- ENGROSSED SUBSTITUTE SENATE BILL NO. 3130,
- SUBSTITUTE SENATE BILL NO. 3191,
- SUBSTITUTE SENATE BILL NO. 3192,
- ENGROSSED SENATE BILL NO. 3201,
- ENGROSSED SENATE BILL NO. 3210,
- SENATE BILL NO. 3211,
- SENATE BILL NO. 3235,
- ENGROSSED SENATE BILL NO. 3258,
- SUBSTITUTE SENATE BILL NO. 3271,
- ENGROSSED SENATE BILL NO. 3302,
- SENATE BILL NO. 3317,
- SENATE BILL NO. 3318,
- SENATE BILL NO. 3319,
- SUBSTITUTE SENATE BILL NO. 3321,
- ENGROSSED SENATE BILL NO. 3322,
- SENATE BILL NO. 3334,
- SENATE BILL NO. 3362,
- SUBSTITUTE SENATE BILL NO. 3363,
- ENGROSSED SENATE BILL NO. 3368,
- SENATE BILL NO. 3372,
- ENGROSSED SENATE BILL NO. 3378,
- SENATE BILL NO. 3404,
- SUBSTITUTE SENATE BILL NO. 3405,
- SENATE BILL NO. 3406,
- SENATE BILL NO. 3412,
- ENGROSSED SENATE BILL NO. 3422,
- SENATE BILL NO. 3452,
- SENATE BILL NO. 3476,
- ENGROSSED SENATE BILL NO. 3478,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 3482,
- SENATE BILL NO. 3487,
- SUBSTITUTE SENATE BILL NO. 3509,
- SUBSTITUTE SENATE BILL NO. 3558,
- SUBSTITUTE SENATE BILL NO. 3561,
- ENGROSSED SENATE BILL NO. 3565,
- SENATE BILL NO. 3574,
- ENGROSSED SENATE BILL NO. 3575,
- SUBSTITUTE SENATE BILL NO. 3603,
- SUBSTITUTE SENATE BILL NO. 3611,

SUBSTITUTE SENATE BILL NO. 3618,  
and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

### INTRODUCTIONS AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3130, by Committee on Education (originally sponsored by Senators McDermott, Hayner, Gaspard and Morrison):

Implementing law relating to sale or lease of school district or educational service district surplus property.

To Committee on Education

SUBSTITUTE SENATE BILL NO. 3191, by Committee on Ways and Means (originally sponsored by Senators Odegaard, Vognild, Bausch, Rasmussen and Scott):

Modifying the state employee attendance incentive program.

To Committee on State Government

SUBSTITUTE SENATE BILL NO. 3192, by Committee on Ways and Means (originally sponsored by Senators Odegaard, Shinpoch, Wojahn, Gaspard, Woody, Talmadge, von Reichbauer, Goltz, Talley, Williams, Conner, Donohue, Bausch, Rasmussen, Guess, Walgren and Peterson):

Adjusting the senior citizens' property tax relief income limits by the consumer price index.

To Committee on Revenue

ENGROSSED SENATE BILL NO. 3201, by Senators Moore and Day:

Assisting needy families with day care services.

To Committee on Social and Health Services

ENGROSSED SENATE BILL NO. 3210, by Senators Day, Jones, Talmadge and Van Hollebeke:

Extending privileged communications to nurse-patient dialogue.

To Committee on Social and Health Services

SENATE BILL NO. 3211, by Senators Moore, Vognild, Hansen and Sellar:

Increasing special purpose district commissioners' compensation.

To Committee on Local Government

SENATE BILL NO. 3235, by Senators Lewis, Wilson and Sellar:

Modifying restrictions on compensation of fire commissioners.

To Committee on Local Government

ENGROSSED SENATE BILL NO. 3258, by Senators Talmadge, Woody and Walgren:

Modifying provisions relating to enhanced penalties for crimes committed with firearms.

To Committee on Judiciary

SUBSTITUTE SENATE BILL NO. 3271, by Committee on Ways and Means (originally sponsored by Senators McDermott, Shinpoch and Jones):

Providing for membership transfers by former PERS members now in the judicial retirement system.

To Committee on Appropriations

ENGROSSED SENATE BILL NO. 3302, by Senators Vognild, Day, Hansen, Lewis, Clarke, Bluechel, Peterson, Odegaard, Moore, Gaspard, Talmadge, Walgren, Bausch, Wojahn, Fleming and Woody. (by Senate Committee on Arson request):

Modifying penalties for attempted arson.

To Committee on Judiciary

SENATE BILL NO. 3317, by Senators Bausch and Clarke (by Insurance Commissioner's request):

Revising laws relating to insurance.

To Committee on Insurance

SENATE BILL NO. 3318, by Senators Bausch and Clarke (by Insurance Commissioner's request):

Revising laws relating to insurance.

To Committee on Insurance

SENATE BILL NO. 3319, by Senators McDermott and Hayner (by Superintendent of Public Instruction request):

Utilizing accrual basis instead of cash basis in recognition of certain expenditures relating to school districts.

To Committee on Education

SUBSTITUTE SENATE BILL NO. 3321, by Committee on Education (originally sponsored by Senators McDermott and Hayner - by Superintendent of Public Instruction request):

Providing for receipt of certain ballots if not postmarked when received.

To Committee on Education

ENGROSSED SENATE BILL NO. 3322, by Senators Vognild, Day, Clarke, Bluechel, Peterson, Fleming, Odegaard, Gaspard, Lewis, Hansen, Moore, Walgren, Bausch, Wojahn, Talmadge and Woody - by Senate Committee on Arson request):

Providing for reporting of fire data.

To Committee on State Government

SENATE BILL NO. 3334, by Senators Talmadge, Jones, Sellar and Conner:

Extending the lien and enforcement of judgments to ten years.

To Committee on Judiciary

SENATE BILL NO. 3362, by Senator Woody:

Correcting laws relating to election precincts.

To Committee on Constitution, Elections and Governmental Ethics

SUBSTITUTE SENATE BILL NO. 3363, by Committee on Ways and Means (originally sponsored by Senators Odegaard, Conner, Goltz, Talmadge and McDermott):

Allowing certain public employees credit for military service without need to restore withdrawn contributions not affecting creditable service.

To Committee on Appropriations

ENGROSSED SENATE BILL NO. 3368, by Senators Moore, Woody, Talmadge, Shinpoch, Morrison, Bottiger, Quigg and Gaspard:

Modifying the mobile home landlord-tenant act.

To Committee on Commerce

SENATE BILL NO. 3372, by Senators Rasmussen, Scott and Odegaard:

Modifying the law on public employment salary surveys.

To Committee on State Government

ENGROSSED SENATE BILL NO. 3378, by Senators Moore, Vognild and Van Hollebeke:

Authorizing county civil service transfers to the sheriff's office without meeting competitive examination requirements.

To Committee on Local Government

SENATE BILL NO. 3404, by Senators Scott, Odegaard, and Lee:

Disestablishing various state funds and accounts.

To Committee on State Government

SUBSTITUTE SENATE BILL NO. 3405, by Committee on State Government (originally sponsored by Senators Day, Gallagher and Rasmussen – by Department of Licensing request):

Regulating administrative practice and procedure applicable to licenses and licensing.

To Committee on State Government

SENATE BILL NO. 3406, by Senators Scott, Odegaard and Lee:

Abolishing current state school fund and transferring moneys therein to common school construction fund.

To Committee on Education

SENATE BILL NO. 3412, by Senators Quigg, Bottiger, Henry and Lee:

Exempting vans used for ride-sharing from sales, use and motor vehicle excise taxation.

To Committee on Transportation

ENGROSSED SENATE BILL NO. 3422, by Senators Henry, Benitz, Hansen and Talley:

Increasing port districts' authority to operate facilities for the movement of freight and passengers.

To Committee on Transportation

SENATE BILL NO. 3452, by Senators Peterson and Woody:

Establishing recount procedures for state and local measures.

To Committee on Constitution, Elections and Governmental Ethics

SENATE BILL NO. 3476, by Senators Moore, Talmadge, Lewis and Quigg:

Making arbitration panel created for uniformed personnel impasse procedures a state agency for certain purposes.

To Committee on State Government

ENGROSSED SENATE BILL NO. 3478, by Senators Wojahn, Clarke, Ridder, Quigg, Gaspard, von Reichbauer, Van Hollebeke, Rasmussen, Lee, Gould, Haley, Moore, Talmadge, Morrison and Odegaard):

Making it a class C felony to buy or sell a child.

To Committee on Judiciary

ENGROSSED SUBSTITUTE SENATE BILL NO. 3482, by Committee on Labor (originally sponsored by Senators Vognild and Walgren):

Removing marine employees from restrictions which might otherwise be imposed by state employees' insurance board.

To Committee on Insurance

SENATE BILL NO. 3487, by Senator Lysen:

Allowing transfer of certain retirement plan credits for person having transferred employment between certain state universities.

To Committee on Appropriations

SUBSTITUTE SENATE BILL NO. 3509, by Committee on Ways and Means (originally sponsored by Senator Bausch):

Granting property tax relief to senior citizens owning a residence by a lease for life.

To Committee on Revenue

SUBSTITUTE SENATE BILL NO. 3558, by Committee on Natural Resources (originally sponsored by Senators Conner, Vognild, Rasmussen and Peterson):

Creating a fleet opportunity board and setting forth its powers and duties and providing for the expiration thereof.

To Committee on Natural Resources

SUBSTITUTE SENATE BILL NO. 3561, by Committee on Financial Institutions and Insurance (originally sponsored by Senator Bausch):

Modifying the law on the examination of insurers.

To Committee on Insurance

ENGROSSED SENATE BILL NO. 3565, by Senator Henry:

Increasing the time for which a temporary permit for driving trucks, buses, or cabs may be issued.

To Committee on Transportation

SENATE BILL NO. 3574, by Senators Odegaard, Sellar, Moore, Walgren, Conner, Donohue and Day:

Maintaining the delinquency prevention services program without significant changes.

To Committee on Education

ENGROSSED SENATE BILL NO. 3575, by Senators Scott, Ridder and Gould:

Mandating study of effects of drugs on human system in health classes as part of basic education.

To Committee on Education

SUBSTITUTE SENATE BILL NO. 3603, by Committee on Ways and Means (originally sponsored by Senators Donohue, Williams, Bluechel, Odegaard, Gould, Gallagher, Wojahn, Talley and McDermott - by Executive request):

Authorizing a bond issue for pollution control facilities.

To Committee on Appropriations

SUBSTITUTE SENATE BILL NO. 3611, by Committee on Ways and Means (originally sponsored by Senators Lewis and Day):

Authorizing the investment of municipal pension funds in state authorized investments.

To Committee on Appropriations

SUBSTITUTE SENATE BILL NO. 3618, by Committee on Ways and Means (originally sponsored by Senator Donohue):

Providing for the capital acquisition, development and improvement of municipal park facilities.

To Committee on Appropriations

#### MOTIONS

On motion of Mr. Polk, all bills listed on today's agenda under the fourth order of business were referred to the committees designated.

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

On motion of Mr. Polk, ENGROSSED SUBSTITUTE SENATE BILL NO. 2433 was rereferred from Committee on Labor to Committee on Social and Health Services.

#### RESOLUTIONS

HOUSE RESOLUTION NO. 80-121, by Representatives Hastings, Bender, Burns, Chandler, Charnley, Greengo, Houchen, O'Brien, Sanders and Taller:

WHEREAS, The Seattle SuperSonics are the reigning National Basketball Association championship team; and

WHEREAS, The SuperSonics are leading the Pacific Division of the National Basketball Association which is uniformly regarded as the best in the N.B.A.; and

WHEREAS, The SuperSonics are regarded as the best team in the N.B.A. by sportscasters and commentators across the country; and

WHEREAS, The SuperSonics' team defense is the best in league; and

WHEREAS, Dennis Johnson is perhaps the greatest defensive guard to ever play in the N.B.A.; and

WHEREAS, Gus Williams is the best all-around quick guard in the N.B.A.; and

WHEREAS, John Johnson is the best team-oriented small forward in basketball; and

WHEREAS, Lonnie Shelton is the best young power forward in the league; and

WHEREAS, Jack Sikma brings a blend of skill, desire, hustle and courage to his play at center that has not been matched by any player in any sport at anytime; and

WHEREAS, Freddy Brown, is the inspirational leader, team captain and chief bombardier of the SuperSonics; and

WHEREAS, The multi-talented SuperSonics play as a team; and

WHEREAS, The fans of the SuperSonics could no more choose one SuperSonic over another for All Star honors than they could choose one beautiful diamond over five others of equal value and attractiveness; and

WHEREAS, The current All Star selection system favors the selection of good athletes who perform on mediocre teams; and

WHEREAS, All five Seattle SuperSonics starters and Downtown Freddy deserve to be on the All Star team;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives hereby declares that Dennis Johnson, Gus Williams, John Johnson, Lonnie Shelton, Jack Sikma and Fred Brown of the world champion Seattle SuperSonic basketball team are N.B.A. All Stars; and

BE IT FURTHER RESOLVED, That the House of Representatives calls upon the National Basketball Association to alter the current All Star selection process so as to insure that team players who serve on successful teams are not overlooked in favor of players whose teams could not successfully compete in the National Collegiate Athletic Association; and

BE IT FURTHER RESOLVED, That copies of this resolution shall be transmitted by the Chief Clerks to the members of the Seattle SuperSonics; to their coach, Lenny Wilkens, whom we herein reassert is the best coach in the N.B.A.; and to the commissioner of the National Basketball Association, Mr. Larry O'Brien.

On motion of Mr. Hastings the resolution was adopted.

HOUSE RESOLUTION NO. 80-126, by Representatives Adams, Becker, Brekke, Dawson, Flint, Granlund, Greengo, Houchen, Mitchell, Polk, Pruitt, Sanders, Taylor, Teutsch, Tupper and Zimmerman:

WHEREAS, The House of Representatives recognizes the need for a comprehensive policy concerning the state's contractual relationship with community-based private human service providers; and

WHEREAS, In the absence of policy, there is no basis for a consistent definition of "reasonable rate of reimbursement" and no consistent criteria for determining when and the conditions under which these services should be purchased;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives hereby directs the Social and Health Services committee to form a planning body to review the several issues relating to contracting with private human service providers, and to develop a comprehensive policy concerning such contracting;

BE IT FURTHER RESOLVED, That the policy address, at a minimum, consistency of standards for contracting agencies; the relationship between standards governing state-provided services and standards governing privately provided services; and the relationship between state reimbursement rates and actual costs of providing services; and

BE IT FURTHER RESOLVED, That the planning body shall be constituted so as to include representation from private human service providing community; and

BE IT FURTHER RESOLVED, That the planning body shall present a final report to the House of Representatives' standing committee on Social and Health Services by January 1, 1981.

Mr. Polk moved adoption of the resolution, and Representatives Polk and Brekke spoke in favor of it.



## POINT OF INQUIRY

Mr. Polk yielded to question by Mr. McGinnis.

Mr. McGinnis: "Representative Polk, I'm just wondering when you talk about reimbursement programs and policy, does this include nursing homes and that area where the state is involved with reimbursement?"

Mr. Polk: "I don't think this resolution speaks directly to the nursing home situation. I may not be the most knowledgeable person in the world as to what community-based project human services providers means, but I don't think that includes the nursing homes. I think we're talking more of the kinds of organizations that get their funding through United Way and some reimbursement from the state through DSHS."

The resolution was adopted.

HOUSE RESOLUTION NO. 80-132, by Representatives Erickson, Deccio, Ehlers, North, Rosbach and Sherman:

WHEREAS, On December 10, 1946, thirty-two United States Marines lost their lives in service to this country when the airplane transporting them crashed into Mount Rainier; and

WHEREAS, This tragedy occurred during a severe storm on the South Tahoma Glacier of Mount Rainier; and

WHEREAS, The treacherous conditions of South Tahoma Glacier of Mount Rainier prohibited recovery of the thirty-two bodies, thereby making South Tahoma Glacier their final burial site; and

WHEREAS, Relatives and friends of these courageous marines have gathered annually since 1947 at the memorial plaque placed at Round Pass in Mount Rainier National Park to commemorate, through fellowship, the lives of their loved ones; and

WHEREAS, The national park service at Mount Rainier National Park is considering removing the ban on public access to South Tahoma Glacier on Mount Rainier which it established in 1947 in respect for the memory of the thirty-two valiant men whose lives were lost there;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the state of Washington, That the officials of the national park service at the Mount Rainier National Park are requested to acknowledge these facts and continue to prohibit public access to the South Tahoma Glacier of Mount Rainier, thereby respecting the memory of these men who tragically lost their lives in the service of their country; and

BE IT FURTHER RESOLVED, That the Chief Clerks of the House of Representatives of the state of Washington shall provide a copy of this resolution expressing the sentiments and desires of the House to members of this state's congressional delegation; the Secretary of Interior; the Director of the National Park Service; and the Superintendent of Mount Rainier National Park.

On motion of Ms. Erickson, the resolution was adopted.

HOUSE RESOLUTION NO. 80-136, by Representatives Tilly, Houchen, Polk and Sanders:

WHEREAS, Eighty-nine percent of all Washington businesses are classified as small businesses, having fewer than 20 employees; and

WHEREAS, More than 600,000 Washington State jobs are provided by small businesses; and

WHEREAS, Small businesses contribute substantially to the state's tax revenues, paying approximately \$290,000,000 in business and occupation taxes alone; and

WHEREAS, Nine out of every ten Washington businesses fail in the first ten years; and

WHEREAS, The Washington State House of Representatives recognizes the fragile nature of small business and the necessity of maintaining a strong and healthy small business community for the benefit of all citizens of the state of Washington; and

WHEREAS, Eighteen hundred delegates representing small businesses met in Washington, D.C. on January 13-17, 1980, at the White House Conference on Small Business, for the purposes of defining the problems confronting the small business and making recommendations to President Carter, congress and all levels of government; and

WHEREAS, The aim of these recommendations is to resolve these problems in a way so as not to jeopardize or inhibit, but rather fortify, the vital role small businesses play in the nation's economy; and

WHEREAS, The conference has made sixty recommendations on ways to assist small businesses and preserve the independence of their enterprises;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That congress and the Chief Executive take steps, where appropriate, to respond to the sixty recommendations of the White House Conference and that all sixty recommendations be referred to the appropriate standing committees of the Washington State House of Representatives and that the standing committees review these recommendations and, where implementation is appropriate, give them substantive effect at the state level.

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

HOUSE RESOLUTION NO. 80-138, by Representatives Tilly, Fancher, Houchen and Schmitt:

WHEREAS, Protecting our national forests from fire is in the best interest of the nation and Washington State; and

WHEREAS, The North Cascades Smokejumper Base is located next to one of the nation's largest wilderness areas and the utilization of smokejumpers is the only means of reaching the area; and

WHEREAS, The North Cascades Smokejumper Base is an integral part of fighting major forest fires; and

WHEREAS, The North Cascades Smokejumpers has the longest history of any of its kind in the nation; and

WHEREAS, The Methow Valley location of the present North Cascades Smokejumper Base is ideally located for immediate action upon the need to fight fires; and

WHEREAS, The North Cascades Smokejumpers are major social and economic contributors to the Methow Valley area; and

WHEREAS, Smokejumpers have been proven to be the most effective means of controlling backcountry fires;

NOW, THEREFORE, BE IT RESOLVED, That the 46th Legislature prays that congress and the National Forest Service appropriate the necessary funds to keep the North Cascades Smokejumper Base in the Methow Valley a viable part of the nation's forest fire capability; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerks of the House of Representatives of the State of Washington to the Honorable Jimmy Carter, President of the United States; Max Peterson, United States Forest Service Chief; and each member of the congressional delegation of the state of Washington

Mr. Tilly moved adoption of the resolution.

Representatives Tilly and Fancher spoke in favor of the resolution, and it was adopted.

#### MOTION

On motion of Mr. Polk, the House adjourned until 10:00 a.m., Thursday, February 7, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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

**TWENTY-FIFTH DAY**

**MORNING SESSION**

House Chamber, Olympia, Wash., Thursday, February 7, 1980

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called roll and all members were present except Representatives Polk and Smith (R), who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kris Breilein, Mike Marvin and Tom Van Bronkhorst. Prayer was offered by The Reverend Lester Olson of the Gloria Dei Lutheran Church of Olympia.

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

**MESSAGE FROM THE SENATE**

February 6, 1980

Mr. Speaker:

The Senate has passed:

- SECOND SUBSTITUTE SENATE BILL NO. 2922,
- SUBSTITUTE SENATE BILL NO. 3285,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 3551,
- SENATE BILL NO. 3576,
- SUBSTITUTE SENATE BILL NO. 3621,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 3629,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

**INTRODUCTIONS AND FIRST READING**

SECOND SUBSTITUTE SENATE BILL NO. 2922, by Committee on Ways and Means (originally sponsored by Senators Rasmussen, Scott and Shipoch - by Department of Retirement request):

Providing for a building for the public employees' retirement system.

To Committee on Appropriations

SUBSTITUTE SENATE BILL NO. 3285, by Committee on Labor (originally sponsored by Senators Lysen, Morrison and McDermott):

Insuring that certain health and safety inspections will be performed at energy facilities.

To Committee on Energy and Utilities

ENGROSSED SUBSTITUTE SENATE BILL NO. 3551, by Committee on Agriculture (originally sponsored by Senators Hansen, Day, Benitz and Wanamaker - by Committee on Agriculture request):

Establishing temporary tax incentives for alcohol fuels.

To Committee on Revenue

SENATE BILL NO. 3576, by Senators Hansen, Benitz, Gaspard, Wanamaker, Wilson, Day and Morrison (by Senate Agriculture Committee request):

Exempting alcohol fuels from the liquor control laws.

To Committee on Agriculture

SUBSTITUTE SENATE BILL NO. 3621, by Committee on Ways and Means (originally sponsored by Senators Walgren, Clarke, Donohue, Shipoch, Wojahn and Morrison):

Creating special criminal justice task forces.

To Committee on Judiciary

ENGROSSED SUBSTITUTE SENATE BILL NO. 3629, by Committee on Agriculture (originally sponsored by Senators Hansen, Benitz, Day, Wanamaker and Gaspard - by Agriculture Committee request):

Providing tax incentives for alcohol fuels.

To Committee on Revenue

#### REPORTS OF STANDING COMMITTEES

February 6, 1980

SUBSTITUTE SENATE BILL NO. 2751, Prime Sponsor: Senator Rasmussen, pertaining to pollution control facilities. Reported by Committee on Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Valle, Executive Chairwoman; Barr, Co-Chairman; Brekke, Galloway, Pruitt, Rinehart, Sanders, Smith (C), Whiteside.

Passed to Committee on Rules for second reading.

February 6, 1980

SUBSTITUTE SENATE BILL NO. 3195, Prime Sponsor: Senator Peterson, providing for the purchase of the Heart Lake property by the parks and recreation commission. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass. Signed by Representatives North, Executive Chairwoman; Fuller, Co-Chairman; Brown, Stratton, Taylor.

Passed to Committee on Rules for second reading.

#### MOTIONS

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

On motion of Mr. King, SUBSTITUTE SENATE BILL NO. 2443 was rereferred from Committee on State Government to Committee on Local Government.

On motion of Mr. King, SUBSTITUTE SENATE BILL NO. 3191 was rereferred from Committee on State Government to Committee on Higher Education.

#### RESOLUTIONS

HOUSE RESOLUTION NO. 80-129, by Representatives Ehlers, Taller, Bauer, Bender, Brown, Burns, Charnley, Erickson, Flint, Greengo, Gruger, Heck, Hughes, Knowles, Lux, May, Monohon, Nelson (D), Pruitt, Rinehart, Sherman, Sommers, Tupper, Valle, Vrooman, Walk and Williams:

WHEREAS, Effective exercise of the powers, duties and purposes of Washington State boards, commissions and agencies are vital to the performance of government; and

WHEREAS, There is an ongoing need for the Washington State Legislature to exercise diligent and reasonable review of the functions of the agencies, boards and commissions; and

WHEREAS, The Washington State Legislature is charged with the duty of exercising oversight of these agencies, boards and commissions and ferreting out waste, conflict of interest, abuse of office, and inefficiency in all branches of government; and

WHEREAS, A number of agencies, boards and commissions are granted authority to employ their own managerial staff without legislative review as to the managerial or personal qualifications of such staff; and

WHEREAS, There exists a question as to the ability of the legislature to exercise its proper oversight function without such review; and

WHEREAS, There is a need to treat all such agencies, boards and commissions in a reasonable and consistent manner; and

WHEREAS, There is an ongoing need for the legislature to review its past statutory delegations of power to agencies, boards and commissions to determine if the intent of such legislation is actually being met;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives directs its Committee on State Government to determine which agencies, boards and commissions are empowered to appoint their own managerial staff; and

BE IT FURTHER RESOLVED, That the committee shall review the performance and conduct of such boards, commissions and agencies to determine whether it is necessary to

revise the power of independent selection of managerial staff or any other matter related to the administration of said agencies, boards and commissions; and

BE IT FURTHER RESOLVED, That all agencies, boards and commissions shall cooperate fully with the committee in its review; and

BE IT FURTHER RESOLVED, That the committee shall report its findings, together with appropriate recommendations, to the January 1981 session of the 47th Legislature.

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

POINT OF INQUIRY

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

Mr. Van Dyken: "Representative Ehlers, I would direct your attention to line 15, as to the ability of the legislature to exercise this proper oversight. Since there may be some resisting within the confines of this building, who may interpret the ability of the legislature in a different light than that intended, could you clarify that you mean the legal parameters of the legal authority rather than the mental ability?"

Mr. Ehlers: "I can only speak for the House, Representative Van Dyken; I don't think there's any question in the ability of the House. We leave it up to others to interpret. We are not allowed to speak for the other body on the floor."

The resolution was adopted.

MOTION

On motion of Mr. King, HOUSE BILL NO. 1953 was rereferred from Committee on Revenue to Committee on Energy and Utilities.

HOUSE RESOLUTION NO. 80-130, by Representatives Jovanovich, Becker, Bender, Erak, Granlund, Monohon, Nelson (D), Oliver:

WHEREAS, The United States of America has a current trade deficit on fish of about two billion dollars a year; and

WHEREAS, Fish and fish products constitute a sizable and growing portion of foreign imports; and

WHEREAS, On some species the increase in fish imports to this country has been as high as 166 percent; and

WHEREAS, Almost all of the frozen fish blocks used in this country are imported; and

WHEREAS, Much of this imported fish is actually caught in the fish conservation zones off the coasts of this country; and

WHEREAS, Markets for American fishermen in the United States have been eroded to the point that many commercial trawlers have been forced to restrict or discontinue fishing; and

WHEREAS, These foreign interests are rapidly gaining a dangerous stranglehold in the seafood industry and related markets; and

WHEREAS, The government of the United States is exporting viable salmon eggs and related technology at taxpayer expense to the detriment of American commercial fishermen;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington petitions the President and the Congress of the United States to impose reasonable tariffs on imported fish so that American fishermen will be able to compete with their foreign counterparts on a fair and equitable basis; and

BE IT FURTHER RESOLVED, That the Chief Clerks of the House of Representatives transmit copies of this House Resolution to the President of the United States and to the Congress of the United States.

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

MOTION

On motion of Mr. Newhouse, the following bills were rereferred from Committee on Rules to Committee on Appropriations: HOUSE BILL NO. 1491, HOUSE BILL NO. 1500, HOUSE BILL NO. 1517, HOUSE BILL NO. 1566, HOUSE BILL NO. 1596, HOUSE BILL NO. 1745, HOUSE BILL NO. 1758, HOUSE BILL NO. 1779, HOUSE BILL NO. 1794 and HOUSE BILL NO. 1916.

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

## SECOND READING

HOUSE BILL NO. 1420, by Representatives Nelson (D), Nisbet, McCormick, Williams, Rinehart, Martinis, Scott, Grimm, Sherman, Monohon, Bauer, Bender, Brekke, Brown, Burns, Eng, Erak, Granlund, Hughes, Kreidler, Lux, Maxie, North, Pruitt, Salatino, Smith (R), Stratton, Van Dyken and Vrooman:

Exempting energy conservation materials from the sales and use tax.

The bill was read the second time.

On motion of Ms. Craswell, Second Substitute House Bill No. 1420 was substituted for House Bill No. 1420, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1420 was read the second time.

Mr. Nelson (D) moved adoption of the following amendments by Representatives Nelson (D), Nisbet and Sherman:

On page 1, line 20 strike "active solar devices designed for heating and cooling" and insert "solar energy systems and solar energy system components"

On page 2, line 9 strike "active solar devices designed for heating and cooling" and insert "solar energy systems and solar system components"

On page 2, after line 9 insert:

**\*NEW SECTION.** Sec. 3. There is added to chapter 82.08 RCW a new section to read as follows: As used in sections 1 and 2 of this act, 'solar energy system' means a system which collects, transfers and stores solar energy for water heating, space heating, space cooling, or electrical power generation."

Renumber the remaining sections consecutively and correct internal references accordingly.

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

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

Mr. Nelson (D) spoke in favor of the amendments, and Representatives Sommers and Craswell spoke against them.

Mr. Nelson (D) spoke again in favor of the amendment.

## POINT OF INQUIRY

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

Mr. Patterson: "In the words, 'to be installed in a residence,' is it your understanding that this would include new construction? If you were going to build a new home, it would apply to that new home and not the remodeling of a present house?"

Mr. Nelson (D): "As I understand the intent it would apply to both new and retrofitted solar systems and components, both old and new homes."

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Nelson (D), Nisbet and Sherman to Second Substitute House Bill No. 1420, and the amendments were adopted by the following vote: Yeas, 52; nays, 40; not voting, 6.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Fuller, Garrett, Greengo, Grimm, Gruger, Heck, Jovanovich, Keller, Kreidler, Lux, Martinis, Maxie, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rinehart, Salatino, Scott, Sherman, Sprague, Stratton, Taller, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Williams, Wilson, Zimmerman.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Eberle, Erak, Erickson, Fancher, Flanagan, Flint, Gallagher, Galloway, Granlund, Hastings, Houchen, Hughes, Isaacson, Knowles, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sommers, Struthers, Tilly, Whiteside.

Not voting: Representatives Dawson, Ellis, King, Polk, Smith R., Winsley.

## STATEMENT FOR THE JOURNAL

Please record my vote on the Nelson (D) amendments to page 1, line 20, page 2, line 9 and page 2, line 9 adding a new section, as "Yes."

BRUCE ADDISON, 34th District.

On motion of Mr. Nelson (D), the following amendments by Representatives Nelson (D), Nisbet and Sherman were adopted:

On page 1, line 24 after "section," insert "A seller who in good faith takes such a statement shall not be liable for sales tax that may be due on the sale to which the statement applies."

On page 2, beginning on line 10 after "Sec. 3." strike all material down to and including "components." on line 15 and insert "The state energy office or its successor agency may submit to the legislature recommendations for amendments to section 1 and 2 of this act. Recommendations under this section shall be submitted not later than thirty days prior to the start of the session in which the recommendations are to be considered."

Mr. Bond moved adoption of the following amendment:

On page 1, following the enacting clause strike sections 1 and 2 and insert new sections as follows:

**\*NEW SECTION.** Section 1. There is added to chapter 82.08 RCW a new section to read as follows:

The tax imposed by this chapter shall not apply to sales and installation of the following materials when purchased for installation in a residence: (1) electrical or mechanical furnace ignition systems which replace gas pilot lights, (2) automatic energy-saving setback thermostats, (3) meters which indicate the cost of energy usage, and (4) active solar devices designed for heating and cooling. As proof of exemption, the seller shall take and retain in his records a written statement from the buyer, in such form and containing such information as the department may prescribe, certifying entitlement to exemption under this section.

**NEW SECTION.** Sec. 2. There is added to chapter 82.12 RCW a new section to read as follows:

The tax imposed by this chapter shall not apply with respect to the use of the following materials when purchased for installation in a residence: (1) electrical or mechanical furnace ignition systems which replace gas pilot lights, (2) automatic energy-saving setback thermostats, (3) meters which indicate the cost of energy usage, and (4) active solar devices designed for heating or cooling."

Mr. Bond spoke in favor of the amendment, and Representatives Rinehart, Nelson (D), McCormick, Nisbet and Scott spoke against it.

The amendment was not adopted.

Mr. Tilly moved adoption of the following amendment:

On page 2, following section 2 insert a new section as follows:

**\*NEW SECTION.** Sec. 3. There is added to chapter 82.08 RCW a new section to read as follows: The tax imposed by this chapter shall not apply as to the actual amount of tax reportable or previously paid on the amount of credit losses actually sustained by taxpayers whose regular books are kept upon an accrual basis."

Renumber the remaining sections consecutively.

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

Mr. Tilly spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to Second Substitute House Bill No. 1420, and the amendment was not adopted by the following vote: Yeas, 39; nays, 48; not voting, 11.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Eberle, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, Jovanovich, Martinis, McDonald, Nelson G. A., Nisbet, Oliver, Patterson, Rohrbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Keller, Knowles, Kreidler, Lux, Maxie, May, McCormick, Mitchell, Monohon, Nelson D., North, O'Brien, Pruitt, Rinehart, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Vrooman, Walk, Warnke, Winsley.

Not voting: Representatives Berentson, Dawson, Ellis, King, McGinnis, Newhouse, Owen, Polk, Rosbach, Smith R., Wilson.

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

On page 2, line 18 strike section 4 and insert a new section as follows:

**\*NEW SECTION.** Sec. 4. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately and shall expire December 31, 1988."

#### MOTION

On motion of Mr. Salatino, further consideration of Second Substitute House Bill No. 1420 was deferred, and the bill was ordered placed on the second reading calendar for tomorrow.

## MOTION

On motion of Mr. Salatino, the House adjourned until 10:00 a.m., Friday, February 8, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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



## TWENTY-SIXTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, February 8, 1980

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Will Mertena, Lesley Messner and Mark Schuller. Prayer was offered by The Reverend Lester Olson of the Gloria Dei Lutheran Church of Olympia.

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

## MESSAGE FROM THE SENATE

February 7, 1980

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3193,  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3193, by Committee on Energy and Utilities (originally sponsored by Senators Odegaard, Goltz, Conner, Peterson and Wilson):

Increasing local government participation in energy site certification procedures.

To Committee on Energy and Utilities

## REPORTS OF STANDING COMMITTEES

February 6, 1980

HOUSE BILL NO. 1749, Prime Sponsor: Representative Salatino, modifying the regulation of automotive repairs. Reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Warnke, Co-Chairman; Greengo, Co-Chairman; Addison, Brekke, Fuller, Gallagher, May, North, Owen, Sanders, Struthers.

February 7, 1980

SENATE BILL NO. 2566, Prime Sponsor: Senator Scott, disestablishing an inactive program of state aid to county probation services. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 28 insert the following additional section:

\*Sec. 2. Section 3, chapter 240, Laws of 1977 ex. sess. and RCW 34.08.020 are each amended to read as follows:

There is hereby created a state publication to be called the Washington State Register, which shall be published on a monthly basis. The register shall contain, but is not limited to, the following materials received by the code reviser's office during the pertinent publication period:

(1) The full text of any proposed new or amendatory rule, as defined in RCW 34.04.010, and the citation of any existing rules the repeal of which is proposed, prior to the public hearing on such proposal. Such material shall be considered, when published, to be the official notification of the intended action, and no state agency or official thereof shall take action on any such rule except on emergency rules adopted in accordance with RCW 34.04.030, until twenty days have passed since the distribution date of the register in which the rule and hearing notice have been published or a notice regarding the omission of the rule has been published pursuant to RCW 34.04.050(3) as now or hereafter amended;

(2) The full text of any new or amendatory rule adopted, and the citation of any existing rule repealed, on a permanent or emergency basis;

(3) Executive orders and emergency declarations of the governor;

(4) Public meeting notices of any and all agencies of state government, including state elected officials whose offices are created by Article III of the state Constitution or RCW 48.02.010; ((and))

(5) Rules of the state supreme court which have been adopted but not yet published in an official permanent codification; and

(6) Juvenile disposition standards adopted pursuant to RCW 13.40.030 as now existing or hereafter amended."

In line 1 of the title, after "Relating to" strike "probation counselors;" and insert "juvenile corrections; amending section 3, chapter 240, Laws of 1977 ex. sess. and RCW 34.08.020;"

Signed by Representatives Struthers, Executive Chairman; Becker, Co-Chairwoman; Barr, Granlund, Houchen, Mitchell, Nelson (D), Owen, Rohrbach, Walk.

February 7, 1980

ENGROSSED SENATE BILL NO. 3190, Prime Sponsor: Senator Odegaard, authorizing transportation of members of the public to school sports activities by school transportation when such transportation has been authorized for students and school employees supervising same. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Chandler, Co-Chairman; Heck, Co-Chairman; Bender, Craswell, Ehlers, Nelson (G), Sommers, Taller, Tupper, Valle, Van Dyken, Warnke.

February 7, 1980

SENATE BILL NO. 3236, Prime Sponsor: Senator Walgren, making an attended hit and run involving personal injury a class C felony. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Sherman, Tilly, Winsley.

February 6, 1980

ENGROSSED SUBSTITUTE SENATE BILL NO. 3237, Prime Sponsor: Senator Henry, regulating the granting of franchises to use highway-related utilities. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Co-Chairman; Martinis, Co-Chairman; Bender, Burns, Charnley, Eberle, Erak, Gallagher, Isaacson, McCormick, Patterson, Smith (C), Sprague, Struthers, Walk.

February 7, 1980

ENGROSSED SENATE BILL NO. 3241, Prime Sponsor: Senator Talmadge, allowing military recruiters equal access to common schools and institutions of higher education. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 20 after "If" strike "an" and insert "a public"

Signed by Representatives Chandler, Co-Chairman; Heck, Co-Chairman; Bender, Craswell, Ehlers, Nelson (G), Sommers, Taller, Tupper, Valle, Van Dyken, Warnke.

February 6, 1980

ENGROSSED SENATE BILL NO. 3243, Prime Sponsor: Senator Henry, providing for household goods' storage warehouses. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Co-Chairman; Martinis, Co-Chairman; Bender, Burns, Charnley, Eberle, Erak, Gallagher, Isaacson, McCormick, Patterson, Sherman, Smith (C), Sprague, Struthers, Walk.

February 7, 1980

SENATE BILL NO. 3319, Prime Sponsor: Senator McDermott, utilizing accrual basis instead of cash basis in recognition of certain expenditures relating to school districts. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Chandler, Co-Chairman; Heck, Co-Chairman; Bender, Craswell, Ehlers, Nelson (G), Sommers, Taller, Valle, Van Dyken, Warnke.

February 7, 1980

SUBSTITUTE SENATE BILL NO. 3321, Prime Sponsor: Senator McDermott, providing for receipt of certain ballots if not postmarked when received. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendment:  
On page 3, following line 27 add the following:

\*Sec. 3. Section 49, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.04.040 are each amended to read as follows:

Candidates for membership on the state board of education shall file declarations of candidacy with the superintendent of public instruction on forms prepared by the superintendent. Declarations of candidacy may be filed by person or by mail not earlier than the first day of September, or later than the sixteenth day of September. The superintendent of public instruction may not accept any declaration of candidacy that is not on file in his office or is not postmarked before the seventeenth day of September, or if not postmarked or the postmark is not legible, if received by mail after the twenty-first day of September. No person employed in any school, college, university, or other educational institution or any educational service district superintendent's office or in the office of superintendent of public instruction shall be eligible for membership on the state board of education and each member elected must be a resident of the congressional district from which he was elected. No member of a board of directors of a local school district shall continue to serve in that capacity after having been elected to the state board."

Signed by Representatives Chandler, Co-Chairman; Heck, Co-Chairman; Craswell, Ehlers, Nelson (G), Sommers, Valle, Van Dyken, Warnke.

February 6, 1980

ENGROSSED SENATE BILL NO. 3331, Prime Sponsor: Senator Henry, establishing penalties for the illegal transportation of dangerous commodities. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 46.48.175, chapter 12, Laws of 1961 and RCW 46.48.175 are each amended to read as follows:

Each violation of any rules and/or regulations made pursuant to RCW 46.48.170 or 81.80.290 pertaining to vehicle equipment on motor carriers transporting hazardous material shall be a misdemeanor.

Bail for such a violation shall be set at a minimum of one hundred dollars. The fine for such a violation shall be not less than two hundred dollars nor more than five hundred dollars. Compliance with the provisions of this chapter is the primary responsibility of the owner or lessee of the vehicle or any vehicle used in combination that is cited in the violation.

Sec. 2. Section 1, chapter 69, Laws of 1969 ex. sess. as amended by section 1, chapter 148, Laws of 1971 ex. sess. and RCW 46.44.120 are each amended to read as follows:

Whenever an act or omission is declared to be unlawful in chapter 46.44 RCW, the owner or lessee of any motor vehicle involved in such act or omission (~~shall be~~) is responsible therefor. Any person (~~operating such vehicle, and any persons~~) knowingly and intentionally participating in creating an unlawful condition of use, (~~shall~~) is also (~~be~~) subject to the penalties provided in this chapter for such unlawful act or omission.

If the person operating the vehicle at the time of the unlawful act or omission is not the owner or lessee of the vehicle, such person is fully authorized to accept the citation and execute the promise to appear on behalf of the owner or lessee.

Sec. 3. Section 2, chapter 69, Laws of 1969 ex. sess. and RCW 46.16.500 are each amended to read as follows:

Whenever an act or omission is declared to be unlawful in chapter 46.16 RCW, if the operator of the vehicle is not the owner or lessee of such vehicle, but is so operating or moving the (~~same~~) vehicle with the express or implied permission of the owner or lessee, then the operator and/or owner (~~shall~~) or lessee are both (~~be~~) subject to the provisions of this chapter with the primary responsibility to be that of the owner or lessee.

If the person operating the vehicle at the time of the unlawful act or omission is not the owner or lessee of the vehicle, such person is fully authorized to accept the citation and execute the promise to appear on behalf of the owner or lessee.

Sec. 4. Section 3, chapter 69, Laws of 1969 ex. sess. and RCW 46.37.600 are each amended to read as follows:

Whenever an act or omission is declared to be unlawful in chapter 46.37 RCW, if the operator of the vehicle is not the owner or lessee of such vehicle, but is so operating or moving the (~~same~~) vehicle with the express or implied permission of the owner or lessee, then the operator and/or owner (~~shall~~) or lessee are both (~~be~~) subject to the provisions of this chapter with the primary responsibility to be that of the owner or lessee.

If the person operating the vehicle at the time of the unlawful act or omission is not the owner or lessee of the vehicle, such person is fully authorized to accept the citation and execute the promise to appear on behalf of the owner or lessee.

Sec. 5. Section 81.04.390, chapter 14, Laws of 1961 and RCW 81.04.390 are each amended to read as follows:

Every person who, either individually, or acting as an officer or agent of a corporation other than a public service company, (~~shall~~) violates any provision of this title, or fails to observe, obey, or comply with any order made by the commission under this title, so long as the same (~~shall be~~) is or remains in force, or who (~~shall~~) procures, aids, or abets any such corporation in its violation of this title, or in its failure to

obey, observe, or comply with any such order, (~~shall be~~) is guilty of a gross misdemeanor, except that a violation pertaining to equipment on motor carriers transporting hazardous material is a misdemeanor."

In line 2 of the title, after "Relating to" strike "transportation safety;" and insert "motor vehicles; amending section 1, chapter 69, Laws of 1969 ex. sess. as amended by section 1, chapter 148, Laws of 1971 ex. sess. and RCW 46.44.120; amending section 2, chapter 69, Laws of 1969 ex. sess. and RCW 46.16.500; amending section 3, chapter 69, Laws of 1969 ex. sess. and RCW 46.37.600; amending section 81.04.390, chapter 14, Laws of 1961 and RCW 81.04.390;"

Signed by Representatives Wilson, Co-Chairman; Martinis, Co-Chairman; Bender, Burns, Charnley, Erak, Gallagher, Isaacson, McCormick, Patterson, Sherman, Smith (C), Struthers, Walk.

February 7, 1980

SENATE BILL NO. 3406, Prime Sponsor: Senator Scott, abolishing current state school fund and transferring moneys therein to common school construction fund. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Chandler, Co-Chairman; Heck, Co-Chairman; Craswell, Ehlers, Nelson (G), Sommers, Taller, Tupper, Valle, Van Dyken, Warnke.

#### MOTIONS

On motion of Mr. Polk, all bills listed on today's agenda under the fifth order of business were passed to Committee on Rules for second reading.

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

#### RESOLUTION

HOUSE RESOLUTION NO. 80-139, by Representatives Dawson, Erak, Granlund, Greengo, Monohon and Tilly:

WHEREAS, The Rotary International representing 152 countries throughout the world has fostered an atmosphere of good will and understanding among nations through its Group Study Exchange Programs; and

WHEREAS, District 502 of Rotary International is sending two representatives from the State of Washington to the capitol of Australia in Canberra and the state of New South Wales; and

WHEREAS, The two Washington representatives were chosen by the Rotary for their personal and professional abilities; and

WHEREAS, The two Washingtonians will be leaving on Monday, February 11, 1980 as goodwill ambassadors from our state and the United States during six weeks of intensive tours encompassing the business, educational, agricultural, recreational and cultural life in Australia; and

WHEREAS, The Rotary Exchange Program is designed to develop and improve cultural and social goodwill and understanding between nations;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives acknowledge the efforts of Rotary International and the selection of Robert Gundlach of Aberdeen and Terrence McShane of Port Orchard by the Rotary Foundation to represent the State of Washington in the Group Study Exchange Program to Australia; and

BE IT FURTHER RESOLVED, That Robert Gundlach and Terrence McShane present a ceremonial gavel from the Washington State House of Representatives to the Australian Parliament as a gesture of goodwill between our state and the Australian people.

Mr. Dawson moved adoption of the resolution and Representatives Dawson and Tilly spoke in favor of it.

The resolution was adopted.

#### MOTIONS

On motion of Mr. Polk, HOUSE BILL NO. 1749 and HOUSE BILL NO. 1809 were rereferred from Committee on Rules to Committee on Appropriations.

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

## SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1420, by Committee on Revenue (originally sponsored by Representatives Nelson, D., Nisbet, McCormick, Williams, Rinehart, Martinis, Scott, Grimm, Sherman, Monohon, Bauer, Bender, Brekke, Brown, Burns, Eng, Erak, Granlund, Hughes, Kreidler, Lux, Maxie, North, Pruitt, Salatino, Smith, R., Stratton, Van Dyken and Vrooman):

Exempting energy conservation materials from the sales and use tax.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 25th Day, February 7, 1980.)

Mr. Bond moved adoption of the following amendment:

On page 1, after section 1 insert a new section:

\*NEW SECTION. Sec. 2. There is added to chapter 82.08 RCW a new section to read as follows:

Any retail sale made after the effective date of this act, where credit is extended directly by the seller, as defined by RCW 63.14.010, for not more than one year, and such credit is not transferred or sold to any other person, the department of revenue shall allow the seller to collect and remit the taxes, as defined in RCW 82.08.020, at the time the buyer delivers consideration in the form of money, credits, rights, or other valuable property, expressed in terms of money in partial or total payment of the credit extended by the seller. The seller must notify the department of revenue, in writing, of intention to collect and remit taxes as provided in this section. Such election shall take effect at the beginning of the next reporting period as defined by RCW 82.08.070. Any seller electing to collect and remit taxes pursuant to this section shall do so on all credit sales made by the seller, until such time as the seller notifies the department of revenue of the seller's election to collect and remit taxes pursuant to RCW 64.06.070, which will take effect at the beginning of the next tax reporting period."

## POINT OF ORDER

Ms. Sommers: "Mr. Speaker, I wish to challenge this amendment on the basis of scope and object of the bill."

## SPEAKER'S RULING

Speaker Berentson: "Representative Sommers, the Speaker is going to rule that your point of order is well taken. The bill before us relates to exemptions in sales tax and this amendment by Representative Bond relates to the ability to defer payments of sales tax."

Mr. Eberle moved adoption of the following amendment:

On page 1, line 19 following "(10)" insert "wood burning stoves, fireplace and furnace inserts, and (11)"

Representatives Eberle, Nelson (D), Rohrbach, Addison, Warnke and Isaacson spoke in favor of the amendment, and it was adopted.

On motion of Mr. Nelson (D), the following amendment to the title was adopted:

On page 1, line 1 of the title strike "a new section" and insert "new sections"

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

On page 1, line 3 of the title strike "providing an effective date" and insert "declaring an emergency"

The bill was ordered engrossed.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed Second Substitute House Bill No. 1420 was placed on final passage.

Representatives Nelson (D), Greengo, Warnke, Teutsch and Williams spoke in favor of passage of the bill, and Mr. Isaacson spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1420, and the bill passed the House by the following vote: Yeas, 93; nays, 4; not voting, 1.

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

Voting nay: Representatives Clayton, Eng, Flanagan, Isaacson.

Not voting: Representative King.

Engrossed Second Substitute House Bill No. 1420, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

My vote on Engrossed Second Substitute House Bill No. 1420 should be yea. If that was not the way the voting machine shows my vote, it must be corrected.

JOHN ENG, 37th District.

#### MOTION

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

#### REPORTS OF STANDING COMMITTEES

February 7, 1980

SUBSTITUTE SENATE BILL NO. 2581, Prime Sponsor: Senator Wojahn, permitting the state employees' insurance board to self-fund any insurance program under its jurisdiction. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 5, chapter 59, Laws of 1969 as last amended by section 54, chapter 151, Laws of 1979 and RCW 41.04.230 are each amended to read as follows:

Any official of the state authorized to disburse funds in payment of salaries and wages of public officers or employees is authorized, upon written request of the officer or employee, to deduct each month from the salaries or wages of the officers or employees, the amount of money designated by the officer or employee for payment of the following:

(1) Credit union deductions: PROVIDED, That the credit union is organized solely for public employees: AND PROVIDED FURTHER, That twenty-five or more employees of a single state agency or a total of one hundred or more state employees of several agencies have authorized such a deduction for payment to the same credit union.

(2) Parking fee deductions: PROVIDED, That payment is made for parking facilities furnished by the agency or by the department of general administration.

(3) U.S. savings bond deductions: PROVIDED, That a person within the particular agency shall be appointed to act as trustee. The trustee will receive all contributions; purchase and deliver all bond certificates; and keep such records and furnish such bond or security as will render full accountability for all bond contributions.

(4) Board, lodging, or uniform deductions when such board, lodging, and uniforms are furnished by the state, or deductions for academic tuitions or fees or scholarship contributions payable to the employing institution.

(5) Dues and other fees deductions: PROVIDED, That the deduction is for payment of membership dues to any professional organization formed primarily for public employees or college and university professors: AND PROVIDED, FURTHER, That twenty-five or more employees of a single state agency, or a total of one hundred or more state employees of several agencies have authorized such a deduction for payment to the same professional organization.

(6) Labor or employee organization dues may be deducted in the event that a payroll deduction is not provided under a collective bargaining agreement under the provisions of RCW 41.06.150: PROVIDED, That twenty-five or more officers or employees of a single agency, or a total of one hundred or more officers or employees of several agencies have authorized such a deduction for payment to the same labor or employee organization: PROVIDED, FURTHER, That labor or employee organizations with five hundred or more members in state government may have payroll deduction for employee benefit programs.

(7) ((Accident and casualty premiums to a single insurer: PROVIDED, That twenty-five or more officers or employees of a single agency, or a total of one hundred or more officers or employees of several agencies have authorized such a deduction for payment to that insurer:

(8))) Insurance contributions to the trustee of contracts for payment of premiums under contracts authorized by the state employees' insurance board.

Deductions from salaries and wages of public officers and employees other than those enumerated in this section or by other law, may be authorized by the director of financial management for purposes clearly related to state employment or goals and objectives of the agency and for plans authorized by the state employees' insurance board.

The authority to make deductions from the salaries and wages of public officers and employees as provided for in this section shall be in addition to such other authority as may be provided by law: PROVIDED, That the state or any department, division, or separate agency of the state shall not be liable to any insurance carrier or contractor for the failure to make or transmit any such deduction.

Sec. 2. Section 2, chapter 136, Laws of 1977 ex. sess. as amended by section 1, chapter 125, Laws of 1979 and RCW 41.05.025 are each amended to read as follows:

(1) There is hereby created a state employees' insurance board to be composed of the members of the present board holding office on the day prior to July 1, 1977, which such members shall serve until the expiration of the period of time of the term for which they were appointed and until their successors are appointed and qualified. Thereafter the board shall be composed as follows: The governor or the governor's designee; one administrative officer representing all of higher education to be appointed by the governor; two higher education faculty members to be appointed by the governor; the director of the department of personnel who shall act as trustee; one representative of an employee association certified as an exclusive representative of at least one bargaining unit of classified employees and one representative of an employee union certified as exclusive representative of at least one bargaining unit of classified employees, both to be appointed by the governor; one person who is retired and is covered by a program under the jurisdiction of the board, to be appointed by the governor; one member of the senate who shall be appointed by the president of the senate; and one member of the house of representatives who shall be appointed by the speaker of the house. The terms of office of the administrative officer representing higher education, the two higher education faculty members, the representative of an employee association, the retired person, and the representative of an employee union shall be for four years: PROVIDED, That the first term of one faculty member and one employee association or union representative member shall be for three years. Meetings of the board shall be at the call of the director of personnel. The board shall prescribe rules for the conduct of its business and shall elect a chairman and vice chairman annually. Members of the board shall receive no compensation for their services, but shall be paid for their travel expenses while on official business in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended, and legislative members shall receive allowances provided for in RCW 44.04.120.

(2) The board shall study all matters connected with the providing of adequate health care coverage, life insurance, liability insurance, accidental death and dismemberment insurance, and disability income insurance or any one of, or a combination of, the enumerated types of insurance and health care plans for employees and their dependents on the best basis possible with relation both to the welfare of the employees and to the state: PROVIDED, That liability insurance shall not be made available to dependents. The board shall design benefits, devise specifications, analyze carrier responses to advertisements for bids, determine the terms and conditions of employee participation and coverage, and decide on the award of contracts which shall be signed by the trustee on behalf of the board: PROVIDED, That all contracts for insurance, health care plans, including panel medicine plans, or protection applying to employees covered by RCW 28B.10.660 and chapters 41.04 and 41.05 RCW shall provide that the beneficiaries of such insurance, health care plans, or protection may utilize on an equal participation basis the services of practitioners licensed pursuant to chapters 18.22, 18.25, 18.32, 18.53, 18.57, 18.71, 18.74, 18.83, and 18.88 RCW: PROVIDED FURTHER, That the boards of trustees and boards of regents of the several institutions of higher education shall retain sole authority to provide liability insurance as provided in RCW 28B.10.660. The board shall from time to time review and amend such plans. Contracts for all plans shall be rebid and awarded at least every five years. However, nothing in this chapter shall preclude the state employees' insurance board from self-funding any or all portions of the health care coverage, life insurance, accidental death and dismemberment insurance, or disability insurance. The board, if self-funding a program, shall contract for administration and claims processing with an authorized insurer, a registered health care service contractor, or an experienced employee benefits administrator. If a program is self-funded, the board shall establish such reserves for the payment of claims as are normally required for the type of insurance self-funded. Such reserves shall be held in a separate fund by the state treasurer and shall be known as the state employees' insurance reserve fund. The state treasurer and the state finance committee shall act as the investor for such funds, and all earnings from these investments shall accrue directly to the state employees' insurance reserve fund.

(3) The board shall develop and provide as a part of the employee insurance benefit program an employee health care benefit plan which may be provided through a contract or contracts with regularly constituted insurance carriers or health care service contractors as defined in chapter 48.44 RCW, and a plan to be provided by a panel medicine plan in its service area only when approved by the board. The board may but shall not be required to pay more for health benefits under a panel medicine plan than it would otherwise be required to pay for health benefits by a contract with a regularly constituted insurance carrier or health care service contractor in effect at the time the panel medicine plan is included in the employee health care benefit plan. Except for panel medicine plans, no more than one insurance carrier or health care service contractor shall be contracted with to provide the same plan of benefits: PROVIDED, That employees may choose participation in only one of the health care benefit plans sponsored by the board. Active employees, as defined in RCW 41.05.020(2), eligible for medicare benefits shall have the option of continuing participation in health care programs on the same basis as all other employees or participation in medicare supplemental programs as may be developed by the board. These health care benefit plans shall provide coverage for all officials and employees and their dependents without premium or subscription cost to the individual employees and officials, unless the board approves a panel medicine plan at a subscription rate in excess of the premium of the regularly constituted insurance carrier or health care service contractor, in which circumstances an employee contribution may be authorized at an amount equal to such excess. Rates for self pay segments of state employee groups will be developed from the experience of the entire group. Such self pay rates will be established based on a separate rate for the employee, the spouse, and children."

In line 2 of the title, beginning with "and" strike the remainder of the title, and insert "amending section 5, chapter 59, Laws of 1969 as last amended by section 54, chapter 151, Laws of 1979 and RCW 41.04.230; and amending section 2, chapter 136, Laws of 1977 ex. sess. as amended by section 1, chapter 125, Laws of 1979 and RCW 41.05.025."

Signed by Representatives Ehlers, Co-Chairman; Taller, Co-Chairman; Addison, Burns, Flint, Greengo, Jovanovich, McGinnis, Walk.

Passed to Committee on Rules for second reading.

February 7, 1980

SENATE BILL NO. 3235, Prime Sponsor: Senator Lewis, modifying restrictions on compensation of fire commissioners. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Chandler, Garrett, Rohrbach, Rosbach, Stratton, Teutsch.

Passed to Committee on Rules for second reading.

February 7, 1980

ENGROSSED SENATE BILL NO. 3282, Prime Sponsor: Senator Marsh, modifying the Business Corporation Act. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 2, chapter 58, Laws of 1969 ex. sess. as amended by section 4, chapter 16, Laws of 1979 and RCW 23A.08.025 are each amended to read as follows:

((For the purposes of this section, 'agent' includes any person who is or was a director, trustee, officer, employee, or other agent of the corporation or is or was serving at the request of the corporation as a director, trustee, officer, employee, or agent of another corporation, partnership, joint venture, trust, or other enterprise, or was a director, trustee, officer, employee, or agent of a corporation which was a predecessor corporation of the corporation or of another enterprise at the request of such predecessor corporation, and 'expenses' includes attorneys' fees and any expense of establishing a right to indemnification under subsection (3) of this section:))

(1) As used in this section:

(a) 'Director' means any person who is or was a director of the corporation and any person who, while a director of the corporation, is or was serving at the request of the corporation as a director, officer, partner, trustee, employee, or agent of another foreign or domestic corporation, partnership, joint venture, trust, other enterprise, or employee benefit plan.

(b) 'Corporation' includes any domestic or foreign predecessor entity of the corporation in a merger, consolidation, or other transaction in which the predecessor's existence ceased upon consummation of such transaction.

(c) 'Expenses' includes attorneys' fees.

(d) 'Official capacity' means: (i) When used with respect to a director, the office of director in the corporation, and (ii) when used with respect to a person other than a director as contemplated in subsection (10) of this section, the elective or appointive office in the corporation held by the officer or the employment or agency relationship undertaken by the employee or agent in behalf of the corporation, but in each case does not include service for any other foreign or domestic corporation or any partnership, joint venture, trust, other enterprise, or employee benefit plan.

(e) 'Party' includes a person who was, is, or is threatened to be, made a named defendant or respondent in a proceeding.

(f) 'Proceeding' means any threatened, pending, or completed action, suit, or proceeding whether civil, criminal, administrative, or investigative.

(2) A corporation shall have power to indemnify any person ((who was or is a party or is threatened to be)) made a party to any ((threatened, pending or completed action, suit or)) proceeding((whether civil, criminal, administrative or investigative)) (other than ((an action by or in the right of the corporation)) a proceeding referred to in subsection (3) of this section) by reason of the fact that he is or was ((an agent of the corporation)) a director against ((expenses:)) judgments, penalties, fines ((and amounts paid in)), settlements and reasonable expenses actually ((and reasonably)) incurred by him in connection with such ((action, suit or)) proceeding if ((he acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interests of the corporation, and, with respect to any criminal action or proceeding, had no reasonable cause to believe his conduct was unlawful)):

(a) He conducted himself in good faith, and: (i) In the case of conduct in his own official capacity with the corporation, he reasonably believed his conduct to be in the corporation's best interests, or (ii) in all other cases, he reasonably believed his conduct to be at least not opposed to the corporation's best interests; and

(b) In the case of any criminal proceeding, he had no reasonable cause to believe his conduct was unlawful.

The termination of any ((action, suit or)) proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not, of itself((create a presumption)) be determinative that the person did not ((act in good faith and in a manner which he reasonably believed to be in or not opposed to the best interests of the corporation, and, with respect to any criminal action or proceeding, had reasonable cause to believe that his conduct was unlawful)) meet the requisite standard of conduct set forth in this subsection.



~~((2)) (3) A corporation shall have power to indemnify any person ((who was or is a party or is threatened to be)) made a party to any ((threatened, pending or completed action or suit)) proceeding by or in the right of the corporation ((to procure a judgment in its favor)) by reason of the fact that he is or was ((an agent of the corporation)) a director against reasonable expenses actually ((and reasonably)) incurred by him in connection with ((the defense or settlement of such action or suit)) such proceeding if he ((acted)) conducted himself in good faith, and ((in a manner he reasonably believed to be in or not opposed to the best interests of the corporation and except)):~~

(a) In the case of conduct in his official capacity with the corporation, he reasonably believed his conduct to be in its best interests; or

(b) In all other cases, he reasonably believed his conduct to be at least not opposed to its best interests; PROVIDED, That no indemnification shall be made pursuant to this subsection in respect of any ((claim, issue or matter as to)) proceeding in which such person shall have been adjudged to be liable ((for negligence or misconduct in the performance of his duty)) to the corporation ((unless and only to the extent that the court in which such action or suit was brought shall determine upon application, that, despite the adjudication of liability but in view of all circumstances of the case, such person is fairly and reasonably entitled to indemnity for such expenses which such court shall deem proper:

(3) To the extent that an agent of a corporation has been successful on the merits or otherwise in defense of any action, suit or proceeding referred to in subsections (1) and (2), or in defense of any claim, issue or matter therein, he shall be indemnified against expenses actually and reasonably incurred by him in connection therewith).

(4) ((Any) A director shall not be indemnified under subsection (2) or (3) of this section in respect of any proceeding charging improper personal benefit to him, whether or not involving action in his official capacity, in which he shall have been adjudged to be liable on the basis that personal benefit was improperly received by him.

(5) Unless otherwise limited by the articles of incorporation:

(a) A director who has been wholly successful, on the merits or otherwise, in the defense of any proceeding referred to in subsection (2) or (3) of this section shall be indemnified against reasonable expenses incurred by him in connection with the proceeding; and

(b) A court of appropriate jurisdiction, upon application of a director and such notice as the court shall require shall have authority to order indemnification in the following circumstances:

(i) If the court determines a director is entitled to reimbursement under (a) of this subsection, the court shall order indemnification, in which case the director shall be entitled to recover the expenses of securing such reimbursement; or

(ii) If the court determines that the director is fairly and reasonably entitled to indemnification in view of all the relevant circumstances, whether or not he has met the standards of conduct set forth in subsection (2) or (3) of this section or has been adjudged liable under subsection (4) of this section, the court may order such indemnification as the court shall deem proper, except that indemnification with respect to any proceeding referred to in subsection (3) of this section and with respect to any proceeding in which liability shall have been adjudged pursuant to subsection (4) of this section shall be limited to expenses.

A court of appropriate jurisdiction may be the same court in which the proceeding involving the director's liability took place.

(6) No indemnification under subsection((s (1) and (2) above (unless ordered by a court))) (2) or (3) of this section shall be made by the corporation ((only as)) unless authorized in the specific case ((upon)) after a determination that indemnification of the ((agent) director is ((proper)) permissible in the circumstances because he has met the ((applicable)) standard of conduct set forth in ((subsections (1) and (2) above)) the applicable subsection. Such determination shall be made ((a) by the board of directors by a majority vote of a quorum consisting of directors who were not parties to such action, suit or proceeding, or (b) if such a quorum is not obtainable, or, even if obtainable a quorum of disinterested directors so directs, by independent legal counsel in a written opinion, or (c) by the shareholders:

(5)):

(a) By the board of directors by a majority vote of a quorum consisting of directors not at the time parties to such proceeding; or

(b) If such a quorum cannot be obtained, then by a majority vote of a committee of the board, duly designated to act in the matter by a majority vote of the full board (in which designation directors who are parties may participate), consisting solely of two or more directors not at the time parties to such proceeding; or

(c) In a written opinion by legal counsel other than an attorney, or a firm having associated with it an attorney, who has been retained by or who has performed services within the past three years for the corporation or any party to be indemnified, selected by the board of directors or a committee thereof by vote as set forth in (a) or (b) of this subsection, or if the requisite quorum of the full board cannot be obtained therefor and such committee cannot be established, by a majority vote of the full board (in which selection directors who are parties may participate); or

(d) By the shareholders.

Authorization of indemnification and determination as to reasonableness of expenses shall be made in the same manner as the determination that indemnification is permissible, except that if the determination that indemnification is permissible is made by such legal counsel, authorization of indemnification and determination as to reasonableness of expenses shall be made in a manner specified in (c) of this subsection

for the selection of such counsel. Shares held by directors who are parties to the proceeding shall not be voted on the subject matter under this subsection.

(7) Reasonable expenses incurred ((in defending a civil or criminal action suit or)) by a director who is party to a proceeding may be paid or reimbursed by the corporation in advance of the final disposition of such ((action, suit or)) proceeding ((as authorized in the manner provided in subsection (4) upon receipt of an undertaking by or on behalf of the agent to repay such amount unless it shall ultimately be determined that he is entitled to be indemnified by the corporation as authorized in this section:

(6) The indemnification provided by this section shall not be deemed exclusive of any other rights to which those indemnified may be entitled under any bylaw, agreement, vote of shareholders or disinterested directors or otherwise, both as to action in his official capacity and as to action in another capacity while holding such office, and shall continue as to a person who has ceased to be an agent and shall inure to the benefit of the heirs, executors and administrators of such a person:

(7)):

(a) After a determination, made in the manner specified by subsection (6) of this section, that the information then known to those making the determination (without undertaking further investigation for purposes thereof) does not establish that indemnification would not be permissible under subsection (2) or (3) of this section; and

(b) Upon receipt by the corporation of:

(i) A written affirmation by the director of his good faith belief that he has met the standard of conduct necessary for indemnification by the corporation as authorized in this section; and

(ii) A written undertaking by or on behalf of the director to repay such amount if it shall ultimately be determined that he has not met such standard of conduct.

The undertaking required by (b)(ii) of this subsection shall be an unlimited general obligation of the director but need not be secured and may be accepted without reference to financial ability to make the repayment. Payments under this subsection may be authorized in the manner specified in subsection (6) of this section.

(8) No provision for the corporation to indemnify a director who is made a party to a proceeding, whether contained in the articles of incorporation, the bylaws, a resolution of shareholders or directors, an agreement, or otherwise (except as contemplated by subsection (11) of this section), shall be valid unless consistent with this section or, to the extent that indemnity hereunder is limited by the articles of incorporation, consistent therewith. Nothing contained in this section shall limit the corporation's ability to reimburse expenses incurred by a director in connection with his appearance as a witness in a proceeding at a time when he has not been made a named defendant or respondent in the proceeding.

(9) For purposes of this section, the corporation shall be deemed to have requested a director to serve an employee benefit plan where the performance by him of his duties to the corporation also imposes duties on, or otherwise involves services by, him to the plan or participants or beneficiaries of the plan; excise taxes assessed on a director with respect to an employee benefit plan pursuant to applicable law shall be deemed 'fines'; and action taken or omitted by him with respect to an employee benefit plan in the performance of his duties for a purpose reasonably believed by him to be in the interest of the participants and beneficiaries of the plan shall be deemed to be for a purpose which is not opposed to the best interests of the corporation.

(10) Unless otherwise limited by the articles of incorporation:

(a) An officer of the corporation shall be indemnified as and to the extent provided in subsection (5) of this section for a director and shall be entitled to seek indemnification pursuant to subsection (5) of this section to the same extent as a director;

(b) A corporation shall have the power to provide indemnification including advances of expenses, to an officer, employee, or agent of the corporation to the same extent that it may indemnify directors pursuant to this section except that subsection (12) of this section shall not apply to any person other than a director; and

(c) A corporation, in addition, shall have the power to indemnify an officer who is not a director, as well as employees and agents of the corporation who are not directors, to such further extent, consistent with law, as may be provided by its articles of incorporation, bylaws, general or specific action of its board of directors, or contract.

(11) A corporation shall have power to purchase and maintain insurance on behalf of any person who is, or was a director, officer, employee, or agent of the corporation or is or was serving at the request of the corporation as an officer, employee or agent of another corporation, partnership, joint venture, trust, other enterprise, or employee benefit plan against any liability asserted against him and incurred by him in any such capacity or arising out of his status as such, whether or not the corporation would have the power to indemnify him against such liability under the provisions of this section.

(12) Any indemnification of a director in accordance with this section, including any payment or reimbursement of expenses, shall be reported to the shareholders with the notice of the next shareholders' meeting or prior thereto in a written report containing a brief description of the proceedings involving the director being indemnified and the nature and extent of such indemnification.

NEW SECTION, Sec. 2. There is added to chapter 23A.08 RCW a new section to read as follows:

If the articles of incorporation or bylaws so provide, shareholders may participate in a meeting of the shareholders by means of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other at the same time, and participation by such means shall constitute presence in person at a meeting.

Sec. 3. Section 36, chapter 53, Laws of 1965 and RCW 23A.08.330 are each amended to read as follows:

Any number of shareholders of a corporation may create a voting trust for the purpose of conferring upon a trustee or trustees the right to vote or otherwise represent their shares, for a period of not to exceed ten years, by entering into a written voting trust agreement specifying the terms and conditions of the voting trust, by depositing a counterpart of the agreement with the corporation at its registered office, and by transferring their shares to such trustee or trustees for the purposes of the agreement. The certificates of shares so transferred shall be surrendered and canceled, and new certificates therefor issued to such person or persons, as such trustee or trustees, in which new certificates, it shall appear that they are issued pursuant to said agreement. In the entry of transfer on the books of the corporation it shall also be noted that the transfer is made pursuant to said agreement. The trustee or trustees shall execute and deliver to the transferees voting trust certificates. Such voting trust certificates shall be transferable in the same manner and with the same effect as certificates of stock under the laws of this state.

The counterpart of the voting trust agreement deposited with the corporation shall be subject to the same right of examination by a shareholder of the corporation, in person or by agent or attorney, as are the books and records of the corporation, and shall be subject to examination by any holder of a beneficial interest in the voting trust, either in person or by agent or attorney, at any reasonable time for any proper purpose.

At any time within six months before the expiration of such voting trust agreement as originally fixed or extended under this paragraph, one or more holders of voting trust certificates may, by agreement in writing, extend the duration of such voting trust agreement, nominating the same or substitute trustee or trustees, for an additional period not exceeding ten years. Such extension agreement shall not affect the rights or obligations of persons not parties thereto and shall in every respect comply with and be subject to all the provisions of this title applicable to the original voting trust agreement.

Agreements among shareholders regarding the voting of their shares shall be valid and enforceable in accordance with their terms. Such agreements shall not be subject to the provisions of this section regarding voting trusts.

Sec. 4. Section 37, chapter 53, Laws of 1965 and RCW 23A.08.340 are each amended to read as follows:

((The) All corporate powers shall be exercised by or under authority of, and the business and affairs of a corporation shall be managed ((by) under the direction of, a board of directors(~~(The powers and duties of the board of directors may be prescribed by the bylaws)~~) except as may be otherwise provided in this title or the articles of incorporation. If any such provision is made in the articles of incorporation, the powers and duties conferred or imposed upon the board of directors by this title shall be exercised or performed to such extent and by such person or persons as shall be provided in the articles of incorporation. Directors need not be residents of this state or shareholders of the corporation unless the articles of incorporation or bylaws so require. The articles of incorporation or bylaws may prescribe other qualifications for directors. The board of directors shall have authority to fix the compensation of directors unless otherwise provided in the articles of incorporation.

**NEW SECTION.** Sec. 5. There is added to chapter 23A.08 RCW a new section to read as follows:

A director shall perform the duties of a director, including the duties as a member of any committee of the board upon which the director may serve, in good faith, in a manner such director believes to be in the best interests of the corporation, and with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances.

In performing the duties of a director, a director shall be entitled to rely on information, opinions, reports, or statements, including financial statements and other financial data, in each case prepared or presented by:

- (1) One or more officers or employees of the corporation whom the director believes to be reliable and competent in the matter presented;
- (2) Counsel, public accountants, or other persons as to matters which the director believes to be within such person's professional or expert competence; or
- (3) A committee of the board upon which the director does not serve, duly designated in accordance with a provision in the articles of incorporation or bylaws, as to matters within its designated authority, which committee the director believes to merit confidence; so long as, in any such case, the director acts in good faith, after reasonable inquiry when the need therefor is indicated by the circumstances and without knowledge that would cause such reliance to be unwarranted.

**NEW SECTION.** Sec. 6. There is added to chapter 23A.08 RCW a new section to read as follows:

A director of a corporation who is present at a meeting of its board of directors at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless his dissent shall be entered in the minutes of the meeting or unless he shall file his written dissent to such action with the person acting as the secretary of the meeting before the adjournment thereof or shall forward such dissent by registered mail to the secretary of the corporation immediately after the adjournment of the meeting. Such right to dissent shall not apply to a director who voted in favor of such action.

Sec. 7. Section 43, chapter 53, Laws of 1965 and RCW 23A.08.400 are each amended to read as follows:

If the articles of incorporation or the bylaws so provide, the board of directors, by resolution adopted by a majority of the full board of directors, may designate from among its members an executive committee and one or more other committees each of which, to the extent provided in such resolution or in the articles of

incorporation or the bylaws of the corporation, shall have and may exercise all the authority of the board of directors, ~~((but))~~ except that no such committee shall have the authority ~~((of the board of directors in reference to amending the articles of incorporation, adopting a plan of merger or consolidation, recommending to the shareholders the sale, lease, exchange or other disposition of all or substantially all the property and assets of the corporation otherwise than in the usual and regular course of its business, recommending to the shareholders a voluntary dissolution of the corporation or a revocation thereof, or amending the bylaws of the corporation. The designation of any such committee and the delegation thereto of authority shall not operate to relieve the board of directors, or any member thereof, of any responsibility imposed by law))~~ to: (1) Declare dividends or distributions, except at a rate or in periodic amount determined by the board of directors, (2) approve or recommend to shareholders actions or proposals required by this title to be approved by shareholders, (3) fill vacancies on the board of directors or any committee thereof, (4) amend the bylaws, (5) authorize or approve the reacquisition of shares unless pursuant to general formula or method specified by the board of directors, (6) fix compensation of any director for serving on the board of directors or on any committee, (7) approve a plan of merger, consolidation, or exchange of shares not requiring shareholder approval, (8) reduce earned or capital surplus, or (9) appoint other committees of the board of directors or the members thereof.

Sec. 8. Section 48, chapter 53, Laws of 1965 as amended by section 24, chapter 16, Laws of 1979 and RCW 23A.08.450 are each amended to read as follows:

In addition to any other liabilities imposed by law upon directors of a corporation:

(1) Directors of a corporation who vote for or assent to the declaration of any dividend or other distribution of the assets of a corporation to its shareholders contrary to the provisions of this title or contrary to any restrictions contained in the articles of incorporation, shall be jointly and severally liable to the corporation for the amount of such dividend which is paid or the value of such assets which are distributed in excess of the amount of such dividend or distribution which could have been paid or distributed without a violation of the provisions of this title or the restrictions in the articles of incorporation.

(2) Directors of a corporation who vote for or assent to the purchase of its own shares contrary to the provisions of this title shall be jointly and severally liable to the corporation for the amount of consideration paid for such shares which is in excess of the maximum amount which could have been paid therefor without a violation of the provisions of this title.

(3) The directors of a corporation who vote for or assent to any distribution of assets of a corporation to its shareholders during the liquidation of the corporation without the payment and discharge of, or making adequate provision for, all known debts, obligations, and liabilities of the corporation shall be jointly and severally liable to the corporation for the value of such assets which are distributed, to the extent that such debts, obligations, and liabilities of the corporation are not thereafter paid and discharged.

(4) The directors of a corporation who vote for or assent to the making of a loan to an officer or director of the corporation, or the making of any loan secured by shares of the corporation, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof, unless approved by the shareholders as provided in RCW 23A.08.440.

~~((A director of a corporation who is present at a meeting of its board of directors at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless his dissent shall be entered in the minutes of the meeting or unless he shall file his written dissent to such action with the person acting as the secretary of the meeting before the adjournment thereof or shall forward such dissent by registered mail to the secretary of the corporation immediately after the adjournment of the meeting. Such right to dissent shall not apply to a director who voted in favor of such action.~~

~~A director shall not be liable under subsections (1), (2), or (3) of this section if he relied and acted in good faith upon financial statements of the corporation represented to him to be correct by the president or the officer of such corporation having charge of its books of account, or stated in a written report by an independent public or certified public accountant or firm of such accountants fairly to reflect the financial condition of such corporation, nor shall he be so liable if in good faith in determining the amount available for any such dividend or distribution he considered the assets to be of their book value.))~~

Any director against whom a claim shall be asserted under or pursuant to this section for the payment of a dividend or other distribution of assets of a corporation and who shall be held liable thereon, shall be entitled to contribution from the shareholders who accepted or received any such dividend or assets, knowing such dividend or distribution to have been made in violation of this title, in proportion to the amounts received by them respectively.

Any director against whom a claim shall be asserted under or pursuant to this section shall be entitled to contribution from the other directors who voted for or assented to the action upon which the claim is asserted.

Sec. 9. Section 51, chapter 53, Laws of 1965 as last amended by section 3, chapter 193, Laws of 1977 ex. sess. and RCW 23A.08.480 are each amended to read as follows:

(1)(a) Every corporation ((hereafter)) organized under this title ((and any foreign corporation authorized to do business in the state of Washington, shall (a) within thirty days after issuance of its certificate of incorporation, or (b) within thirty days of the issuance of its certificate of authority;)) on or after January 1, 1981, shall file an ((annual)) initial report with the secretary of state containing the information described in subsections (2)(a) through (2)((f)) (c) of this section.

(b) Every foreign corporation authorized to do business in the state of Washington shall, at the time it files its application for a certificate of authority, file an initial report with the secretary of state containing the information described in subsections (2)(a) through (2)(e) of this section.

(2) In addition, every corporation heretofore or hereafter organized under the laws of the territory or state of Washington and ~~((any))~~ every foreign corporation authorized to do business in Washington shall at the time it is required to pay its annual license fee and at such additional times as it may elect, file with the secretary of state an annual report ~~((sworn to by its president and attested by its secretary))~~ containing, as of the date of execution of the report:

(a) The name of the corporation and the state or country under the laws of which it is incorporated.

(b) The address of the registered office of the corporation in this state including street and number and the name of its registered agent in this state at such address, and, in the case of a foreign corporation, the address of its principal office in the state or country under the laws of which it is incorporated.

(c) A brief ~~((statement))~~ description of the ~~((character of the affairs))~~ business, if any, which the corporation is ~~((actually))~~ conducting, or, in the case of a foreign corporation, which the corporation is ~~((actually))~~ conducting in this state.

(d) The address of the principal place of business of the corporation in the state.

(e) The names and respective addresses of the directors and officers of the corporation.

(3) ~~((The secretary of state shall file such annual report in his office for the fee of two dollars.))~~ Every report required by this section shall be executed by an officer or director on behalf of the corporation except that the initial report of a domestic corporation may be executed by an incorporator. If the secretary of state finds that the annual report substantially conforms to law, he shall, when all the fees have been paid as in this title described, file the same.

(4) If any corporation shall fail to ~~((comply with the foregoing provisions of))~~ file a report required by this section ~~((and more than one year shall have elapsed from the date of the filing of the last report)),~~ service of process against such corporation may be made by serving duplicate copies upon the secretary of state. Upon such service being made, the secretary of state shall forthwith mail one of such duplicate copies of such process to such corporation at its registered office or its last known address, as shown by the records of his office.

~~((4))~~ For every violation of) (5) If any corporation shall fail to file a report required by this section there shall become due and owing to the state of Washington the sum of ~~((five))~~ twenty-five dollars if the required report is filed on or before the first of September in the year in which the report is required, or one hundred dollars if the report is not filed on or before that date, which sum shall be ~~((collected by))~~ paid to the secretary of state.

NEW SECTION, Sec. 10. There is added to chapter 23A.28 RCW a new section to read as follows:

(1) If a domestic corporation fails for a period of three consecutive years either to pay the annual license fee required by RCW 23A.40.060, or to file the annual report required by RCW 23A.08.480, it shall be dissolved and cease to exist on the second anniversary of the date of its first failure either to file an annual report or to pay an annual license fee. The secretary of state shall remove the names of all corporations so dissolved from the list of active corporations.

(2) Prior to such dissolution the corporation's existence will not be affected nor will any of its rights, duties and obligations be impaired, except as otherwise provided in RCW 23A.44.120.

Sec. 11. Section 108, chapter 53, Laws of 1965 and RCW 23A.28.250 are each amended to read as follows:

The dissolution of a corporation either (1) by the issuance of a certificate of dissolution by the secretary of state, or (2) by a decree of court ~~((when the court has not liquidated the assets and business of the corporation as provided in this title)),~~ or (3) by expiration of its period of duration, or (4) by reason of its failure for three consecutive years to pay its annual license fee and file its annual report as provided in section 10 of this 1980 act, shall not take away or impair any remedy available to or against such corporation, its directors, officers, or shareholders, for any right or claim existing, or any liability incurred, prior to such dissolution if action or other proceeding thereon is commenced within two years after the date of such dissolution. The directors of any such corporation shall hold title to the property of the corporation as trustees for the benefit of its creditors and shareholders. Any such action or proceeding by or against the corporation may be prosecuted or defended by the corporation in its corporate name. The shareholders, directors and officers shall have power to take such corporate or other action as shall be appropriate to protect such remedy, right or claim. If such corporation was dissolved by the expiration of its period of duration, such corporation may amend its articles of incorporation at any time during such period of two years so as to extend its period of duration.

Sec. 12. Section 124, chapter 53, Laws of 1965 and RCW 23A.32.160 are each amended to read as follows:

(1) The certificate of authority of a foreign corporation to transact business in this state may be revoked by the secretary of state upon the conditions prescribed in this section when:

(a) The corporation has failed to pay any fees, or penalties prescribed by this title when they have become due and payable; or

(b) The corporation has failed to file any annual report prescribed by this title; or

(c) The corporation has failed to appoint and maintain a registered agent in this state as required by this title; or

~~((c))~~ (d) The corporation has failed, after change of its registered office or registered agent, to file in the office of the secretary of state a statement of such change as required by this title; or

~~((d))~~ (e) The corporation has failed to file in the office of the secretary of state any amendment to its articles of incorporation or any articles of merger within the time prescribed by this title; or

((~~te~~)) (1) A misrepresentation has been made of any material matter in any application, report, affidavit or other document submitted by such corporation pursuant to this title.

(2) Not less than thirty nor more than ninety days prior to July 1 of each year the secretary of state shall mail to each foreign corporation qualified to do business in this state, at its registered office within the state, by first class mail, a notice that its annual license fee must be paid and its annual report must be filed as required by this title, and stating that if it shall fail to pay its annual license fee or to file its annual report its certificate of authority to transact business within this state may be revoked. Failure of the secretary of state to mail any such notice shall not relieve a corporation from its obligations to pay the annual license fees and to file the annual reports required by this title.

(3) No certificate of authority of a foreign corporation shall be revoked by the secretary of state unless (a) he shall have given the corporation not less than sixty days notice thereof by mail addressed to its registered office in this state, and (b) the corporation shall fail prior to revocation to pay such fees or penalties, or file the required statement of change of registered agent or registered office, or file such articles of amendment or articles of merger, or correct such misrepresentation.

Sec. 13. Section 135, chapter 53, Laws of 1965 as last amended by section 3, chapter 133, Laws of 1971 ex. sess. and RCW 23A.40.020 are each amended to read as follows:

The secretary of state shall charge and collect for:

- (1) Filing articles of amendment and issuing a certificate of amendment, ten dollars;
- (2) Filing restated articles of incorporation, ten dollars;
- (3) Filing articles of merger or consolidation and issuing a certificate of merger or consolidation, fifteen dollars;
- (4) Filing an application to reserve a corporate name, ten dollars;
- (5) Filing a notice of transfer of a reserved corporate name, five dollars;
- (6) Filing a statement of change of address of registered office, revocation, resignation, change of registered agent, or any combination, of these, two dollars;
- (7) Filing a statement of the establishment of a series of shares, ten dollars;
- (8) Filing a statement of cancellation of shares, ten dollars;
- (9) Filing a statement of reduction of stated capital, ten dollars;
- (10) Filing a statement of intent to dissolve, five dollars;
- (11) Filing a statement of revocation of voluntary dissolution proceedings, five dollars;
- (12) Filing articles of dissolution, five dollars;
- (13) Filing a certificate by a foreign corporation of the appointment of an agent residing in this state, or a certificate of the revocation of the appointment of such registered agent, or filing a notice of resignation by a registered agent, two dollars;
- (14) Filing an application of a foreign corporation for a certificate of authority to transact business in this state and issuing a certificate of authority, five dollars;
- (15) Filing an application of a foreign corporation for an amended certificate of authority to transact business in this state and issuing an amended certificate of authority, five dollars;
- (16) Filing a copy of an amendment to the articles of incorporation of a foreign corporation holding a certificate of authority to transact business in this state, ten dollars;
- (17) Filing a copy of articles of merger of a foreign corporation holding a certificate of authority to transact business in this state, fifteen dollars;
- (18) Filing an application for withdrawal of a foreign corporation and issuing a certificate of withdrawal, five dollars;
- (19) Filing an annual report, five dollars;
- (20) Filing any other statement or report, five dollars;

((~~te~~)) (21) Such other filings as are provided for by this title.

NEW SECTION. Sec. 14. There is added to chapter 23A.40 RCW a new section to read as follows:

Not less than thirty nor more than ninety days prior to July 1st of each year the secretary of state shall mail to each domestic corporation, at its registered office within the state, by first class mail, a notice that its annual license fee must be paid and its annual report must be filed as required by this title, and stating that if any domestic corporation shall fail for three consecutive years to pay its annual license fee or to file its annual report it shall be dissolved and cease to exist. Failure of the secretary of state to mail any such notice shall not relieve a corporation from its obligations to pay the annual license fees and to file the annual reports required by this title.

Sec. 15. Section 140, chapter 53, Laws of 1965 as amended by section 3, chapter 92, Laws of 1969 ex. sess. and RCW 23A.40.070 are each amended to read as follows:

In the event any corporation, foreign or domestic, shall do business in this state without having paid its annual license fee when due, there shall become due and owing the state of Washington a penalty of twenty-five dollars and an additional license-fee equivalent to one percent per month or fraction thereof computed upon each annual license fee from the date it should have been paid to the date when it is paid: PROVIDED, That the minimum additional license fee due under the provisions of this section shall be ((two)) ten dollars ((and fifty cents)).

A corporation organized under this title may at any time prior to its dissolution as provided in section 10 of this 1980 act, and a foreign corporation qualified to do business in this state may at any time prior to the revocation of its certificate of authority as provided in RCW 23A.32.160, pay to the state of Washington its current annual license fee, provided it also pays an amount equal to all previously unpaid annual license fees plus the penalty and additional license fees specified in this section.

**NEW SECTION.** Sec. 16. Section 4, chapter 92, Laws of 1969 ex. sess., section 1, chapter 142, Laws of 1971 ex. sess., section 1, chapter 36, Laws of 1975 1st ex. sess., section 57, chapter 16, Laws of 1979 and RCW 23A.40.075 are each repealed.

**NEW SECTION.** Sec. 17. Sections 9, 10, 12, 13, 14, 15, and 16 of this 1980 act shall take effect on January 1, 1981."

On page 1, line 1 of the title, after "corporations;" strike the remainder of the title and insert "amending section 2, chapter 58, Laws of 1969 ex. sess. as amended by section 4, chapter 16, Laws of 1979 and RCW 23A.08.025; amending section 36, chapter 53, Laws of 1965 and RCW 23A.08.330; amending section 37, chapter 53, Laws of 1965 and RCW 23A.08.340; amending section 43, chapter 53, Laws of 1965 and RCW 23A.08.400; amending section 48, chapter 53, Laws of 1965 as amended by section 24, chapter 16, Laws of 1979 and RCW 23A.08.450; amending section 51, chapter 53, Laws of 1965 as last amended by section 3, chapter 193, Laws of 1977 ex. sess. and RCW 23A.08.480; amending section 108, chapter 53, Laws of 1965 and RCW 23A.28.250; amending section 124, chapter 53, Laws of 1965 and RCW 23A.32.160; amending section 135, chapter 53, Laws of 1965 as last amended by section 3, chapter 133, Laws of 1971 ex. sess. and RCW 23A.40.020; amending section 140, chapter 53, Laws of 1965 as amended by section 3, chapter 92, Laws of 1969 ex. sess. and RCW 23A.40.070; adding new sections to chapter 23A.08 RCW; adding a new section to chapter 23A.28 RCW; adding a new section to chapter 23A.40 RCW; repealing section 4, chapter 92, Laws of 1969 ex. sess., section 1, chapter 142, Laws of 1971 ex. sess., section 1, chapter 36, Laws of 1975 1st ex. sess. section 57, chapter 16, Laws of 1979 and RCW 23A.40.075; and providing an effective date."

Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Sherman, Tilly, Winsley.

Passed to Committee on Rules for second reading.

February 7, 1980

ENGROSSED SENATE BILL NO. 3499, Prime Sponsor: Senator Day, providing a program to aid fragile children. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Co-Chairman; Barr, Brekke, Flint, Houchen, Kreidler, Lux, May, Mitchell, Pruitt, Schmitt, Stratton.

Passed to Committee on Rules for second reading.

#### MOTION

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

#### RESOLUTION

HOUSE RESOLUTION NO. 80-122, by Representatives Valle, Barr, Brekke, Galloway, Garrett, Gruger, Hughes, North, Pruitt, Rinehart, Sanders and Thompson:

WHEREAS, Water is a major resource of the State of Washington with increased and competing demands placed on its use; and

WHEREAS, The quantity of water available and the demands for the water resource cause major water management problems; and

WHEREAS, Management of water resources involves both the individual's and the public's welfare; and

WHEREAS, The quality and quantity of the state's water resource affects the quality of life of all the state's citizens and affects the ability of the state to accommodate growth; and

WHEREAS, There exists a complex of legal and jurisdictional issues relating to water rights that affect the quantity of water available for competing uses; and

WHEREAS, The availability of water affects use for municipal, industrial, irrigation, fisheries, recreation, navigation, flood control, energy, and other purposes; and

WHEREAS, The state will be judged during the decade of the 1980's on its ability to manage properly and prudently such a precious and important resource; and

WHEREAS, Because of the importance of the water resource to the state the Legislature should be engaged in a continuing review of present water management laws and practices;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the standing committee on Ecology of the House of Representatives shall undertake a study of water management issues in the state which shall include, but not be limited to, the following:

(1) A report to the House on a schedule of legislative action that might be necessary to provide a water enhancement program for the Yakima Basin to meet the growing demand and claims on the resource;

(2) An examination of the necessity of improving water forecasting and the coordination among government agencies that are involved in forecasting;

(3) An examination of the benefits of an interstate compact on the use of the Columbia River and an evaluation of the interstate, international and state-federal relationships on the Columbia River and Snake River systems;

(4) An examination of whether the provisions of the Washington Futures bond issues are adequate to accommodate growth and whether a growth management policy should be developed for the use of and expansion of those moneys to prevent conflict with other state policies. An examination of whether federal matching grants in this area are likely to be reevaluated and changed, and if so, what the impact on the state and local governments will be;

(5) An examination of the need for and impact of low-head and small-scale hydroelectric generating projects;

(6) A continuing review of the efforts by the Department of Ecology to establish minimum stream flows;

(7) An assessment of the quantity of water needed for irrigation of lands presently in agricultural production and for projected agricultural expansion in the state;

(8) An examination of water-mining policies that lead to the constant lowering of water tables and a determination of the relative rights to the water tables; and

BE IT FURTHER RESOLVED, That the standing committee on Ecology shall report its findings and recommendations to the next regularly scheduled session of the Legislature including the identification of issues that need continuing study; and

BE IT FURTHER RESOLVED, That the House Rules Committee assign resources to the Ecology Committee as deemed appropriate to carry out the purposes of this resolution.

Ms. Valle moved adoption of the resolution and spoke in favor of it.

#### MOTION

Mr. Barr moved that House Resolution No. 80-122 be referred to Committee on Ecology.

Representatives Fancher, Smith (C) and Nisbet spoke in favor of the motion, and Ms. Valle spoke against it.

#### POINT OF INQUIRY

Mr. Barr yielded to question by Mr. Martinis.

Mr. Martinis: "Representative Barr, is it your intention in making this motion, to refer this to committee, a positive motion, and to bring it back onto the floor or into a watery grave?"

Mr. Barr: "Thank you, Representative Martinis, for asking that question. I said, in my first remarks, that my intention was to bring it back to the body and I sincerely meant that. That would be our intention."

Representatives Greengo and Barr spoke in favor of the motion, and Ms. Valle now spoke in favor of the motion.

The motion was carried.

#### NOTICE OF AMENDMENT TO HOUSE RULES

Mr. Polk notified the House that he would offer an amendment to House Rule 77.

#### MOTION

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

#### REPORTS OF STANDING COMMITTEES

February 6, 1980

HOUSE BILL NO. 1433, Prime Sponsor: Representative Thompson, appropriating funds for the state crime lab. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Nelson (G), Co-Chairman; Amen, Barnes, Bauer, Ehlers, Fancher, Grimm, Gruger, Heck, Keller, Nisbet, Taller, Valle, Vrooman, Warnke.

Passed to Committee on Rules for second reading.

February 5, 1980

HOUSE BILL NO. 1476, Prime Sponsor: Representative Thompson, appropriating funds for overtime earned by commissioned traffic officers of the Washington state patrol. Reported by Committee on Appropriations.



MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Becker, Chandler, Ehlers, Fancher, Gruger, Hughes, Keller, McDonald, Nisbet, Polk, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

February 5, 1980

HOUSE BILL NO. 1525, Prime Sponsor: Representative Thompson, making an appropriation to the administrator for the courts. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Becker, Chandler, Ehlers, Fancher, Gruger, Hughes, Keller, McDonald, Nisbet, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

February 5, 1980

HOUSE BILL NO. 1526, Prime Sponsor: Representative Thompson, making an appropriation to the state treasurer. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Becker, Chandler, Ehlers, Fancher, Gruger, Hughes, Keller, McDonald, Nisbet, Polk, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

February 5, 1980

HOUSE BILL NO. 1530, Prime Sponsor: Representative Thompson, making an appropriation to the military department. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Chandler, Ehlers, Fancher, Gruger, Hughes, Keller, McDonald, Nisbet, Polk, Taller, Taylor, Valle, Vrooman, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

February 6, 1980

HOUSE BILL NO. 1533, Prime Sponsor: Representative Thompson, making an appropriation to the department of social and health services. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Becker, Chandler, Ehlers, Fancher, Grimm, Gruger, Heck, Hughes, Keller, Maxie, McDonald, Polk, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

February 6, 1980

HOUSE BILL NO. 1539, Prime Sponsor: Representative Thompson, making an appropriation to the department of ecology. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Becker, Chandler, Ehlers, Fancher, Grimm, Gruger, Heck, Hughes, Keller, Maxie, McDonald, Nisbet, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

February 6, 1980

HOUSE BILL NO. 1541, Prime Sponsor: Representative Thompson, making an appropriation to the department of agriculture. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Becker, Chandler, Ehlers,

Fancher, Grimm, Gruger, Heck, Hughes, Keller, Maxie, McDonald, Nisbet, Polk, Taller, Taylor, Valle, Vrooman, Warnke, Zimmerman.

Passed to Committee on Rules for second reading.

February 5, 1980

HOUSE BILL NO. 1542, Prime Sponsor: Representative Thompson, making an appropriation to the state patrol. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Becker, Chandler, Ehlers, Fancher, Gruger, Hughes, Keller, McDonald, Nisbet, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

February 6, 1980

HOUSE BILL NO. 1545, Prime Sponsor: Representative Thompson, making an appropriation to the state library. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Becker, Chandler, Ehlers, Fancher, Grimm, Gruger, Heck, Hughes, Keller, Maxie, McDonald, Nisbet, Polk, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

February 6, 1980

HOUSE BILL NO. 1583, Prime Sponsor: Representative Nelson (G), making capital appropriations for institutions of higher education. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Becker, Fancher, Gruger, Heck, Keller, McDonald, Nisbet, Taller, Taylor, Valle, Vrooman, Zimmerman.

Passed to Committee on Rules for second reading.

February 6, 1980

HOUSE BILL NO. 1643, Prime Sponsor: Representative Thompson, authorizing bonds for common school construction. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Becker, Chandler, Ehlers, Fancher, Grimm, Gruger, Heck, Hughes, Keller, Maxie, McDonald, Nisbet, Polk, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

February 6, 1980

HOUSE BILL NO. 1981, Prime Sponsor: Representative Zimmerman, modifying provisions relating to jail bonds. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Becker, Chandler, Ehlers, Fancher, Grimm, Gruger, Heck, Hughes, Keller, Maxie, McDonald, Nisbet, Polk, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

February 7, 1980

SENATE BILL NO. 3219, Prime Sponsor: Senator Talley, commemorating the 175th anniversary of the Lewis and Clark expedition. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Co-Chairman; Martinis, Co-Chairman; Bender, Burns, Charnley, Clayton, Eberle, Erak, Gallagher, Garrett, Isaacson, McCormick, Patterson, Sherman, Smith (C), Tilly, Walk.

Passed to Committee on Rules or second reading.

February 7, 1980

ENGROSSED SENATE BILL NO. 3422, Prime Sponsor: Senator Henry, increasing port districts' authority to operate facilities for the movement of freight and passengers. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 20 after "cargo" and before the period insert ": PROVIDED, That nothing contained herein shall authorize a port district to engage in the transportation of commodities by motor vehicle for compensation outside the boundaries of the port district"

Signed by Representatives Wilson, Co-Chairman; Martinis, Co-Chairman; Bender, Burns, Charnley, Clayton, Dawson, Eberle, Erak, Gallagher, Garrett, Isaacson, McCormick, Patterson, Sherman, Smith (C), Struthers, Tilly, Walk.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Polk, the House adjourned until 10:00 a.m., Monday, February 11, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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

## TWENTY-NINTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 11, 1980

The House was called to order at 10:00 a.m. by Speaker Bagnariol. The Clerk called the roll and all members were present except Representatives Barr, Becker and Houchen. Representatives Barr and Becker were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Melanie Irons, Darrell Upshur and Kent Bouwman. Prayer was offered by The Reverend Ralph Fisher of the Burlington Lutheran Church of Burlington.

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

### REPORTS OF STANDING COMMITTEES

February 5, 1980

HOUSE BILL NO. 1528, Prime Sponsor: Representative Thompson, making an appropriation to the insurance commissioner. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Chandler, Ehlers, Fancher, Hughes, McDonald, Nisbet, Polk, Taller, Taylor, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

February 5, 1980

HOUSE BILL NO. 1532, Prime Sponsor: Representative Thompson, making an appropriation to the office of financial management. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Becker, Chandler, Ehlers, Fancher, Gruger, Hughes, Keller, McDonald, Nisbet, Polk, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

February 6, 1980

HOUSE BILL NO. 1543, Prime Sponsor: Representative Thompson, making an appropriation to the department of licensing. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Becker, Chandler, Ehlers, Fancher, Grimm, Gruger, Heck, Hughes, Keller, Maxie, McDonald, Nisbet, Polk, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

February 8, 1980

HOUSE JOINT MEMORIAL NO. 25, Prime Sponsor: Representative Zimmerman, requesting federal help in promoting development of geothermal resources. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Schmitt, Executive Chairman; Adams, Dawson, Flint, Martinis, McCormick, McDonald, Mitchell, Rosbach.

Passed to Committee on Rules for second reading.

February 8, 1980

ENGROSSED SENATE BILL NO. 3011, Prime Sponsor: Senator Bausch, eliminating the beaver tag requirement and increasing the trapper's license. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Schmitt, Executive Chairman; Vrooman, Co-Chairman; Adams, Dawson, Flint, Jovanovich, Martinis, McCormick, McDonald, Mitchell, Owen, Rosbach.

Passed to Committee on Rules for second reading.

February 7, 1980

SUBSTITUTE SENATE BILL NO. 3179, Prime Sponsor: Senator Shinpoch, expanding the membership of the horse racing commission. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 17 after "shall" strike the remainder of the line and insert "each be prohibited from having any direct or indirect beneficial interest through which the member, the member's immediate family, or the member's employer may stand to gain financially or otherwise from decisions made by the commission;"

Signed by Representatives Ehlers, Co-Chairman; Taller, Co-Chairman; Addison, Burns, Flint, Greengo, Jovanovich, McGinnis, Tupper, Walk.

Passed to Committee on Rules for second reading.

February 7, 1980

SENATE BILL NO. 3214, Prime Sponsor: Senator Wilson, repealing a limitation on road contract awards. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

After the enacting clause insert a section as follows:

"Section 1. Section 36.80.010, chapter 4, Laws of 1963 as amended by section 6, chapter 182, Laws of 1969 ex. sess. and RCW 36.80.010 are each amended to read as follows:

The board shall employ a full time county road engineer residing in the county: PROVIDED, That in eighth and ninth class counties it may employ a county engineer on a part-time basis who need not be a resident of such county, or may contract with other counties for the engineering services of a county road engineer from such other counties: PROVIDED FURTHER, That any eighth or ninth class county which is reclassified in class because of an increase in population shall retain the right to employ their existing part-time county engineer or contract with other counties for engineering services."

Renumber remaining sections consecutively

In the title, page 1, line 1, after "bridges;" insert "amending section 36.80.010, chapter 4, Laws of 1963 as amended by section 6, chapter 182, Laws of 1969 ex. sess. and RCW 36.80.010;"

Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Chandler, Garrett, Rohrbach, Rosbach, Stratton, Teutsch, Van Dyken.

Passed to Committee on Rules for second reading.

February 7, 1980

SENATE BILL NO. 3240, Prime Sponsor: Senator Walgren, enacting the Coordinated Review and Accountability Act of 1980. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 1, chapter 234, Laws of 1959 as amended by section 1, chapter 237, Laws of 1967 and RCW 34.04.010 are each amended to read as follows:

((For the purpose of this chapter:)) The definitions set forth in this section shall apply throughout this chapter, unless the context clearly requires otherwise.

(1) 'Agency' means any state board, commission, department, or officer, authorized by law to make rules or to adjudicate contested cases, except those in the legislative or judicial branches.

(2) 'Rule' means any agency order, directive, or regulation of general applicability (a) the violation of which subjects a person to a penalty or administrative sanction; (b) which establishes, alters, or revokes any procedure, practice, or requirement relating to agency hearings; (c) which establishes, alters, or revokes any qualification or requirement relating to the enjoyment of benefits or privileges conferred by law; (d) which establishes, alters, or revokes any qualifications or standards for the issuance, suspension, or revocation of licenses to pursue any commercial activity, trade, or profession; or (e) which establishes, alters, or revokes any mandatory standards for any product or material which must be met before distribution or sale. The term includes the amendment or repeal of a prior rule, but does not include (i) statements concerning only the internal management of an agency and not affecting private rights or procedures available to the public, (ii) declaratory rulings issued pursuant to RCW 34.04.080, as now or hereafter amended, or (iii) speed restrictions for motor vehicles established by the state highway commission.

(3) 'Contested case' means a proceeding before an agency in which an opportunity for a hearing before such agency is required by law or constitutional right prior or subsequent to the determination by the agency of the legal rights, duties, or privileges of specific parties. Contested cases shall also include all cases of

licensing and rate making in which an application for a license or rate change is denied except as limited by RCW 66.08.150, or a license is revoked, suspended, or modified, or in which the granting of an application is contested by a person having standing to contest under the law or agency rules.

(4) 'License' includes the whole or part of any agency permit, certificate, approval, registration, charter, or any form of permission required by law, including agency rule, to engage in any activity, but does not include a license required solely for revenue purposes.

(5) 'Licensing' includes the agency process respecting the grant, denial, renewal, revocation, suspension, annulment, withdrawal, or modification of a license.

(6) 'Rules review committee' or 'committee' means either of the administrative rules review committees created pursuant to section 4 of this 1980 act for the purpose of selectively reviewing existing and proposed rules of state agencies.

Sec. 2. Section 3, chapter 237, Laws of 1967 as last amended by section 7, chapter 240, Laws of 1977 ex. sess. and RCW 34.04.025 are each amended to read as follows:

(1) Prior to the adoption, amendment, or repeal of any rule, each agency shall:

(a) File notice thereof with the code reviser in accordance with RCW 34.08.020(1) for publication in the state register, and with the secretary of the senate, the chief clerk of the house of representatives, and the rules review committees, and mail such notice to all persons who have made timely request of the agency for advance notice of its rule-making proceedings. Such notice shall also include (i) reference to the authority under which the rule is proposed, (ii) a statement of either the terms or substance of the proposed rule or a description of the subjects and issues involved, and (iii) the time when, the place where, and the manner in which interested persons may present their views thereon;

(b) Furnish to the legislature, along with the notice required by subsection (1)(a) of this section, a statement of the reasons supporting the proposed action;

(c) Afford all interested persons reasonable opportunity to submit data, views, or arguments, orally or in writing. In case of substantive rules, opportunity for oral hearing must be granted if requested by twenty-five persons, by a governmental subdivision or agency, by the rules review committees, or by an association having not less than twenty-five members.

(2) The agency shall make every effort to insure that the information on the proposed rule circulated pursuant to subsection (1)(a) of this section accurately reflects the rule to be presented and discussed at any oral hearing on such rule. Where substantial changes in the draft of the proposed rule are made after publication of notice in the register which would render it difficult for interested persons to properly comment on the rule without further notice, new notice of the agency's intended action as provided in subsection (1)(a) of this section shall be required.

(3) The agency shall consider fully all written and oral submissions respecting the proposed rule including those addressing the question of whether the proposed rule is within the intent of the legislature as expressed by the statute which the rule implements, and may amend the proposed rule at the oral hearing or adopt the proposed rule, if there are no substantial changes, without refileing the notice required by this section. Upon adoption of a rule, the agency, if requested to do so by an interested person either prior to adoption or within thirty days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption.

((2)) (4) No proceeding ((shall)) may be held on any rule until twenty days have passed from the distribution date of the register in which notice thereof was contained. The code reviser shall make provisions for informing an agency giving notice under subsection (1) of this section of the distribution date of the register in which such notice will be published.

((3)) (5) No rule hereafter adopted is valid unless adopted in substantial compliance with this section, ((or: if)) unless it is an emergency rule designated as such((:)) and is adopted in substantial compliance with RCW 34.04.030, as now or hereafter amended. In any proceeding a rule cannot be contested on the ground of noncompliance with the procedural requirements of RCW 34.08.020(1), of this section, or of RCW 34.04.030, as now or hereafter amended, after two years have elapsed from the effective date of the rule.

Sec. 3. Section 3, chapter 234, Laws of 1959 as amended by section 8, chapter 240, Laws of 1977 ex. sess. and RCW 34.04.030 are each amended to read as follows:

((+)) If the agency finds that immediate adoption or amendment of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, the agency may dispense with such requirements and adopt the rule or amendment as an emergency rule or amendment. The agency's finding and a ((brief)) concise statement of the reasons for its finding shall be incorporated in the emergency rule or amendment as filed with the office of the code reviser under RCW 34.04.040 and with the rules review committees. An emergency rule or amendment ((shall)) may not remain in effect for longer than ninety days after filing. This section does not relieve any agency from compliance with any law requiring that its permanent rules be approved by designated persons or bodies before they become effective.

((2) The emergency rule published in the register is solely to inform the public of its adoption, and nothing in this section shall be construed to prevent the implementation of the rule upon its filing with the code reviser in accordance with RCW 34.04.040(2).)

NEW SECTION. Sec. 4. There is added to chapter 34.04 RCW a new section to read as follows:

(1) In each house of the legislature there shall be a rules review committee. Each committee shall be bipartisan and shall consist of four members. The members of the senate committee shall be appointed by the majority leader of the senate, and the members of the house committee shall be appointed by the speaker of the house. Not more than two members from each house shall be from the same political party. Each

appointment to a committee shall be subject to approval by the caucus to which the appointed member belongs.

(2) The initial members of each committee shall be appointed as soon as possible after the effective date of this 1980 act, and shall serve until the next regular session of the legislature convenes. Thereafter members shall be appointed as soon as possible after the legislature convenes in a one hundred five day regular session, and their terms shall extend until the legislature next convenes in a one hundred five day regular session or until such members no longer serve in the legislature, whichever occurs first. Members may be reappointed to a committee.

(3) The president of the senate shall appoint the chairperson of the senate committee from among committee membership. The speaker of the house shall appoint the chairperson of the house committee from among committee membership. Such appointments shall be made in January of each year as soon as possible after a legislative session convenes.

(4) Vacancies on the committee shall be filled as soon as possible from the same political party as original appointments.

(5) Whenever the committees meet jointly pursuant to sections 5 through 7 of this 1980 act, the chairperson of the senate rules review committee shall preside over such joint meetings in odd-numbered years, and the chairperson of the house rules review committee shall preside over such joint meetings in even-numbered years.

(6) The committees shall adopt rules governing the conduct of their business, not in conflict with joint rules of the legislature or rules of the house and senate.

**NEW SECTION.** Sec. 5. There is added to chapter 34.04 RCW a new section to read as follows:

Whenever a majority of the members of each review committee, meeting jointly, determine that a proposed rule is not within the intent of the legislature as expressed in the statute which the rule implements, the review committees shall give the affected agency written notice of their decision. The notice shall be given at least seven days prior to any hearing scheduled for consideration of or adoption of the proposed rule pursuant to RCW 34.04.025(1)(a)(iii) as now or hereafter amended. The notice shall include a statement of the review committees' joint findings and the reasons therefor.

**NEW SECTION.** Sec. 6. There is added to chapter 34.04 RCW a new section to read as follows:

(1) All rules required to be filed pursuant to RCW 34.04.040, and emergency rules adopted pursuant to RCW 34.04.030 as now or hereafter amended, are subject to selective review by the legislature.

(2) If each rules review committee finds by a majority vote of its members in a joint meeting: (a) That an existing rule is not within the intent of the legislature as expressed by the statute which the rule implements, or (b) that the rule has not been adopted in accordance with all applicable provisions of law, the agency affected shall be notified of such finding and the reasons therefor. Within thirty days of the receipt of the rules review committees' notice the agency shall file notice of a hearing on the rule in question with the code reviser and mail notice to all persons who have made timely request of the agency for advance notice of its rule-making proceedings as provided in RCW 34.04.025, as now or hereafter amended. The agency's notice shall include the rules review committees' findings and reasons therefor, and shall be published in the Washington state register in accordance with the provisions of chapter 34.08 RCW.

(3) The agency shall consider fully all written and oral submissions respecting whether the rule in question is within the intent of the legislature as expressed by the statute which the rule implements and whether the rule was adopted in accordance with all applicable provisions of law.

**NEW SECTION.** Sec. 7. There is added to chapter 34.04 RCW a new section to read as follows:

(1) Within seven days of an agency hearing held after notification of the agency by the rules review committees pursuant to section 5 or 6 of this 1980 act, the affected agency shall notify the committees of its action regarding a proposed or existing rule to which the committees objected. If the rules review committees determine, by a majority vote of their members in a joint meeting, that the agency has failed to provide for the required hearings or notice of its action to the committees, the committees may file notice of their objections, together with a concise statement of the reasons therefor, with the code reviser within thirty days of such determination.

(2) If the rules review committees find, by a majority vote of their members in a joint meeting, that the proposed or existing rule in question has not been modified, amended, withdrawn, or repealed by the agency so as to conform with the intent of the legislature, the rules review committees may, within thirty days from notification by the agency of its action, file with the code reviser notice of their objections together with a concise statement of the reasons therefor. Such notice and statement shall also be provided to the agency by the rules review committees.

(3) The code reviser shall publish the rules review committees' notice of objection and statement of the reasons therefor issued pursuant to subsection (1) or (2) of this section in the Washington state register and shall publish in the next supplement and compilation of the Washington Administrative Code a reference to the committees' objection and to the issue of the Washington state register in which the full text thereof appears.

(4) Such notice shall be removed from a rule published in the Washington Administrative Code if a subsequent adjudicatory proceeding determines that the rule is within the intent of the legislature or was adopted in accordance with all applicable laws, whichever was the objection of the rules review committees.

**NEW SECTION.** Sec. 8. There is added to chapter 34.04 RCW a new section to read as follows:

(1) The committees may recommend to the legislature that the original enabling legislation serving as authority for the promulgation of any rule reviewed by the committees be amended or repealed in such manner as the committees deem advisable.

(2) The creation of the rules review committees does not preclude any standing committee of the legislature from conducting studies of agency rules, holding hearings on rules, providing staff assistance to the rules review committees, referring questionable rules to the rules review committees, or making recommendations to the legislature that the original enabling legislation for an agency be amended or repealed.

(3) The rules review committees shall report on their activities, including findings and recommendations with respect to rule-making procedures of state agencies and institutions of higher education, thirty days prior to the convening of the regular session of the legislature in 1983.

**NEW SECTION.** Sec. 9. There is added to chapter 34.04 RCW a new section to read as follows:

It is the express policy of the legislature that establishment of procedures for review of administrative rules by the legislature and the notice of nonconformance required by sections 6(2) and 7(2) of this 1980 act in no way serves to establish a presumption as to the legality or constitutionality of a rule in any subsequent judicial proceedings interpreting such rules.

Sec. 10. Section 1, chapter 84, Laws of 1977 ex. sess. and RCW 34.04.045 are each amended to read as follows:

(1) For the purpose of legislative review of agency rules filed pursuant to this chapter, any new or amendatory rule (~~(promulgated)~~) proposed after (~~(September 21, 1977)~~) the effective date of this 1980 act, shall be accompanied by a statement prepared by the adopting agency which generally describes the rule's purpose and how the rule is to be implemented. Such statement shall be on the agency's stationery or a form bearing the agency's name and shall contain, but is not limited to, the following:

(a) A title, containing a description of the rule's purpose, (~~(the name of the agency)~~) the statutory authority for the rule, and any other information which may be of assistance in identifying the rule or its purpose;

(b) A summary of the rule and a statement of the reasons supporting the proposed action;

(c) The agency personnel, with their office location and telephone number, who are responsible for the drafting, implementation, and enforcement of the rule;

(d) The name(s) of the (~~(proponents and opponents of)~~) person or organization, whether private, public, or governmental, proposing the rule(~~(, if any, and)~~);

(e) Agency comments or recommendations, if any, regarding statutory language, implementation, enforcement, and fiscal matters pertaining to the rule;

(f) Whether the rule is necessary as the result of federal law or federal or state court action, and if so, a copy of such law or court decision shall be attached to the purpose statement.

(2) Upon filing notice of the proposed rule with the code reviser, the adopting agency shall have copies of the statement on file and available for public inspection and shall forward three copies each of the statement to the secretary of the senate and the chief clerk of the house of representatives, who will in turn forward the statement to the majority and minority caucuses and to the appropriate legislative committees.

**NEW SECTION.** Sec. 11. There is added to chapter 34.04 RCW a new section to read as follows:

(1) A proposed rule may be withdrawn by the proposing agency at any time before adoption. A withdrawn rule may not be adopted unless it is again proposed in accordance with RCW 34.04.025 as now or hereafter amended.

(2) Rules not adopted within one year after publication of the text as last proposed in the register shall be regarded as withdrawn. An agency may not thereafter adopt the text of the rules without filing the text in accordance with RCW 34.04.025 as now or hereafter amended. The code reviser shall give notice of the withdrawal in the register.

Sec. 12. Section 5, chapter 234, Laws of 1959 as amended by section 9, chapter 240, Laws of 1977 ex. sess. and RCW 34.04.050 are each amended to read as follows:

(1) The code reviser shall, as soon as practicable after the effective date of this chapter, compile and index all rules adopted by each agency and remaining in effect. Compilations shall be supplemented or revised as often as necessary and at least once every two years.

(2) The code reviser shall publish a (~~(monthly)~~) register in which he shall set forth the text of all rules filed during the ((preceding month)) appropriate register publication period, excluding rules in effect upon the adoption of this chapter.

(3) The code reviser may, in his discretion, omit from the register or the compilation, rules, the publication of which would be unduly cumbersome, expensive, or otherwise inexpedient, if such rules are made available in printed or processed form on application to the adopting agency, and if such register or compilation contains a notice stating the general subject matter of the rules so omitted and stating how copies thereof may be obtained.

(4) The code reviser may edit and revise rules for publication, codification, and compilation, without changing the meaning of any such rule, in accordance with the provisions of section 13 of this 1980 act.

(5) When a rule, in whole or in part, is declared invalid and unconstitutional by a court of final appeal, the adopting agency shall give notice to that effect in the register. With the consent of the attorney general, the code reviser may remove obsolete rules or parts of rules from the Washington Administrative Code when:

(a) The rules are declared unconstitutional by a court of final appeal; or

(b) The adopting agency ceases to exist and the rules are not transferred by statute to a successor agency.

(6) Registers and compilations shall be made available, in written form to state elected officials whose offices are created by Article II or III of the state Constitution or by RCW 48.02.010, upon request, to county boards of law library trustees, and to the Olympia representatives of the Associated Press and the



United Press International without request, free of charge, and to other persons at a price fixed by the code reviser.

~~((5))~~ (7) The board of law library trustees of each county shall keep and maintain a complete and current set of registers and compilations for use and inspection as provided in RCW 27.24.060.

~~((6))~~ (8) Judicial notice shall be taken of rules filed and published as provided in RCW 34.04.040 and this section.

**NEW SECTION.** Sec. 13. There is added to chapter 34.04 RCW a new section to read as follows:

Subject to such general policies as may be promulgated by the statute law committee and to the general supervision of the committee, the code reviser shall edit and revise agency rules for consolidation into the Washington Administrative Code, to the extent deemed necessary and desirable by the reviser and without changing the meaning of any such rule, in the following respects only:

- (1) Make capitalization uniform with that followed generally in the Washington Administrative Code;
- (2) Make chapter or section division and subdivision designations uniform with that followed in the Washington Administrative Code;
- (3) Rearrange any misplaced material, incorporate any omitted material as well as correct manifest errors in spelling, manifest clerical or typographical errors, or errors by way of additions or omissions;
- (4) Correct manifest errors in references, by chapter or section number, to other laws or rules;
- (5) Correct manifest errors or omissions in numbering or renumbering sections of the Washington Administrative Code;
- (6) Strike provisions manifestly obsolete.

Sec. 14. Section 1, chapter 19, Laws of 1977 and RCW 34.04.058 are each amended to read as follows:

(1) Rules promulgated by an agency pursuant to RCW 34.04.025 or 34.04.030, as now or hereafter amended, which amend existing sections of the administrative code shall have the words which are amendatory to such existing sections underlined. Any matter to be deleted from an existing section shall be indicated by setting such matter forth in full, enclosed by double parentheses, and such deleted matter shall be lined out with hyphens. In the case of a new section, such shall be designated 'NEW SECTION' in upper case type and such designation shall be underlined, but the complete text of the section shall not be underlined. No rule ~~((shall))~~ may be forwarded by any agency to the code reviser, nor ~~((shall))~~ may the code reviser accept for filing any rule unless the format of such rule is in compliance with the provisions of this section.

(2) Once the rule has been formally adopted by the agency the code reviser need not, except with regard to the ~~((bulletin))~~ register published pursuant to RCW 34.04.050(2), include the items enumerated in subsection (1) of this section in the official code.

(3) Any addition to or deletion from an existing code section not filed by the agency in the style prescribed by subsection (1) of this section shall in all respects be ineffectual, and shall not be shown in subsequent publications or codifications of that section unless the ineffectual portion of the rule is clearly distinguished and an explanatory note is appended thereto by the code reviser in accordance with RCW 34.04.050, as now or hereafter amended, and section 13 of this 1980 act.

Sec. 15. Section 3, chapter 240, Laws of 1977 ex. sess. and RCW 34.08.020 are each amended to read as follows:

There is hereby created a state publication to be called the Washington State Register, which shall be published on no less than a monthly basis. The register shall contain, but is not limited to, the following materials received by the code reviser's office during the pertinent publication period:

(1) The full text of any proposed new or amendatory rule, as defined in RCW 34.04.010, and the citation of any existing rules the repeal of which is proposed, prior to the public hearing on such proposal. Such material shall be considered, when published, to be the official notification of the intended action, and no state agency or official thereof ~~((shall))~~ may take action on any such rule except on emergency rules adopted in accordance with RCW 34.04.030, until twenty days have passed since the distribution date of the register in which the rule and hearing notice have been published or a notice regarding the omission of the rule has been published pursuant to RCW 34.04.050(3) as now or hereafter amended;

(2) The full text of any new or amendatory rule adopted, and the citation of any existing rule repealed, on a permanent or emergency basis;

(3) Executive orders and emergency declarations of the governor;

(4) Public meeting notices of any and all agencies of state government, including state elected officials whose offices are created by Article III of the state Constitution or RCW 48.02.010; ~~((and))~~

(5) Rules of the state supreme court which have been adopted but not yet published in an official permanent codification; and

(6) Summaries of attorney general opinions and letter opinions, noting the number, date, subject, and other information, and prepared by the attorney general for inclusion in the register.

Sec. 16. Section 2, chapter 57, Laws of 1971 ex. sess. as amended by section 42, chapter 169, Laws of 1977 ex. sess. and RCW 28B.19.020 are each amended to read as follows:

The words used in this chapter shall have the meaning given in this section, unless the context clearly indicates otherwise(??).

(1) 'Institutions of higher education' are the University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, The Evergreen State College, the various community colleges, and the governing boards of each of the above, and the various colleges, divisions, departments, or offices authorized by the governing board of the institution involved to act for the institution, all of which are sometimes referred to in this chapter as 'institutions.' The various state community colleges are sometimes referred to in this chapter as 'community colleges.'

(2) 'Rule' means any order, directive, or regulation of any institution of higher education which affects the relationship of the general public with the institution, or the relationship of particular segments of the particular educational community such as students, faculty, or other employees, with the institution or with each other, (a) the violation of which subjects a person to a penalty or administrative sanction; or (b) which establishes, alters, or revokes any procedures, practice, or requirement relating to institutional hearings; or (c) which establishes, alters, or revokes any qualification or requirement relating to the enjoyment of benefits or privileges conferred by law. The term includes the amendment or repeal of a prior rule but does not include rules, regulations, orders, statements, or policies relating primarily to the following: Standards for admission; academic advancement, academic credits, graduation and the granting of degrees; tuition and fees, scholarships, financial aids, and similar academic matters; employment relationships; fiscal processes; or matters concerning only the internal management of an institution and not affecting private rights or procedures available to the general public; and such matters need not be established by rule adopted under this chapter unless otherwise required by law.

(3) 'Contested case' means a formal or informal proceeding before an institution of higher education, division, department, office, or designated official or representative thereof in which an opportunity for hearing is required by law, constitutional rights, or institutional policy, prior or subsequent to the determination by the institution of the legal rights, duties, or privileges of specific parties.

(4) 'Rules review committee' or 'committee' means either of the administrative rules review committees created pursuant to section 4 of this 1980 act for the purpose of selectively reviewing existing and proposed rules of institutions of higher education.

Sec. 17. Section 3, chapter 57, Laws of 1971 ex. sess. as amended by section 10, chapter 240, Laws of 1977 ex. sess. and RCW 28B.19.030 are each amended to read as follows:

(1) Prior to the adoption, amendment, or repeal of any rule adopted under this chapter, each institution, college, division, department, or official thereof exercising rule-making authority delegated by the governing board or the president, shall:

(a) File notice thereof with the code reviser in accordance with RCW 34.08.020(1) for publication in the state register, and with the secretary of the senate, the chief clerk of the house of representatives, and the rules review committees, and mail the notice to all persons who have made timely request of the institution or related board for advance notice of its rule-making proceedings. Such notice shall also include (i) reference to the authority under which the rule is proposed, (ii) a statement of either the terms or substance of the proposed rule or a description of the subjects and issues involved, and (iii) the time when, the place where, and the manner in which interested persons may present their views thereon;

(b) Furnish to the legislature, along with the notice required by subsection (1)(a) of this section, a statement of the reasons supporting the proposed action;

(c) Provide notice to the campus or standard newspaper of the institution involved and to a newspaper of general circulation in the area at least seven days prior to the date of the rule-making proceeding. The notice shall state the time when, place where, and manner in which interested persons may present their views thereon and the general subject matter to be covered;

((c)) (d) Afford all interested persons reasonable opportunity to submit data, views, or arguments, orally or in writing. An opportunity for oral hearing must be granted if requested by twenty-five persons or by the rules review committees.

(2) The institution shall make every effort to insure that the information on the proposed rule circulated pursuant to subsection (1)(a) of this section accurately reflects the rule to be presented and discussed at any oral hearing on such rule. Where substantial changes in the draft of the proposed rule are made after publication of notice in the register which would render it difficult for interested persons to properly comment on the rule without further notice, new notice of the institution's intended action as provided in subsection (1)(a) of this section shall be required.

(3) The institution shall consider fully all written and oral statements respecting the proposed rule including those addressing the question of whether the proposed rule is within the intent of the legislature as expressed by the statute which the rule implements and may amend the proposed rule at the oral hearing or adopt the proposed rule, if there are no substantial changes, without refileing the notice required by this section.

((2)) (4) No proceeding ((shall)) may be held on any rule until twenty days have passed from the distribution date of the register in which notice thereof was contained. The code reviser shall make provisions for informing an institution of higher education giving notice under subsection (1) of this section of the distribution date of the register in which such notice will be published.

((3)) (5) No rule adopted under this chapter is valid unless adopted in substantial compliance with this section, ((or, if)) unless it is an emergency rule designated as such(;) and is adopted in substantial compliance with RCW 28B.19.040, as now or hereafter amended. In any proceeding a rule cannot be contested on the ground of noncompliance with the procedural requirements of RCW 34.08.020(1), of this section, or of RCW 28B.19.040, as now or hereafter amended, after two years have elapsed from the effective date of the rule.

((4)) (6) When twenty days notice of intended action to adopt, amend, or repeal a rule has not been filed with the code reviser, as required by subsection ((2)) (4) of this section, the code reviser ((shall)) may not publish such rule, and such rule ((shall)) may not be effective for any purpose.

Sec. 18. Section 4, chapter 57, Laws of 1971 ex. sess. as last amended by section 11, chapter 240, Laws of 1977 ex. sess. and RCW 28B.19.040 are each amended to read as follows:

If the institution of higher education finds that immediate adoption or amendment of a rule is necessary for the preservation of the public health, safety, or general welfare, and the observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, the institution may dispense with such requirements and adopt the rule or amendment as an emergency rule or amendment. The institution's finding and a ((brief)) concise statement of the reasons for its finding shall accompany the emergency rule or amendment as filed with the code reviser and with the rules review committees. An emergency rule or amendment ((shall)) may not remain in effect for longer than ninety days after filing.

Emergency rules ((shall)) become effective upon filing with the code reviser unless an effective date is specified in the rule. ((The emergency rule published in the state register is solely to inform the public of its adoption, and nothing in this section shall be construed to prevent the implementation of the rule upon such filing.))

**NEW SECTION.** Sec. 19. There is added to chapter 28B.19 RCW a new section to read as follows:

Whenever a majority of the members of each review committee, meeting jointly, determine that a proposed rule is not within the intent of the legislature as expressed in the statute which the rule implements, the review committees shall give the affected institution written notice of their decision. Such notice shall be given at least seven days prior to any hearing scheduled for consideration of or adoption of the proposed rule pursuant to RCW 28B.19.030(1)(a)(iii) as now or hereafter amended. The notice shall include a statement of the review committees' findings and the reasons therefor.

**NEW SECTION.** Sec. 20. There is added to chapter 28B.19 RCW a new section to read as follows:

(1) All rules required to be filed pursuant to RCW 28B.19.050, and emergency rules adopted pursuant to RCW 28B.19.040 as now or hereafter amended, are subject to selective review by the legislature.

(2) If each rules review committee finds by a majority vote of its members in a joint meeting: (a) That an existing rule is not within the intent of the legislature as expressed by the statute which the rule implements, or (b) that the rule has not been adopted in accordance with all applicable provisions of law, the institution affected shall be notified of such finding and the reasons therefor. Within thirty days of the receipt of the rules review committees' notice the institution shall file notice of a hearing on the rule in question with the code reviser and mail notice to all persons who have made timely request of the institution for advance notice of its rule-making proceedings as provided in RCW 28B.19.030 as now or hereafter amended. The institution's notice shall include the rules review committees' findings and reasons therefor, and shall be published in the Washington state register in accordance with the provisions of chapter 34.08 RCW.

(3) The institution shall consider fully all written and oral submissions respecting whether the rule in question is within the intent of the legislature as expressed by the statute which the rule implements and whether the rule was adopted in accordance with all applicable provisions of law.

**NEW SECTION.** Sec. 21. There is added to chapter 28B.19 RCW a new section to read as follows:

(1) Within seven days of an institution hearing held after notification of the institution by the rules review committees pursuant to section 19 or 20 of this 1980 act, the affected institution shall notify the committees of its action regarding a proposed or existing rule to which the committees objected. If the rules review committees determine, by a majority vote of their members in a joint meeting, that the institution has failed to provide for the required hearings or notice of its action to the committees, the committees may file notice of their objections, together with a concise statement of the reasons therefor, with the code reviser within thirty days of such determination.

(2) If the rules review committees find, by a majority vote of their members in a joint meeting, that the proposed or existing rule in question has not been modified, amended, withdrawn, or repealed by the institution so as to conform with the intent of the legislature, the rules review committees may, within thirty days from notification by the institution of its action, file with the code reviser notice of their objections together with a concise statement of the reasons therefor. Such notice and statement shall also be provided to the institution by the rules review committees.

(3) The code reviser shall publish the rules review committees' notice of objection and statement of the reasons therefor issued pursuant to subsection (1) or (2) of this section in the Washington state register and shall publish in the next supplement and compilation of the Washington Administrative Code a reference to the committees' objection and to the issue of the Washington state register in which the full text thereof appears.

(4) Such notice shall be removed from a rule published in the Washington Administrative Code if a subsequent adjudicatory proceeding determines that the rule is within the intent of the legislature or was adopted in accordance with all applicable laws, whichever was the objection of the rules review committees.

**NEW SECTION.** Sec. 22. There is added to chapter 28B.19 RCW a new section to read as follows:

It is the express policy of the legislature that establishment of procedures for review of administrative rules by the legislature and the notice of nonconformance required by sections 20(2) and 21(2) of this 1980 act in no way serves to establish a presumption as to the legality or constitutionality of a rule in any subsequent judicial proceedings interpreting such rules.

**NEW SECTION.** Sec. 23. There is added to chapter 28B.19 RCW a new section to read as follows:

(1) For the purpose of legislative review of institution rules filed pursuant to this chapter, any new or amendatory rule proposed after the effective date of this 1980 act, shall be accompanied by a statement prepared by the adopting institution which generally describes the rule's purpose and how the rule is to be implemented. Such statement shall be on the institution's stationery or a form bearing the institution's name and shall contain, but is not limited to, the following:

- (a) A title, containing a description of the rule's purpose, the statutory authority for the rule, and any other information which may be of assistance in identifying the rule or its purpose;
- (b) A summary of the rule and a statement of the reasons supporting the proposed action;
- (c) The institution personnel, with their office location and telephone number, who are responsible for the drafting, implementation, and enforcement of the rule;
- (d) The name of the person or organization, whether private, public, or governmental, proposing the rule, if any;
- (e) Institution comments or recommendations, if any, regarding statutory language, implementation, enforcement, and fiscal matters pertaining to the rule;
- (f) Whether the rule is necessary as the result of federal law or federal or state court action, and if so, a copy of such law or court decision shall be attached to the purpose statement.

(2) Upon filing notice of the proposed rule with the code reviser, the adopting institution shall have copies of the statement on file and available for public inspection and shall forward three copies each of the statement to the secretary of the senate and the chief clerk of the house of representatives, who will in turn forward the statement to the majority and minority caucuses and to the appropriate legislative committees.

NEW SECTION. Sec. 24. There is added to chapter 28B.19 RCW a new section to read as follows:

(1) A proposed rule may be withdrawn by the proposing institution at any time before adoption. A withdrawn rule may not be adopted unless it is again proposed in accordance with RCW 28B.19.030.

(2) Rules not adopted within one year after publication of the text as last proposed in the register shall be regarded as withdrawn. An institution may not thereafter adopt the text of the rules without filing the text in accordance with RCW 28B.19.030 as now or hereafter amended. The code reviser shall give notice of the withdrawal in the register.

Sec. 25. Section 7, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.070 are each amended to read as follows:

(1) The code reviser shall as soon as practicable compile, index, and publish in the Washington administrative code all rules adopted pursuant to this chapter by each institution of higher education and remaining in effect.

(2) The code reviser shall publish a register in which he shall set forth the text of all rules filed during the appropriate register publication period.

(3) The code reviser, in his discretion, may omit from publication in the Washington administrative code or the state register those rules the publication of which would be unduly cumbersome, expensive, or otherwise inexpedient, if such rules are made available in printed or processed form on application to the adopting institution of higher education and if the Washington administrative code states the general subject matter of the rules so omitted and states how copies thereof may be obtained.

(4) The code reviser may edit and revise rules for publication, codification, and compilation, without changing the meaning of any such rule, in accordance with the provisions of section 26 of this 1980 act.

(5) When a rule, in whole or in part, is declared invalid and unconstitutional by a court of final appeal, the adopting institution shall give notice to that effect in the register. With the consent of the attorney general, the code reviser may remove obsolete rules or parts of rules from the Washington Administrative Code when:

(a) The rules are declared unconstitutional by a court of final appeal; or

(b) The adopting institution ceases to exist and the rules are not transferred by statute to a successor institution.

(6) Judicial notice shall be taken of rules published pursuant to this section.

NEW SECTION. Sec. 26. There is added to chapter 28B.19 RCW a new section to read as follows:

Subject to such general policies as may be promulgated by the statute law committee and to the general supervision of the committee, the code reviser shall edit and revise institution rules for consolidation into the Washington Administrative Code, to the extent deemed necessary and desirable by the reviser and without changing the meaning of any such rule, in the following respects only:

(1) Make capitalization uniform with that followed generally in the Washington Administrative Code;

(2) Make chapter or section division and subdivision designations uniform with that followed in the Washington Administrative Code;

(3) Rearrange any misplaced material, incorporate any omitted material as well as correct manifest errors in spelling, manifest clerical or typographical errors, or errors by way of additions or omissions;

(4) Correct manifest errors in references, by chapter or section number, to other laws or rules;

(5) Correct manifest errors or omissions in numbering or renumbering sections of the Washington Administrative Code;

(6) Strike provisions manifestly obsolete.

NEW SECTION. Sec. 27. There is added to chapter 28B.19 RCW a new section to read as follows:

(1) Rules promulgated by an institution pursuant to RCW 28B.19.030 or 28B.19.040, as now or hereafter amended, which amend existing sections of the administrative code shall have the words which are amendatory to such existing sections underlined. Any matter to be deleted from an existing section shall be indicated by setting such matter forth in full, enclosed by double parentheses, and such deleted matter shall be lined out with hyphens. In the case of a new section, such shall be designated 'NEW SECTION' in upper case type and such designation shall be underlined, but the complete text of the section shall not be underlined. No rule may be forwarded by any institution to the code reviser, nor may the code reviser accept for filing any rule unless the format of such rule is in compliance with the provisions of this section.

(2) Once the rule has been formally adopted by the institution the code reviser need not, except with regard to the register published pursuant to RCW 28B.19.070(2), as now or hereafter amended, include the items enumerated in subsection (1) of this section in the official code.

(3) Any addition to or deletion from an existing code section not filed by the institution in the style prescribed by subsection (1) of this section shall in all respects be ineffectual, and shall not be shown in subsequent publications or codifications of that section unless the ineffectual portion of the rule is clearly distinguished and an explanatory note is appended thereto by the code reviser in accordance with RCW 28B.19.070, as now or hereafter amended, and section 26 of this 1980 act.

NEW SECTION. Sec. 28. Section 1, chapter 186, Laws of 1963 and RCW 34.04.160 are each hereby repealed.

NEW SECTION. Sec. 29. If any provision of this 1980 act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

In line 1 of the title, after "state government;" strike the remainder of the title, and insert "amending section 1, chapter 234, Laws of 1959 as amended by section 1, chapter 237, Laws of 1967 and RCW 34.04.010; amending section 3, chapter 237, Laws of 1967 as last amended by section 7, chapter 240, Laws of 1977 ex. sess. and RCW 34.04.025; amending section 3, chapter 234, Laws of 1959 as amended by section 8, chapter 240, Laws of 1977 ex. sess. and RCW 34.04.030; amending section 1, chapter 84, Laws of 1977 ex. sess. and RCW 34.04.045; amending section 5, chapter 234, Laws of 1959 as amended by section 9, chapter 240, Laws of 1977 ex. sess. and RCW 34.04.050; amending section 1, chapter 19, Laws of 1977 and RCW 34.04.058; amending section 3, chapter 240, Laws of 1977 ex. sess. and RCW 34.08.020; amending section 2, chapter 57, Laws of 1971 ex. sess. as amended by section 42, chapter 169, Laws of 1977 ex. sess. and RCW 28B.19.020; amending section 3, chapter 57, Laws of 1971 ex. sess. as amended by section 10, chapter 240, Laws of 1977 ex. sess. and RCW 28B.19.030; amending section 4, chapter 57, Laws of 1971 ex. sess. as last amended by section 11, chapter 240, Laws of 1977 ex. sess. and RCW 28B.19.040; amending section 7, chapter 57, Laws of 1971 ex. sess. and RCW 28B.19.070; adding new sections to chapter 28B.19 RCW; adding new sections to chapter 34.04 RCW; creating new sections; and repealing section 1, chapter 186, Laws of 1963 and RCW 34.04.160."

Signed by Representatives Ehlers, Co-Chairman; Taller, Co-Chairman; Addison, Burns, Flint, Greengo, Jovanovich, Pruitt, Tupper, Walk.

Passed to Committee on Rules for second reading.

February 8, 1980

ENGROSSED SENATE BILL NO. 3253, Prime Sponsor: Senator Rasmussen, rearranging the law on electricians. Reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Greengo, Co-Chairman; Addison, Brekke, Fuller, Gallagher, May, North, Owen, Sanders, Struthers.

Passed to Committee on Rules for second reading.

February 8, 1980

SUBSTITUTE SENATE BILL NO. 3256, Prime Sponsor: Senator Gallagher, modifying the fish tax. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 24 after "sales;" strike "and (2) and insert "(2) fresh net caught food fish to the extent provided under an interstate agreement entered into under section 13 of this act; and (3)"

On page 7, after line 9 insert a new section to read as follows:

NEW SECTION. Sec. 13. The governor of Washington state is hereby authorized to enter into an agreement with other states having fish enhancement programs comparable to the programs existing in Washington state, which agreement shall provide for reciprocity in taxation of fresh net caught food fish shipped into the signatory states from other signatory states. This section shall expire on the one hundred eightieth day after the effective date of this act, if by such date Washington state has not entered into an agreement as authorized under this act with at least one other state."

Signed by Representatives Schmitt, Executive Chairman; Vrooman, Co-Chairman; Adams, Dawson, Flint, Jovanovich, Martinis, McCormick, McDonald, Mitchell, Monohon, Owen, Rosbach.

Passed to Committee on Rules for second reading.

## MOTION

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

## RESOLUTION

HOUSE RESOLUTION NO. 80-140, by Representatives Sherman and North:

WHEREAS, Young people today seem only to make the news when involved in less-than-exemplary actions; and

WHEREAS, Whenever people, especially young people, perform in a meritorious fashion, their actions should not go unnoticed; and

WHEREAS, A recent incident in the Greater Maple Valley area is a perfect example of the quality of today's youth; and

WHEREAS, Robert Bristow, age 12, and Lynn Lehman, age 13, were, on January 19 of this year, totally responsible for chasing and apprehending two vandals who were then in the process of causing thousands of dollars in damage to a local school building; and

WHEREAS, Robert and Lynn, neither of whom are students of that school, chased the vandals a great distance, across two major highways at enormous danger to themselves;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That Robert Bristow and Lynn Lehman be officially recognized and congratulated for their courageous and heroic actions, which bode so well for the future of our youth and our society.

On motion of Ms. Sherman, the resolution was adopted.

Speaker Bagnariol declared the House to be at ease.

Speaker Bagnariol called the House to order.

## MOTIONS

On motion of Mr. King, SENATE BILL NO. 3574 was rereferred from Committee on Education to Committee on Appropriations.

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

## SECOND READING

HOUSE BILL NO. 1546, by Representatives Nisbet, Sherman, Pruitt, Tupper, Williams, McCormick, Scott, Nelson (D), Wilson, Charnley, Addison, Bauer, Bender, Brekke, Burns, Erak, Greengo, Van Dyken, Walk, Rinehart, Sanders, Brown, Lux, Monohon, Gallagher, Grimm and McGinnis:

Modifying the solar energy system property tax exemption.

The bill was read the second time.

On motion of Ms. Sommers, Second Substitute House Bill No. 1546 was substituted for House Bill No. 1546, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1546 was read the second time.

On motion of Mr. Nisbet, the following amendments by Representatives Nisbet, Sherman and Nelson (D) were adopted:

On page 1, line 10 following "are" strike "heated by energy saving heating systems" and insert "utilizing energy saving systems"

On page 1, line 12 following "install" strike "heat pumps and other energy saving heating" and insert "energy saving heat pumps, heating, cooling, domestic water heating and electrical"

On page 3, line 16 following "heating" strike "or cooling" and insert "cooling, domestic water heating or electrical"

On page 3, line 18 following "conventional" strike "heating or cooling"

On motion of Mr. Nelson (D), the following amendments were adopted:

On page 3, after line 19 insert:

"NEW SECTION, Sec. 4. There is added to 84.40 RCW a new section to read as follows:

Notice of the assessment rule provided in section 2(4) of this 1980 act shall be included on or with all property tax statements and revaluation notices. This section shall expire December 31, 1987."

On page 1, line 5 of the title, after "RCW 84.40.030;" insert "adding a new section to chapter 84.40 RCW;"

The bill was ordered engrossed.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed Second Substitute House Bill No. 1546 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1546, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Barr, Houchen.

Engrossed Second Substitute House Bill No. 1546, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE CONCURRENT RESOLUTION NO. 29, by Representatives Heck, Galloway, Bauer, Zimmerman, Barnes and Grimm:

Providing for a joint legislative committee to consult with like members from other states on higher education reciprocity programs.

The resolution was read the second time.

On motion of Mr. Grimm, Substitute House Concurrent Resolution No. 29 was substituted for House Concurrent Resolution No. 29, and the substitute resolution was placed on the calendar for second reading.

Substitute House Concurrent Resolution No. 29 was read the second time.

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

Mr. Heck spoke in favor of passage of the resolution.

#### POINT OF INQUIRY

Mr. Heck yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Heck, in the compacting of this concurrent resolution, are you considering the possibility of including graduate students from both schools? That's a recommendation I'd like to make and I wonder if that will be included?"

Mr. Heck: "I think your point is extremely well taken, Representative Patterson. I would see it as one of the primary thrusts of this effort, to look at the graduate program. It's the graduate programs, as you know, that are the expensive ones and where we can probably save the most money. For purposes of my intent, I think that would be among the chief consideration of any discussions or deliberations with other state legislatures."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Concurrent Resolution No. 29, and the resolution was adopted by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Barr, Houchen.

Substitute House Concurrent Resolution No. 29, having received the constitutional majority, was declared adopted.

MOTION

On motion of Mr. King, the House adjourned until 9:30 a.m., Tuesday, February 12, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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



## THIRTIETH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, February 12, 1980

The House was called to order at 9:30 a.m. by the Speaker (Mr. Newhouse presiding). The Clerk called the roll and all members were present except Representatives Owen and Stratton. Representative Stratton was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Renee Morrow, Michele Smith and Darren Ivey. Prayer was offered by The Reverend George Smith of the Evergreen Christian Center of Olympia.

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

### REPORTS OF STANDING COMMITTEES

February 11, 1980

HOUSE BILL NO. 1444, Prime Sponsor: Representative Amen, requiring ordinances for reduced utility fees for low income persons. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Bond, Co-Chairman; McCormick, Co-Chairwoman; Charnley, Isaacson, Nelson (D), Nisbet, Scott, Sherman, Sprague, Tupper, Williams, Wilson.

February 11, 1980

HOUSE BILL NO. 1534, Prime Sponsor: Representative Thompson, making an appropriation to the department of social and health services. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Amen, Barnes, Bauer, Chandler, Ehlers, Fancher, Grimm, Gruger, Heck, Hughes, Keller, Maxie, McDonald, Nisbet, Polk, Taller, Taylor, Valle, Warnke, Zimmerman.

February 11, 1980

HOUSE BILL NO. 1536, Prime Sponsor: Representative Thompson, making an appropriation to the department of labor and industries. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Chandler, Deccio, Ehlers, Fancher, Grimm, Gruger, Heck, Hughes, Keller, Maxie, McDonald, Nisbet, Polk, Taller, Taylor, Valle, Williams, Zimmerman.

February 11, 1980

HOUSE BILL NO. 1537, Prime Sponsor: Representative Thompson, making an appropriation to the criminal justice training commission. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Chandler, Deccio, Ehlers, Fancher, Grimm, Gruger, Heck, Hughes, Keller, Maxie, McDonald, Nisbet, Polk, Taller, Taylor, Valle, Warnke, Williams, Zimmerman.

February 11, 1980

HOUSE BILL NO. 1540, Prime Sponsor: Representative Thompson, making an appropriation to the department of natural resources. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Chandler, Deccio, Ehlers, Fancher, Grimm, Gruger, Hughes, Keller, McDonald, Nisbet, Polk, Taller, Taylor, Valle, Warnke, Williams, Zimmerman.

February 11, 1980

HOUSE BILL NO. 1597, Prime Sponsor: Representative Williams, authorizing issuance of certain school district bonds for energy efficiency purposes. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Bond, Co-Chairman; McCormick, Co-Chairwoman; Charnley, Isaacson, Nelson (D), Nisbet, Scott, Sherman, Sprague, Tupper, Williams, Wilson.

February 11, 1980

HOUSE BILL NO. 1658, Prime Sponsor: Representative Thompson, modifying provisions of the administrative contingency fund. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Chandler, Deccio, Ehlers, Fancher, Grimm, Gruger, Heck, Hughes, Keller, Maxie, McDonald, Nisbet, Polk, Taller, Taylor, Valle, Warnke, Williams, Zimmerman.

February 11, 1980

HOUSE BILL NO. 1724, Prime Sponsor: Representative Nelson (G), providing for a salary increase for higher education faculty and administration. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Chandler, Deccio, Ehlers, Fancher, Grimm, Gruger, Heck, Hughes, Keller, Maxie, McDonald, Nisbet, Polk, Taller, Taylor, Valle, Warnke, Zimmerman.

February 11, 1980

HOUSE CONCURRENT RESOLUTION NO. 30, Prime Sponsor: Representative Addison, requesting speedy construction of addition to Ross Dam. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 30 after "necessary" insert "reviews or"

Signed by Representatives Bond, Co-Chairman; McCormick, Co-Chairwoman; Isaacson, Nelson (D), Nisbet, Scott, Sherman, Sprague, Tupper, Williams, Wilson.

February 8, 1980

SENATE BILL NO. 3318, Prime Sponsor: Senator Bausch, revising laws relating to insurance. Reported by Committee on Insurance.

MAJORITY recommendation: Do pass with the following amendments:

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

\*Section 1. Section 3, chapter 70, Laws of 1965 ex. sess. as amended by section 3, chapter 266, Laws of 1975 1st ex. sess. and RCW 48.05.185 are each amended to read as follows:

After hearing or with the consent of the insurer and in addition to or in lieu of the suspension, revocation, or refusal to renew any certificate of authority the commissioner may levy a fine upon the insurer in an amount not less than two hundred fifty dollars and not more than ~~((five))~~ ten thousand dollars. The order levying such fine shall specify the period within which the fine shall be fully paid and which period shall not be less than fifteen nor more than thirty days from the date of such order. Upon failure to pay any such fine when due the commissioner shall revoke the certificate of authority of the insurer if not already revoked, and the fine shall be recovered in a civil action brought in behalf of the commissioner by the attorney general. Any fine so collected shall be paid by the commissioner to the state treasurer for the account of the general fund.

Sec. 2. Section .15.02, chapter 79, Laws of 1947 and RCW 48.15.020 are each amended to read as follows:

(1) An insurer not thereunto authorized by the commissioner shall not solicit insurance business in this state, nor transact insurance business in this state except as provided in this chapter.

(2) No person shall, in this state, represent an unauthorized insurer except as provided in this chapter. This provision shall not apply to any adjuster or attorney at law representing such an insurer from time to time in this state in his professional capacity.

(3) Each violation of this section shall constitute a separate offense punishable by a fine of not less than ~~((fifty))~~ two hundred fifty dollars nor more than ~~((one))~~ ten thousand dollars.

Sec. 3. Section .15.07, chapter 79, Laws of 1947 as last amended by section 3, chapter 130, Laws of 1979 ex. sess. and RCW 48.15.070 are each amended to read as follows:

Any person deemed by the commissioner to be competent and trustworthy and while maintaining an office at a designated location in this state may be licensed as a surplus line broker, as follows:

(1) Application to the commissioner for the license shall be made on forms furnished by the commissioner.

(2) The license fee shall be one hundred dollars for each license year during any part of which the license is in force. The annual renewal date shall be determined by the commissioner. The commissioner shall adopt a rule providing for the proration, on a quarterly basis, of the license fee. The proration shall be applicable only: (a) To applicants who apply for a license after the expiration of the first quarter of any license year, or (b) to licensees whose licenses would exist for less than nine months as a result of the adoption of the annual renewal date.

(3) Prior to issuance of license the applicant shall file with the commissioner (~~and thereafter for as long as the license remains in effect he shall keep in force~~) a bond in favor of the state of Washington in the penal sum of twenty thousand dollars, with authorized corporate sureties approved by the commissioner, conditioned that he will conduct business under the license in accordance with the provisions of this chapter and that he will promptly remit the taxes provided by RCW 48.15.120. (~~No such bond shall be terminated unless not less than thirty days prior written notice thereof is filed with the commissioner.~~) The licensee shall maintain such bond in force for as long as the license remains in effect.

(4) Every applicant for a surplus line broker's license or for the renewal of a surplus line broker's license shall file with the application or request for renewal a bond in favor of the people of the state of Washington, executed by an authorized corporate surety approved by the commissioner, in the amount of fifty thousand dollars and shall be the bonding requirement for new licensees. The licensee shall maintain such bond in force while so licensed. The bond may be continuous in form, and total aggregate liability on the bond may be limited to the amount stated in the bond. The bond shall be contingent on the accounting by the surplus line broker to any person requesting such broker to obtain insurance, for moneys or premiums collected in connection therewith. A bond issued in accordance with RCW 48.17.250 or with this subsection will satisfy the requirements of both RCW 48.17.250 and this subsection if the limit of liability is not less than the greater of the requirement of RCW 48.17.250 or the requirement of this subsection.

(5) Any bond issued pursuant to subsection (3) or (4) of this section shall remain in force until the surety is released from liability by the commissioner, or until the bond is canceled by the surety. Without prejudice to any liability accrued prior to such cancellation, the surety may cancel the bond upon thirty days' advance notice in writing filed with the commissioner.

Sec. 4. Section .15.09, chapter 79, Laws of 1947 as last amended by section 6, chapter 266, Laws of 1975 1st ex. sess. and RCW 48.15.090 are each amended to read as follows:

(1) A surplus line broker shall not knowingly place surplus line insurance with insurers unsound financially. The broker shall ascertain the financial condition of the unauthorized insurer, and maintain written evidence thereof, before placing insurance therewith. The broker shall not so insure with any insurer having less capital and surplus or combined capital funds than the minimum amounts required for an admitted multiple line insurer in accordance with RCW 48.05.340 as now or hereafter amended, (~~unless~~) and in the case of an alien insurer, there ((is)) must be on file with the commissioner a copy of a trust agreement, certified by the trustee, evidencing a subsisting trust deposit of not less than one-half of a like amount by such insurer with a bank or trust company in the United States, and which deposit is held for the protection of United States policyholders. Such trust account shall consist of cash or other assets acceptable to the commissioner and shall have an expiration date which at no time shall be less than five years hence. The commissioner may, by rule and regulation, prescribe the terms under which the foregoing financial requirements may be waived in circumstances where insurance cannot be otherwise procured on risks located in this state.

(2) For any violation of this section the broker (~~shall~~) may be fined not less than ((twenty-five)) one hundred dollars or more than ((two hundred and fifty)) five thousand dollars, his surplus line broker's license ((shall)) may be revoked, ((and the broker may not again be so licensed within a period of two years thereafter)) suspended, or nonrenewed.

Sec. 5. Section .15.13, chapter 79, Laws of 1947 and RCW 48.15.130 are each amended to read as follows:

If any surplus line broker fails to file his annual statement, or fails to remit the tax provided by RCW 48.15.120, prior to the first day of April after the tax is due, he shall be liable for a fine of (~~twenty-five~~) one hundred dollars for each day of delinquency commencing with the first day of April. The tax may be collected by distraint, or the tax and fine may be recovered by an action instituted by the commissioner in any court of competent jurisdiction. Any fine collected by the commissioner shall be paid to the state treasurer and credited to the general fund.

Sec. 6. Section .15.14, chapter 79, Laws of 1947 and RCW 48.15.140 are each amended to read as follows:

(1) The commissioner (~~shall~~) may revoke, suspend, or refuse to renew any surplus line broker's license:

(a) If the surplus line broker fails to file his annual statement or to remit the tax as required by this chapter; or

(b) If the surplus line broker fails to maintain an office in this state, or to keep the records, or to allow the commissioner to examine his records as required by this chapter; or

(c) For any of the causes for which a (~~general~~) broker's license may be revoked under chapter 48.17 RCW.

(2) The commissioner may suspend or revoke any such license whenever he deems suspension or revocation to be for the best interests of the people of this state.

(3) The procedures provided by this code for the suspension or revocation of general brokers' licenses shall be applicable to suspension or revocation of a surplus line broker's license.

(4) No broker whose license has been so revoked (~~or suspended~~) shall again be so licensed within one year thereafter, nor until any fines or delinquent taxes owing by him have been paid.

Sec. 7. Section .18.29, chapter 79, Laws of 1947 as last amended by section 5, chapter 199, Laws of 1979 ex. sess. and RCW 48.18.290 are each amended to read as follows:

(1) Cancellation by the insurer of any policy which by its terms is cancellable at the option of the insurer, or of any binder based on such policy, may be effected as to any interest only upon compliance with either or both of the following:

(a) Written notice of such cancellation must be actually delivered or mailed to the insured or to his representative in charge of the subject of the insurance not less than twenty days prior to the effective date of the cancellation except for cancellation of insurance policies for nonpayment of premiums, which notice shall be not less than ten days prior to such date;

(b) Like notice must also be so delivered or mailed to each mortgagee, pledgee, or other person shown by the policy to have an interest in any loss which may occur thereunder.

(2) The mailing of any such notice shall be effected by depositing it in a sealed envelope, directed to the addressee at his last address as known to the insurer or as shown by the insurer's records, with proper pre-paid postage affixed, in a letter depository of the United States post office. The insurer shall retain in its records any such item so mailed, together with its envelope, which was returned by the post office upon failure to find, or deliver the mailing to, the addressee.

(3) The affidavit of the individual making or supervising such a mailing, shall constitute prima facie evidence of such facts of the mailing as are therein affirmed.

(4) The portion of any premium paid to the insurer on account of the policy, unearned because of the cancellation and in amount as computed on the pro rata basis, must be actually paid to the insured or other person entitled thereto as shown by the policy or by any endorsement thereon, or be mailed to the insured or such person as soon as possible (~~but~~), and no later than thirty days after the date of notice of cancellation to the insured for homeowners', dwelling fire, and private passenger auto. Any such payment may be made by cash, or by check, bank draft, or money order.

(5) This section shall not apply to contracts of life or disability insurance without provision for cancellation prior to the date to which premiums have been paid.

Sec. 8. Section .18.30, chapter 79, Laws of 1947 as last amended by section 8, chapter 199, Laws of 1979 ex. sess. and RCW 48.18.300 are each amended to read as follows:

(1) Cancellation by the insured of any policy which by its terms is cancellable at the insured's option or of any binder based on such policy may be effected by written notice thereof to the insurer or surrender of the policy or binder for cancellation prior to or on the effective date of such cancellation. In event the policy or binder has been lost or destroyed and cannot be so surrendered, the insurer may in lieu of such surrender accept and in good faith rely upon the insured's written statement setting forth the fact of such loss or destruction.

(2) As soon as possible, (~~but~~) and no later than thirty days after the receipt of the notice of cancellation from the policyholder for homeowners', dwelling fire, and private passenger auto insurance, the insurer shall pay to the insured or to the person entitled thereto as shown by the insurer's records, any unearned portion of any premium paid on the policy as computed on the customary short rate or as otherwise specified in the policy: PROVIDED, That the refund of any unearned portion of any premium paid on a contract of dwelling fire insurance, homeowners' insurance, or insurance predicated upon the use of a private passenger automobile (as defined in RCW 48.18.297 and excluding contracts of insurance and policies enumerated in RCW 48.18.296) shall be computed on a pro rata basis and the insurer shall refund not less than ninety percent of any unearned portion not exceeding one hundred dollars, plus ninety-five percent of any unearned portion over one hundred dollars but not exceeding five hundred dollars, and not less than ninety-seven percent of the amount of any unearned portion in excess of five hundred dollars. If the amount of any refund is less than two dollars, no refund need be made. If no premium has been paid on the policy, the insured shall be liable to the insurer for premium for the period during which the policy was in force.

(3) The surrender of a policy to the insurer for any cause by any person named therein as having an interest insured thereunder shall create a presumption that such surrender is concurred in by all persons so named.

(4) This section shall not apply to life insurance policies or to annuity contracts.

Sec. 9. Section 7, chapter 80, Laws of 1979 ex. sess. and RCW 48.50.070 are each amended to read as follows:

Any licensed insurance agent, any licensed insurance broker, or any insurer or person acting in (its) the insurer's behalf or any authorized agency which releases information, whether oral or written, under RCW 48.50.030, 48.50.040, 48.50.050, or 48.50.060 shall be immune from liability in any civil or criminal action, suit, or prosecution arising from the release of the information, unless actual malice on the part of the agent, broker, insurer, or authorized agency against the insured is shown.

Sec. 10. Section 1, chapter 268, Laws of 1947 as last amended by section 1, chapter 87, Laws of 1965 and RCW 48.44.010 are each amended to read as follows:

For the purposes of this chapter:

(1) 'Health care services' means and includes medical, surgical, dental, hospital and other therapeutic services. Ambulance services licensed in this state, the services of an optometrist licensed by the state of

Washington, and the services of a pharmacist registered by the state of Washington are also declared to be health care services for the purposes of this chapter.

(2) 'Doctor' means any person lawfully licensed or authorized to render any health care services.

(3) 'Health care service contractor' means any corporation, cooperative group, or association, which corporation, cooperative group, or association is sponsored by or otherwise intimately connected with a group of doctors licensed by the state of Washington or by a group of hospitals licensed by the state of Washington; or doctor licensed by the state of Washington; or group of doctors licensed by the state of Washington, who or which not otherwise being engaged in the insurance business, accepts prepayment for health care services from or for the benefit of persons or groups of persons as consideration for providing such persons with any health care services. The term also includes any corporation, cooperative group, or association, sponsored by or otherwise intimately connected with a group of pharmacists registered by the state of Washington; or any pharmacist, or group of pharmacists, registered by the state of Washington; who or which not otherwise being engaged in the insurance business, accepts prepayment for health care services from or for the benefit of persons or groups of persons as consideration for providing such persons with any health care services.

(4) 'Participant' means a doctor, hospital, or licensed pharmacy, drug store or dispensary, who or which has contracted in writing with a health care service contractor to accept payment from and to look solely to such contractor according to the terms of the subscriber contract for any health care services rendered to a person who has previously paid such contractor for such services."

On page 1, beginning on line 4 of the title, strike "amending section .05.21, chapter 79, Laws of 1947 and RCW 48.05.210;"

On page 1, on line 18 of the title, after "48.18.300;" strike "and" and on line 19, after "48.50.070" insert "; and amending section 1, chapter 268, Laws of 1947 as last amended by section 1, chapter 87, Laws of 1965 and RCW 48.44.010"

Signed by Representatives Rohrbach, Executive Chairman; Keller, Co-Chairman; Adams, Dawson, Ellis, Erak, Garrett, McGinnis, Smith (R), Zimmerman.

February 11, 1980

ENGROSSED SUBSTITUTE SENATE BILL NO. 3482, Prime Sponsor: Senator Vognild, removing marine employees from restrictions which might otherwise be imposed by state employees' insurance board. Reported by Committee on Insurance.

MAJORITY recommendation: Do pass. Signed by Representatives Rohrbach, Executive Chairman; Keller, Co-Chairman; Adams, Dawson, Erak, Garrett, McGinnis, Smith (R).

#### MOTIONS

On motion of Mr. Polk, all bills listed on today's agenda under the fifth order of business were passed to Committee on Rules for second reading.

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

#### THIRD READING

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 3, by Representatives Pruitt, Fuller and May (by Joint Board of Legislative Ethics request):

Adopting joint rules for the forty-sixth legislature.

The resolution was read the third time.

On motion of Mr. Polk, the rules were suspended, and the resolution was returned to second reading for the purpose of amendment.

On motion of Mr. King, the following amendments by Representatives King and Polk were adopted:

On page 11, line 7 strike "co-speakers of the house shall jointly" and insert "presiding officers of each house shall"

On page 11, line 8 strike "four" and insert "six"

The resolution was ordered reengrossed.

On motion of Mr. Polk, the rules were suspended, the second reading considered the third, and Reengrossed House Concurrent Resolution No. 3 was placed on final passage.

Representatives Pruitt and King spoke in favor of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Concurrent Resolution No. 3, and the resolution was adopted by the following vote: Yeas, 94; nays, 0; not voting, 4.

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

Not voting: Representatives Dunlap, Erak, Owen, Stratton.

Reengrossed House Concurrent Resolution No. 3, having received the constitutional majority, was declared adopted.

#### MOTION

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

#### SECOND READING

SENATE BILL NO. 3219, by Senators Talley, Marsh, Henry, Odegaard and von Reichbauer:

Commemorating the 175th anniversary of the Lewis and Clark expedition.

The bill was read the second time.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Senate Bill No. 3219 was placed on final passage.

Representatives Wilson and Zimmerman spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3219, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

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

Not voting: Representatives Dunlap, Erak, Owen, Stratton.

Senate Bill No. 3219, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3406, by Senators Scott and Odegaard:

Abolishing current state school fund and transferring moneys therein to common school construction fund.

The bill was read the second time.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Senate Bill No. 3406 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3406, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

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

Not voting: Representatives Dunlap, Erak, Owen, Stratton.

Senate Bill No. 3406, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE CONCURRENT RESOLUTION NO. 26, by Representatives Zimmerman, Greengo, Charnley, Van Dyken and Nelson (D):

Establishing a select committee to study and assist on problems relating to urban sprawl.

The resolution was read the second time.

On motion of Mr. Zimmerman, Substitute House Concurrent Resolution No. 26 was substituted for House Concurrent Resolution No. 26, and the substitute resolution was placed on the calendar for second reading.

Substitute House Concurrent Resolution No. 26 was read the second time.

Mr. Zimmerman moved adoption of the following amendment by Representatives Zimmerman and Charnley:

On page 1, line 22 after "governments" insert "and make recommendations for legislation"

#### MOTION

On motion of Mr. Polk, further consideration of Substitute House Concurrent Resolution No. 26 was deferred, and the resolution was ordered placed on the second reading calendar following House Bill No. 1476.

HOUSE BILL NO. 1476, by Representatives Thompson, Chandler, Keller, Zimmerman, Kreidler and Salatino (by State Patrol request):

Appropriating funds for overtime earned by commissioned traffic officers of the Washington state patrol.

The bill was read the second time.

On motion of Mr. Thompson, Substitute House Bill No. 1476 was substituted for House Bill No. 1476, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1476 was read the second time.

Mr. Dawson moved adoption of the following amendment by Representatives Dawson, Wilson, Gallagher, Tilly, Struthers and Eberle:

On line 8 following "from the" strike "motor vehicle" and insert "general"

Representatives Dawson, Wilson, Struthers and Patterson spoke in favor of the amendment, and Representatives Thompson, Zimmerman and Taylor spoke against it.

Mr. King demanded an electric roll call vote on the amendment, and the demand was sustained.

Mr. Dawson spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Dawson and others to Substitute House Bill No. 1476, and the amendment was not adopted by the following vote: Yeas, 31; nays, 63; not voting, 4.

Voting yea: Representatives Barr, Berentson, Clayton, Dawson, Eberle, Ellis, Fancher, Flanagan, Flint, Gallagher, Garrett, Granlund, Greengo, Hastings, Houchen, Isaacson, Martinis, McCormick, McGinnis, Mitchell, Newhouse, Oliver, Patterson, Rosbach, Schmitten, Smith C. P., Sprague, Struthers, Tilly, Walk, Wilson.

Voting nay: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Deccio, Dunlap, Ehlers, Eng, Erak, Erickson, Galloway, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McDonald, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Polk, Pruitt, Rinehart, Rohrbach, Salatino, Sanders, Scott, Sherman, Smith R., Sommers, Taller, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Bond, Fuller, Owen, Stratton.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1476 was placed on final passage.

Representatives Thompson and Nelson (G) spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1476, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

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

Voting nay: Representatives Clayton, Tilly, Wilson.

Not voting: Representatives Owen, Stratton.

Substitute House Bill No. 1476, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO. 26:

The House resumed consideration of the resolution on second reading.

The Speaker (Mr. Newhouse presiding) stated the question before the House to be the amendment by Representatives Zimmerman and Charnley to page 1, line 22.

Mr. Charnley moved adoption of the following revised amendment to replace the amendment moved previously:

On page 1, line 22 after "governments" insert "and make recommendations for any remedial action needed"

The amendment was adopted.

On motion of Mr. Charnley, the following amendment by Representatives Charnley and Zimmerman was adopted:

On page 1, line 28 after "land" insert ", forestland,"

On motion of Mr. Zimmerman, the following amendments by Representatives Zimmerman and Charnley were adopted:

On page 1, line 29 after "efforts" strike "which would" and insert "and utilizing existing public and private investments to"

On page 1, after line 30 insert:

"(5) Encouraging the establishment of service areas within which urban growth will be guided and outside of which urban growth will be discouraged"

Mr. Charnley moved adoption of the following amendments by Representatives Charnley and Zimmerman:

On page 2, line 18 after "cities," insert "and"

On page 2, line 21 after "governments," insert "at least two of whom shall have a knowledge of and a background in agriculture,"

Mr. Charnley spoke in favor of the amendments, and Mr. Van Dyken spoke against them.

A division was called.

## ROLL CALL

The Clerk called the roll on adoption of the amendments to page 2 of Substitute House Concurrent Resolution No. 26 by Representatives Charnley and Zimmerman, and the amendments were adopted by the following vote: Yeas, 73; nays, 20; not voting, 5.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Becker, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Gallagher, Garrett, Granlund, Greengo, Grimm, Hastings, Hughes, Isaacson, Jovanovich, King, Knowles, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Monohon, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Patterson, Polk, Rinehart, Rohrbach, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Taller, Taylor, Teutsch, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Bauer, Bender, Craswell, Dawson, Deccio, Galloway, Gruger, Heck, Houchen, Keller, Kreidler, Mitchell, Nisbet, Pruitt, Sprague, Struthers, Tupper, Van Dyken, Williams, Wilson.

Not voting: Representatives Bond, Fuller, Owen, Salatino, Stratton.



On motion of Mr. Charnley, the following amendment by Representatives Charnley and Zimmerman was adopted:

On page 2, line 20 after "shown" strike "extraordinary"

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

On page 1, line 28 following "space;" strike "and"

On page 1, line 30 following "state;" strike "and" and insert "(5) Developing policies and programs to address the potential health problems for children requiring housing in urban and suburban residential developments and the need for adequate recreational facilities for such children; and"

Mr. Eberle moved adoption of the following amendments:

On page 2, line 17 following "Counties" strike the comma and insert a semicolon

On page 2, line 18 following "Cities" strike all material down to and including "and" on line 22 and insert "; twelve private sector members appointed by the director of the planning and community affairs agency, including three from nominees presented by the Washington Master Builders Association, one each from nominees presented by the Washington State Board of Realtors, Washington Savings League, Mutual Savings Banks Association of Washington and Washington Mortgage Bankers Association, one licensed engineer nominated by the Washington Society of Professional Engineers, one licensed architect nominated by the Washington Council of Architecture, and one licensed contractor nominated by the Association of General Contractors; and two private sector members appointed by the director of the department of agriculture who have a knowledge of and a background in agriculture; and"

Representatives Eberle and Wilson spoke in favor of the amendments, and Representatives Zimmerman and Charnley spoke against them.

Mr. Eberle moved adoption of the following amendment to the Eberle amendment:

On line 3 strike "twelve" and insert "fourteen" and on line 15 after "contractors" insert "two members of the Washington State Labor Council"

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment to the Eberle amendment, and the amendment to the amendment was not adopted by the following vote: Yeas, 44; nays, 51; not voting, 3.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Bender, Berentson, Bond, Chandler, Clayton, Dawson, Deccio, Dunlap, Eberle, Ellis, Eng, Fancher, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Van Dyken, Williams, Wilson, Winsley.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Brekke, Brown, Burns, Charnley, Craswell, Ehlers, Erak, Erickson, Flanagan, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Whiteside, Zimmerman.

Not voting: Representatives Owen, Stratton, Tupper.

The Speaker (Mr. Newhouse presiding) stated the question before the House to be the amendments by Representative Eberle.

Representatives Rohrbach, Hastings and Eberle spoke in favor of the amendments, and Representatives Van Dyken and Zimmerman spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the Eberle amendments to Substitute House Concurrent Resolution No. 26, and the amendments were not adopted by the following vote: Yeas, 38; nays, 58; not voting, 2.

Voting yea: Representatives Addison, Berentson, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tupper, Williams, Wilson.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Tilly, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman.

Not voting: Representatives Owen, Stratton.

## MOTION

On motion of Mr. Polk, further consideration of Substitute House Concurrent Resolution No. 26 was deferred, and the resolution was ordered placed at the top of tomorrow's second reading calendar.

HOUSE BILL NO. 1526, by Representative Thompson:

Making an appropriation to the state treasurer.

The bill was read the second time.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and House Bill No. 1526 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1526, and the bill passed the House by the following vote: Yeas, 87; nays, 9; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Deccio, Dunlap, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Greengo, Grimm, Gruger, Hastings, Heck, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Bond, Clayton, Craswell, Eberle, Granlund, Houchen, Rohrbach, Sprague, Wilson.

Not voting: Representatives Owen, Stratton.

House Bill No. 1526, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1542, by Representative Thompson:

Making an appropriation to the state patrol.

The bill was read the second time.

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

Mr. Thompson spoke in favor of the bill, and Mr. Struthers spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1542, and the bill passed the House by the following vote: Yeas, 79; nays, 16; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Deccio, Dunlap, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Pruitt, Rinehart, Rosbach, Salatino, Schmitten, Scott, Sherman, Smith R., Sommers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Addison, Barr, Clayton, Dawson, Eberle, Hastings, Houchen, Isaacson, Patterson, Polk, Rohrbach, Sanders, Smith C. P., Sprague, Struthers, Wilson.

Not voting: Representatives Owen, Stratton, Van Dyken.

House Bill No. 1542, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3195, by Committee on Parks and Recreation (originally sponsored by Senators Peterson, von Reichbauer and Wanamaker):

Providing for the purchase of the Heärt Lake property by the parks and recreation commission.

The bill was read the second time.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3195 was placed on final passage.

Representatives Vrooman and Berentson spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3195, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

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

Voting nay: Representatives Bond, Salatino.

Not voting: Representatives Owen, Stratton.

Substitute Senate Bill No. 3195, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1583, by Representative Nelson (G):

Making capital appropriations for institutions of higher education.

The bill was read the second time.

On motion of Mr. Nelson (G), Substitute House Bill No. 1583 was substituted for House Bill No. 1583, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1583 was read the second time.

On motion of Mr. Thompson, the following amendments by Representatives Thompson and Taller were adopted:

On page 1, line 10 strike "Higher Education" and insert "W.S.U."

On page 1, lines 17 and 18 strike "Higher Education Construction Account" and insert "C.W.U. Capital Projects Account"

Mr. Taller moved adoption of the following amendment:

On page 1, after line 25 insert a new section as follows:

"NEW SECTION. Sec. 4. There is hereby appropriated, or so much thereof as may be necessary, for the biennium ending June 30, 1981, to the University of Washington to provide funds sufficient to complete the biological sciences facility as intended by the legislature and in view of high construction cost inflation rates in the Seattle area as documented by the Seattle construction cost index:

|                                              | Reappropriation | Appropriation |
|----------------------------------------------|-----------------|---------------|
| U.W. Building Account                        | -0-             | \$1,855,000*  |
| Renumber the remaining sections accordingly. |                 |               |

Mr. Taller spoke in favor of the amendment, and Mr. Grimm spoke against it.

Mr. Taller spoke again in favor of the amendment, and Mr. Grimm spoke again in opposition to it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Taller to Substitute House Bill No. 1583, and the amendment was adopted by the following vote: Yeas, 50; nays, 45; not voting, 3.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Greengo, Gruger, Hastings, Heck, Houchen, Isaacson, Kreidler, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Hughes, Jovanovich, Keller, King, Knowles, Lux, Martinis, Maxie, May, McCormick, Nelson D., North, O'Brien, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Thompson, Valle, Vrooman, Walk, Warnke, Wilson.

Not voting: Representatives Monohon, Owen, Stratton.

The bill was ordered engrossed.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1583 was placed on final passage.

Mr. Nelson (G) spoke in favor of passage of the bill.

#### POINT OF INQUIRY

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

Mr. Sanders: "Representative Nelson, we keep appropriating money to fix the leaky roofs of the state of Washington, especially in the colleges. Do we have this leaky roof problem under control? Are we going to get twenty-year roofs from our contractors in the future?"

Mr. Nelson (G): "Representative Sanders, a lot of these roofs have essentially been built longer than twenty years ago. In the one at Evergreen, the situation is that the construction did not hold up. It's a flat roof, tar and gravel, and it has unfortunately not withstood the weathering nor the abuse that has occurred there. I can only say that the individual institutions, in their contracting with the construction people, are going to have to be held accountable. We will review—because we have had a lot of roof problems, not only in the area of higher education but also in all of the other facilities across this state—all of the buildings related to the Department of Social and Health Services, and I can only say that it's a major project and a major problem that the Legislature has not addressed as one item, but will look at that along with many others in the construction projects."

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1583, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

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

Not voting: Representatives Owen, Polk, Stratton.

Engrossed Substitute House Bill No. 1583, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1643, by Representatives Thompson, Chandler, Heck and Taylor:

Authorizing bonds for common school construction.

The bill was read the second time.

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

Representatives Thompson and Taylor spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Thompson yielded to question by Ms. Teutsch.

Ms. Teutsch: "Representative Thompson, as I look at the bill I see it would authorize \$30 million for general obligation bonds for construction. My question is, does the school district have the opportunity to purchase existing buildings? Could they use any of this money for that purpose?"

Mr. Thompson: "This bill doesn't affect that relationship whatsoever."

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1643, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Owen, Stratton.

House Bill No. 1643, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

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

#### RESOLUTION

HOUSE RESOLUTION NO. 80-142, by Representatives Flint, Houchen, Mitchell, Rohrbach, Sanders, Scott and Winsley:

WHEREAS, Tuesday, February 12, 1980, will be the 171st anniversary of the birth of Abraham Lincoln; and

WHEREAS, As the sixteenth President of the United States, Abraham Lincoln served through the most trying and difficult days in the history of our Republic, and, under his inspired leadership, the Union was preserved and the slaves set free; and

WHEREAS, Lincoln believed that the individual has a God-given dignity and that government exists to be the servant of the individual and not his master; and

WHEREAS, Lincoln held to the following basic principles and beliefs, which are the foundation of our American form of government:

(1) That the individual has the right and capacity to govern himself, to set his own goals and to make his way to them without the restraints of dictatorship or paternalism;

(2) That the basic function of government is to maintain an environment in which the individual can freely develop powers of mind, heart and body with which his Creator endowed him;

(3) That the system of the separation of powers, checks and balances is necessary to prevent a monopoly of power in any branch of government;

(4) That there should be special privilege to none and equal opportunity to all citizens;

(5) That the government must understand the difference between words and deeds, as the future will be built by those who work for it— not by those who only promise it; and

WHEREAS, Lincoln believed in responsible men and responsible government and opposed those whose concern with selfish political interests would hamper and distort those ends; and

WHEREAS, The life and character of Lincoln have provided a supreme guide and inspiration for all men of good will, devoted to the principles of freedom and self-government; and

WHEREAS, All men of whatever political persuasion should reflect upon the character and leadership provided by Lincoln and fervently pray that in the present day and in the years to come we might once again be blessed with leadership of the type given by Abraham Lincoln;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the 46th Legislature of the State of Washington commemorate, observe and reflect upon the life and contributions of Abraham Lincoln and always remember that Lincoln's foresight and courage will always illustrate to the American people that his type of leadership is a treasure that we should always cherish.

Ms. Flint moved adoption of the resolution.

Representatives Flint, Nisbet, Lux, Teutsch, Rohrbach, Scott and King spoke in favor of the resolution.

House Resolution No. 80-142 was adopted.

## MOTION

On motion of Mr. Polk, the House adjourned until 9:30 a.m., Wednesday, February 13, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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

## THIRTY-FIRST DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 13, 1980

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Beth Hapala, Teresa Harris and Tim Chandler. Prayer was offered by The Reverend George Smith of the Evergreen Christian Center of Olympia.

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

## REPORTS OF STANDING COMMITTEES

February 11, 1980

REENGROSSED SENATE BILL NO. 2433, Prime sponsor: Senator Day, revising the definition of unemployable persons. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Brekke, Kreidler, Lux, May, Mitchell, Pruitt, Teutsch.

Passed to Committee on Rules for second reading.

February 12, 1980

SECOND SUBSTITUTE SENATE BILL NO. 2748, Prime Sponsor: Senator Day, increasing the compensation of members of the board of directors for irrigation districts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Chandler, Garrett, North, Rohrbach, Rosbach, Teutsch, Van Dyken, Whiteside.

Passed to Committee on Rules for second reading.

February 12, 1980

ENGROSSED SUBSTITUTE SENATE BILL NO. 3130, Prime Sponsor: Senator McDermott, implementing law relating to sale or lease of school district or educational service district surplus property. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 1, chapter 303, Laws of 1977 ex. sess. and RCW 28A.02.110 are each amended to read as follows:

Notwithstanding any other provision of law, school districts, educational service districts, or any other state or local governmental agency concerned with education, when declaring texts and other books, equipment, (~~instructional~~) materials or relocatable facilities as surplus, shall, prior to other disposal thereof, serve notice in writing to the office of the state superintendent of public instruction which shall then in turn notify any public school or any private school, which has received approval under RCW 28A.02.201, as now or hereafter amended, in Washington state annually requesting such a notice, that the same is available for sale, rent, or lease to public or private schools, at depreciated cost or fair market value, whichever is greater: PROVIDED, That students wishing to purchase texts pursuant to RCW 28A.58.103(2) shall have priority as to such texts. Such districts or agencies shall not publicize the sale, rent, or lease of such surplus property to any person, firm, organization, or nongovernmental agency for at least thirty days following the date notification is mailed by the superintendent of public instruction. Nothing in this section shall be interpreted to create for any party a right of first refusal in the purchase or lease of equipment or facilities covered by this section.

NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

The board of directors of any school district in the state wishing to sell, lease or rent any real property belonging to the district shall, at least thirty days prior to entering into an agreement for the sale, lease, or rental to any person, firm, organization, or nongovernmental agency, serve notice in writing to any private school which has received approval under RCW 28A.02.201, as now or hereafter amended, and any public school, annually requesting such notice, that the real property is available for sale, lease or rental, in

accordance with the policy and procedures adopted by the district pursuant to section 3 of this amendatory act. Nothing in this section shall be interpreted to create for any party a right of first refusal in the purchase, lease or rental of any real property covered by this section.

**NEW SECTION.** Sec. 3. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

Every school district board of directors shall, within six months of the effective date of this amendatory act, adopt a written policy with respect to the disposal of its surplus real property, and further, shall adopt a written procedure by which any party interested in the purchase, lease, or rental of the surplus property may indicate its interest and submit its proposal or bid for such property. The written procedures shall include the following: (1) A time limit within which proposals or bids shall be accepted; (2) the manner in which proposals or bids are received and acted upon; (3) the name of the specific officer or employee of the district responsible for coordinating the disposal of the property. All real property transactions shall be conducted in accordance with such policies and procedures, and in accordance with RCW 28A.58.045."

In line 1 of the title strike "and" and in line 3 of the title after "28A.02.110" and before the period insert "; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW"

Signed by Representatives Heck, Co-Chairman; Craswell, Eng, Galloway, McDonald, Nelson (G), Sommers, Taller, Taylor, Warnke.

Passed to Committee on Rules for second reading.

February 12, 1980

**SUBSTITUTE SENATE BILL NO. 3133,** Prime Sponsor: Senator Scott, exempting all school buses from payment of vehicle license fees. Reported by Committee on Transportation.

**MAJORITY recommendation:** Do pass with the following amendment:

On page 1, following line 6 strike the remainder of section 1 and insert the following:

"Any bus or vehicle owned and operated by a private school or schools meeting the requirements of RCW 28A.02.201 and used by that school or schools primarily to transport children to and from school or to transport children in connection with school activities shall be exempt from the payment of license fees for the licensing thereof as in this chapter provided. A license issued by the department for such bus or vehicle shall be considered an exempt license under RCW 82.44.010."

Signed by Representatives Wilson, Co-Chairman; Martinis, Co-Chairman; Bender, Burns, Charnley, Dawson, Eberle, Erak, Gallagher, Garrett, Isaacson, McCormick, Smith (C), Sprague, Struthers, Tilly, Walk.

Passed to Committee on Rules for second reading.

February 12, 1980

**ENGROSSED SUBSTITUTE SENATE BILL NO. 3140,** Prime Sponsor: Senator Walgren, authorizing combined city-county housing authorities. Reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Chandler, Garrett, Keller, North, Rohrbach, Rosbach, Teutsch, Van Dyken, Vrooman, Whiteside.

Passed to Committee on Rules for second reading.

February 13, 1980

**SUBSTITUTE SENATE BILL NO. 3164,** Prime Sponsor: Senator von Reichbauer, authorizing and establishing priorities for urban state parks. Reported by Committee on Parks and Recreation.

**MAJORITY recommendation:** Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 4, chapter 10, Laws of 1979 and RCW 43.51.040 are each amended to read as follows:

The commission shall:

(1) Have the care, charge, control, and supervision of all parks and parkways acquired or set aside by the state for park or parkway purposes.

(2) Adopt, promulgate, issue, and enforce rules and regulations pertaining to the use, care, and administration of state parks and parkways, which shall become effective ten days after adoption. The commission shall cause a copy of the rules and regulations to be kept posted in a conspicuous place in every state park to which they are applicable, but failure to post or keep any rule or regulation posted shall be no defense to any prosecution for the violation thereof.

(3) Permit the use of state parks and parkways by the public under such rules and regulations as shall be prescribed.



(4) Clear, drain, grade, seed, and otherwise improve or beautify parks and parkways, and erect structures, buildings, fireplaces, and comfort stations and build and maintain paths, trails, and roadways through or on parks and parkways.

(5) Grant concessions or leases in state parks and parkways, upon such rentals, fees, or percentage of income or profits and for such terms, in no event longer than forty years, and upon such conditions as shall be approved by the commission: PROVIDED, That leases exceeding a twenty-year term shall require a unanimous vote of the commission: PROVIDED FURTHER, That if, during the term of any concession or lease, it is the opinion of the commission that it would be in the best interest of the state, the commission may, with the consent of the concessionaire or lessee, alter and amend the terms and conditions of such concession or lease: PROVIDED FURTHER, That television station leases shall be subject to the provisions of RCW 43.51.063, only: PROVIDED FURTHER, That the rates of such concessions or leases shall be renegotiated at five-year intervals. No concession shall be granted which will prevent the public from having free access to the scenic attractions of any park or parkway.

(6) Employ such assistance as it deems necessary.

(7) By majority vote of its authorized membership select and purchase or obtain options upon, lease, or otherwise acquire for and in the name of the state such tracts of land, including shore and tide lands, for park and parkway purposes as it deems proper. If the commission cannot acquire any tract at a price it deems reasonable, it may, by majority vote of its authorized membership, obtain title thereto, or any part thereof, by condemnation proceedings conducted by the attorney general as provided for the condemnation of rights of way for state highways. Option agreements executed under authority of this subdivision shall be valid only if:

(a) The cost of the option agreement does not exceed one dollar; and

(b) Moneys used for the purchase of the option agreement are from (i) funds appropriated therefor, or (ii) funds appropriated for undesignated land acquisitions, or (iii) funds deemed by the commission to be in excess of the amount necessary for the purposes for which they were appropriated; and

(c) The maximum amount payable for the property upon exercise of the option does not exceed the appraised value of the property.

(8) Cooperate with the United States, or any county or city of this state, in any matter pertaining to the acquisition ~~((for park and parkway purposes of any area not within the limits of any city, and in the)),~~ development, redevelopment, renovation, care, control, or supervision of any park or parkway, and enter into contracts in writing to that end. All parks or parkways, to ~~((the acquisition or improvement of))~~ which the state ~~((shall have))~~ contributed or in whose care, control, or supervision the state ~~((shall participate))~~ participated pursuant to the provisions of this section, shall be governed by the provisions hereof.

Sec. 2. Section 43.51.060, chapter 8, Laws of 1965 as amended by section 1, chapter 99, Laws of 1969 and RCW 43.51.060 are each amended to read as follows:

The commission may: (1) Make rules and regulations for the proper administration of its duties;

(2) Accept any grants of funds made with or without a matching requirement by the United States, or any agency thereof, for purposes in keeping with the purposes of this chapter; accept gifts, bequests, devises and endowments for purposes in keeping with such purposes;

(3) Require certification by the commission of all parks and recreation workers employed in state aided or state controlled programs;

(4) Act jointly, when advisable, with the United States, any other state agencies, institutions, departments, boards, or commissions in order to carry out the objectives and responsibilities of this chapter;

(5) Grant franchises and easements for any legitimate purpose on parks or parkways, for such terms and subject to such conditions and considerations as the commission shall specify;

(6) Charge such fees for services, utilities, and use of facilities as the commission shall deem proper. All fees received by the commission shall be deposited with the state treasurer in the state general fund;

(7) Enter into agreements whereby individuals or companies may rent undeveloped parks or parkway land for grazing, agricultural, or mineral development purposes upon such terms and conditions as the commission shall deem proper, for a term not to exceed ten years; ~~((and))~~

(8) Determine the qualifications of and employ a director of parks and recreation who shall receive a salary as fixed by the governor in accordance with the provisions of RCW 43.03.040, and upon his recommendation, a supervisor of recreation, and determine the qualifications and salary of and employ such other persons as may be needed to carry out the provisions hereof; and

(9) Without being limited to the powers hereinbefore enumerated, the commission shall have such other powers as in the judgment of a majority of its members are deemed necessary to effectuate the purposes of this chapter: PROVIDED, That the commission shall not have power to supervise directly any local park or recreation district, and no funds shall be made available for such purpose.

NEW SECTION. Sec. 3. There is added to chapter 43.51 RCW a new section to read as follows:

Recognizing the fact that the demand for park services is greatest in our urban areas, that parks should be accessible to all Washington citizens, that the urban poor cannot afford to travel to remotely located parks, that few state parks are located in or near urban areas, that a need exists to conserve energy, and that local governments having jurisdiction in urban areas cannot afford the costs of maintaining and operating the extensive park systems needed to service their large populations, the legislature hereby directs the inter-agency committee for outdoor recreation to place a high priority on the acquisition, development, redevelopment, and renovation of parks to be located in or near urban areas and to be particularly accessible to and used by the populations of those areas. For purposes of sections 3 and 4 of this 1980 act, "urban areas"

mean intensively developed areas which have little, if any, natural habitat or undeveloped land remaining. This section shall be implemented by January 1, 1981.

**NEW SECTION.** Sec. 4. There is added to chapter 43.51 RCW a new section to read as follows:

For the reasons specified in section 3 of this act, the state parks and recreation commission shall place a high priority on the establishment of urban area state parks and shall revise its plan for future state parks to achieve this priority. This section shall be implemented by January 1, 1981.

**NEW SECTION.** Sec. 5. (1) In keeping with the purposes of this 1980 act, the powers, functions, and duties heretofore exercised by the game commission, department of game, or its director, respecting the management, control, and operation of the approximately 165-acre tract of land bordering the White/Stuck Rivers in or near the city of Auburn and currently used as a game preserve are, except as provided under this section, hereby terminated, and the powers, functions, and duties with respect to such land are vested in the parks and recreation commission to be exercised in accordance with chapter 43.51 RCW as now existing or hereafter amended for the purposes specified therein.

(2) Nothing in this section shall impair any contract, debt, or obligation owed by the game commission or department of game in respect to such land. However, the director of the office of financial management may, if the director finds it appropriate, transfer the duty to satisfy any such contract, debt, or obligation to the parks and recreation commission.

(3) The director of the office of financial management is authorized to make whatever orders are convenient or necessary for the implementation of this section. In addition, the director is authorized to make decisions resolving questions regarding the impact of this section on preexisting contracts, debts, or obligations with respect to such land. Any orders or decisions made by the director under this section shall be binding on the game commission, the department of game, and the parks and recreation commission.

On page 1, line 4 of the title, after "43.51.060;" strike the remainder of the title and insert "adding new sections to chapter 43.51 RCW; and creating a new section."

Signed by Representatives North, Executive Chairwoman; Fuller, Co-Chairman; Brown, Sprague, Stratton.

Passed to Committee on Rules for second reading.

February 12, 1980

**SUBSTITUTE SENATE BILL NO. 3184,** Prime Sponsor: Senator Hansen, authorizing Kittitas County to purchase and convey lands known as the Liberty townsite. Reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Section 1. There is added to chapter 36.34 RCW a new section to read as follows:

A county may sell lands by direct negotiation without going through public auction when the lands were, prior to acquisition by the county, a national forest townsite under the jurisdiction of the United States department of agriculture.

**NEW SECTION.** Sec. 2. There is added to chapter 82.20 RCW a new section to read as follows:

The tax provided for in RCW 82.20.010 shall not apply to a conveyance of a national forest townsite under the jurisdiction of the United States department of agriculture to a county nor to a conveyance by a county of lands by direct negotiation when the lands were, prior to acquisition by the county, a national forest townsite under the jurisdiction of the United States department of agriculture.

**NEW SECTION.** Sec. 3. Sections 1 and 2 of this act shall expire on January 1, 1984."

On page 1, line 1 of the title after "to" strike the remainder of the title and insert "the disposal of county lands; adding a new section to chapter 36.34 RCW; adding a new section to chapter 82.20 RCW; and providing an expiration date."

Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Chandler, Garrett, Keller, North, Rohrbach, Teutsch, Van Dyken, Vrooman, Whiteside.

Passed to Committee on Rules for second reading.

February 11, 1980

**SENATE BILL NO. 3202,** Prime Sponsor: Senator Day, repeal law relating to basic sciences. Reported by Committee on Social and Health Services.

**MAJORITY recommendation:** Do pass. Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Barr, Brekke, Flint, Kreidler, Lux, May, Mitchell, Pruitt, Teutsch.

Passed to Committee on Rules for second reading.

February 12, 1980

**SENATE BILL NO. 3211,** Prime Sponsor: Senator Moore, increasing special purpose district commissioners' compensation. Reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, beginning on line 19 strike ") three thousand (~~two hundred~~)" and insert "thousand two) twenty-four hundred"

On page 2, line 18 strike "~~hundred~~) three thousand" and insert ") twenty-four hundred"

Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Chandler, Garrett, North, Rohrbach, Rosbach, Teutsch, Van Dyken, Whiteside.

Passed to Committee on Rules for second reading.

February 11, 1980

SUBSTITUTE SENATE BILL NO. 3232, Prime Sponsor: Senator Rasmussen, modifying inheritance and gift tax laws. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Bond, Brown, Erickson, Flanagan, Galloway, Granlund, Greengo, Hastings, Nelson (D), Rinehart, Sanders.

Passed to Committee on Rules for second reading.

February 12, 1980

SUBSTITUTE SENATE BILL NO. 3297, Prime Sponsor: Senator Wilson, modifying the law on warrants. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

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

\*Section 1. Section 6, chapter 59, Laws of 1955 and RCW 27.12.060 are each amended to read as follows:

The board of library trustees of this district may contract indebtedness, and evidence it by issuing and selling, at par plus accrued interest (~~not exceeding six percent a year~~), coupon warrants of the district in such form as the board of library trustees shall determine. Such warrants may be issued in advance of the tax levy. Such warrants, signed by the chairman and the secretary of the board of library trustees, shall be payable at such times as the board of library trustees shall provide not longer than six years from the date thereof.

The warrants shall be payable to bearer(;;) and shall have interest coupons attached providing for the payment of interest semiannually on the first day of January and of July(;-and). At the option of the district board, the aggregate amount of coupon warrants may include a sum sufficient to pay the annual interest for a period not exceeding one year from the issuing date of the coupon warrants and, in that event, such interest shall be taken from the proceeds of the sale of the coupon warrants and immediately placed in the coupon warrant fund of the district for payment of the interest coupons maturing during the first year of the coupon warrants. The issuance thereof shall be recorded in the office of the county treasurer in a book kept for that purpose. All district warrants of every kind shall outlaw and become void after six years from their maturity date but only if there is money in the proper fund available for their payment within such period.

A rural county library district shall be a public corporation with such powers as are necessary to carry out its functions and for taxation purposes shall have the power vested in municipal corporations for such purposes.

Sec. 2. Section 13, chapter 155, Laws of 1971 ex. sess. and RCW 36.95.130 are each amended to read as follows:

In addition to other powers provided for under this chapter, the board shall have the following powers:

(1) To perform all acts necessary to assure that the purposes of this chapter will be carried out fairly and efficiently;

(2) To acquire, build, construct, repair, own, maintain, and operate any necessary stations retransmitting simultaneous visual and aural signals intended to be received by the general public, relay stations, pick-up stations, or any other electrical or electronic system necessary: PROVIDED, That the board shall have no power to originate programs;

(3) To make contracts to compensate any owner of land or other property for the use of such property for the purposes of this chapter;

(4) To make contracts with the United States, or any state, municipality, or any department or agency of those entities for carrying out the general purposes for which the district is formed;

(5) To acquire by gift, devise, bequest, lease, or purchase real and personal property, tangible or intangible, including lands, rights of way, and easements, necessary or convenient for its purposes;

(6) To make contracts of any lawful nature (including labor contracts or those for employees' benefits), employ engineers, laboratory personnel, attorneys, other technical or professional assistants, and any other assistants or employees necessary to carry out the provisions of this chapter;

(7) To contract indebtedness or borrow money (~~and~~); to issue warrants or bonds to be paid from district revenues(;-bearing interest at a rate not exceeding seven percent per annum);

(8) To prescribe tax rates for the providing of services throughout the area in accordance with the provisions of this chapter; and

(9) To apply for, accept, and be the holder of any permit or license issued by or required under federal or state law.

Sec. 3. Section 36.29.040, chapter 4, Laws of 1963 and RCW 36.29.040 are each amended to read as follows:

All county, school, city and town warrants, and taxing district warrants when not otherwise provided for by law, shall be paid according to their number, date and issue, and when not paid upon presentation shall draw interest from ~~((and after))~~ the date of their presentation to the proper treasurers or from the date the warrants were originally issued, as determined by the proper treasurer. No compound interest shall be paid directly or indirectly on any such warrants.

Sec. 4. Section 36.29.060, chapter 4, Laws of 1963 and RCW 36.29.060 are each amended to read as follows:

Whenever the county treasurer has in his hands the sum of five hundred dollars belonging to any fund upon which warrants are outstanding, he shall make a call for such warrants to that amount in the order of their issue ~~((and he shall)).~~ The county treasurer shall either notify all holders of warrants covered by the call or cause such call to be published in some newspaper published in the county in the first issue of such newspaper after such sum has been accumulated, and if there is no such newspaper, the call shall be posted in three conspicuous places in the county. The call shall describe by number the warrants called, and specify the funds upon which they were drawn: PROVIDED, That the board of county commissioners may prescribe a less sum than five hundred dollars, upon the accumulation of which the call shall be made as to any particular fund: PROVIDED FURTHER, That if the warrant longest outstanding on any fund exceeds the sum of five hundred dollars, or exceeds the sum fixed by the board of county commissioners, no call need be made for warrants on such fund until the amount due on such warrant has accumulated. No more than two calls for the redemption of warrants shall be made by the treasurer in any month. The treasurer shall pay on demand, in the order of their issue, any warrants when there shall be in the treasury sufficient funds applicable to such payment.

Sec. 5. Section 36.88.200, chapter 4, Laws of 1963 as last amended by section 55, chapter 56, Laws of 1970 ex. sess. and RCW 36.88.200 are each amended to read as follows:

Such bonds shall be numbered from one upwards consecutively, shall be in such denominations as may be provided by the ~~((board of county commissioners))~~ county legislative authority in the resolution authorizing their issuance, shall mature on or before a date not to exceed twenty-two years from and after their date, shall bear interest at such rate or rates as authorized by the ~~((board))~~ legislative authority payable annually or semiannually as may be provided by the ~~((board))~~ legislative authority, shall be signed by the chairman of the ~~((board))~~ legislative authority and attested by the county auditor, shall have the seal of the county affixed thereto, shall be payable at the office of the county treasurer or elsewhere as may be designated by the ~~((board))~~ legislative authority, and shall have attached thereto interest coupons for each interest payment which said coupons shall be signed by the chairman of the ~~((board))~~ legislative authority and attested by the auditor ~~((or))~~. In lieu ((thereof)) of any signatures required in this section, the bonds and coupons may bear the printed or engraved facsimile signatures of said officials.

Such bonds shall refer to the improvement for which they are issued and to the resolution creating the road improvement district therefor.

Sec. 6. Section 36.88.330, chapter 4, Laws of 1963 and RCW 36.88.330 are each amended to read as follows:

The board may provide by resolution for the issuance of warrants in payment of the costs and expenses of any project, payable out of the county road improvement fund. The warrants ~~((shall bear interest at the rate of not to exceed six percent per annum and))~~ shall be redeemed either in cash or by bonds for the same project authorized by the resolution.

All warrants issued against any such improvement fund shall be claims and liens against said fund prior and superior to any right, lien or claim of any surety upon the bond given to the county by or for the contractor to secure the performance of his contract or to secure the payment of persons who have performed work thereon, furnished materials therefor, or furnished provisions and supplies for the carrying on of the work.

The county treasurer may accept warrants against any county road improvement fund upon such conditions as the board may prescribe in payment of: (1) Assessments levied to supply that fund in due order of priority; (2) judgments rendered against property owners who have become delinquent in the payment of assessments to that fund; and (3) certificates of purchase in cases where property of delinquents has been sold under execution or at tax sale for failure to pay assessments levied to supply that fund.

NEW SECTION. Sec. 7. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, on line 1 of the title, after "Relating to" strike the remainder of the title and insert "local government financing; amending section 6, chapter 59, Laws of 1955 and RCW 27.12.060; amending section 13, chapter 155, Laws of 1971 ex. sess. and RCW 36.95.130; amending section 36.29.040, chapter 4, Laws of 1963 and RCW 36.29.040; amending section 36.29.060, chapter 4, Laws of 1963 and RCW 36.29.060; amending section 36.88.200, chapter 4, Laws of 1963 as last amended by section 55, chapter 56, Laws of 1970 ex. sess. and RCW 36.88.200; amending section 36.88.330, chapter 4, Laws of 1963 and RCW 36.88.330; and declaring an emergency."

Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Chandler, Garrett, Keller, North, Rosbach, Teutsch, Vrooman, Whiteside.

Passed to Committee on Rules for second reading.

February 11, 1980

ENGROSSED SUBSTITUTE SENATE BILL NO. 3309, Prime Sponsor: Senator Day, regulating ophthalmologists. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert:

\*NEW SECTION. Section 1. (1) Nothing in this chapter shall:

(a) Be construed to limit or restrict a duly licensed physician or employees working under the personal supervision of a duly licensed physician from the practices enumerated in this chapter;

(b) Be construed to prohibit an unlicensed person from performing mechanical work upon inert matter in an ophthalmologist's office or laboratory;

(c) Be construed to authorize or permit a licensee under this chapter to hold himself or herself out as being able to, or to offer to, or to undertake to attempt, by any manner of means, to examine or exercise eyes, or diagnose, treat, correct, relieve, operate, or prescribe for disease or any visual deficiency.

(2) Each practitioner duly licensed pursuant to chapters 18.53, 18.57, and 18.71 RCW shall have all the rights and privileges which may accrue under this chapter to ophthalmologists licensed under this chapter.

NEW SECTION. Sec. 2. The terms defined in this section shall have the meaning ascribed to them wherever appearing in this chapter, unless a different meaning is specifically used to such term in such statute.

(1) 'Director' means the director of licenses.

(2) 'Ophthalmologist' means a person who designs, fabricates, and fits ocular prosthetic appliances. An ophthalmologist is authorized to perform the necessary procedures to provide an ocular prosthetic service for the patient in the ophthalmologist's office or laboratory on prescription of a physician. The ophthalmologist is authorized to make judgment on the needed care, replacement, and use of an ocular prosthetic appliance. The ophthalmologist is authorized to design, fabricate, and fit human prosthetics in the following categories:

(a) Stock and custom prosthetic eyes;

(b) Stock and custom therapeutic scleral shells;

(c) Stock and custom therapeutic painted iris shells;

(d) External orbital and facial prosthetics; and

(e) Ocular conformers: PROVIDED, That nothing herein shall be construed to allow the fitting or fabricating of contact lenses.

(3) 'Apprentice' means a person designated an apprentice in the records of the director at the request of a licensed ophthalmologist, and who shall thereafter receive from such licensee training and direct supervision in the work of an ophthalmologist.

NEW SECTION. Sec. 3. Upon receipt of an application for a license and the license fee as determined by the director, the director shall issue a license if the applicant meets the requirements established under this chapter. The license, unless suspended or revoked, shall be renewed annually. All licenses issued under the provisions of this chapter shall expire on the 1st day of July.

NEW SECTION. Sec. 4. (1) No applicant for a license shall be registered under this chapter until the applicant pays an examination fee as shall be determined by the director as provided in RCW 43.24.085, and certifies under oath that the applicant:

(a) Is eighteen years or more of age;

(b) Has graduated from high school;

(c) Is of good moral character; and

(d) Has either:

(i) Had at least five years of apprenticeship training under a licensed ophthalmologist in the state of Washington; or

(ii) Successfully completed a prescribed course in ophthalmologist training programs in a college, teaching facility, or university approved by the director; or

(iii) Been principally engaged in practicing as an ophthalmologist outside the state of Washington for eight years and shall have been employed by a licensed ophthalmologist or physician for one year in the state of Washington; and

(iv) Successfully passes with a grade of at least seventy-five percent, an examination, conducted by the director, which shall determine whether the applicant has a thorough knowledge of the principles governing the practice of an ophthalmologist.

(2) The director shall issue a license without examination to any person who makes application therefor within six months after the effective date of this act, pays a fee as determined by the director, and certifies under oath that the applicant has been actually and principally engaged in the practice of an ophthalmologist in the state of Washington for a period of not less than five years immediately preceding the effective date of this act.

(3) Any person who on the effective date of this act (a) is employed as apprentice by a person who is principally engaged in the practice of an ophthalmologist, (b) registers with the director prior to one hundred twenty days after the effective date of this act, and (c) furnishes the director a statement, under oath, and certified as correct by the employer, as to the length of time of such employment shall be given credit for such period towards compliance with the requirement for five years' apprenticeship.

NEW SECTION. Sec. 5. (1) No licensee under this chapter may have more than two apprentices in training at one time.

(2) The licensee shall be responsible for the acts of the apprentices in the performance of their work in the apprenticeship program.

(3) Apprentices shall complete their apprenticeship in eight years and shall not work longer as an apprentice unless the director determines, after a hearing, that the apprentice was prevented by causes beyond his or her control from completing the apprenticeship and becoming a licensee hereunder in eight years.

**NEW SECTION.** Sec. 6. A license may be suspended or revoked when a licensee:

- (1) Has been convicted of a felony involving moral turpitude related to the practice of an ocularist;
- (2) Is addicted to the use of alcohol or any drug;
- (3) Has used advertising, whether printed, radio, display, or of any other nature, which is fraudulent, misleading, deceptive, or inaccurate in any material particular, or misrepresents in any way any goods, services, credit terms, values, policies, services, or the nature or form of the business conducted;
- (4) Has practiced fraud or deception in the application for or during the examination for license;
- (5) Has participated in the division, assignment, rebate, or refund of fees to a physician in consideration of patient referrals;
- (6) Has bartered or given away as premiums in any manner either on the licensee's own account or as agent or representative for any other person;
- (7) Has employed, either directly or indirectly, any person commonly known as 'cappers' or 'steerers' to obtain business;
- (8) Has solicited or employed any person to solicit from house to house;
- (9) Has used advertising offering a service to the public for which the licensee is not licensed under this chapter: PROVIDED, That nothing in this section shall prohibit the ocularist from advertising merchandise for which the license which is the subject of this chapter is not required;
- (10) Has engaged in a group contract for the ocularist's services without a prescription from a physician; or
- (11) Has advertised the services of any other segment of the healing arts.

**NEW SECTION.** Sec. 7. Every licensee under this chapter shall pay an annual renewal registration fee determined by the director, as provided by RCW 43.24.085, on or before the 1st day of July of each year, and thereupon the license of such person shall be renewed for a period of one year. An application for renewal shall be on the form provided by the director and shall be filed with the department of licensing not less than ten days prior to its expiration. Each application for renewal shall be accompanied by a license fee as shall be determined by the director. Any license not renewed as provided in this section shall render the license invalid but such licensee shall be reinstated upon written application therefore to the director and payment of a renewal fee to the director as provided in RCW 43.24.085, together with all delinquent annual renewal license fees.

**NEW SECTION.** Sec. 8. The director, after a hearing, may for cause reissue or reinstate the license of a person whose license has been revoked or suspended.

**NEW SECTION.** Sec. 9. It shall be a gross misdemeanor for any person to practice as an ocularist without a license or while the license is suspended or revoked.

**NEW SECTION.** Sec. 10. If any person engaged in the practice of an ocularist without possessing a valid license to do so, the attorney general, any prosecuting attorney, the director, or any citizen who resides in the same county as said practitioner who operates an office, may maintain an action in the name of the state of Washington to enjoin such person from engaging in practice as an ocularist. The injunction shall not relieve from criminal prosecution, but the remedy by injunction shall be in addition to the liability of such offender to criminal prosecution and to suspension or revocation of the license: PROVIDED, HOWEVER, That nothing in this chapter shall be deemed to prevent any licensed physician, licensed optometrist, or licensed dispensing optician from making any examination or performing any act permitted or authorized by law.

**NEW SECTION.** Sec. 11. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 12. Sections 1 through 11 of this act shall constitute a new chapter in Title 18 RCW.\*

Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Barr, Brekke, Flint, Kreidler, Lux, May, Mitchell, Pruitt, Teutsch.

Passed to Committee on Rules for second reading.

February 12, 1980

SENATE BILL NO. 3372, Prime Sponsor: Senator Rasmussen, modifying the law on public employment salary surveys. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Co-Chairman; Taller, Co-Chairman; Addison, Burns, Flint, Greengo, Jovanovich, McGinnis, Pruitt, Tupper, Williams.

Passed to Committee on Rules for second reading.

February 12, 1980

ENGROSSED SENATE BILL NO. 3378, Prime Sponsor: Senator Moore, authorizing county civil service transfers to the sheriff's office without meeting competitive examination requirements. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 11 after "That" insert "before June 30, 1981."

Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Chandler, Garrett, Keller, North, Rohrbach, Rosbach, Teutsch, Van Dyken, Vrooman, Whiteside.

Passed to Committee on Rules for second reading.

February 12, 1980

SENATE BILL NO. 3404, Prime Sponsor: Senator Scott, disestablishing various state funds and accounts. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Ehlers, Co-Chairman; Taller, Co-Chairman; Addison, Burns, Flint, Greengo, Jovanovich, McGinnis, Pruitt, Tupper, Walk, Williams.

Passed to Committee on Rules for second reading.

February 12, 1980

ENGROSSED SENATE BILL NO. 3565, Prime Sponsor: Senator Henry, increasing the time for which a temporary permit for driving trucks, buses or cabs may be issued. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after section 1 insert the following additional section:

"Sec. 2. Section 46.08.100, chapter 12, Laws of 1961 as last amended by section 122, chapter 158, Laws of 1979 and RCW 46.01.140 are each amended to read as follows:

The county auditor, if appointed by the director of licensing shall carry out the provisions of this title relating to the licensing of vehicles and the issuance of vehicle license number plates under the direction and supervision of the director and may with the approval of the director appoint assistants as special deputies to accept applications and collect fees for vehicle licenses and transfers and to deliver vehicle license number plates.

At any time any application is made to the director, the county auditor, or other agent pursuant to any law dealing with licenses, certificates of ownership, registration, or the right to operate any vehicle upon the public highways of this state, the applicant shall pay to the director, county auditor, or other agent a fee of one dollar for each application in addition to any other fees required by law, which fee of one dollar, if paid to the county auditor as agent of the director, or if paid to an agent of the county auditor, shall be paid to the county treasurer in the same manner as other fees collected by the county auditor and credited to the county current expense fund. In the event that such fee is paid to another agent of the director, such fee shall be used by such agent to defray his expenses in handling the application: PROVIDED, That an agent of the county auditor is entitled to an additional service charge of one dollar and fifty cents: PROVIDED FURTHER, That in the event such fee is collected by the state patrol, as agent for the director, the fee so collected shall be certified to the state treasurer and deposited to the credit of the motor vehicle fund. All such filing fees collected by the director or branches of his office shall be certified to the state treasurer and deposited to the credit of the highway safety fund."

In line 1 of the title, after "motor vehicles;" insert "amending section 46.08.100, chapter 12, Laws of 1961 as last amended by section 122, chapter 158, Laws of 1979 and RCW 46.01.140;"

Signed by Representatives Wilson, Co-Chairman; Martinis, Co-Chairman; Bender, Burns, Clayton, Dawson, Eberle, Erak, Gallagher, Garrett, Isaacson, McCormick, Patterson, Smith (C), Sprague, Struthers, Tilly, Walk.

Passed to Committee on Rules for second reading.

February 12, 1980

SUBSTITUTE SENATE BILL NO. 3581, Prime Sponsor: Senator McDermott, supplementing law relating to lease or rental of school property of whatsoever kind. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 2 after "into" strike everything through "control" on line 3 and insert "shall include provisions which permit the recapture of the leased or rented surplus property"

On page 2, line 16 after "than" insert "common"

On page 2, line 21 after "on a" strike "nondiscriminating basis" and insert "basis that is nondiscriminatory within classes of users"

Signed by Representatives Chandler, Co-Chairman; Heck, Co-Chairman; Craswell, Eng, Galloway, McDonald, Nelson (G), Sommers, Taller, Valle, Van Dyken, Warnke.

Passed to Committee on Rules for second reading.

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

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

#### MOTION

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

#### RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 80-137, by Representative Monohon:

WHEREAS, The Willapa Valley High School Vikings football team has gained the High School State Championship finals for Class B schools for the past two consecutive years; and

WHEREAS, In 1978 the Willapa Valley Vikings won the State Class B championship by a score of 12 to 6; and

WHEREAS, In 1979 the Willapa Valley Vikings won the State Class B championship by a score of 19 to 6; and

WHEREAS, The Willapa Valley High School Vikings enjoy the unanimous admiration and support of their community for their efforts; and

WHEREAS, The two championships represent the best possible combination of competitive team spirit and self-discipline;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives extends its admiration and congratulations to the entire Willapa Valley student body, the varsity football squad, the cheer squads and football coaches; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to the head coach, Bud Sanchez, each member of the 1979 varsity squad, and to the school office for framing.

On motion of Ms. Monohon, the resolution was adopted.

HOUSE FLOOR RESOLUTION NO. 80-144, by Representatives Oliver and Isaacson:

WHEREAS, The Richland Bomber basketball team has established a new state record of forty consecutive wins; and

WHEREAS, High school athletics play an important role in shaping the minds and bodies of our state's young citizens; and

WHEREAS, The Richland Bombers have shown themselves to be outstanding athletes and sportsmen; and

WHEREAS, The Richland Bombers are the victors of a new state high school state win milestone with a winning streak that has spanned two seasons; and

WHEREAS, Each member of the Richland Bombers has spent many hours after school practicing and playing to achieve these skills; and

WHEREAS, Each member of the team under the dedicated guidance of his coach, Phil Neill, has contributed to the victories since basketball is a true team sport;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That each member of the Richland Bombers basketball team, Brian Kellerman, Captain; Larry Davis, Captain; Bob Kennedy, Steve Chalcraft, Mark Hoke, Dennis Soldat, Jeff Phillips, Pete Erie, Brian Kissinger, Ted Engel, Matt Haskins, Randy Marcum, Jack Vanderburg, Robert Lacy, George Naughton, Scott Parnell, Steve Waltar, Roger Chambers, Syd Hall, Mark Bircher and Dave Keller be congratulated and commended for the fine playing, sportsmanship and dedication, and that each member of the team be encouraged in his future endeavors; their coach be congratulated for his skill, patience and encouragement of the team, and the families be commended for their support, help, enthusiasm, and comfort; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to each member of the Richland Bombers' basketball team and to their coach, Phil Neill, and assistant coaches Jim Castleberry and Ron Smithwick.

Mr. Oliver moved adoption of the resolution. Representatives Oliver, Isaacson, Whiteside and Chandler spoke in favor of the resolution.

The resolution was adopted.



## POINT OF PERSONAL PRIVILEGE

Mr. Nisbet: "Ladies and gentlemen, I rise to the point of personal privilege on behalf of the people of the Olympic Peninsula and the Kitsap Peninsula to thank you and to remind you that a year ago today the worst storm in over a hundred years separated much of our state from the rest of the state, but on behalf of the people of the Olympic Peninsula, and, as I say, the Kitsap Peninsula, I wish to express our appreciation for the various speedy efforts you took a year ago to provide us with emergency measures. I would also like to thank you for the action you took in this session to expedite the construction of our new bridge. I would also like to thank the various members of the Transportation Committee for providing us with a ferry connection between the Olympic Peninsula and the Kitsap Peninsula. Even though it's a 53-year-old ferry, it's mighty fine to have it. Again, on behalf of the people of the Peninsula, thank you very much."

## MESSAGE FROM THE SENATE

February 13, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3195,  
SENATE BILL NO. 3219,  
SENATE BILL NO. 3406,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKERS

The Speaker (Mr. O'Brien presiding) announced the Speakers were signing:

SUBSTITUTE SENATE BILL NO. 3195,  
SENATE BILL NO. 3219,  
SENATE BILL NO. 3406.

## MOTION

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

## SECOND READING

SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO. 26, by Committee on Local Government (originally sponsored by Representatives Zimmerman, Greengo, Charnley, Van Dyken and Nelson, D.):

Establishing a select committee to study and assist on problems relating to urban sprawl.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

Mr. Hastings moved adoption of the following amendment:

On page 1, line 30 following "and" insert:

"BE IT FURTHER RESOLVED, That the select committee shall study property taxation theory including, but not limited to, land value taxation theory; and"

Representatives Hastings and Craswell spoke in favor of the amendment, and Representatives Zimmerman and Charnley spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hastings to Substitute House Concurrent Resolution No. 26, and the amendment was not adopted by the following vote: Yeas, 38; nays, 57; not voting, 3.

Voting yea: Representatives Addison, Barnes, Berentson, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Eng, Fancher, Fuller, Hastings, Houchen, Isaacson, Jovanovich, McDonald, McGinnis, Mitchell, Nelson G. A., Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Scott, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tupper, Williams, Wilson.

Voting nay: Representatives Adams, Amen, Bagnariol, Barr, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Ehlers, Ellis, Erak, Erickson, Flanagan, Flint, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Hughes, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, Monohon, Nelson D., Newhouse, North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Schmitt, Sherman, Sommers, Thompson, Tilly, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman.

Not voting: Representatives Martinis, Smith R., Stratton.

Mr. Jovanovich moved adoption of the following amendment:

On page 2, line 18 after "cities," insert "one sewer district representative selected by the Washington State Association of Sewer Districts,"

Mr. Jovanovich spoke in favor of the amendment, and Mr. Charnley spoke against it.

The amendment was not adopted.

The resolution was ordered engrossed.

Mr. King moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute House Concurrent Resolution No. 26 be advanced to final passage.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed Substitute House Concurrent Resolution No. 26 to final passage, and the motion received the necessary two-thirds majority by the following vote: Yeas, 65; nays, 31; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Ehlers, Ellis, Eng, Erak, Erickson, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., North, O'Brien, Owen, Patterson, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Taller, Taylor, Teutsch, Thompson, Tilly, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Addison, Barr, Berentson, Bond, Clayton, Craswell, Deccio, Dunlap, Eberle, Fancher, Flanagan, Flint, Hastings, Houchen, Isaacson, McGinnis, Nelson G. A., Newhouse, Nisbet, Oliver, Polk, Rohrbach, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Tupper, Williams, Wilson.

Not voting: Representatives Martinis, Stratton.

#### STATEMENT FOR THE JOURNAL

It is requested that the House Journal for February 13, 1980 reflect a "Yes" vote for me on the motion to advance ESHCR 26 to third reading and final passage.

DUANE BERENTSON, 40th District.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Concurrent Resolution No. 26.

Representatives Zimmerman and Charnley spoke in favor of the bill, and Mr. Wilson spoke against it.

#### POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Zimmerman, is it the intent of this legislation that you will look into various taxation theories including the land value taxation theory as part of the study?"

Mr. Zimmerman: "Although we have not included it in the original form and it's not in at this point, I think that the discussion this morning from the points you brought out would indicate that we certainly need to look at the taxation side. The Committee on Revenue has already done some things on it that would be appropriate to use. I would hope that we could, and I would certainly promote and push for that idea. I hope we will have time to do so."

Representatives Hastings, Nelson (D) and Eberle spoke against the resolution, and Representatives Tilly and Becker spoke in favor of it.

#### POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. Tupper.

Mr. Tupper: "Representative Zimmerman, I've been going through the bill and there is not a fiscal note. Do we have any idea what the cost of this thing is going to be in the next few years?"

Mr. Zimmerman: "The cost of this study for the next approximate year would be probably almost identical to what the Select Committee on Arson spent—probably what the other several select committees have spent in the last year if they were on a year study. It will be divided equally between the Senate and the House. I have asked the Chief Clerks to give me an estimate of what it would cost approximately, and I don't know what their figure is, but it has

not been something that in the past has been an unusual problem because we have done this select route, using our own research staff and our own facilities. The major cost would be the travel and the per diem of the people that were supposedly going to be involved. I will be able to furnish you a figure as soon as the Chief Clerks come up with one."

#### POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. Rohrbach.

Mr. Rohrbach: "Is it your intent, or is it the intent of this legislation, that this study committee, in addition to working on new possible regulations on land use development in this state, will also look at changing or repealing some of the present programs and regulations we have in the state?"

Mr. Zimmerman: "Although I do not know just exactly what direction the study will take, I would certainly hope that local government people and the private sector people involved would definitely look at that aspect. It seems to me that is one of the major areas that have slowed down necessary growth and development that has to be done and it has added to the cost. Therefore I would hope we can eliminate some of the things that have added to cost."

Mr. Rohrbach spoke in favor of the resolution, and Mr. Owen spoke against it.

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

Mr. Zimmerman closed debate, speaking again in favor of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Concurrent Resolution No. 26, and the resolution was adopted by the following vote: Yeas, 73; nays, 23; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., North, O'Brien, Patterson, Pruitt, Rinehart, Rohrbach, Salatino, Scott, Sherman, Smith R., Sommers, Sprague, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Barr, Bond, Clayton, Craswell, Deccio, Dunlap, Eberle, Flanagan, Hastings, Houchen, Isaacson, McGinnis, Newhouse, Nisbet, Oliver, Owen, Polk, Rosbach, Sanders, Schmitten, Smith C. P., Struthers, Wilson.

Not voting: Representatives Martinis, Stratton.

Engrossed Substitute House Concurrent Resolution No. 26, having received the constitutional majority, was declared adopted.

#### MOTIONS

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

On motion of Mr. King, SENATE BILL NO. 3574 was rereferred from Committee on Appropriations to Committee on Social and Health Services.

#### MOTION

On motion of Mr. King, the House adjourned until 9:30 a.m., Thursday, February 14, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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

## THIRTY-SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, February 14, 1980

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lori Finn, Catherine Willeford and Robin Rinehart. Prayer was offered by The Reverend George Smith of the Evergreen Christian Center of Olympia.

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

## MESSAGE FROM THE SENATE

February 13, 1980

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3200,  
ENGROSSED SENATE BILL NO. 3473,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTIONS AND FIRST READING

ENGROSSED SENATE BILL NO. 3200, by Senators Talmadge, Quigg, Moore, Wojahn, Shinpoch and von Reichbauer:

Establishing the office of mental health ombudsman.

To Committee on Social and Health Services

ENGROSSED SENATE BILL NO. 3473, by Senators Gaspard, Matson, McDermott and Morrison (by Superintendent of Public Instruction request):

Providing for inventory and energy efficiency and safety audit of existing school facilities.

To Committee on Education

## REPORTS OF STANDING COMMITTEES

February 13, 1980

HOUSE BILL NO. 1584, Prime Sponsor: Representative Nelson (G), modifying provisions of the 1979-80 budget. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Becker, Chandler, Deccio, Ehlers, Fancher, Grimm, Gruger, Heck, Hughes, Maxie, McDonald, Nisbet, Polk, Taller, Taylor, Valle, Vrooman, Williams.

Passed to Committee on Rules for second reading.

February 13, 1980

REENGROSSED SENATE BILL NO. 2204, Prime Sponsor: Senator Woody, modifying the provisions for free hunting and fishing licenses. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 77.32.230, chapter 36, Laws of 1955 as last amended by section 1, chapter 58, Laws of 1973 1st ex. sess. and RCW 77.32.230 are each amended to read as follows:

(1) Any ((bona fide resident of this state who is a veteran of the Spanish-American War, or any)) person ((sixty-five or more years of age)) who is an honorably discharged veteran of the United States military or naval forces having a veteran's administration service-connected disability rating of fifty percent or more and who has been a resident of this state for ((five)) one year(s), upon the making of an affidavit to such

effect, shall be given a state hunting and fishing license free of charge upon application therefor: PROVIDED, That the applicant pays the statutory agent's fee for such license.

(2) Any person who is blind and has been a resident of this state for one year, upon making an affidavit to such effect, shall be issued a fishing license free of charge except for the statutory agent's fee. Such license shall be renewable annually under the same conditions.

Any separate tags or punch cards which may be required by law shall not be deemed to be included with the free fishing license and must be purchased separately by any person receiving a license pursuant to this section.

**NEW SECTION.** Sec. 2. There is added to chapter 77.12 RCW a new section to read as follows:

It is the intent of the legislature that the biennial state operating budget shall include an appropriation of state general fund moneys sufficient to reimburse the state game fund for revenues lost as a result of hunting and fishing licenses issued free of charge under RCW 77.32.010, 77.32.032, and 77.32.230."

On page 1, line 1 of the title, after "licenses;" strike the remainder of the title and insert "amending section 77.32.230, chapter 36, Laws of 1955 as last amended by section 1, chapter 58, Laws of 1973 1st ex. sess. and RCW 77.32.230; and adding a new section to chapter 77.12 RCW."

Signed by Representatives Schmitt, Executive Chairman; Vrooman, Co-Chairman; Adams, Ellis, Flint, Jovanovich, McCormick, McDonald, Mitchell, Monohon, Owen, Rosbach, Wilson.

Passed to Committee on Rules for second reading.

February 13, 1980

SENATE BILL NO. 3245, Prime Sponsor: Senator Donohue, clarifying certain public retirement laws. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Barnes, Becker, Chandler, Deccio, Ehlers, Fancher, Grimm, Gruger, Heck, Hughes, Maxie, McDonald, Nisbet, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

February 13, 1980

SUBSTITUTE SENATE BILL NO. 3271, Prime Sponsor: Senator McDermott, providing for membership transfers by former PERS members now in the judicial retirement system. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Thompson, Co-Chairman; Barnes, Becker, Chandler, Ehlers, Grimm, Heck, Hughes, Maxie, McDonald, Taylor, Valle, Vrooman, Warnke.

Passed to Committee on Rules for second reading.

February 13, 1980

SUBSTITUTE SENATE BILL NO. 3363, Prime Sponsor: Senator Odegaard, allowing certain public employees credit for military service without need to restore withdrawn contributions not affecting creditable service. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Becker, Chandler, Deccio, Ehlers, Fancher, Grimm, Gruger, Heck, Hughes, Maxie, McDonald, Nisbet, Polk, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

February 13, 1980

SUBSTITUTE SENATE BILL NO. 3442, Prime Sponsor: Senator Peterson, prohibiting ownership of commercial salmon fishing licenses by alien corporations. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 21 after "That" strike "one year" and insert "two years"

On page 2, line 5 after "of" strike "this state" and insert "the United States"

Signed by Representatives Schmitt, Executive Chairman; Vrooman, Co-Chairman; Adams, Ellis, Flint, Jovanovich, McCormick, McDonald, Mitchell, Monohon, Owen, Rosbach, Wilson.

Passed to Committee on Rules for second reading.

February 13, 1980

**SUBSTITUTE SENATE BILL NO. 3558**, Prime Sponsor: Senator Conner, creating a fleet opportunity board and setting forth its powers and duties and providing for the expiration thereof. Reported by Committee on Natural Resources.

**MAJORITY recommendation:** Do pass with the following amendment:  
On page 1, line 12 after "member" insert "Herring"

Signed by Representatives Schmitt, Executive Chairman; Vrooman, Co-Chairman; Adams, Ellis, Flint, McCormick, McDonald, Mitchell, Monohon, Owen, Rosbach, Wilson.

Passed to Committee on Rules for second reading.

February 13, 1980

**ENGROSSED SENATE BILL NO. 3593**, Prime Sponsor: Senator Henry, vesting rights of the state in unappropriated public lands. Reported by Committee on Natural Resources.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 2, line 4 after "all" insert "unreserved unappropriated public"  
on page 2, beginning on line 11 after "(c)" strike all material down to and including "tribes" on line 16 and insert "Within the boundaries of:

- (i) national parks;
- (ii) national forests;
- (iii) national monuments;
- (iv) national wildlife and migratory bird sanctuaries established prior to October 16, 1978; and
- (v) military reservations;
- (d) Which are essential to the operation, maintenance, and access to:
  - (i) United States Corps of Engineers, and United States Bureau of Reclamation projects;
  - (ii) designated United States highways;
  - (iii) shipyards, docks, security and defense establishments, magazines, and arsenals;
- (e) On which buildings are sited to house operations of the United States Government; or
- (f) Owned or controlled by Indian Reservations"

On page 3, line 9 after "fund" insert ": PROVIDED, That the department shall deposit with each affected county in which lands are transferred an amount in equal proportion to revenues now or would have been received by the county from revenue sharing programs established on those federal lands: PROVIDED FURTHER, That such revenue shall be no less than twenty-five percent of the gross revenues earned by the state on such transferred lands"

Signed by Representatives Schmitt, Executive Chairman; Vrooman, Co-Chairman; Adams, Flint, Jovanovich, McCormick, McDonald, Mitchell, Monohon, Owen, Rosbach, Wilson.

Passed to Committee on Rules for second reading.

February 13, 1980

**SUBSTITUTE SENATE BILL NO. 3611**, Prime Sponsor: Senator Lewis, authorizing the investment of municipal pension funds in state authorized investments. Reported by Committee on Appropriations.

**MAJORITY recommendation:** Do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Barnes, Becker, Chandler, Ehlers, Fancher, Grimm, Heck, Hughes, Maxie, McDonald, Nisbet, Taller, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

February 13, 1980

**SENATE JOINT RESOLUTION NO. 132**, Prime Sponsor: Senator Henry, modifying the state's disclaimer of rights to unappropriated public lands. Reported by Committee on Natural Resources.

**MAJORITY recommendation:** Do pass. Signed by Representatives Schmitt, Executive Chairman; Vrooman, Co-Chairman; Adams, Flint, McCormick, McDonald, Mitchell, Monohon, Owen, Wilson.

Passed to Committee on Rules for second reading.

The Speaker (Mr. Amen presiding) declared the House to be at ease.  
Speaker Berentson called the House to order.

## SECOND READING

HOUSE BILL NO. 1539, by Representative Thompson:

Making an appropriation to the department of ecology.

The bill was read the second time.

Ms. Valle moved adoption of the following amendment by Representatives Valle and Thompson:

On page 1, after line 7 strike all material down to and including "grants." on line 13 and insert the following:

|                                            |             |
|--------------------------------------------|-------------|
| *General Fund Appropriation - State .....  | \$ 137,000  |
| General Fund Appropriation - Federal ..... | \$2,381,000 |
| Total Appropriation .....                  | \$2,518,000 |

The appropriation contained in this section shall be subject to the following conditions and limitations: The general fund appropriation - federal shall be used only to meet increased workloads associated with the receipt of federal waste and water management grants. Not more than \$137,000 of state funds shall be expended for a dam safety program."

Representatives Valle and North spoke in favor of the amendment, and Representatives Zimmerman and McDonald spoke against it.

## POINT OF INQUIRY

Mr. Barr yielded to question by Mr. Eberle.

Mr. Eberle: "Representative Barr, as Chairman of the Ecology Committee, I've had some question of whether or not the Ecology Department has asked for this money because I think it is pretty significant whether or not they think they need the money?"

Mr. Barr: "Thank you, Representative Eberle, I was going to speak to the issue, but I appreciate your asking that question specifically. The Department of Ecology has not asked at this time in this budget for this amount of money. Now, let me go just a little bit further in explaining a little bit about the dam safety program as it is today. We'll all agree that we need a good dam safety program in this state. It's too bad that disasters happened in Idaho and Georgia, but that triggered nationwide programs of which the state of Washington is a real recipient of that and the Corps of Engineers' program. I am showing to you a report of twenty-five dams over the last two years that they have officially reported on, and there's about that many more in the process. The Tolt River Dam, that was referred to, is one of the three in the state that got a clean bill of health. As you will notice there are three that conformed to the Corps' safety guidelines, and that was one of the three. Let me further mention to you that practically all of the ones that are declared unsafe are strictly because of the spillways capacity and the criteria that they use to judge the spillways capacity would equal only one thing and that was where Noah built his ark. The Department of Ecology wants very badly to get further into a dam safety program. They will not go any further into a dam safety program until they have an exemption from liability. Now, they have, under this program..."

Speaker Berentson: "Representative Barr, try to stay with the subject matter in relation to the question that was asked by Representative Eberle."

Mr. Barr: "In speaking to the question of the Department's role in answering Representative Eberle's question, it boils down to this: We've got a good program. The federals are doing their thing, as I mentioned, and the state is doing their's. The reports are made and things are moving along very nicely. This is not the time, by any means, to come out here, under any stretch of the imagination, and put these kinds of funds into this supplemental budget under a reasonable criteria, when the Department is not asking for this money at this time."

Representatives Pruitt and Charnley spoke in favor of the amendment, and Representatives Flanagan, Nisbet, Chandler and Barr spoke against it.

Mr. Polk demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Valle and Thompson to House Bill No. 1539, and the amendment was not adopted by the following vote: Yeas, 47; nays, 49; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, Monohon, Nelson D.,

North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Scott, Sherman, Sommers, Teutsch, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rohrbach, Rosbach, Sanders, Schmitten, Smith C. P., Smith R., Sprague, Struthers, Taller, Taylor, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Martinis, Stratton.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and House Bill No. 1539 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1539, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Martinis, Stratton.

House Bill No. 1539, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Speaker Berentson called on Mr. Amen to preside.

HOUSE JOINT MEMORIAL NO. 25, by Representatives Zimmerman, Heck, Williams, Galloway, Nisbet, Monohon, Keller, Mitchell and Bauer:

Requesting federal help in promoting development of geothermal resources.

The memorial was read the second time.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and House Joint Memorial No. 25 was placed on final passage.

Mr. Zimmerman spoke in favor of passage of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 25, and the memorial passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Martinis, Stratton.

House Joint Memorial No. 25, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1444, by Representatives Amen, Charnley, Patterson, Vrooman and Winsley:

Requiring ordinances for reduced utility fees for low income persons.

The bill was read the second time.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and House Bill No. 1444 was placed on final passage.

Mr. Patterson spoke in favor of the bill.



## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1444, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Martinis, Stratton.

House Bill No. 1444, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1525, by Representative Thompson:

Making an appropriation to the administrator for the courts.

The bill was read the second time.

On motion of Mr. Thompson, Substitute House Bill No. 1525 was substituted for House Bill No. 1525, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1525 was read the second time.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1525 was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1525, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Martinis, Stratton.

Substitute House Bill No. 1525, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1528, by Representative Thompson:

Making an appropriation to the insurance commissioner.

The bill was read the second time.

On motion of Mr. Nelson (G), Substitute House Bill No. 1528 was substituted for House Bill No. 1528, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1528 was read the second time.

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

Representatives Taller and Nelson (G) spoke in favor of the bill, and Mr. Keller spoke against it.

## POINT OF INQUIRY

Mr. Taller yielded to question by Mr. Eng.

Mr. Eng: "Could you explain to me why insurance agents here are to be given funds through the state to help them get this continuing education, whereas the rest of the employees,

in the accounting profession and others, are also required to have this continuing education, but then the state is not funding their education?"

Mr. Nelson (G): "Representative Eng, we are really not funding the individuals, we are providing the opportunity for them to come to classes that are conducted by the Insurance Commissioner and what we are appropriating here is the money for those instructors. That was part of the concept of the bill when it was passed by the Legislature and I think it follows the pattern we have for many professional areas of continuing education."

Speaker Bagnariol spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1528, and the bill passed the House by the following vote: Yeas, 59; nays, 36; not voting, 3.

Voting yea: Representatives Addison, Amen, Bagnariol, Barnes, Barr, Becker, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Eberle, Ellis, Eng, Fancher, Flanagan, Fuller, Gallagher, Garrett, Greengo, Hastings, Houchen, Isaacson, King, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, O'Brien, Oliver, Owen, Patterson, Polk, Rosbach, Sanders, Schmitt, Smith C. P., Smith R., Sprague, Struthers, Tallor, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Whiteside, Williams, Wilson, Winsley.

Voting nay: Representatives Adams, Bauer, Bender, Brekke, Brown, Burns, Charnley, Dawson, Ehlers, Erak, Erickson, Flint, Galloway, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, Kreidler, Lux, McGinnis, North, Pruitt, Rinehart, Rohrbach, Salatino, Scott, Sherman, Sommers, Thompson, Vrooman, Walk, Warnke, Zimmerman.

Not voting: Representatives Knowles, Martinis, Stratton.

Substitute House Bill No. 1528, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1530, by Representative Thompson:

Making an appropriation to the military department.

The bill was read the second time.

On motion of Mr. Thompson, Substitute House Bill No. 1530 was substituted for House Bill No. 1530, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1530 was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1530, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Martinis, Stratton.

Substitute House Bill No. 1530, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

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

## REPORTS OF STANDING COMMITTEES

February 14, 1980

**SUBSTITUTE SENATE BILL NO. 3191**, Prime Sponsor: Senator Odegaard, modifying the state employee attendance incentive program. Reported by Committee on Higher Education.

**MAJORITY recommendation:** Do pass with the following amendment:

On page 2, line 2 following "leave" insert "PROVIDED, That community college districts may delay until July 1, 1981, payment due any eligible employee or employee's estate: PROVIDED FURTHER, That there shall be added to any such delayed payment interest at the rate of eight percent per year"

Signed by Representatives Grimm, Executive Chairman; Barnes, Co-Chairman; Burns, Erickson, Gruger, McGinnis, Oliver, Teutsch.

Passed to Committee on Rules for second reading.

February 13, 1980

**ENGROSSED SENATE BILL NO. 3210**, Prime Sponsor: Senator Day, extending privileged communications to nurse-patient dialogue. Reported by Committee on Social and Health Services.

**MAJORITY recommendation:** Do pass. Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Barr, Brekke, Flint, Houchen, Kreidler, Lux, Mitchell, Pruitt, Teutsch.

Passed to Committee on Rules for second reading.

February 13, 1980

**SUBSTITUTE SENATE BILL NO. 3330**, Prime Sponsor: Senator Day, permitting university hospitals to make purchases directly from cooperative hospital service organizations. Reported by Committee on Social and Health Services.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 2, lines 4-5 strike "as now existing or hereafter amended" and insert "or its successor"

On page 5, line 30 strike "as now existing or hereafter amended" and insert "or its successor"

Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Barr, Brekke, Flint, Houchen, Kreidler, Lux, Mitchell, Pruitt, Schmitten, Teutsch.

Passed to Committee on Rules for second reading.

## MOTION

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

## RESOLUTION

**HOUSE RESOLUTION NO. 80-147**, by Representatives May, Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith (C), Smith (R), Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley and Zimmerman.

**WHEREAS**, Eric Anderson, former State Representative from the 19th District of the State of Washington, passed away on the afternoon of February thirteenth, nineteen hundred eighty, A.D.; and

**WHEREAS**, Eric O., as he was affectionately called and known during the sixteen years that he served his constituents in an impeccable manner standing for the rights of every person irrespective of birth, the color of their skin, the nature of their religious beliefs or philosophy, or their economic status; believing in the rights of business while balancing such rights with those of the workers in such business; believing in the conservation of resources, human or

otherwise; refusing to dismiss a problem regardless of its nature but seeking the answer; not afraid of an issue because it was new or controversial, and never too busy to render his services to any of his fellow citizens, for where Eric was concerned, there were no priorities on his time when help was needed; and

WHEREAS, Having served as a Representative from the 19th District of the State of Washington, comprised of Grays Harbor and part of Pacific counties, Eric O. continued his life in service to his fellow man, especially laboring for each working man, teacher, logger, fisherman, small farmer and white collar worker of his district; and, aware of the hardships that could befall each human being, he appreciated more than most the economic and social improvements he witnessed during the succeeding years;

NOW, THEREFORE, BE IT RESOLVED, By the members of the House of Representatives of this Forty-Sixth Legislature of the State of Washington, That with a deep sense of personal loss, we do extend to Ida Anderson, his widow, and Mrs. Gay Anderson, his daughter-in-law, our deep sympathy in this time of bereavement; but let us not forget that Eric, whether as Representative or plain citizen, leaves behind for all of us who knew him, that example of principle and service that will ever keep his name alive in this House and state in which he so generously gave of his talents; and, in that community of which he was so much a part, his concern for his fellow man will ever be a monument to his name.

BE IT FURTHER RESOLVED, That copies of this resolution be prepared by the Chief Clerks of this House and be transmitted to Mrs. Ida Anderson and to Mrs. Gay Anderson.

Mr. May moved adoption of the resolution. Representatives May, Newhouse, O'Brien and Tilly spoke in favor of the resolution and it was adopted.

#### MOTION

On motion of Mr. Polk, the House adjourned until 9:30 a.m., Friday, February 15, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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

## THIRTY-THIRD DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Friday, February 15, 1980

The House was called to order at 9:30 a.m. by Speaker Bagnariol. The Clerk called the roll and all members were present except Representatives Becker, Dawson, Grimm, Jovanovich, Martinis, Polk and Rohrbach. Representative Polk was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Carol Herriott, Camile Weikel and Randall Peterson. Prayer was offered by The Reverend George Smith of the Evergreen Christian Center of Olympia.

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

### MESSAGE FROM THE SENATE

February 14, 1980

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 322,

HOUSE BILL NO. 1950,

ENGROSSED SUBSTITUTE SENATE BILL NO. 3494,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

### REPORTS OF STANDING COMMITTEES

February 13, 1980

HOUSE BILL NO. 1397, Prime Sponsor: Representative May, exempting motor vehicle fuel used by urban transportation systems from the sales and use tax. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Bond, Brown, Erickson, Galloway, Hastings, Nelson (D), Rinehart, Sanders.

February 13, 1980

HOUSE BILL NO. 1483, Prime Sponsor: Representative Whiteside, appropriating moneys to implement referendum 37 (Facilities for the handicapped). Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 3 insert the following:

\*Section 1. Section 8, chapter 221, Laws of 1979 ex. sess. and RCW 43.99C.045 are each amended to read as follows:

Subject to legislative appropriation, all principal proceeds of the bonds and bond anticipation notes authorized in this chapter shall be administered by the state department of social and health services exclusively for the purposes specified in this chapter and for the payment of expenses incurred in connection with the sale and issuance of the bonds and bond anticipation notes.

In carrying out the purposes of this chapter all counties of the state shall be eligible to participate in the distribution of the bond proceeds. The share coming to each county shall be determined by a division among all counties according to the relation which the population of each county, as shown by the last federal or official state census, whichever is the later, bears to the total combined population of all counties, as shown by such census: PROVIDED, That no county shall receive an aggregate amount less than seventy-five thousand dollars for projects within its boundaries. No single project in a class AA county shall be eligible for more than fifteen percent of such county's total distribution of bond proceeds.

In carrying out the purposes specified in this chapter, the department may use or permit the use of the proceeds by direct expenditures, grants, or loans to any public body, including but not limited to grants to a public body as matching funds in any case where federal, local, or other funds are made available on a matching basis for purposes specified in this chapter.\*

Renumber the remaining sections consecutively.

On page 1, after line 13, insert the following:

**"NEW SECTION.** Sec. 3. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Renumber the remaining section consecutively.

On page 1, line 1 of the title, after "handicapped;" insert "amending section 8, chapter 221, Laws of 1979 ex. sess. and RCW 43.99C.045;"

Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Barnes, Becker, Ehlers, Fancher, Grimm, Heck, Nisbet, Polk, Taller, Warnke, Williams, Zimmerman.

February 14, 1980

**HOUSE BILL NO. 1715,** Prime Sponsor: Representative Nisbet, authorizing the establishment of the Washington state veterans' memorial park and cemetery. Reported by Committee on State Government.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ehlers, Co-Chairman; Taller, Co-Chairman; Addison, Burns, Flint, Greengo, McGinnis, Pruitt, Tupper, Walk, Williams.

February 13, 1980

**HOUSE BILL NO. 1989,** Prime Sponsor: Representative Warnke, regulating the manufacture, installation, sale, transportation and repair of manufactured homes. Reported by Committee on Commerce.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Warnke, Co-Chairman; Greengo, Co-Chairman; Addison, Brekke, Fuller, Gallagher, May, North, Owen, Sanders, Struthers.

February 14, 1980

**SUBSTITUTE SENATE BILL NO. 2299,** Prime Sponsor: Senator Gaspard, requiring railroads to provide first aid training for certain employees. Reported by Committee on Transportation.

**MAJORITY recommendation:** Do pass. Signed by Representatives Wilson, Co-Chairman; Martinis, Co-Chairman; Burns, Charnley, Dawson, Erak, Gallagher, Garrett, McCormick, Sherman, Smith (C), Sprague, Struthers, Walk.

February 14, 1980

**ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2372,** Prime Sponsor: Senator Wilson, providing for postponement of an election to fill a partisan elective office becoming vacant shortly before the primary. Reported by Committee on Constitution, Elections and Governmental Ethics.

**MAJORITY recommendation:** Do pass. Signed by Representatives Erickson, Co-Chairwoman; Barnes, Eng, Fuller, Granlund, Gruger, Hughes.

February 14, 1980

**SECOND SUBSTITUTE SENATE BILL NO. 2381,** Prime Sponsor: Senator Talmadge, revising superior court clerks' fees. Reported by Committee on Judiciary.

**MAJORITY recommendation.** Do pass. Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Tilly, Winsley.

February 14, 1980

**SENATE BILL NO. 2501,** Prime Sponsor: Senator Benitz, modifying powers of public utility districts relating to conservation, utilization, development and management of water resources. Reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass with the following amendment:

On page 2, after line 33 add a new section as follows:

**"NEW SECTION.** Sec. 5. Flood control facilities, drainage facilities, facilities to provide water to irrigation districts or reclamation districts, and facilities to provide base flows in rivers and streams shall contain reasonable features to protect fish and wildlife resources and where losses are unavoidable shall mitigate these losses."

Renumber the remaining sections consecutively.

Signed by Representatives Zimmerman, Co-Chairman; Chandler, Garrett, Keller, Roebach, Teutsch, Vrooman, Whiteside.

February 13, 1980

**SUBSTITUTE SENATE BILL NO. 2616**, Prime Sponsor: Senator Bausch, permitting minor disc jockeys and sound and lighting technicians to go into taverns and bars. Reported by Committee on Commerce.

**MAJORITY recommendation:** Do pass. Signed by Representatives Warnke, Co-Chairman; Greengo, Co-Chairman; Fuller, Gallagher, May, North, Owen, Sanders, Struthers.

February 14, 1980

**SECOND SUBSTITUTE SENATE BILL NO. 2865**, Prime Sponsor: Senator Odegaard, regulating political advertising. Reported by Committee on Constitution, Elections and Governmental Ethics.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, line 25 after "association," insert "labor union."

On page 2, line 5 after "affiliation," insert "However, an abbreviation may not be used if it is identical or confusingly similar to an abbreviation for the office sought."

On page 2, line 18 after "sought," insert "A candidate, a political party, or a political committee may not use, or authorize the use of, the phrase 'reelect' if the candidate referred to is not currently serving in the office sought as a result of being elected to that office."

On page 2, following section 2 add a new section as follows:

**\*NEW SECTION.** Sec. 3. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Signed by Representatives Oliver, Executive Chairman; Erickson, Co-Chairwoman; Barnes, Eng, Fuller, Granlund, Gruger, Hastings, Hughes.

February 14, 1980

**ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3136**, Prime Sponsor: Senator Goltz, exempting additional records from public inspection and copying under public disclosure act. Reported by Committee on Constitution, Elections and Governmental Ethics.

**MAJORITY recommendation:** Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 31, chapter 1, Laws of 1973 as last amended by section 13, chapter 314, Laws of 1977 ex. sess. and RCW 42.17.310 are each amended to read as follows:

(1) The following shall be exempt from public inspection and copying:

(a) Personal information in any files maintained for students in public schools, patients or clients of public institutions or public health agencies, welfare recipients, prisoners, probationers, or parolees.

(b) Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy.

(c) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would violate the taxpayer's right to privacy or would result in unfair competitive disadvantage to such taxpayer.

(d) Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.

(e) Information revealing the identity of persons who file complaints with investigative, law enforcement, or penology agencies, other than the public disclosure commission, if disclosure would endanger any person's life, physical safety, or property: **PROVIDED**, That if at the time the complaint is filed the complainant indicates a desire for disclosure or nondisclosure, such desire shall govern: **PROVIDED, FURTHER**, That all complaints filed with the public disclosure commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath.

(f) Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination.

(g) Except as provided by chapter 8.26 RCW, the contents of real estate appraisals, made for or by any agency relative to the acquisition or sale of property, until the project or prospective sale is abandoned or until such time as all of the property has been acquired or the property to which the sale appraisal relates is sold, but in no event shall disclosure be denied for more than three years after the appraisal.

(h) Valuable formulae, designs, drawings, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss.

(i) Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action.

(j) Records which are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

(k) Records, maps, or other information identifying the location of archaeological sites in order to avoid the looting or depredation of such sites.

(l) Any records concerning library information regarding public circulation of books, documents, or other items of personal property.

(m) Any information relating to a decision involving the investment or disposition of the assets of a trust held by or on behalf of any public institution of higher education if disclosure could adversely affect the value of the trust assets: PROVIDED, That this information shall be subject to disclosure no later than six months following the decision.

(n) Any records or information supplied to the department of transportation by any person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for a construction contract let by the department of transportation. This exemption does not apply to the name and address of the person, firm, or corporation and the date or dates such records or information are received by the department.

(2) The exemptions of this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interests, can be deleted from the specific records sought. No exemption shall be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.

(3) Inspection or copying of any specific records, exempt under the provisions of this section, may be permitted if the superior court in the county in which the record is maintained finds, after a hearing with notice thereof to every person in interest and the agency, that the exemption of such records, is clearly unnecessary to protect any individual's right of privacy or any vital governmental function.

(4) Agency responses refusing, in whole or in part, inspection of any public record shall include a statement of the specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld."

Signed by Representatives Oliver, Executive Chairman; Erickson, Co-Chairwoman; Barnes, Granlund, Gruger, Hastings, Hughes.

February 13, 1980

ENGROSSED SENATE BILL NO. 3201, Prime Sponsor: Senator Moore, assisting needy families with day care services. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 24 after "families" strike "with" and all language down to and including "income" on line 25 and insert "with a gross income at or below thirty-eight percent of the state median income adjusted for family size, no AFDC families, no families residing on Indian reservations with income at or below eighty percent of the state median income adjusted for family size, and no families receiving day care services to support a child protection or child welfare case plan"

Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Brekke, Flint, Houchen, Kreidler, Lux, Mitchell, Pruitt, Schmitten, Teutsch.

February 14, 1980

ENGROSSED SENATE BILL NO. 3210, Prime Sponsor: Senator Day, extending privileged communications to nurse-patient dialogue. Reported by Committee on Rules.

MAJORITY recommendation: Rerefer to Committee on Judiciary.

February 14, 1980

ENGROSSED SENATE BILL NO. 3220, Prime Sponsor: Senator Talmadge, modifying procedures for civil judgments. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 27 after "is" strike everything through "less" on line 28 and insert "equal to or less than the maximum allowed under RCW 4.84.250"

Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Tilly, Winsley.

February 14, 1980

SUBSTITUTE SENATE BILL NO. 3224, Prime Sponsor: Senator Hansen, revising laws governing elections of county weed board members. Reported by Committee on Constitution, Elections and Governmental Ethics.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 12 beginning with ":" strike all material down to and including "board" on line 6

On page 1, line 25 after "except that" insert "(1)"

On page 1, line 28 after "year" insert "; (2) the terms of incumbent board members may be shortened or extended by the board if the board, in order to provide for a more convenient election date, makes a substantial change in the date for elections and if the board obtains the prior approval of the state noxious weed control board for the changes in election dates and in the terms of incumbent board members"



Signed by Representatives Oliver, Executive Chairman; Erickson, Co-Chairwoman; Barnes, Eng, Fuller, Granlund, Gruger, Hastings, Hughes.

February 14, 1980

**SUBSTITUTE SENATE BILL NO. 3226**, Prime Sponsor: Senator Day, revising laws relating to prescriptions. Reported by Committee on Social and Health Services.

**MAJORITY recommendation:** Do pass. Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Barr, Brekke, Flint, Houchen, Lux, Mitchell, Pruitt, Schmitt, Teutsch.

February 13, 1980

**SENATE BILL NO. 3244**, Prime Sponsor: Senator Donohue, providing certain elective membership in the LEOFF retirement system. Reported by Committee on Appropriations.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 3, after line 33, insert the following:

**"NEW SECTION. Sec. 2.** Commencing January 1, 1981, no employer may employ a person as a law enforcement officer or fire fighter until that person has met and has been certified as having met minimum medical and health standards adopted under section 3 of this act: **PROVIDED**, That a sheriff, chief of police, or fire chief shall not be required to meet whatever age standard may be adopted under section 3 of this act. The terms 'employer,' 'law enforcement officer,' and 'fire fighter,' as used in this section and section 3 of this act, have the same meanings as prescribed in chapter 41.26 RCW.

**NEW SECTION. Sec. 3.** By January 1, 1981, each employer shall adopt minimum medical and health standards for the employment of law enforcement officers and fire fighters. In adopting the standards, the employer shall consider the standards codified in WAC 415-104-510 through 415-104-755 as they existed on June 30, 1979, and shall adopt and maintain equal or higher standards. The employer shall also adopt and maintain procedures to insure compliance with this section, including procedures for certifying that individuals have met the required standards and for appropriate publication of the standards, procedures, and any amendments. The standards and procedures shall be adopted by each employer through the employer's civil service commission, where applicable, or by ordinance or resolution of the employer's governing body in all other cases. The standards, when adopted, constitute bona fide occupational qualifications for the purposes of chapter 49.60 RCW.

The cost of any medical examinations necessitated by this section or by standards adopted under this section shall be paid by the employer.

**NEW SECTION. Sec. 4.** Sections 2 and 3 of this act are each added to chapter 41.04 RCW.

**NEW SECTION. Sec. 5.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "employment;" insert "adding new sections to chapter 41.04 RCW;"

Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Barnes, Bauer, Becker, Chandler, Deccio, Ehlers, Grimm, Gruger, Heck, Hughes, Keller, Maxie, McDonald, Nisbet, Taller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

February 13, 1980

**SUBSTITUTE SENATE BILL NO. 3246**, Prime Sponsor: Senator Donohue, providing for error corrections in public retirements systems' records and payments. Reported by Committee on Appropriations.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 2, after line 25 insert the following:

"Sec. 2. Section 24, chapter 80, Laws of 1947 as last amended by section 3, chapter 45, Laws of 1979 ex. sess. and RCW 41.32.240 are each amended to read as follows:

All teachers employed full time in the public schools shall be members of the system except those who have previously exempted themselves from membership and alien teachers who have been granted a temporary permit to teach as exchange teachers.

No teacher who commences a period of employment on or after July 1, 1979, as a participant under the federal comprehensive employment and training act of 1973 (CETA) (29 U.S.C. Sec. 801 et seq.), as amended, shall be a member of this system during the period of such participation unless, at the commencement of the participation under CETA, the teacher either:

(1) Has at least five years of service and the full amount of the employee's contributions for such service remains on deposit in the system; or

(2) Has previously been retired from this system.

A minimum of ninety days or the equivalent of ninety days of employment during a fiscal year shall be required to establish membership: **PROVIDED**, That a teacher who has commenced a period of employment after June 30, 1977, but before October 1, 1977, and who became a member of the system during the period of employment shall be deemed to have established membership on the date the period of employment was commenced. A teacher shall be considered as employed full time if serving regularly for four-fifths or more

of a school day or if assigned to duties which are the equivalent of four-fifths or more of a full time assignment. A teacher who is employed for less than full time service may become a member by filing an application with the retirement system, submitting satisfactory proof of teaching service and making the necessary payment before June 30 of the school year immediately following the one during which the service was rendered. If an exempted teacher desires membership he must file with the department a written request, duly executed, that his exemption certificate be canceled, present proof of service, and make the necessary payment before June 30 of the school year immediately following the one in which his request for cancellation of the exemption was filed. Any teacher who is still exempt from membership in the teachers' retirement system after July 1, 1965 and chooses not to become a member of the teachers' retirement system may continue his exemption and shall not become a member of the state employees' retirement system while employed as a teacher. All service rendered in this state subsequent to his exemption from membership must be established by proper proof and paid for, with interest at three percent, upon the same basis as he would have paid had he been a member during the period covered by his exemption. Twenty percent of the total amount due must be paid before membership can be established. Payment of the remainder, including interest, must be completed before June 30th of the fourth school year following that in which membership was established. A minimum of five years of membership in the present system and/or the former state fund or a local fund shall be required of a member who was formerly exempt from membership before such member may qualify for a retirement allowance."

Renumber the remaining section consecutively.

On page 1, line 1 of the title, after "employment;" insert "amending section 24, chapter 80, Laws of 1947 as last amended by section 3, chapter 45, Laws of 1979 ex. sess. and RCW 41.32.240;"

Signed by Representatives Thompson, Co-Chairman; Barnes, Becker, Deccio, Ehlers, Grimm, Gruger, Heck, Hughes, Maxie, McDonald, Nisbet, Taylor, Valle, Vrooman, Warnke, Williams.

February 14, 1980

**SUBSTITUTE SENATE BILL NO. 3257**, Prime Sponsor: Senator Day, establishing a program of poison control and drug information service. Reported by Committee on Social and Health Services.

**MAJORITY recommendation:** Do pass. Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Barr, Brekke, Flint, Houchen, Lux, Mitchell, Schmitt, Teutsch.

February 13, 1980

**SENATE BILL NO. 3280**, Prime Sponsor: Senator Van Hollebeke, revising laws relating to real estate brokers and salesmen. Reported by Committee on Commerce.

**MAJORITY recommendation:** Do pass. Signed by Representatives Warnke, Co-Chairman; Greengo, Co-Chairman; Addison, Brekke, Fuller, Gallagher, May, North, Owen, Sanders, Struthers.

February 14, 1980

**ENGROSSED SENATE BILL NO. 3302**, Prime Sponsor: Senator Vognild, modifying penalties for attempted arson. Reported by Committee on Judiciary.

**MAJORITY recommendation:** Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 9A.28.020, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.28.020 are each amended to read as follows:

(1) A person is guilty of an attempt to commit crime if, with intent to commit a specific crime, he does any act which is a substantial step toward the commission of that crime.

(2) If the conduct in which a person engages otherwise constitutes an attempt to commit a crime, it is no defense to a prosecution of such attempt that the crime charged to have been attempted was, under the attendant circumstances, factually or legally impossible of commission.

(3) An attempt to commit a crime is a:

(a) Class A felony when the crime attempted is murder in the first degree or arson in the first degree under RCW 9A.48.020;

(b) Class B felony when the crime attempted is a class A felony other than murder in the first degree or arson in the first degree under RCW 9A.48.020;

(c) Class C felony when the crime attempted is a class B felony;

(d) Gross misdemeanor when the crime attempted is a class C felony;

(e) Misdemeanor when the crime attempted is a gross misdemeanor or misdemeanor."

On page 1, line 1 of the title, after "Relating to arson;" strike the remainder of the title and insert "and amending section 9A.28.020, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.28.020."

Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Tilly, Winsley.

February 14, 1980

ENGROSSED SENATE BILL NO. 3320, Prime Sponsor: Senator Bottiger, permitting agencies to issue summary orders in contested cases. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Knowles, Tilly, Winsley.

February 14, 1980

ENGROSSED SENATE BILL NO. 3322, Prime Sponsor: Senator Vognild, providing for a reporting of fire data. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 8 after "(1)" strike everything down to and including "jurisdiction." on line 18 and insert "The chief of each organized fire department, ((or)) the sheriff ((having jurisdiction over areas not within the jurisdiction of any fire department;)) or other designated county official, and the designated city or town official shall investigate the cause, origin, and extent of loss of all fires occurring within their respective jurisdictions, as determined by this subsection, and shall forthwith notify the state fire marshal of all fires of criminal, suspected, or undetermined ((origin) cause occurring within ((the jurisdiction of such fire department or sheriff)) their respective jurisdictions. Fire departments shall have the responsibility imposed by this subsection for areas within their jurisdictions. Sheriffs or other designated county officials shall have responsibility imposed by this subsection for county areas not within the jurisdiction of a fire department, unless such areas are within the boundaries of a city or town, in which case the designated city or town official shall have the responsibility imposed by this subsection. For the purposes of this subsection, county officials shall be designated by the county legislative authority; and city or town officials shall be designated by the appropriate city or town legislative or executive authority. In addition to the responsibility imposed by this subsection, any sheriff or chief of police may assist in the investigation of the cause, origin, and extent of loss of all fires occurring within his or her respective jurisdiction."

Signed by Representatives Ehlers, Co-Chairman; Taller, Co-Chairman; Addison, Burns, Flint, Greengo, Pruitt, Tupper, Walk, Williams.

February 14, 1980

SENATE BILL NO. 3334, Prime Sponsor: Senator Talmadge, extending the lien and enforcement of judgments to ten years. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 10 insert the following additional sections:

\*Section 1. Section 2, page 363, Laws of 1854 as last amended by section 26, Code of 1881 and RCW 4.16.020 are each amended to read as follows:

The period prescribed in RCW 4.16.010 for the commencement of actions shall be as follows:

Within ten years:

(1) Actions for the recovery of real property, or for the recovery of the possession thereof; and no action shall be maintained for such recovery unless it appears that the plaintiff, his ancestor, predecessor or grantor was seized or possessed of the premises in question within ten years before the commencement of the action.

(2) An action upon a judgment or decree of any court of the United States, or of any state or territory within the United States, or of any territory or possession of the United States outside the boundaries thereof, or of any extraterritorial court of the United States.

Sec. 2. Section 3, page 363, Laws of 1854 as last amended by section 1, chapter 137, Laws of 1927 and RCW 4.16.040 are each amended to read as follows:

Within six years:

(1) ((An action upon a judgment or decree of any court of the United States, or of any state or territory within the United States, or of any territory or possession of the United States outside the boundaries thereof, or of any extraterritorial court of the United States:

(2)) An action upon a contract in writing, or liability express or implied arising out of a written agreement.

((3)) (2) An action for the rents and profits or for the use and occupation of real estate."

Renumber the sections following consecutively, and correct internal references accordingly.

In line 1 of the title, after "civil procedure;" insert "amending section 2, page 363, Laws of 1854 as last amended by section 26, Code of 1881 and RCW 4.16.020; amending section 3, page 363, Laws of 1854 as last amended by section 1, chapter 137, Laws of 1927 and RCW 4.16.040;"

Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Tilly, Winsley.

February 14, 1980

SENATE BILL NO. 3362, Prime Sponsor: Senator Woody, correcting laws relating to election precincts. Reported by Committee on Constitution, Elections and Governmental Ethics.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 12 after "before" strike "~~((July))~~ November" and insert "July"

On page 1, line 13 after "prepare" strike "and transmit to the secretary of state" and insert "~~((and transmit to the secretary of state))~~ for public inspection and use"

On page 1, line 17 after "election." insert "On or before November 1, 1980 each county auditor shall transmit such maps to the secretary of state."

On page 1, line 20 after "maps" insert "transmitted to the secretary of state"

On page 2, following section 1 insert a new section as follows:

"NEW SECTION. Sec. 2. There is hereby added to chapter 29.04 RCW a new section to read as follows:

The office of the secretary of state is hereby prohibited from associating in any manner voting results with the materials supplied by the respective county auditors under the provisions of RCW 29.04.130."

Renumber the remaining sections consecutively.

On line 7 of the title after "29.04.040" insert "; and adding a new section to chapter 29.04 RCW"

Signed by Representatives Oliver, Executive Chairman; Barnes, Fuller, Granlund, Gruger, Hastings, Hughes.

February 14, 1980

**SUBSTITUTE SENATE BILL NO. 3405**, Prime Sponsor: Senator Day, regulating administrative practice and procedure applicable to licenses and licensing. Reported by Committee on State Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Ehlers, Co-Chairman; Taller, Co-Chairman; Addison, Burns, Flint, Greengo, Jovanovich, McGinnis, Pruitt, Tupper, Walk, Williams.

February 13, 1980

**SENATE BILL NO. 3415**, Prime Sponsor: Senator Day, including hearing aid dogs under the white cane law. Reported by Committee on Social and Health Services.

**MAJORITY recommendation:** Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 1, chapter 141, Laws of 1969 and RCW 70.84.010 are each amended to read as follows:

The legislature declares:

(1) It is the policy of this state to encourage and enable the blind, the visually handicapped, the hearing impaired, and the otherwise physically disabled to participate fully in the social and economic life of the state, and to engage in remunerative employment.

(2) As citizens, the blind, the visually handicapped, the hearing impaired, and the otherwise physically disabled have the same rights as the able-bodied to the full and free use of the streets, highways, walkways, public buildings, public facilities, and other public places.

(3) The blind, the visually handicapped, the hearing impaired, and the otherwise physically disabled are entitled to full and equal accommodations, advantages, facilities, and privileges on common carriers, airplanes, motor vehicles, railroad trains, motor buses, street cars, boats, and all other public conveyances, as well as in hotels, lodging places, places of public resort, accommodation, assemblage or amusement, and all other places to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons.

Sec. 2. Section 2, chapter 141, Laws of 1969 and RCW 70.84.020 are each amended to read as follows:

For the purpose of this chapter, the term "guide dog" shall mean a dog which is in working harness and is trained or approved by an accredited school engaged in training dogs for the purpose of guiding blind persons or a dog which is trained or approved by an accredited school engaged in training dogs for the purpose of assisting hearing impaired persons.

Sec. 3. Section 3, chapter 141, Laws of 1969 and RCW 70.84.030 are each amended to read as follows:

Every totally or partially blind or hearing impaired person shall have the right to be accompanied by a guide dog in any of the places listed in RCW 70.84.010(3) without being required to pay an extra charge for the guide dog. It shall be unlawful to refuse service to a blind or hearing impaired person in any such place solely because he is accompanied by a guide dog.

Sec. 4. Section 4, chapter 141, Laws of 1969 as amended by section 1, chapter 77, Laws of 1971 ex. sess. and RCW 70.84.040 are each amended to read as follows:

The driver of a vehicle approaching a totally or partially blind pedestrian who is carrying a cane predominantly white in color (with or without a red tip) or a totally or partially blind or hearing impaired pedestrian using a guide dog shall take all necessary precautions to avoid injury to such ~~((blind))~~ pedestrian. Any driver who fails to take such precaution shall be liable in damages for any injury caused such pedestrian. It shall be unlawful for the operator of any vehicle to drive into or upon any crosswalk while there is on such crosswalk, ~~((any))~~ such pedestrian ~~((wholly or partially blind))~~, crossing or attempting to cross the roadway, if such pedestrian indicates his intention to cross or of continuing on, with a timely warning by holding up or waving a white cane, or using a guide dog. The failure of any such pedestrian so to signal shall not deprive him of the right of way accorded him by other laws.

Sec. 5. Section 5, chapter 141, Laws of 1969 and RCW 70.84.050 are each amended to read as follows:

A totally or partially blind pedestrian not carrying a white cane or a totally or partially blind or hearing impaired pedestrian not using a guide dog in any of the places, accommodations, or conveyances listed in RCW 70.84.010, shall have all of the rights and privileges conferred by law on other persons.

Sec. 6. Section 6, chapter 141, Laws of 1969 and RCW 70.84.060 are each amended to read as follows:

It shall be unlawful for any pedestrian who is not totally or partially blind to use a white cane or any pedestrian who is not totally or partially blind or is not hearing impaired to use a guide dog in any of the places, accommodations, or conveyances listed in RCW 70.84.010 for the purpose of securing the rights and privileges accorded by the chapter to totally or partially blind or hearing impaired people.

Sec. 7. Section 7, chapter 141, Laws of 1969 and RCW 70.84.070 are each amended to read as follows:

Any person or persons, firm or corporation, or the agent of any person or persons, firm or corporation, who denies or interferes with admittance to or enjoyment of the public facilities enumerated in RCW 70.84.010, or otherwise interferes with the rights of a totally or partially blind or hearing impaired person as set forth in RCW 70.84.010 shall be guilty of a misdemeanor.

Sec. 8. Section 9, chapter 141, Laws of 1969 and RCW 70.84.080 are each amended to read as follows:

In accordance with the policy set forth in RCW 70.84.010, the blind, the visually handicapped, the hearing impaired, and the otherwise physically disabled shall be employed in the state service, in the service of the political subdivisions of the state, in the public schools, and in all other employment supported in whole or in part by public funds on the same terms and conditions as the able-bodied, unless it is shown that the particular disability prevents the performance of the work involved."

On page 1, line 1 of the title, after "Relating to the white cane law;" strike the remainder of the title and insert "amending section 1, chapter 141, Laws of 1969 and RCW 70.84.010; amending section 2, chapter 141, Laws of 1969 and RCW 70.84.020; amending section 3, chapter 141, Laws of 1969 and RCW 70.84.030; amending section 4, chapter 141, Laws of 1969 as amended by section 1, chapter 77, Laws of 1971 ex. sess. and RCW 70.84.040; amending section 5, chapter 141, Laws of 1969 and RCW 70.84.050; amending section 6, chapter 141, Laws of 1969 and RCW 70.84.060; amending section 7, chapter 141, Laws of 1969 and RCW 70.84.070; and amending section 9, chapter 141, Laws of 1969 and RCW 70.84.080."

Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Barr, Brekke, Flint, Houchen, Lux, Pruitt, Schmitt, Teutsch.

February 14, 1980

SENATE BILL NO. 3474, Prime Sponsor: Senator Peterson, protecting landowners from tort liability for unintentional injuries to persons cutting firewood on the property. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 22 after "That" strike "a" and insert "any public or"

On page 1, line 23 strike "other private party" and insert "others"

Signed by Representatives Newhouse, Executive CHairman; Smith (R), Co-Chairman; Ellis, Knowles, Tilly, Winsley.

February 14, 1980

ENGROSSED SENATE BILL NO. 3478, Prime Sponsor: Senator Wojahn, making it a class C felony to buy or sell a child. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Newhouse, Executive CHairman; Smith (R), Co-Chairman; Ellis, Knowles, Tilly, Winsley.

February 13, 1980

SENATE BILL NO. 3487, Prime Sponsor: Senator Lysen, allowing transfer of certain retirement plan credits for person having transferred employment between certain state universities. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, after line 13 insert the following:

"NEW SECTION. Sec. 2. There is added to chapter 41.40 RCW a new section to read as follows:

Any person who has been employed in a nonelective position for at least nine months and who has made member contributions required under this chapter throughout such period, shall be deemed to have been in an eligible position during such period of employment."

Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Barnes, Becker, Chandler, Ehlers, Grimm, Heck, Hughes, Maxie, McDonald, Nisbet, Polk, Taller, Valle, Vrooman, Warnke, Williams, Zimmerman.

February 13, 1980

SUBSTITUTE SENATE BILL NO. 3509, Prime Sponsor: Senator Bausch, granting property tax relief to senior citizens owning a residence by a lease for life. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after the enacting clause insert the following:

"Section 1. Section 35, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.38.100 are each amended to read as follows:

Whenever a person's special assessment and/or real property tax obligation is deferred under the provisions of this chapter, it shall become a lien in favor of the state upon his property and shall have priority as provided in chapters 35.50 and 84.60 RCW: PROVIDED, That the interest of a mortgage or purchase contract holder who is required to cosign a declaration of deferral under RCW 84.38.090, shall have priority to said deferred lien. This lien may accumulate up to eighty percent of the amount of the claimant's equity value in said property and shall bear interest each year at the ~~((rates prescribed for delinquent taxes in RCW 84.56.020 as now or hereafter amended per year))~~ rate of eight percent until said obligation becomes due and payable under RCW 84.38.130.

Sec. 2. Section 84.56.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 196, Laws of 1974 ex. sess. and RCW 84.56.020 are each amended to read as follows:

The county treasurer shall be the receiver and collector of all taxes extended upon the tax rolls of the county, whether levied for state, county, school, bridge, road, municipal or other purposes, and also of all fines, forfeitures or penalties received by any person or officer for the use of his or her county. All taxes upon real and personal property made payable by the provisions of this title shall be due and payable to the treasurer as aforesaid on or before the thirtieth day of April ~~((in each year, after which date they shall become delinquent, and interest at the rate of eight percent per annum shall be charged upon such unpaid taxes and upon unpaid personal property taxes from the date of delinquency until paid))~~ and shall be deemed delinquent after that date: PROVIDED, That when the total amount of tax on personal property or on any lot, block or tract of real property payable by one person is ten dollars or more, and if one-half of such tax be paid on or before the said thirtieth day of April, ((then the time for payment of the remainder thereof shall be extended and said remainder shall be due and payable on or before the thirty-first day of October following, after which date such remaining one-half shall become delinquent, and interest at the rate of eight percent per annum shall be charged upon said remainder from the date of delinquency until paid: PROVIDED, FURTHER, That when the total amount of personal property taxes falling due in any year, payable by one person, is ten dollars or more, and if one-half of such taxes be paid on or before said thirtieth day of April then the time for payment of the remainder thereof shall be extended and said remainder shall be due and payable on or before the thirty-first day of October following, after which date such remaining one-half shall become delinquent, and interest at the rate of eight percent per annum shall be charged upon said remainder from the date of delinquency until paid)) the remainder shall be due and payable on or before the thirty-first day of October following and shall be deemed delinquent after that date.

Delinquent taxes under this section shall be subject to interest at the rate of twelve percent per annum computed on a monthly basis from the date of delinquency until paid. All collections of interest on delinquent taxes shall be credited to the county current expense fund; but the cost of foreclosure and sale of real property, and the fees and costs of distraint and sale of personal property, for delinquent taxes, shall, when collected, be credited to the operation and maintenance fund of the county treasurer prosecuting the foreclosure or distraint or sale; and shall be used by the county treasurer as a revolving fund to defray the cost of further foreclosure, distraint and sale for delinquent taxes without regard to budget limitations."

Remember the remaining sections consecutively.

On page 1, on line 1 of the title, after "property" strike "tax relief;" and insert "taxation; amending section 35, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.38.100; amending section 84.56.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 196, Laws of 1974 ex. sess. and RCW 84.56.020;"

Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Bond, Brown, Flanagan, Galloway, Granlund, Greengo, Hastings, Nelson (D), Rinehart, Sanders.

#### MOTION

On motion of Mr. King, all bills listed on today's agenda under the fifth order of business were passed to Committee on Rules with the exception of Engrossed Senate Bill No. 3210.

Engrossed Senate Bill No. 3210 was rereferred to Committee on Judiciary.

#### SIGNED BY THE SPEAKERS

Speaker Bagnariol announced the Speakers were signing:

HOUSE BILL NO. 322,  
HOUSE BILL NO. 1950.

#### , SECOND READING

HOUSE BILL NO. 1534, by Representatives Thompson and Nelson (G):

Making an appropriation to the department of social and health services:

The bill was read the second time.

On motion of Mr. Thompson, Substitute House Bill No. 1534 was substituted for House Bill No. 1534, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1534 was read the second time.

On motion of Mr. Knowles, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1534 was placed on final passage.

Representatives Thompson, Hughes and Sanders spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1534, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

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

Not voting: Representatives Becker, Dawson, Grimm, Jovanovich, Martinis, Polk, Rohrbach.

Substitute House Bill No. 1534, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1543, by Representative Thompson:

Making an appropriation to the department of licensing.

The bill was read the second time.

On motion of Mr. Thompson, Substitute House Bill No. 1543 was substituted for House Bill No. 1543, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1543 was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1543, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

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

Not voting: Representatives Becker, Dawson, Grimm, Jovanovich, Martinis, Polk, Rohrbach.

Substitute House Bill No. 1543, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1545, by Representatives Thompson and Nelson (G):

Making an appropriation to the state library.

The bill was read the second time.

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

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

On motion of Ms. Maxie, the rules were suspended to allow additional sponsors to sign onto the bill.

Representatives Barnes, Charnley, Ellis, Erickson, Gallagher, Galloway, Granlund, Maxie, May, McDonald, North, O'Brien, Rinehart, Scott and Taller signed onto the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1545, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

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

Not voting: Representatives Becker, Dawson, Grimm, Jovanovich, Martinis, Polk, Rohrbach.

House Bill No. 1545, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1597, by Representatives Williams, Nisbet, Dunlap, McCormick, Bond, Scott, Mitchell, Smith (C) and Oliver:

Authorizing issuance of certain school district bonds for energy efficiency purposes.

The bill was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1597, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

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

Not voting: Representatives Becker, Dawson, Grimm, Jovanovich, Martinis, Polk, Rohrbach.

House Bill No. 1597, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1658, by Representatives Thompson, Nelson (G) and King (by Employment Security Department request):

Modifying provisions of the administrative contingency fund.

The bill was read the second time.

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

Mr. Thompson spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1658, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A.,



Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Becker, Dawson, Grimm, Jovanovich, Martinis, Polk, Rohrbach.

House Bill No. 1658, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE CONCURRENT RESOLUTION NO. 30, by Representatives Addison, McCormick, Bender, Tupper, Sprague, Scott, Williams, Nisbet, Monohon and Taller:

Requesting speedy construction of addition to Ross Dam.

The bill was read the second time.

Speaker Bagnariol declared the House to be at ease.

Speaker Bagnariol called the House to order.

Representatives Becker, Dawson, Grimm, Jovanovich and Martinis appeared at the bar of the House.

#### MOTION

On motion of Mr. King, House Bill No. 1537 was placed on the calendar for immediate consideration.

HOUSE BILL NO. 1537, by Representative Thompson:

Making an appropriation to the criminal justice training commission.

The bill was read the second time.

On motion of Mr. Thompson, Substitute House Bill No. 1537 was substituted for House Bill No. 1537, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1537 was read the second time.

Mr. Struthers moved adoption of the following amendment by Representatives Struthers and Owen:

On page 1, line 26 after "43.101 RCW" strike "or to the victims of crime program established by chapter 7.68 RCW"

Representatives Struthers, Owen and Teutsch spoke in favor of the amendment, and Representatives Nelson (G) and Thompson spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Struthers and Owen to Substitute House Bill No. 1537, and the amendment was not adopted by the following vote: Yeas, 36; nays, 59; not voting, 3.

Voting yea: Representatives Bagnariol, Barnes, Barr, Becker, Brekke, Eberle, Ellis, Eng, Galloway, Garrett, Greengo, Grimm, Gruger, Hastings, Houchen, Isaacson, Jovanovich, Knowles, Kreidler, McCormick, Mitchell, Monohon, Nisbet, North, O'Brien, Oliver, Owen, Smith C. P., Sprague, Struthers, Teutsch, Van Dyken, Walk, Warnke, Whiteside, Winsley.

Voting nay: Representatives Adams, Addison, Amen, Bauer, Bender, Bond, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Ehlers, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Granlund, Heck, Hughes, Keller, King, Lux, Martinis, Maxie, May, McDonald, McGinnis, Nelson D., Nelson G. A., Newhouse, Patterson, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith R., Sommers, Stratton, Taller, Taylor, Thompson, Tilly, Tupper, Valle, Vrooman, Williams, Wilson, Zimmerman.

Not voting: Representatives Berentson, Polk, Rohrbach.

The Clerk read the following amendment by Representatives Struthers and Owen:

On page 3, line 1 after "43.101 RCW" strike "or to the victims of crime program established by chapter 7.68 RCW"

With the consent of the House, Mr. Struthers withdrew the amendment.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1537 was placed on final passage.

Mr. Thompson spoke in favor of the bill, and Mr. Struthers spoke against it.

Mr. Zimmerman spoke in favor of passage of the bill, and Mr. Struthers again opposed it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1537, and the bill passed the House by the following vote: yeas, 84; nays, 12; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Patterson, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Stratton, Taller, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Barr, Berentson, Bond, Clayton, Greengo, Hastings, Houchen, Owen, Sprague, Struthers, Teutsch, Wilson.

Not voting: Representatives Polk, Rohrbach.

Substitute House Bill No. 1537, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

Please correct the House Journal for February 15, 1980 regarding Substitute House Bill No. 1537. My vote should be "yes" rather than "no."

DUANE BERENTSON, 40th District.

HOUSE BILL NO. 1536, by Representatives Thompson and Nelson (G):

Making an appropriation to the department of ecology.

The bill was read the second time.

On motion of Mr. Nelson (G), Substitute House Bill No. 1536 was substituted for House Bill No. 1536, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1536 was read the second time.

The Clerk read the following amendment by Representative Struthers:

On page 1, line 9 beginning with "General Fund" strike all material down to and including "\$1,560,000" on line 10

With the consent of the House, Mr. Struthers withdrew the amendment.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1536, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

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

Voting nay: Representatives Bond, Struthers.

Not voting: Representatives Polk, Rohrbach.

Substitute House Bill No. 1536, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1541, by Representative Thompson:

Making an appropriation to the department of agriculture.

The bill was read the second time.

Mr. Struthers moved adoption of the following amendments by Representatives Struthers, Amen and Tilly:

On page 1, line 8 after "chemical" insert "and plant industry"

On page 1, line 10 strike "28,000" and insert "128,000"

On page 1, line 13 strike "5,816,000" and insert "5,916,000"

On page 1, after line 13 add:

"One hundred thousand dollars or so much as may be necessary, of the state general fund appropriation shall be used as the state share of the cooperative program to control grasshoppers. These funds shall constitute the one-third state share of the costs associated with spraying areas infested."

Representatives Struthers and Thompson spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Struthers yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Struthers, is there any money to fund this coming out of the Criminal Justice Training Program?"

Mr. Struthers: "No, Representative Greengo, I am happy to say that it is not coming out of the Criminal Justice Training Commission fund."

Representatives Salatino and Oliver spoke in favor of the amendments.

The amendments were adopted.

Mr. Van Dyken moved adoption of the following amendment by Representatives Van Dyken and Kreidler:

On page 1, following line 13 insert new sections as follows:

**\*NEW SECTION. Sec. 2.** There is added to chapter 15.04 RCW a new section to read as follows:

Washington State University shall compile available information, on a county by county basis, concerning the location and extent of lands currently in agricultural production and other lands that have a reasonable potential for agricultural production. In addition, Washington State University shall design mechanisms or procedures to monitor and record the conversion of such agricultural lands into nonagricultural uses and the conversion of other lands having a viable potential for agricultural production into uses which significantly remove the viability of such lands being used for agricultural purposes, as well as the causes for such conversions. The factors involved in such conversions shall include, but not be limited to, the diversity of livestock raised or crops grown, the average price of the livestock and/or crops per year over the last five years and the sale price per acre. Washington State University shall present a report to the legislature on these matters by December 31, 1980. Washington State University is authorized to accept, receive, disburse, and administer grants or funds or gifts from any source, including private individuals, public entities, and the federal government to supplement the appropriation contained in section 3 of this 1980 act in order to carry out the purposes of this section.

**\*NEW SECTION. Sec. 3.** There is hereby appropriated to the department of agriculture from the general fund for the biennium ending June 30, 1981, to carry out the provisions of section 2 of this act, the sum of twenty-five thousand dollars, or so much thereof as may be necessary: PROVIDED, That the department of agriculture shall contract with Washington State University to carry out such provisions."

Renumber the remaining section.

Representatives Van Dyken and Kreidler spoke in favor of the amendment, and Mr. Nelson (G) spoke against it.

Mr. Kreidler spoke again in favor of the amendment.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Van Dyken and Kreidler to House Bill No. 1541, and the amendment was adopted by the following vote: Yeas, 58; nays, 33; not voting, 7.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Fancher, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Patterson, Rinehart, Rosbach, Salatino, Schmittin, Scott, Sherman, Sommers, Stratton, Struthers, Thompson, Tilly, Valle, Van Dyken, Vrooman, Walk, Warnke, Winsley.

Voting nay: Representatives Addison, Barnes, Barr, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Flanagan, Greengo, Isaacson, McDonald, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Owen, Pruitt, Sanders, Smith C. P., Smith R., Sprague, Taller, Taylor, Tupper, Whiteside, Williams, Wilson.

Not voting: Representatives Amen, Berentson, McGinnis, Polk, Rohrbach, Teutsch, Zimmerman.

## MOTION

On motion of Mr. King, further consideration of House Bill No. 1541 was deferred, and the bill was ordered placed on the calendar following House Bill No. 1981.

HOUSE BILL NO. 1724, by Representatives Nelson (G), Patterson, Burns, Flanagan, Deccio, Bond, Nelson (D), McGinnis, Rinehart and Smith (C):

Providing for a salary increase for higher education faculty and administration.

The bill was read the second time.

On motion of Mr. Thompson, Substitute House Bill No. 1724 was substituted for House Bill No. 1724, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1724 was read the second time.

Mr. Warnke moved adoption of the following amendment:

On page 1, after line 14 insert a new section:

"NEW SECTION. Sec. 2. There is appropriated to the University of Washington from the general fund, \$57,000 for the biennium ending June 30, 1981, to develop an International Trade Data Bank, in cooperation with the department of commerce and economic development, containing statistical information on Washington imports and exports."

Representatives Warnke and Greengo spoke in favor of the amendment, and Representatives McDonald and Williams spoke against it.

Mr. Warnke spoke again in favor of the amendment, and Mr. Flanagan spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Warnke to Substitute House Bill No. 1724, and the amendment was adopted by the following vote: Yeas, 64; nays, 30; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Deccio, Dunlap, Ehlers, Ellis, Eng, Erak, Erickson, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Hughes, Isaacson, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., North, O'Brien, Oliver, Owen, Patterson, Rinehart, Salatino, Sanders, Scott, Sherman, Smith C. P., Sommers, Stratton, Struthers, Taylor, Thompson, Valle, Van Dyken, Vrooman, Walk, Warnke, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Bond, Clayton, Craswell, Dawson, Eberle, Fancher, Hastings, Houchen, Jovanovich, McDonald, Nelson G. A., Newhouse, Nisbet, Pruitt, Rosbach, Schmitten, Smith R., Sprague, Taller, Teutsch, Tilly, Tupper, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Berentson, Chandler, Polk, Rohrbach.

Substitute House Bill No. 1724 was ordered engrossed.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1724 was placed on final passage.

Mr. Nelson (G) spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1724, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Polk, Rohrbach.

Engrossed Substitute House Bill No. 1724, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

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

## AFTERNOON SESSION

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

## SECOND READING

HOUSE BILL NO. 1433, by Representatives Thompson, Nelson (G), King, Newhouse, Knowles, Whiteside, Winsley, Barr, Struthers, Brown, Gallagher, May, Salatino, Owen, Adams, Monohon, Deccio, Granlund, Walk, Dawson, Kreidler, Brekke, Eng, Pruitt and Smith (R):

Appropriating funds for the state crime lab.

The bill was read the second time.

On motion of Mr. Thompson, the following amendments by Representatives Thompson and Nelson (G) were adopted:

On page 1, line 9 strike "one million two hundred sixty-seven thousand dollars" and insert "one million one hundred sixty-three thousand dollars"

On page 1, line 16 after "Snohomish county" insert ": PROVIDED, That the appropriation contained in this section shall be subject to the following condition or limitation: Up to fifty thousand dollars of this appropriation shall be used to conduct a shared cost feasibility study to be submitted to the house appropriations committee and the senate standing committee on ways and means on or before October 1, 1980"

The bill was ordered engrossed.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1433 was placed on final passage.

Representatives Thompson and Nelson (G) spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1433, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

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

Not voting: Representatives Clayton, Dawson, McGinnis, Polk, Rohrbach.

Engrossed House Bill No. 1433, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3214, by Senators Wilson and Guess:

Repealing a limitation on road contract awards.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 29th Day, February 11, 1980.)

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

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Senate Bill No. 3214 as amended by the House was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3214 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

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

Not voting: Representatives Clayton, Dunlap, Polk, Rohrbach.

Senate Bill No. 3214 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3236, by Senators Walgren, Clarke, Hayner, Wojahn, Matson and Pullen:

Making an attended hit and run involving personal injury a class C felony.

The bill was read the second time.

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

On page 3, after line 13 insert the following additional section:

"Sec. 2. Section 68, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.600 are each amended to read as follows:

(1) No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key and effectively setting the brake thereon and, when standing upon any perceptible grade, turning the front wheels to the curb or side of the highway.

(2) The most recent driver of a motor vehicle which the driver has left standing unattended, who learns that the vehicle has become set in motion and has struck another vehicle or property, or has caused injury to any person, shall comply with the requirements of:

(a) RCW 46.52.010 if his vehicle strikes an unattended vehicle or property adjacent to a public highway; or

(b) RCW 46.52.020 if his vehicle causes damage to an attended vehicle or other property or injury to any person.

(3) Any person failing to comply with subsection (2)(b) of this section shall be subject to the sanctions set forth in RCW 46.52.020."

Renumber the section following consecutively.

In line 4 of the title, after "46.52.020;" insert "amending section 68, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.600;"

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Senate Bill No. 3236 as amended by the House was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3236 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

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

Not voting: Representatives Clayton, Owen, Polk, Rohrbach.

Senate Bill No. 3236 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3241, by Senators Talmadge, Scott, Conner and Day:

Allowing military recruiters equal access to common schools and institutions of higher education.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendment, see Journal 26th Day, February 8, 1980.)

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

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3241 as amended by the House was placed on final passage.

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

#### POINT OF INQUIRY

Mr. Heck yielded to question by Mr. Chandler.

Mr. Chandler: "In section 1 and section 2, the bill refers to 'access to student information directory.' For purposes of establishing legislative intent, does the phrase mean that a school would be required to provide a list of students and information about those students to a military recruiter for the purposes of contacting those students off campus?"

Mr. Heck: "No, and to briefly elaborate, Representative Chandler, the question has been researched, and this bill, being the state law, of course, would not supersede the Right to Privacy Information Act. It does provide substantial protection to the rights of privacy of students in the common schools and the schools of higher education. For my part, I'm satisfied that adequate protection has been provided in complying with the language in federal law."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3241 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Polk, Rohrbach.

Engrossed Senate Bill No. 3241 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 2566, by Senators Scott and Shipchock:

Disestablishing an inactive program of state aid to county probation services.

The bill was read the second time.

Committee on Institutions recommendation: Majority, do pass as amended. (For amendments, see Journal, 26th Day, February 8, 1980.)

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

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Senate Bill No. 2566 as amended by the House was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2566 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

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

Not voting: Representatives Polk, Rohrbach.

Senate Bill No. 2566 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3011, by Senator Bausch:

Eliminating the beaver tag requirement and increasing the trapper's license fee.

The bill was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3011 was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3011, and the bill passed the House by the following vote: Yeas, 91; nays, 3; not voting, 4.

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

Voting nay: Representatives Chandler, North, Wilson.

Not voting: Representatives Clayton, Heck, Polk, Rohrbach.

Engrossed Senate Bill No. 3011, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3184, by Committee on Agriculture (originally sponsored by Senators Hansen and Talmadge):

Authorizing Kittitas county to purchase and convey lands known as the Liberty townsite.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 31st Day, February 13, 1980.)

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

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3184 as amended by the House was placed on final passage.

Representatives Charnley and Smith (C) spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3184 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon,



Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Polk, Rohrbach, Van Dyken.

Substitute Senate Bill No. 3184 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3211, by Senators Moore, Vognild, Hansen and Sellar:

Increasing special purpose district commissioners' compensation.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 31st Day, February 13, 1980.)

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

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Senate Bill No. 3211 as amended by the House was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3211 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

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

Voting nay: Representatives Ehlers, Sanders, Sherman.

Not voting: Representatives Polk, Rohrbach.

Senate Bill No. 3211 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3237, by Committee on Transportation (originally sponsored by Senator Henry):

Regulating the granting of franchises to use highway-related utilities.

The bill was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3237, and the bill passed the House by the following vote: Yeas, 90; nays, 4; not voting, 4.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Bauer, Becker, Bender, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barr, Nisbet, Wilson.

Not voting: Representatives Berentson, Gallagher, Polk, Rohrbach.

Engrossed Substitute Senate Bill No. 3237, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3318, by Senators Bausch and Clarke (by Insurance Commissioner request):

Revising laws relating to insurance.

The bill was read the second time.

Committee on Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal, 30th Day, February 12, 1980.)

Mr. Keller moved adoption of the committee amendments.

On motion of Mr. Keller, the following amendments to the committee amendments were adopted:

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

\*Section 1. Section 3, chapter 70, Laws of 1965 ex. sess. as amended by section 3, chapter 266, Laws of 1975 1st ex. sess. and RCW 48.05.185 are each amended to read as follows:

After hearing or with the consent of the insurer and in addition to or in lieu of the suspension, revocation, or refusal to renew any certificate of authority the commissioner may levy a fine upon the insurer in an amount not less than two hundred fifty dollars and not more than ~~((five))~~ ten thousand dollars. The order levying such fine shall specify the period within which the fine shall be fully paid and which period shall not be less than fifteen nor more than thirty days from the date of such order. Upon failure to pay any such fine when due the commissioner shall revoke the certificate of authority of the insurer if not already revoked, and the fine shall be recovered in a civil action brought in behalf of the commissioner by the attorney general. Any fine so collected shall be paid by the commissioner to the state treasurer for the account of the general fund.

Sec. 2. Section .15.02, chapter 79, Laws of 1947 and RCW 48.15.020 are each amended to read as follows:

(1) An insurer not thereunto authorized by the commissioner shall not solicit insurance business in this state, nor transact insurance business in this state except as provided in this chapter.

(2) No person shall, in this state, represent an unauthorized insurer except as provided in this chapter. This provision shall not apply to any adjuster or attorney at law representing such an insurer from time to time in this state in his professional capacity.

(3) Each violation of this section shall constitute a separate offense punishable by a fine of not less than ~~((fifty))~~ two hundred fifty dollars nor more than ~~((one))~~ ten thousand dollars.

Sec. 3. Section .15.07, chapter 79, Laws of 1947 as last amended by section 3, chapter 130, Laws of 1979 ex. sess. and RCW 48.15.070 are each amended to read as follows:

Any person deemed by the commissioner to be competent and trustworthy and while maintaining an office at a designated location in this state may be licensed as a surplus line broker, as follows:

(1) Application to the commissioner for the license shall be made on forms furnished by the commissioner.

(2) The license fee shall be one hundred dollars for each license year during any part of which the license is in force. The annual renewal date shall be determined by the commissioner. The commissioner shall adopt a rule providing for the proration, on a quarterly basis, of the license fee. The proration shall be applicable only: (a) To applicants who apply for a license after the expiration of the first quarter of any license year, or (b) to licensees whose licenses would exist for less than nine months as a result of the adoption of the annual renewal date.

(3) Prior to issuance of license the applicant shall file with the commissioner ~~((and thereafter for as long as the license remains in effect he shall keep in force))~~ a bond in favor of the state of Washington in the penal sum of twenty thousand dollars, with authorized corporate sureties approved by the commissioner, conditioned that he will conduct business under the license in accordance with the provisions of this chapter and that he will promptly remit the taxes provided by RCW 48.15.120. ~~((No such bond shall be terminated unless not less than thirty days prior written notice thereof is filed with the commissioner.))~~ The licensee shall maintain such bond in force for as long as the license remains in effect.

(4) Every applicant for a surplus line broker's license or for the renewal of a surplus line broker's license shall file with the application or request for renewal a bond in favor of the people of the state of Washington, executed by an authorized corporate surety approved by the commissioner, in the amount of fifty thousand dollars and shall be the bonding requirement for new licensees. The licensee shall maintain such bond in force while so licensed. The bond may be continuous in form, and total aggregate liability on the bond may be limited to the amount stated in the bond. The bond shall be contingent on the accounting by the surplus line broker to any person requesting such broker to obtain insurance, for moneys or premiums collected in connection therewith. A bond issued in accordance with RCW 48.17.250 or with this subsection will satisfy the requirements of both RCW 48.17.250 and this subsection if the limit of liability is not less than the greater of the requirement of RCW 48.17.250 or the requirement of this subsection.

(5) Any bond issued pursuant to subsection (3) or (4) of this section shall remain in force until the surety is released from liability by the commissioner, or until the bond is canceled by the surety. Without

prejudice to any liability accrued prior to such cancellation, the surety may cancel the bond upon thirty days' advance notice in writing filed with the commissioner.

Sec. 4. Section .15.09, chapter 79, Laws of 1947 as last amended by section 6, chapter 266, Laws of 1975 1st ex. sess. and RCW 48.15.090 are each amended to read as follows:

(1) A surplus line broker shall not knowingly place surplus line insurance with insurers unsound financially. The broker shall ascertain the financial condition of the unauthorized insurer, and maintain written evidence thereof, before placing insurance therewith. The broker shall not so insure with any insurer having less capital and surplus or combined capital funds than the minimum amounts required for an admitted multiple line insurer in accordance with RCW 48.05.340 as now or hereafter amended, ~~((unless))~~ and in the case of an alien insurer, there ~~((is))~~ must be on file with the commissioner a copy of a trust agreement, certified by the trustee, evidencing a subsisting trust deposit of not less than one-half of a like amount by such insurer with a bank or trust company in the United States, and which deposit is held for the protection of United States policyholders. Such trust account shall consist of cash or other assets acceptable to the commissioner and shall have an expiration date which at no time shall be less than five years hence. The commissioner may, by rule and regulation, prescribe the terms under which the foregoing financial requirements may be waived in circumstances where insurance cannot be otherwise procured on risks located in this state.

(2) For any violation of this section the broker ~~((shall))~~ may be fined not less than ~~((twenty-five))~~ one hundred dollars or more than ~~((two hundred and fifty))~~ five thousand dollars, his surplus line broker's license ~~((shall))~~ may be revoked, ~~((and the broker may not again be so licensed within a period of two years thereafter))~~ suspended, or nonrenewed.

Sec. 5. Section .15.13, chapter 79, Laws of 1947 and RCW 48.15.130 are each amended to read as follows:

If any surplus line broker fails to file his annual statement, or fails to remit the tax provided by RCW 48.15.120, prior to the first day of April after the tax is due, he shall be liable for a fine of ~~((twenty-five))~~ one hundred dollars for each day of delinquency commencing with the first day of April. The tax may be collected by distraint, or the tax and fine may be recovered by an action instituted by the commissioner in any court of competent jurisdiction. Any fine collected by the commissioner shall be paid to the state treasurer and credited to the general fund.

Sec. 6. Section .15.14, chapter 79, Laws of 1947 and RCW 48.15.140 are each amended to read as follows:

(1) The commissioner ~~((shall))~~ may revoke, suspend, or refuse to renew any surplus line broker's license:

(a) If the surplus line broker fails to file his annual statement or to remit the tax as required by this chapter; or

(b) If the surplus line broker fails to maintain an office in this state, or to keep the records, or to allow the commissioner to examine his records as required by this chapter; or

(c) For any of the causes for which a ~~((general))~~ broker's license may be revoked under chapter 48.17 RCW.

(2) The commissioner may suspend or revoke any such license whenever he deems suspension or revocation to be for the best interests of the people of this state.

(3) The procedures provided by this code for the suspension or revocation of general brokers' licenses shall be applicable to suspension or revocation of a surplus line broker's license.

(4) No broker whose license has been so revoked ~~((or suspended))~~ shall again be so licensed within one year thereafter, nor until any fines or delinquent taxes owing by him have been paid.

Sec. 7. Section .18.29, chapter 79, Laws of 1947 as last amended by section 5, chapter 199, Laws of 1979 ex. sess. and RCW 48.18.290 are each amended to read as follows:

(1) Cancellation by the insurer of any policy which by its terms is cancellable at the option of the insurer, or of any binder based on such policy, may be effected as to any interest only upon compliance with either or both of the following:

(a) Written notice of such cancellation must be actually delivered or mailed to the insured or to his representative in charge of the subject of the insurance not less than twenty days prior to the effective date of the cancellation except for cancellation of insurance policies for nonpayment of premiums, which notice shall be not less than ten days prior to such date;

(b) Like notice must also be so delivered or mailed to each mortgagee, pledgee, or other person shown by the policy to have an interest in any loss which may occur thereunder.

(2) The mailing of any such notice shall be effected by depositing it in a sealed envelope, directed to the addressee at his last address as known to the insurer or as shown by the insurer's records, with proper pre-paid postage affixed, in a letter depository of the United States post office. The insurer shall retain in its records any such item so mailed, together with its envelope, which was returned by the post office upon failure to find, or deliver the mailing to, the addressee.

(3) The affidavit of the individual making or supervising such a mailing, shall constitute prima facie evidence of such facts of the mailing as are therein affirmed.

(4) The portion of any premium paid to the insurer on account of the policy, unearned because of the cancellation and in amount as computed on the pro rata basis, must be actually paid to the insured or other person entitled thereto as shown by the policy or by any endorsement thereon, or be mailed to the insured or such person as soon as possible ~~((but))~~, and no later than thirty days after the date of notice of cancellation to the insured for homeowners', dwelling fire, and private passenger auto. Any such payment may be made by cash, or by check, bank draft, or money order.

(5) This section shall not apply to contracts of life or disability insurance without provision for cancellation prior to the date to which premiums have been paid.

Sec. 8. Section .18.30, chapter 79, Laws of 1947 as last amended by section 8, chapter 199, Laws of 1979 ex. sess. and RCW 48.18.300 are each amended to read as follows:

(1) Cancellation by the insured of any policy which by its terms is cancellable at the insured's option or of any binder based on such policy may be effected by written notice thereof to the insurer or surrender of the policy or binder for cancellation prior to or on the effective date of such cancellation. In event the policy or binder has been lost or destroyed and cannot be so surrendered, the insurer may in lieu of such surrender accept and in good faith rely upon the insured's written statement setting forth the fact of such loss or destruction.

(2) As soon as possible, ~~((but))~~ and no later than thirty days after the receipt of the notice of cancellation from the policyholder for homeowners', dwelling fire, and private passenger auto insurance, the insurer shall pay to the insured or to the person entitled thereto as shown by the insurer's records, any unearned portion of any premium paid on the policy as computed on the customary short rate or as otherwise specified in the policy: PROVIDED, That the refund of any unearned portion of any premium paid on a contract of dwelling fire insurance, homeowners' insurance, or insurance predicated upon the use of a private passenger automobile (as defined in RCW 48.18.297 and excluding contracts of insurance and policies enumerated in RCW 48.18.296) shall be computed on a pro rata basis and the insurer shall refund not less than ninety percent of any unearned portion not exceeding one hundred dollars, plus ninety-five percent of any unearned portion over one hundred dollars but not exceeding five hundred dollars, and not less than ninety-seven percent of the amount of any unearned portion in excess of five hundred dollars. If the amount of any refund is less than two dollars, no refund need be made. If no premium has been paid on the policy, the insured shall be liable to the insurer for premium for the period during which the policy was in force.

(3) The surrender of a policy to the insurer for any cause by any person named therein as having an interest insured thereunder shall create a presumption that such surrender is concurred in by all persons so named.

(4) This section shall not apply to life insurance policies or to annuity contracts.

Sec. 9. Section 7, chapter 80, Laws of 1979 ex. sess. and RCW 48.50.070 are each amended to read as follows:

Any licensed insurance agent, any licensed insurance broker, or any insurer or person acting in ((its)) the insurer's behalf or any authorized agency which releases information, whether oral or written, (under RCW 48.50.030, 48.50.040, 48.50.050, or 48.50.060 shall be immune from liability in any civil or criminal action, suit, or prosecution arising from the release of the information, unless actual malice on the part of the agent, broker, insurer, or authorized agency against the insured is shown.

Sec. 10. Section 1, chapter 268, Laws of 1947 as last amended by section 1, chapter 87, Laws of 1965 and RCW 48.44.010 are each amended to read as follows:

For the purposes of this chapter:

(1) 'Health care services' means and includes medical, surgical, dental, hospital and other therapeutic services. Ambulance services licensed in this state, the services of an optometrist licensed by the state of Washington, and the services of a pharmacist registered by the state of Washington are also declared to be health care services for the purposes of this chapter.

(2) 'Doctor' means any person lawfully licensed or authorized to render any health care services.

(3) 'Health care service contractor' means any corporation, cooperative group, or association, which corporation, cooperative group, or association is sponsored by or otherwise intimately connected with a group of doctors licensed by the state of Washington or by a group of hospitals licensed by the state of Washington; or doctor licensed by the state of Washington; or group of doctors licensed by the state of Washington, who or which not otherwise being engaged in the insurance business, accepts prepayment for health care services from or for the benefit of persons or groups of persons as consideration for providing such persons with any health care services. The term also includes any corporation, cooperative group, or association, sponsored by or otherwise intimately connected with a group of pharmacists registered by the state of Washington; or any pharmacist, or group of pharmacists, registered by the state of Washington; who or which not otherwise being engaged in the insurance business, accepts prepayment for health care services from or for the benefit of persons or groups of persons as consideration for providing such persons with any health care services.

(4) 'Participant' means a doctor, hospital, or licensed pharmacy, drug store or dispensary, who or which has contracted in writing with a health care service contractor to accept payment from and to look solely to such contractor according to the terms of the subscriber contract for any health care services rendered to a person who has previously paid such contractor for such services."

On page 1, beginning on line 4 of the title, strike "amending section .05.21, chapter 79, Laws of 1947 and RCW 48.05.210;"

On page 1, on line 18 of the title, after "48.18.300;" strike "and" and on line 19, after "48.50.070" insert "; and amending section 1, chapter 268, Laws of 1947 as last amended by section 1, chapter 87, Laws of 1965 and RCW 48.44.010"

The committee amendments as amended were adopted.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Senate Bill No. 3318 as amended by the House was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3318 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

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

Not voting: Representatives Polk, Rohrbach, Rosbach, Van Dyken.

Senate Bill No. 3318 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3164, by Committee on Parks and Recreation (originally sponsored by Senators von Reichbauer, Fleming, Lewis and Ridder):

Authorizing and establishing priorities for urban state parks.

The bill was read the second time.

Committee on Parks and Recreation recommendation: Majority, do pass as amended. (For amendments, see Journal, 31st Day, February 13, 1980.)

Ms. North moved adoption of the committee amendments.

On motion of Mr. Schmitt, the following amendment to the committee amendment was adopted:

On page 8, line 22 of the amendment, strike the quotation mark and insert the following:

"(4) On the effective date of this act, the state treasurer shall transfer from the general fund to the game fund the sum of one million five hundred thousand dollars to compensate the game fund for the transfer of the Auburn game farm to the parks and recreation commission."

Ms. North spoke in favor of the committee amendment as amended, and it was adopted.

On motion of Ms. North, the committee amendment to the title was adopted.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3164 as amended by the House was placed on final passage.

Ms. North spoke in favor of the bill, and Mr. Taylor spoke against it.

## POINT OF INQUIRY

Ms. North yielded to question by Ms. Maxie.

Ms. Maxie: "Representative North, is this bill permissive legislation? Is there any authority in here for the encouragement of development of urban parks?"

Ms. North: "Yes, I believe it directs. The thrust of the bill is to direct the Interagency for Outdoor Recreation and the Parks and Recreation Commission to combine to support state parks if the people would like them in urban areas. It means that a vehicle could be used called the Interlocal Government Act. This has not been permitted before where there had been federal funds. Of course, as you know, interagency funds are partially federal."

Representatives North and Fuller spoke in favor of the bill, and Ms. Craswell spoke against it.

## MOTIONS

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

On motion of Mr. Salatino, the House adjourned until 9:30 a.m., Monday, February 18, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

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

## THIRTY-SIXTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 18, 1980

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Skip McCormick, Nick Hones and Gavin Layton. Prayer was offered by The Reverend George Mitchell of the First Christian Church of Olympia.

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

### MESSAGES FROM THE SENATE

February 15, 1980

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 322,  
HOUSE BILL NO. 1950,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 15, 1980

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1496,  
HOUSE BILL NO. 1524,  
SUBSTITUTE HOUSE JOINT RESOLUTION NO. 37,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

### SIGNED BY THE SPEAKERS

Speaker Bagnariol announced the Speakers were signing:

SUBSTITUTE HOUSE BILL NO. 1496,  
HOUSE BILL NO. 1524,  
SUBSTITUTE HOUSE JOINT RESOLUTION NO. 37.

### REPORTS OF STANDING COMMITTEES

February 13, 1980

HOUSE BILL NO. 1499, Prime Sponsor: Representative Monohon, providing for the definition of low income senior citizen for reduced utility rates. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Bond, Co-Chairman; McCormick, Co-Chairwoman; Charnley, Dunlap, Grimm, Isaacson, Monohon, Nelson (D), Nisbet, Scott, Sherman, Tupper, Williams, Wilson.

Passed to Committee on Rules for second reading.

February 13, 1980

HOUSE BILL NO. 1653, Prime Sponsor: Representative Sherman, providing for inclusion of renewable energy systems in the design of public facilities. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McCormick, Co-Chairwoman; Charnley, Grimm, Monohon, Nelson (D), Nisbet, Scott, Sherman, Sprague, Tupper, Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Bond, Co-Chairman; Dunlap, Isaacson, Wilson.

Passed to Committee on Rules for second reading.

February 15, 1980

ENGROSSED SENATE BILL NO. 2174, Prime Sponsor: Senator Van Hollebeke, prohibiting the unlawful possession and sale of drug-related paraphernalia. Reported by Committee on Judiciary.

**MAJORITY recommendation:** Do pass with the following amendments:

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

**\*NEW SECTION.** Section 1. The legislature finds that the use of illegal drugs constitutes a very serious threat to the welfare of the citizens of the state. The legislature further finds that the availability of drug-related paraphernalia facilitates the use of illegal drugs. In order to protect the public health, safety, and welfare, it is the intent of the legislature to prohibit the possession and sale of drug-related paraphernalia under circumstances demonstrating an intent to use them in the commission of a crime.

**NEW SECTION.** Sec. 2. The following items are classified as drug-related paraphernalia, for the purposes of this chapter:

- (1) Marijuana pipes with or without screens or punctured metal bowls;
- (2) Water pipes;
- (3) Carburetion tubes and devices;
- (4) Smoking and carburetion masks;
- (5) Roach clips;
- (6) Separation gins designed for use or intended for use in cleaning marijuana;
- (7) Cocaine spoons and vials;
- (8) Chamber pipes;
- (9) Carburetor pipes;
- (10) Electric pipes; and
- (11) Bongs.

**NEW SECTION.** Sec. 3. (1) Every person who shall have in his possession drug-related paraphernalia under circumstances demonstrating an intent to use or employ same for the consumption or ingestion of a controlled substance as defined in chapter 69.50 RCW shall be guilty of possession of drug-related paraphernalia.

(2) Possession of drug-related paraphernalia under this section is a misdemeanor.

**NEW SECTION.** Sec. 4. (1) Every person who sells drug-related paraphernalia intentionally to someone who demonstrates an intent to employ the paraphernalia for the consumption or ingestion of a controlled substance as defined in chapter 69.50 RCW shall be guilty of the sale of drug-related paraphernalia.

(2) Sale of drug-related paraphernalia under this section is a gross misdemeanor.

**NEW SECTION.** Sec. 5. The state board of pharmacy shall have authority concurrent and coextensive with regularly constituted law enforcement agencies of this state to enforce this chapter and shall have authority to promulgate rules to implement this chapter.

**NEW SECTION.** Sec. 6. Sections 1 through 5 of this act shall constitute a new chapter in Title 9 RCW.

**NEW SECTION.** Sec. 7. If any provision of this 1980 act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Tilly, Winsley.

Passed to Committee on Rules for second reading.

February 15, 1980

ENGROSSED SUBSTITUTE SENATE BILL NO. 2443, Prime Sponsor: Senator Wilson, reconstituting the state building code advisory council. Reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, line 26 after "governor" strike the remainder of the section and insert "(and)", the legislature, and each county, city, and town on the operation and administration of this chapter.

(2) In each report and any special reports as may be necessary, the council shall detail as the result of thorough and continuing analysis, changes, and revisions which the code writing organizations listed in RCW 19.27.030 (1) through (5) are preparing or have completed. The council shall be particularly alert to changes and revisions which are substantially different from codes currently in force. The conduct of the continuing review required by this section shall be the first and highest priority of the council in conducting its duties.

(3) The council shall in addition prepare a special report containing a synopsis of the uniform codes in effect as of the effective date of this 1980 act and present this report to the legislature by January 1, 1981.

(4) Members shall receive reimbursement for travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

On page 1, line 15 after "designee," strike everything down to and including "designees," on line 17 and insert "five members from county and city or town government chosen as follows: One county elected official



and one city or town elected official or their designees, one local fire official, one city building official, and one county building official."

Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Brown, Chandler, Garrett, Rosbach, Stratton, Teutsch, Van Dyken, Vrooman.

Passed to Committee on Rules for second reading.

February 15, 1980

SUBSTITUTE SENATE BILL NO. 2563, Prime Sponsor: Senator von Reichbauer, reorganizing and renaming the interagency committee for outdoor recreation. Reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 11, chapter 5, Laws of 1965 as last amended by section 125, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.99.110 are each amended to read as follows:

There is created the (~~(interagency committee for outdoor)~~) council of recreation resources consisting of the commissioner of public lands, the director of parks and recreation, the director of game, the director of fisheries, (~~(the director of highways, and the director of commerce and economic development, the director of the department of ecology, and, by appointment of the governor, five members from the public at large who have a demonstrated interest in and a general knowledge of outdoor recreation in the state)~~) and nine members, who shall be appointed by the governor and confirmed by the senate. Members shall have a demonstrated interest in and a general knowledge of outdoor recreation in the state. One member shall be appointed from the public at large in each of the congressional districts existing in this state on the effective date of this 1980 act. One voting ex officio member shall be appointed from a list of three candidates submitted by the association of Washington cities and shall be an elected official from a city or town in Washington state. One voting ex officio member shall be appointed from a list of three candidates submitted by the Washington state association of counties and shall be an elected official from a county in Washington state. At least two of the nine members shall reside east of the crest of the Cascade mountains. The terms of the members (~~(appointed from the public at large)~~) shall commence on (~~(January)~~) July 1st of the year of appointment and shall be for (~~((three))~~) four years or until a successor is appointed, except in the case of appointments to fill vacancies which shall be for the remainder of the unexpired term; provided the first such members shall be appointed for terms as follows: One member for one year, (~~((two))~~) three members for two years, and (~~((two))~~) three members for three years, and two members for four years. The (~~((governor))~~) council shall (~~((appoint))~~) elect one of (~~((the))~~) its members (~~((from the public at large to serve))~~) as chairman (~~((of the committee for the duration of the member's term. Members employed by the state shall serve without additional pay and participation in the work of the committee shall be deemed performance of their employment))~~). Members (~~((from the public at large))~~) shall serve without pay, but shall be entitled to reimbursement individually for travel expenses incurred in performance of their duties as members of the (~~((committee))~~) council in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

Sec. 2. Section 2, chapter 5, Laws of 1965 as last amended by section 108, chapter 158, Laws of 1979 and RCW 43.99.020 are each amended to read as follows:

Definitions: As used in this chapter:

(1) 'Marine recreation land' means any land with or without improvements which (a) provides access to, or in whole or in part borders on, fresh or salt water suitable for recreational use by watercraft, or (b) may be used to create, add to, or make more usable, bodies of water, waterways, or land, for recreational use by watercraft.

(2) 'Public body' means any county, city, town, port district, park and recreation district, metropolitan park district, or other municipal corporation which is authorized to acquire or improve public outdoor recreation land, and shall also mean Indian tribes now or hereafter recognized as such by the federal government for participation in the land and water conservation program.

(3) 'Tax on marine fuel' means motor vehicle fuel tax which is (a) tax on fuel used in, or sold or distributed for use in, any watercraft, (b) refundable pursuant to chapter 82.36 RCW, and (c) paid to the director of licensing with respect to taxable sales, distributions, or uses occurring on or after December 3, 1964.

(4) 'Watercraft' means any boat, vessel, or other craft used for navigation on or through water.

(5) (~~((Committee))~~) 'Council' means the (~~((interagency committee for outdoor))~~) council of recreation resources.

NEW SECTION. Sec. 3. There is added to chapter 5, Laws of 1965 and to chapter 43.99 RCW a new section to read as follows:

There is created the state technical advisory committee composed of the directors or the director's designee of the following five agencies:

- (1) The parks and recreation commission;
- (2) The department of natural resources;
- (3) The department of game;
- (4) The department of fisheries; and
- (5) The department of transportation.

The state technical advisory committee shall review agency requests to the council, including projects of the council, which affect the outdoor recreation program of the state and may make recommendations thereon. Members of the state technical advisory committee shall serve without additional pay and participation in the work of the state technical advisory committee shall be deemed performance of their employment. When requested by the council, members of the state technical advisory committee shall furnish assistance to the council from their departments for the analysis and review of proposed plans and projects.

**NEW SECTION.** Sec. 4. There is added to chapter 5, Laws of 1965 and to chapter 43.99 RCW a new section to read as follows:

There is created the local technical advisory committee which shall consist of six members to be selected by the director of the council of recreation resources. Each member shall serve a term of three years. Three members shall be appointed to represent Washington cities, one of whom shall be a resident of a city with a population of over twenty-five thousand persons, one of whom shall be a resident of a city with a population of under twenty-five thousand persons and over seventy-five hundred persons, and one of whom shall be a resident of a city with a population of under seventy-five hundred persons. Two members shall be appointed to represent Washington counties, one of whom shall be a resident of a county with a population of under seventy thousand persons and one of whom shall be a resident of a county with a population of over seventy thousand persons. One member shall be appointed to represent a Washington park and recreation district and shall reside within the boundaries of such a district. Members shall serve without pay but shall be entitled to reimbursement for travel expenses incurred in performance of their duties as members of the committee in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

The local technical advisory committee shall review project matters and proposals from the council of recreation resources which affect local outdoor recreation projects and may make recommendations thereon.

Sec. 5. Section 1, chapter 64, Laws of 1967 ex. sess. and RCW 43.30.300 are each amended to read as follows:

The department of natural resources is authorized:

(1) To construct, operate, and maintain primitive outdoor recreation facilities on lands under its jurisdiction which are of primitive character when deemed necessary by the department to achieve maximum effective development of such lands and resources consistent with the purposes for which the lands are held. This authority shall be exercised only after review by the (~~interagency committee for outdoor~~) council of recreation resources and determination by the (~~committee~~) council that the department is the most appropriate agency to undertake such construction, operation and maintenance. Such review is not required for authority exercised under the provisions of RCW 76.04.210.

(2) To acquire right of way and develop public access to lands under the jurisdiction of the department of natural resources and suitable for public outdoor recreation.

(3) To receive and expend funds from federal and state outdoor recreation funding measures for the purposes of RCW 43.30.300 and 79.08.109.

Sec. 6. Section 4, chapter 129, Laws of 1972 ex. sess. and RCW 43.83C.040 are each amended to read as follows:

The proceeds from the sale of the bonds deposited in the state and local improvements revolving account of the general fund under the terms of this chapter shall be divided into three shares as follows:

(1) Thirty-five percent of such proceeds shall be administered, subject to legislative appropriation, by the (~~interagency committee for outdoor~~) council of recreation resources through the outdoor recreation account and allocated to the state of Washington, or any agency or department thereof, for the acquisition, preservation, and development of recreation areas and facilities by the state. The (~~committee~~) council may use or permit the use of any portion of such share as matching funds in any case where federal, local, or other funds are made available on a matching basis for improvements within the purposes of this chapter.

(2) Thirty-five percent of such proceeds shall be administered, subject to legislative appropriation, by the (~~interagency committee for outdoor~~) council of recreation resources through the outdoor recreation account and allocated to public bodies for the acquisition, preservation, development, and improvement of recreational areas and facilities within the jurisdiction of such bodies. The (~~committee~~) council may use or permit the use of any portion of such share for loans or grants to public bodies including use as matching funds in any case where federal, local, or other funds are made available on a matching basis for improvements within the purposes of this chapter.

(3) Thirty percent of such proceeds shall be allocated to the state parks and recreation commission, subject to legislative appropriation, for improvement of existing state parks and the acquisition and preservation of historic sites and buildings. The commission may use or permit the use of any portion of such share as matching funds in any case where federal, local, or other funds are made available on a matching basis for improvements within the purposes of this chapter.

In the event that the bonds authorized by this chapter are sold in more than one series the above division into shares shall apply to the total proceeds of the bonds authorized by this chapter and not to the proceeds of each separate series.

Sec. 7. Section 8, chapter 5, Laws of 1965 as last amended by section 1, chapter 140, Laws of 1971 ex. sess. and RCW 43.99.080 are each amended to read as follows:

Moneys transferred to the outdoor recreation account from the marine fuel tax refund account may be used when appropriated by the legislature, as well as any federal or other funds now or hereafter available, to pay the necessary administrative and coordinative costs of the (~~interagency committee for outdoor~~) council of recreation resources established by RCW 43.99.110. All moneys so transferred, except those

appropriated as aforesaid, shall be divided into two equal shares and shall be used to benefit watercraft recreation in this state as follows:

(1) One share by the state for (a) acquisition of title to, or any interests or rights in, marine recreation land, (b) capital improvement of marine recreation land, or (c) matching funds in any case where federal or other funds are made available on a matching basis for purposes described in (a) or (b);

(2) One share as grants to public bodies to help finance (a) acquisition of title to, or any interests or rights in, marine recreation land, or (b) capital improvement of marine recreation land. A public body is authorized to use a grant, together with its own contribution, as matching funds in any case where federal or other funds are made available for purposes described in (a) or (b). The ~~((committee))~~ council may prescribe further terms and conditions for the making of grants in order to carry out the purposes of this chapter.

Sec. 8. Section 7, chapter 126, Laws of 1967 ex. sess. and RCW 43.99A.070 are each amended to read as follows:

The proceeds from the sale of bonds deposited in the outdoor recreation account of the general fund under the terms of RCW 43.99A.050 shall be administered by the ~~((interagency-committee-for-outdoor))~~ council of recreation resources. All such proceeds shall be divided into two equal shares. One share shall be allocated for the acquisition and development of outdoor recreation areas and facilities on behalf of the state as the legislature may direct by appropriation. The other share shall be allocated to public bodies as defined in RCW 43.99.020 for the acquisition and development of outdoor recreational areas and facilities within the jurisdiction of such public bodies. The ~~((interagency-committee-for-outdoor))~~ council of recreation resources is authorized to use or permit the use of any funds derived from the sale of bonds authorized under this chapter as matching funds in any case where federal or other funds are made available on a matching basis for projects within the purposes of this chapter.

Sec. 9. Section 7, chapter 47, Laws of 1971 ex. sess. as last amended by section 129, chapter 158, Laws of 1979 and RCW 46.09.020 are each amended to read as follows:

As used in this chapter the following words and phrases shall have the designated meanings unless a different meaning is expressly provided or the context otherwise clearly indicates:

'Person' shall mean any individual, firm, partnership, association or corporation.

'Nonhighway vehicle' shall mean any self-propelled vehicle when used for recreation travel on trails and nonhighway roads or for recreation cross-country travel on any one of the following or a combination thereof: Land, water, snow, ice, marsh, swampland, and other natural terrain. Such vehicles shall include but are not limited to, two or four-wheel drive vehicles, motorcycles, dune buggies, amphibious vehicles, ground effects or air cushion vehicles, and any other means of land transportation deriving motive power from any source other than muscle or wind.

Nonhighway vehicle does not include:

(1) Any vehicle designed primarily for travel on, over, or in the water;

(2) Snowmobiles or any military vehicles; or

(3) Any vehicle eligible for a motor vehicle fuel tax exemption or rebate under chapter 82.36 RCW while an exemption or rebate is claimed. This exemption includes but is not limited to farm, construction, and logging vehicles.

'Off-road vehicle' or 'ORV' means any nonhighway vehicle when used for cross-country travel on trails or on any one of the following or a combination thereof: Land, water, snow, ice, marsh, swampland and other natural terrain.

'ORV use permit' shall mean the permit system established for off-road vehicles in this state under this chapter.

'ORV trail' shall mean a corridor designated and maintained for recreational travel by off-road vehicles which is not normally suitable for travel by conventional two-wheel drive vehicles and where it is posted or designated by the managing authority of the property that the trail traverses as permitting ORV travel.

'ORV use area' means the entire area of a parcel of land except for camping and approved buffer areas where it is posted or designated for ORV use in accordance with rules adopted by the managing authority.

'Owner' shall mean the person other than the lienholder, having an interest in or title to a nonhighway vehicle, and entitled to the use or possession thereof.

'Operator' means each person who operates, or is in physical control of, any nonhighway vehicle.

'ORV moneys' shall mean those moneys derived from motor vehicle excise taxes on fuel used and purchased for providing the motive power for nonhighway vehicles as described in RCW 46.09.150, ORV use permit fees, and ORV dealer permit fees, provided these moneys are:

(1) Credited to the outdoor recreation account; or

(2) Credited to the ORV account for user education or for acquisition, planning, development, maintenance, and management of designated off-road vehicle trails and areas.

'Dealer' means a person, partnership, association, or corporation engaged in the business of selling off-road vehicles at wholesale or retail in this state.

'Department' shall mean the department of licensing.

'Director' shall mean the director of licensing.

~~((Committee))~~ 'Council' shall mean the ~~((interagency-committee-for-outdoor))~~ council of recreation resources.

'Hunt' shall mean any effort to kill, injure, capture, or purposely disturb a wild animal or wild bird.

'Nonhighway road' shall mean any road other than a highway generally capable of travel by a conventional two-wheel drive passenger automobile during most of the year and in use by such vehicles and which

are private roads or controlled and maintained by the department of natural resources, the state parks and recreation commission and the state game department: PROVIDED, That such roads are not built or maintained by appropriations from the motor vehicle fund.

'Highway' for the purpose of this chapter only shall mean the entire width between the boundary lines of every way publicly maintained by the state department of transportation or any county or city when any part thereof is generally open to the use of the public for purposes of vehicular travel as a matter of right.

'Organized competitive event' shall mean any competition, advertised in advance through written notice to organized clubs or published in local newspapers, sponsored by recognized clubs, and conducted at a predetermined time and place.

Sec. 10. Section 16, chapter 47, Laws of 1971 ex. sess. as last amended by section 9, chapter 220, Laws of 1977 ex. sess. and RCW 46.09.110 are each amended to read as follows:

The moneys collected by the department as ORV use permit fees shall be distributed from time to time but at least once a year in the following manner:

(1) The department shall retain enough money to cover expenses incurred in the administration of this chapter: PROVIDED, That such retention shall never exceed eighteen percent of fees collected.

(2) Twenty percent of the moneys shall be placed in the ORV account, which is hereby established, in the general fund and shall be administered by the department of natural resources as ORV moneys. The department of natural resources shall use these moneys to develop a state-wide program of ORV user education and information. Any portion of these moneys not used to develop an ORV user education and information program shall be deposited in the outdoor recreation account and shall be distributed by the (~~(interagency committee for outdoor)~~) council of recreation resources under RCW 46.09.240.

(3) The remaining moneys shall be credited to the outdoor recreation account of the general fund as ORV moneys and shall be distributed by the (~~(interagency committee for outdoor)~~) council of recreation resources as specified in RCW 46.09.240.

Sec. 11. Section 22, chapter 47, Laws of 1971 ex. sess. as last amended by section 130, chapter 158, Laws of 1979 and RCW 46.09.170 are each amended to read as follows:

(1) From time to time, but at least once each year, the director of licensing shall request the state treasurer to refund from the motor vehicle fund one percent of the motor vehicle fuel tax revenues collected pursuant to chapter 82.36 RCW, less proper deductions for refunds and costs of collection as provided in RCW 46.68.090. The treasurer shall place these funds in the general fund as follows:

(a) Twenty-five percent shall be credited to the ORV account and administered by the department of natural resources solely for the acquisition, planning, development, maintenance, and management of non-highway roads and recreation facilities;

(b) Three and one-half percent shall be credited to the ORV account and administered by the department of game solely for the acquisition, planning, development, maintenance, and management of nonhighway roads and recreation facilities;

(c) Twenty percent shall be credited to the ORV account and administered by the department of natural resources and shall be designated as ORV moneys to be used only for the acquisition, planning, development, maintenance, and management of designated off-road vehicle trails and areas; to construct campgrounds and trailheads which are necessary for the convenient use of designated ORV trails and areas; and to maintain those campgrounds and trailheads specifically constructed with ORV moneys: PROVIDED, HOWEVER, That the department of natural resources, two months prior to the acquisition and development of such trails, areas, campgrounds and trailheads for off-road vehicles, shall conduct a public hearing at a suitable location in the nearest town of five hundred population or more, and the department shall publish a notice of such hearing on the same day of each week for two consecutive weeks in a legal newspaper of general circulation in the county or counties where the property which is the subject of the proposed facility is located. The department of natural resources shall further file such notice of hearing with the department of ecology at the main office in Olympia and shall comply with the provisions of the state environmental policy act, chapter 43.21C RCW and regulations promulgated thereunder; and

(d) Fifty-one and one-half percent shall be credited to the outdoor recreation account and designated as ORV moneys to be administered by the (~~(interagency committee for outdoor)~~) council of recreation resources and distributed in accordance with RCW 46.09.240.

(2) On a yearly basis no agency may expend more than thirteen percent of its share of the above amounts for general administration expenses incurred in carrying out the provisions of this chapter, and not more than fifty percent of its share of said amount for education and law enforcement programs related to nonhighway vehicles.

(3) ORV moneys shall be expended only for the acquisition, planning, development, maintenance, and management of off-road vehicle trails and areas; for education and law enforcement programs related to nonhighway vehicles; to construct campgrounds and trailheads which are necessary for the convenient use of designated ORV trails and areas; and to maintain those campgrounds and trailheads specifically constructed with ORV moneys.

Sec. 12. Section 17, chapter 220, Laws of 1977 ex. sess. and RCW 46.09.240 are each amended to read as follows:

(1) The moneys deposited in the outdoor recreation account of the general fund derived from ORV use permit fees, ORV dealer permit fees, and motor vehicle excise taxes on fuel used and purchased for providing the motive power for nonhighway vehicles shall be administered by the (~~(interagency committee for outdoor)~~) council of recreation resources and shall be distributed at least once each year to state agencies, counties, and municipalities. The (~~(interagency committee for outdoor)~~) council of recreation resources may

make intergovernmental agreements with federal agencies for the use of ORV moneys. The agreements shall contain the conditions for the use of these moneys.

The ((committee)) council shall prescribe methods, rules, and standards by which agencies may apply for and obtain moneys and shall determine the amount of money distributed to each applicant: PROVIDED, That agencies constructing off-road vehicle trails, campgrounds, and recreational areas and facilities shall consider the possibility of contracting with the state parks and recreation commission, the department of natural resources, or other federal, state and local agencies to employ the youth development and conservation corps or other youth crews to construct or assist in construction of such off-road vehicle trails, campgrounds, and recreational areas and facilities.

(2) The ((interagency-committee)) council of recreation resources shall require, that each applicant conduct a public hearing in the nearest town of five hundred population or more, and publish notice of such hearing on the same day of each week for two consecutive weeks in a newspaper of general circulation in the county or counties where the property which is subject of the proposed facility is located prior to the submission of its application. A written record and a magnetic tape recording of such hearings shall be included in the application to the committee.

(3) The ((interagency-committee-for-outdoor)) council of recreation resources shall retain enough money from ORV moneys to cover expenses incurred in the administration of this chapter except that after June 30, 1979, the retention shall not exceed, on a yearly basis, three percent of the ORV moneys deposited in the outdoor recreation account.

Sec. 13. Section 18, chapter 220, Laws of 1977 ex. sess. and RCW 46.09.250 are each amended to read as follows:

Between June 30, 1977 and June 30, 1979 the ((interagency-committee-for-outdoor)) council of recreation resources shall develop or cause to be developed a state-wide ORV plan which shall determine and reflect user densities and preferences and suitability and availability of designated ORV trails and areas within the state. The plan shall be maintained on a continuing basis with the plan document updated at least once every third biennium and shall be used by all participating agencies to guide distribution and expenditure of nonhighway vehicle funds.

Sec. 14. Section 19, chapter 220, Laws of 1977 ex. sess. and RCW 46.09.260 are each amended to read as follows:

The ((interagency-committee)) council of recreation resources shall establish a committee of ORV recreationists, including representatives of organized ORV recreation groups, to advise in the development of a state-wide ORV plan, the development of a project funding system, the suitability of ORV projects submitted to the ((interagency-committee)) council for funding and other aspects of ORV recreation as the need may arise.

Sec. 15. Section 8, chapter 75, Laws of 1977 ex. sess. and RCW 43.51.953 are each amended to read as follows:

The ((interagency-committee-for-outdoor)) council of recreation resources is directed to assist the Yakima county commissioners in obtaining state, federal, and private funding for the acquisition, development, and operation of the Yakima river conservation area.

Sec. 16. Section 2, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.020 are each amended to read as follows:

As used in this chapter, ((HAE')) 'council' means the Washington state ((interagency-committee-for-outdoor)) council of recreation resources, and 'system' means the Washington state recreation trails system.

Sec. 17. Section 4, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.040 are each amended to read as follows:

(1) The system shall be composed of trails as designated by the ((HAE)) council. Such trails shall meet the conditions established in this chapter and such supplementary criteria as the ((HAE)) council may prescribe.

(2) The ((HAE)) council shall establish a procedure whereby federal, state, and local governmental agencies and/or public and private organizations may propose trails for inclusion within the system. Such proposals will comply with the proposal requirements contained in RCW 67.32.060.

(3) In consultation with appropriate federal, state, and local governmental agencies and public and private organizations, the ((HAE)) council shall establish a procedure for public review of the proposals considered appropriate for inclusion in the state-wide trails system.

Sec. 18. Section 5, chapter 76, Laws of 1970 ex. sess. as amended by section 1, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.050 are each amended to read as follows:

The ((HAE)) council shall prepare a state trails plan as part of the state-wide outdoor recreation and open space plan. Included in this plan shall be an inventory of existing trails and potential trail routes on all lands within the state presently being used or with potential for use by all types of trail users. Such trails plan may include general routes or corridors within which specific trails or segments thereof may be considered for designation as state recreation trails.

Sec. 19. Section 6, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.060 are each amended to read as follows:

Before any specific existing or proposed trail is considered for designation as a state recreational trail, a proposal must be submitted to the ((HAE)) council showing the following:

(1) For existing trails:

(a) The route of such trail, including maps and illustrations, and the recommended mode or modes of travel to be permitted thereon;

(b) The characteristics that, in the judgment of the agency or organization proposing the trail, make it worthy of designation as a component of a state recreation trail or trail system;

(c) A map showing the current status of land ownership and use along the designated route;

(d) The name of the agency or combination of agencies that would be responsible for acquiring additional trail rights-of-way or easements, trail improvement, operation and maintenance, and a statement from those agencies indicating the conditions under which they would be willing to accept those responsibilities;

(e) Any anticipated problems of maintaining and supervising the use of such trail and any anticipated hazards to the use of any land or resource adjacent to such trail;

(f) And such others as deemed necessary by the ((HÆ)) council.

(2) In addition, for proposed trails or for existing trails which require additional right-of-way acquisition, easements, and/or development:

(a) The method of acquiring trail rights-of-way or easements;

(b) The estimated cost of acquisition of lands, or interest in land, if any is required;

(c) The plans for developing the trail and the estimated cost thereof;

(d) Proposed sources of funds to accomplish (2)(a) and (2)(b) of this section.

Sec. 20. Section 7, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.070 are each amended to read as follows:

Following designation of a state recreation trail, the ((HÆ)) council may coordinate:

(1) The agency or agencies that will acquire (where appropriate), develop and/or maintain the trail;

(2) The most appropriate location for the trail;

(3) Modes of travel to be permitted;

(4) And other functions as appropriate.

Sec. 21. Section 8, chapter 76, Laws of 1970 ex. sess. as last amended by section 21, chapter 220, Laws of 1977 ex. sess. and RCW 67.32.080 are each amended to read as follows:

The following seven categories of trails or areas are hereby established for purposes of this chapter:

(1) Cross-state trails which connect scenic, historical, geological, geographical, or other significant features which are characteristic of the state;

(2) Water-oriented trails which provide a designated path to, on, or along fresh and/or salt water in which the water is the primary point of interest;

(3) Scenic-access trails which give access to quality recreation, scenic, historic or cultural areas of state-wide or national significance;

(4) Urban trails which provide opportunities within an urban setting for walking, bicycling, horseback riding, or other compatible activities. Where appropriate, they will connect parks, scenic areas, historical points, and neighboring communities;

(5) Historical trails which identify and interpret routes which were significant in the historical settlement and development of the state;

(6) ORV vehicle trails which are suitable for use by both four-wheel drive vehicles and two-wheel vehicles. Such trails may be included as a part of the trail systems enumerated in subsections (1), (2), (3) and (5) of this section or may be separately designated;

(7) Off-road and off-trail areas which are suitable for use by both four-wheel drive vehicles and two-wheel vehicles. ((HÆ)) The council shall coordinate an inventory and classification of such areas giving consideration to the type of use such areas will receive from persons operating four-wheel drive vehicles and two-wheel vehicles.

The planning and designation of trails shall take into account and give due regard to the interests of federal agencies, state agencies and bodies, counties, municipalities, private landowners and individuals, and interested recreation organizations. It is not required that the above categories be used to designate specific trails, but the ((HÆ)) council will assure that full consideration is given to including trails from all categories within the system. As it relates to all classes of trails and to all types of trail users, it is herein declared as state policy to increase recreational trail access to and within state and federally owned lands and private lands where access may be obtained. It is the intent of the legislature that public recreation facilities be developed as fully as possible to provide greater recreation opportunities for the citizens of the state. The purpose of this 1972 amendatory act is to increase the availability of trails and areas for off-road vehicles by granting authority to state and local governments to maintain a system of ORV trails and areas, and to fund the program to provide for such development. State lands should be used as fully as possible for all public recreation which is compatible with the income-producing requirements of the various trusts.

Sec. 22. Section 10, chapter 76, Laws of 1970 ex. sess. as amended by section 3, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.100 are each amended to read as follows:

With the concurrence of any federal or state agency administering lands through which a state recreation trail may pass, and after consultation with local governments, private organizations and landowners which the ((HÆ)) council knows or believes to be concerned, the ((HÆ)) council may issue guidelines including, but not limited to: Encouraging the permissive use of volunteer organizations for planning, maintenance or trail construction assistance; trail construction and maintenance standards, a trail use reporting procedure, and a uniform trail mapping system.

Sec. 23. Section 11, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.110 are each amended to read as follows:

The ((HÆ)) council is authorized and encouraged to consult and to cooperate with any state, federal or local governmental agency or body, with private landowners, and with any privately owned utility having

jurisdiction or control over or information concerning the use, abandonment or disposition of roadways, utility rights-of-way, or other properties suitable for the purpose of improving or expanding the system in order to assure, to the extent practicable, that any such properties having value for state recreation trail purposes may be made available for such use.

Sec. 24. Section 12, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.120 are each amended to read as follows:

From time to time, the ~~((HAC))~~ council shall report to the governor and the legislature on the status of the state recreational trails system.

Sec. 25. Section 7, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.095 are each amended to read as follows:

Interest earned on funds granted or made available by the ~~((committee))~~ council shall not be expended by the recipient but shall be returned to the outdoor recreation account of the general fund for disbursement by the ~~((committee))~~ council in accordance with general budget and accounting procedure.

Sec. 26. Section 10, chapter 5, Laws of 1965 and RCW 43.99.100 are each amended to read as follows:

Marine recreation land with respect to which money has been expended under RCW 43.99.080 shall not, without the approval of the ~~((committee))~~ council, be converted to uses other than those for which such expenditure was originally approved. The ~~((committee))~~ council shall only approve any such conversion upon conditions which will assure the substitution of other marine recreation land of at least equal fair market value at the time of conversion and of as nearly as feasible equivalent usefulness and location.

Sec. 27. Section 12, chapter 5, Laws of 1965 and RCW 43.99.120 are each amended to read as follows:

Any public body or any agency of state government authorized to acquire or improve public outdoor recreation land which desires funds from the outdoor recreation account shall submit to the ~~((committee))~~ council a six-year plan for developing outdoor recreation facilities within its authority and detailed plans for the projects sought to be financed from the outdoor recreation account, including estimated cost and such other information as the ~~((committee))~~ council may require. The ~~((committee))~~ council shall analyze all proposed plans and projects, and ~~((except as provided in RCW 43.99.140;))~~ shall recommend to the governor for inclusion in the budget such projects as it may approve and find to be consistent with an orderly plan for the acquisition and improvement of outdoor recreation lands in the state.

Sec. 28. Section 4, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.122 are each amended to read as follows:

The ~~((committee))~~ council, subject to the authority and responsibility of the state planning agency, is authorized to prepare, maintain, and keep up-to-date a comprehensive plan for the development of the outdoor recreation resources of the state.

Sec. 29. Section 5, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.124 are each amended to read as follows:

The ~~((committee))~~ council may apply to any appropriate agency or officer of the United States for participation in or the receipt of aid from any federal program respecting outdoor recreation not specifically designated for another fund or agency. It may enter into contracts and agreements with the United States or any appropriate agency thereof, keep financial and other records relating thereto, and furnish to appropriate officials and agencies of the United States such reports and information as may be reasonably necessary to enable such officials and agencies to perform their duties under such programs.

Sec. 30. Section 6, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.126 are each amended to read as follows:

The ~~((committee for outdoor))~~ council of recreation resources shall make no commitment nor enter into any agreement until it has determined that sufficient funds are available to meet project costs. It is the legislative intent that, to such extent as may be necessary to assure the proper operation and maintenance of areas and facilities acquired or developed pursuant to any program participated in by this state under authority of this chapter, such areas and facilities shall be publicly maintained for outdoor recreation purposes. When requested by a state agency or public body, the ~~((committee))~~ council may enter into and administer agreements with the United States or any appropriate agency thereof for planning, acquisition, and development projects involving participating federal-aid funds on behalf of any state agency, public body, or subdivision of this state: PROVIDED, That recipients of funds give necessary assurances to the ~~((committee))~~ council that they have available sufficient matching funds to meet their shares, if any, of the cost of the project and that the acquired or developed areas will be operated and maintained at the expense of such state agency, public body, or subdivision for public outdoor recreation use.

Sec. 31. Section 13, chapter 5, Laws of 1965 as amended by section 3, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.130 are each amended to read as follows:

~~((When requested by the committee, members employed by the state shall furnish assistance to the committee from their departments for the analysis and review of proposed plans and projects, and such assistance shall be a proper charge against the appropriations to the several agencies represented on the committee. Assistance may be in the form of money, personnel, or equipment and supplies, whichever is most suitable to the needs of the committee.))~~

The ~~((committee shall employ an administrator and may employ an assistant administrator to serve at the pleasure of the committee and))~~ council shall ~~((appoint))~~ employ a director who shall serve at the pleasure of the council and such professional, technical, and clerical personnel and other assistants and employees as may be necessary to carry out the work of the ~~((committee))~~ council.

Sec. 32. Section 1, chapter 24, Laws of 1979 ex. sess. and RCW 43.99.142 are each amended to read as follows:

In addition to its other powers and duties the ((committee)) council is authorized to coordinate the preparation of a comprehensive guide of public parks and recreation sites in the state of Washington. Such guide may include one or more maps showing the locations of such public parks and recreation areas, and may also include information as to the facilities and recreation opportunities available. All state agencies providing public recreational facilities shall participate. Cooperation of federal agencies providing public recreational facilities within the state shall be solicited.

The ((committee)) council shall determine the costs of providing and distributing such a guide and pursue the most feasible means of paying the costs of initial production. The guide shall be sold for an amount to cover the reasonable production and distribution costs involved, and the ((committee)) council may contract with any state agency, local government agency, or private firm as otherwise allowed by law for any part of such production or distribution.

Sec. 33. Section 2, chapter 24, Laws of 1979 ex. sess. and RCW 43.99.144 are each amended to read as follows:

The ((committee)) council may receive gifts, donations, and grants from any source, and moneys from all such gifts, donations, and grants shall be deposited in the outdoor recreation account of the general fund for the use of the ((committee)) council in carrying out its duties relating to the guide.

Sec. 34. Section 4, chapter 24, Laws of 1979 ex. sess. and RCW 43.99.146 are each amended to read as follows:

The ((committee)) council shall periodically review and have updated the guide authorized by RCW 43.99.142.

Sec. 35. Section 15, chapter 5, Laws of 1965 and RCW 43.99.150 are each amended to read as follows:

The 1967 and subsequent legislatures shall appropriate funds requested in the budget for state agencies from the outdoor recreation account directly to the state agencies which are to expend such funds, and shall appropriate funds requested in the budget for grants to public bodies from the outdoor recreation account to the ((committee)) council for allocation and disbursement.

Sec. 36. Section 4, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.130 are each amended to read as follows:

Volunteer organizations may assist public agencies, with the agency's approval, in the construction and maintenance of recreational trails in accordance with the guidelines issued by the ((interagency committee)) council of recreation resources. In carrying out such volunteer activities the members of the organizations shall not be considered employees or agents of the public agency administering the trails, and such public agencies shall not be subject to any liability whatsoever arising out of volunteer activities. The liability of public agencies to members of such volunteer organizations shall be limited in the same manner as provided for in RCW 4.24.210.

Sec. 37. Section 5, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.140 are each amended to read as follows:

The state ((highways)) department of transportation shall consider plans for trails along and across all new construction projects, improvement projects, and along or across any existing highways in the state system as deemed desirable by the ((IAC)) council of recreation resources.

Sec. 38. Section 2, chapter 161, Laws of 1977 ex. sess. and RCW 79.72.020 are each amended to read as follows:

The following terms when used in this chapter shall be defined as follows unless the context clearly requires otherwise:

(1) 'Department' means state parks and recreation commission.

(2) 'Committee of participating agencies' or 'committee' means a committee composed of the executive head, or such executive's designee, of each of the state departments of ecology, fisheries, game, natural resources, and highways, the state parks and recreation commission, the ((interagency committee for outdoor)) council of recreation resources, the Washington state association of counties, and the association of Washington cities.

When a specific river or river segment of the state's scenic river system is being considered by the committee, a representative of each participating local government associated with that river or river segment shall serve as a member of the committee.

(3) 'Participating local government' means the legislative authority of any city or county, a portion of whose territorial jurisdiction is bounded by or includes a river or river segment of the state's scenic river system.

(4) 'River' means a flowing body of water or a section, segment, or portion thereof.

(5) 'River area' means a river and the land area in its immediate environs as established by the participating agencies not exceeding a width of one-quarter mile landward from the streamway on either side of the river.

(6) 'Scenic easement' means the negotiated right to control the use of land, including the air space above such land, for the purpose of protecting the scenic view throughout the visual corridor.

(7) 'Streamway' means that stream-dependent corridor of single or multiple, wet or dry, channel or channels within which the usual seasonal or stormwater run-off peaks are contained, and within which environment the flora, fauna, soil, and topography is dependent on or influenced by the height and velocity of the fluctuating river currents.

(8) 'System' means all the rivers and river areas in the state designated by the legislature for inclusion as scenic rivers but does not include tributaries of a designated river unless specifically included by the legislature. The inclusion of a river in the system does not mean that other rivers or tributaries in a drainage



basin shall be required to be part of the management program developed for the system unless such rivers and tributaries within the drainage basin are specifically designated for inclusion by the legislature.

(9) 'Visual corridor' means that area which can be seen in a normal summer month by a person of normal vision walking either bank of a river included in the system. Such corridor shall not exceed the river area.

Sec. 39. Section 1, chapter 210, Laws of 1971 ex. sess. and RCW 43.51.270 are each amended to read as follows:

(1) The board of natural resources and the state parks and recreation commission shall negotiate a sale to the state parks and recreation commission, for park and outdoor recreation purposes, of the trust lands withdrawn as of August 9, 1971 pursuant to law for park purposes and included within the state parks listed in subsection (2) of this section: **PROVIDED**, That the sale shall be by contract with a pay-off period of not less than ten years, a price of eleven million twenty-four thousand seven hundred forty dollars or the fair market value, whichever is higher, for the land value, and interest not to exceed six percent. All fees collected by the commission beginning in the 1973-1975 biennium, except for fees collected under section 40 of this 1980 act and RCW 43.51.300, as now or hereafter amended, shall be applied to the purchase price of the trust lands listed in subsection (2) of this section and any cost of collection pursuant to appropriations from the trust land purchase account created in RCW 43.51.280. The department of natural resources shall not receive any management fee pursuant to the sale. Timber on the trust lands which are the subject of this section shall continue to be under the management of the department of natural resources until such time as the legislature appropriates funds to the parks and recreation commission for purchase of said timber. The legislature hereby requests that the governor include funds for the purchase of said timber in the 1973-1975 biennial budget. The state parks which include trust lands which shall be the subject of this sale pursuant to this section are:

- (2) (a) Penrose Point
- (b) Kopachuck
- (c) Long Beach
- (d) Leadbetter Point
- (e) Nason Creek
- (f) South Whidbey
- (g) Blake Island
- (h) Rockport
- (i) Mt. Pilchuck
- (j) Ginkgo
- (k) Lewis & Clark
- (l) Rainbow Falls
- (m) Bogachiel
- (n) Sequim Bay
- (o) Federation Forest
- (p) Moran
- (q) Camano Island
- (r) Beacon Rock
- (s) Bridle Trails
- (t) Chief Kamiakin (formerly Kamiak Butte)
- (u) Lake Wenatchee
- (v) Fields Springs
- (w) Sun Lakes
- (x) Scenic Beach.

**NEW SECTION. Sec. 40.** There is added to chapter 43.51 RCW a new section to read as follows:

The state parks and recreation commission shall impose a fee on the overnight moorage of boats or yachts at docks, wharfs, buoys, or other facilities located in developed marine state parks.

**NEW SECTION. Sec. 41.** There is added to chapter 43.51 RCW a new section to read as follows:

There is hereby created the outdoor marine facilities account in the general fund. All moneys collected under section 40 of this act shall be credited to this account and, after the costs of administration, shall be used for the maintenance and operation of outdoor recreation marine facilities. No moneys may be expended from the outdoor marine facilities account except pursuant to appropriation by the legislature.

The commission may accept gifts, grants, donations, or moneys from any source for deposit in the outdoor marine facilities account.

**NEW SECTION. Sec. 42.** As used in this chapter, the following words and phrases have the designated meanings unless a different meaning is expressly provided or the context otherwise clearly indicates:

(1) 'Vessel' means every watercraft used or capable of being used as a means of transportation on the water other than a seaplane.

(2) 'Owner' means a person who has a lawful right of possession of a vessel by purchase, exchange, gift, lease, inheritance, or legal action whether or not the vessel is subject to a security interest.

(3) 'Dealer' means a person, partnership, association, or corporation engaged in the business of selling vessels at wholesale or retail in this state.

(4) 'Department' means the department of licensing.

**NEW SECTION.** Sec. 43. Except as provided in this chapter, no person may own or operate any vessel on the waters of this state unless the vessel has been registered and displays a registration number in accordance with this chapter.

**NEW SECTION.** Sec. 44. Vessel registration is required under this chapter except for the following:

- (1) Vessels owned and operated by the United States, another state, or a political subdivision thereof;
- (2) Vessels owned and operated by this state, or by any municipality or political subdivision thereof;
- (3) Vessels owned by a resident of a country other than the United States if the vessel is not physically located upon the waters of this state for a period of more than sixty days;
- (4) Vessels owned by a resident of another state if the vessel is registered in accordance with the laws of the state in which the owner resides, but only to the extent that a similar exemption or privilege is granted under the laws of that state for vessels registered in this state: **PROVIDED**, That any vessel which is validly registered in another state and which is physically located in this state for a period of more than sixty days shall be subject to registration under this chapter; and
- (5) Vessels used as a ship's tender or lifeboat.

**NEW SECTION.** Sec. 45. The department shall provide for the issuance of vessel registrations and may appoint agents for collecting fees and issuing registration numbers. Fees for vessel registrations collected by the director shall be certified to the state treasurer and deposited under section 48 of this act.

**NEW SECTION.** Sec. 46. Application for a vessel registration shall be made to the department or its authorized agent in such manner and upon such forms as the department shall prescribe, shall state the name and address of each owner of the vessel, shall be signed by at least one owner, and shall be accompanied by a vessel registration fee. The fee shall be as follows for vessels over fourteen feet in length: Five dollars for one vessel; seven dollars and fifty cents for two vessels; ten dollars for three vessels; twelve dollars and fifty cents for four vessels; fifteen dollars for five vessels; and twenty dollars for more than five vessels. The fee shall be two dollars for vessels fourteen feet and under in length.

Upon receipt of the application and the registration fee, the vessel shall be assigned a registration number, which shall be affixed to the vessel in a manner prescribed by the department.

The vessel registrations are valid for a period of three years. Vessel registrations shall be renewable every three years in such manner as the department may prescribe upon payment of the vessel registration fee prescribed in this section.

Any person acquiring a vessel already validly registered under this chapter shall, within fifteen days of the acquisition or purchase of the vessel, apply to the department or its authorized agent for transfer of the vessel registration, and the application shall be accompanied by a transfer fee of one dollar.

**NEW SECTION.** Sec. 47. (1) Each dealer of vessels in this state shall register with the department in such manner and upon such forms as the department shall prescribe. Upon receipt of a dealer's application for registration and the registration fee provided for in subsection (2) of this section, the dealer shall be registered and a registration number assigned.

(2) The registration fee for dealers shall be twenty-five dollars per year, and the fee shall cover all the vessels owned by a dealer and not rented on a regular commercial basis by the dealer. Such rented vessels shall be registered separately under sections 43, 44, 45, and 46 of this act.

(3) Dealer registration numbers are nontransferable.

(4) Section 43 of this act does not apply to any dealer or employee or prospective customer of the dealer with respect to any vessel covered by the dealer's registration number and used for a business purpose of the dealer, such as a demonstration vessel or for purposes of testing or making repairs.

**NEW SECTION.** Sec. 48. The moneys collected by the department as vessel registration fees shall be deposited in the vessel registration account, which is hereby established within the general fund, and shall be used pursuant to legislative appropriation by the department to cover the expenses incurred in the administration of this chapter. Any surplus moneys in the account not needed to pay for the expenses incurred in the administration of this chapter shall be used exclusively by the parks and recreation commission pursuant to legislative appropriation to pay for the expenses of a boating safety program administered by the parks and recreation commission.

**NEW SECTION.** Sec. 49. The department may adopt rules to implement this chapter. The rules shall be adopted in conformity with chapter 34.04 RCW as now or hereafter amended.

**NEW SECTION.** Sec. 50. A violation of this chapter is a misdemeanor.

**NEW SECTION.** Sec. 51. Sections 42 through 50 of this act shall constitute a new chapter in Title 88 RCW.

**NEW SECTION.** Sec. 52. Mt. Peak offers unique scenic and geological features. It also affords outstanding recreational opportunities enjoyed by the citizens of this state and tourists. Therefore, the legislature declares this area to be one of state-wide significance. It further recognizes the importance of safeguarding Mt. Peak and the surrounding area from those types of development which would alter its natural form and beauty.

**NEW SECTION.** Sec. 53. The state parks and recreation commission and the department of natural resources are directed jointly to undertake a study and complete a report regarding methods for safeguarding the natural form, beauty, and recreational values of Mt. Peak. Both agencies shall coordinate and cooperate with private interests and federal, state, and local government interests, and shall determine the ownerships, the proposed boundaries, the acquisition cost, and a management plan for those lands determined in the report to be necessary for safeguarding the scenic, geological, and recreational values described in section 52 of this act. The completed report shall be presented to the house and senate committees on parks and recreation by January 1, 1981.

**NEW SECTION.** Sec. 54. Sections 3 and 4 of this 1980 act and the amendment of RCW 43.99.110 by this 1980 act shall not be considered as creating a new state agency. Rather, they shall be considered as continuing the interagency committee for outdoor recreation but with a new name and organization. Therefore, any contract, debt, or obligation of the interagency committee for outdoor recreation shall be a contract, debt, or obligation of the renamed agency, the council of recreational resources. All equipment, files, and other assets of the interagency committee for outdoor recreation shall continue in the custody of such renamed agency, and employees of the committee shall remain unaffected by this act. Any appropriation to the interagency committee for outdoor recreation shall be considered as being to the renamed agency.

**NEW SECTION.** Sec. 55. This act shall take effect on July 1, 1980."

On page 1, line 1 of the title, after "outdoor recreation;" strike the remainder of the title and insert "amending section 11, chapter 5, Laws of 1965 as last amended by section 125, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.99.110; amending section 2, chapter 5, Laws of 1965 as last amended by section 108, chapter 158, Laws of 1979 and RCW 43.99.020; amending section 1, chapter 64, Laws of 1967 ex. sess. and RCW 43.30.300; amending section 4, chapter 129, Laws of 1972 ex. sess. and RCW 43.83C.040; amending section 8, chapter 5, Laws of 1965 as last amended by section 1, chapter 140, Laws of 1971 ex. sess. and RCW 43.99.080; amending section 7, chapter 126, Laws of 1967 ex. sess. and RCW 43.99A.070; amending section 7, chapter 47, Laws of 1971 ex. sess. as last amended by section 129, chapter 158, Laws of 1979 and RCW 46.09.020; amending section 16, chapter 47, Laws of 1971 ex. sess. as last amended by section 9, chapter 220, Laws of 1977 ex. sess. and RCW 46.09.110; amending section 22, chapter 47, Laws of 1971 ex. sess. as last amended by section 130, chapter 158, Laws of 1979 and RCW 46.09.170; amending section 17, chapter 220, Laws of 1977 ex. sess. and RCW 46.09.240; amending section 18, chapter 220, Laws of 1977 ex. sess. and RCW 46.09.250; amending section 19, chapter 220, Laws of 1977 ex. sess. and RCW 46.09.260; amending section 8, chapter 75, Laws of 1977 ex. sess. and RCW 43.51.953; amending section 2, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.020; amending section 4, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.040; amending section 5, chapter 76, Laws of 1970 ex. sess. as amended by section 1, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.050; amending section 6, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.060; amending section 7, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.070; amending section 8, chapter 76, Laws of 1970 ex. sess. as last amended by section 21, chapter 220, Laws of 1977 ex. sess. and RCW 67.32.080; amending section 10, chapter 76, Laws of 1970 ex. sess. as amended by section 3, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.100; amending section 11, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.110; amending section 12, chapter 76, Laws of 1970 ex. sess. and RCW 67.32.120; amending section 7, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.095; amending section 10, chapter 5, Laws of 1965 and RCW 43.99.100; amending section 12, chapter 5, Laws of 1965 and RCW 43.99.120; amending section 4, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.122; amending section 5, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.124; amending section 6, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.126; amending section 13, chapter 5, Laws of 1965 as amended by section 3, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.130; amending section 1, chapter 24, Laws of 1979 ex. sess. and RCW 43.99.142; amending section 2, chapter 24, Laws of 1979 ex. sess. and RCW 43.99.144; amending section 4, chapter 24, Laws of 1979 ex. sess. and RCW 43.99.146; amending section 15, chapter 5, Laws of 1965 and RCW 43.99.150; amending section 4, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.130; amending section 5, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.140; amending section 2, chapter 161, Laws of 1977 ex. sess. and RCW 79.72.020; amending section 1, chapter 210, Laws of 1971 ex. sess. and RCW 43.51.270; adding new sections to chapter 43.51 RCW; adding a new chapter to Title 88 RCW; adding new sections to chapter 5, Laws of 1965 and to chapter 43.99 RCW; creating new sections; prescribing penalties; and providing an effective date."

Signed by Representatives North, Executive Chairwoman; Fuller, Co-Chairman; Brown, Stratton.

Passed to Committee on Rules for second reading.

February 14, 1980

**SUBSTITUTE SENATE BILL NO. 3169, Prime Sponsor: Senator Conner, modifying workers' compensation period for temporary total disability. Reported by Committee on Labor.**

**MAJORITY recommendation: Do pass with the following amendments:**

On page 2, line 29 strike all language starting with "That up to and including "disability" on line 32 and after "PROVIDED," insert "That attempts to return to work in the first fourteen days following the injury shall not serve to break the continuity of the period of disability if the disability continues fourteen days after the injury occurs."

On page 3, following line 6 insert three new sections as follows:

**"NEW SECTION. Sec. 2.** The department shall develop a comprehensive plan including alternatives for medical, rehabilitation, and reemployment services to be presented to the appropriate committees of the legislature no later than October 1, 1980. Such plan and alternatives shall include, but not be limited to, the following:

- (1) A statement of purpose;
- (2) Specific definitions of medical, rehabilitation, and reemployment services to be provided by the state and/or employers;
- (3) A description of administrative organization, staffing, and responsibilities;

- (4) Criteria and content of individual worker rehabilitation plans;
- (5) Specific timetables for claims review and for development of rehabilitation plans based on category and type of injury;
- (6) An appeals procedure for disputes regarding rehabilitation plans;
- (7) Legislative recommendations to improve medical, rehabilitation, and reemployment services, with specific attention given to employer and employee incentives, second injury fund, and alternative methods of providing compensation for wage loss, loss of earning power, and functional disability.

**NEW SECTION.** Sec. 3. (1) There is hereby created the joint committee on workers' compensation to conduct a comprehensive examination of the present workers' compensation program in the state. The committee shall be bipartisan in nature and shall be composed of four senators appointed by the majority leader of the senate and four representatives appointed by the speakers of the house. The committee may appoint up to seven nonlegislators representing various interested parties to serve ex-officio, nonvoting members.

- (2) In conducting its study, the committee shall consider, but not be limited to, the following areas:
  - (a) Definition, adequacy, and methods of determining benefits;
  - (b) Medical, rehabilitation, and reemployment procedures and services;
  - (c) Administrative organization and claims management;
  - (d) Rate-making and methods of financing;
  - (e) Coverage of professional athletes and the classifications and rates established for professional sports teams;
  - (f) Audit and appeals procedures;
  - (g) Safety standards; and
  - (h) Occupational disease.
- (3) The committee shall hold meetings and hearings at the times and places it designates to accomplish the purposes of this section. It shall make use of existing legislative facilities and the staff of the house and senate. The committee shall have authority to contract for expert services and opinions relevant to its study.
- (4) The committee shall report its initial findings and recommendations to the legislature no later than January 1, 1981. A final report shall be submitted to the legislature no later than January 1, 1983.
- (5) The committee shall cease to exist on July 1, 1983, unless extended by law for an additional fixed period of time.

**NEW SECTION.** Sec. 4. The department shall classify all occupations or industries in accordance with their degree of hazard and fix therefor basic rates of premium which shall be the lowest necessary to maintain actuarial solvency of the accident and medical aid funds in accordance with recognized insurance principles. The department shall formulate and adopt rules and regulations governing the method of premium calculation and collection and providing for a rating system consistent with recognized principles of workers' compensation insurance which shall be designed to stimulate and encourage accident prevention and to facilitate collection. The department may annually, or at such other times as it deems necessary to maintain solvency of the funds, readjust rates in accordance with the rating system to become effective on such dates as the department may designate.

The department may insure the workers' compensation obligations of employers as a group if the following conditions are met:

- (1) All the employers in the group are members of an organization that has been in existence for at least two years;
- (2) The organization was formed for a purpose other than that of obtaining workers' compensation coverage;
- (3) The occupations or industries of the employers in the organization are substantially similar, taking into consideration the nature of the services being performed by workers of such employers;
- (4) The employers in the group constitute at least fifty percent of the total employers in such organization; and
- (5) The formation and operation of the group program in the organization will substantially improve accident prevention and claim management for the employers in the group.

In providing an employer group plan under this section, the department may consider an employer group as a single employing entity for purposes of dividends or premium discounts.\*

On page 1, line 4 following "51.32.090" strike the period and insert "; and amending section 16, chapter 289, Laws of 1971 ex. sess. as amended by section 24, chapter 350, Laws of 1977 ex. sess. and RCW 51.16.035; and creating new sections."

Signed by Representatives Clayton, Executive Chairman; Lux, Co-Chairman; Dunlap, Fancher, Jovanovich, King, Monohon, Scott.

Passed to Committee on Rules for second reading.

February 15, 1980

**SUBSTITUTE SENATE BILL NO. 3207, Prime Sponsor: Senator Talmadge, adding five judges to the King County superior court. Reported by Committee on Judiciary.**

**MAJORITY recommendation: Do pass with the following amendment:**

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

\*Section 1. Section 3, chapter 125, Laws of 1951 as last amended by section 1, chapter 202, Laws of 1979 ex. sess. and RCW 2.08.061 are each amended to read as follows:

There shall be in the county of King ((thirty-four)) thirty-nine judges of the superior court; in the county of Spokane ten judges of the superior court; in the county of Pierce thirteen judges of the superior court: PROVIDED, That the additional offices herein created for the county of Pierce shall be effective January 1, 1981: PROVIDED FURTHER, That the additional judicial positions created by the 1980 amendment of this section for the county of King shall become effective only if prior to July 1, 1980, the county through its duly constituted legislative authority has documented its approval thereof and has agreed to pay out of county funds without reimbursement from the state, the same portion of all expenses of such additional positions as it provides for the positions presently existing, in which case such positions shall become effective on January 1, 1981, and shall be filled by persons elected and qualified at the general election immediately preceding January 1, 1981, and in which case the secretary of state and appropriate county election officials shall accept declarations of candidacy for such positions during the filing period specified by RCW 29.18.030.'

Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Ellis, Tilly, Winsley.

Passed to Committee on Rules for second reading.

February 15, 1980

ENGROSSED SENATE BILL NO. 3234, Prime Sponsor: Senator Walgren, establishing procedures for review of administrative rules by the attorney general. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION. Section 1. There is added to chapter 34.04 RCW a new section to read as follows:

(1) At the time an agency files notice of intent to adopt, amend, or repeal a rule with the code reviser pursuant to RCW 34.04.025(1)(a), it shall file a duplicate of the notice, including the text of the proposed rule, with the attorney general.

(2) No later than fourteen days prior to the date upon which any proceeding may be held for consideration or adoption of the proposed rule, the attorney general shall review the proposed rule and issue to the agency a written opinion, advisory in nature, in such form as the attorney general may prescribe, stating whether or not the attorney general finds that the proposed rule:

(a) Properly cites the statutory authority for the rule as required by RCW 34.04.025(1)(a)(i) and 34.04.026, as now or hereafter amended;

(b) Is within the powers and authority delegated by the legislature in enacting the statutes cited pursuant to RCW 34.04.026, as now or hereafter amended.

(3) The agency shall file the applicable attorney general's opinion with the code reviser simultaneously with the filing of any new or amendatory rule permanently adopted and filed.

(4) Upon filing the rule with the code reviser, the adopting agency shall have copies of the applicable opinion on file and available for public inspection and shall forward three copies each of the opinion to the secretary of the senate and the chief clerk of the house of representatives.

(5) The attorney general may delegate to an assistant or assistants any of the duties imposed by this section.

Sec. 2. Section 2, chapter 19, Laws of 1977 and RCW 34.04.026 are each amended to read as follows:

(1) In ((addition)) order to comply with the provisions of RCW 34.04.025(1)(a)(i), every agency shall incorporate into the notice the most specific, but in no case omit all, of the following language alternatives ((when adopting or amending rules)):

(a) The most specific reference shall be to a section of law which the rule is implementing, and shall be quoted as follows: 'This rule is promulgated pursuant to RCW ..... and is intended to administratively implement that statute.'

(b) The next specific reference, and one which shall be used only if paragraph (a) of this subsection is not applicable, shall be to that portion of an act which directs an agency to adopt rules and regulations as necessary to implement the act, and shall be quoted as follows: 'This rule is promulgated pursuant to RCW ..... which directs that the (agency) has authority to implement the provisions of (name of act or RCW citation).'

(c) The least specific reference, and one which shall be used only if paragraphs (a) and (b) of this subsection are not applicable, is one which indicates that the rule is promulgated under the agency's broad rule-making authority—either in the agency enabling legislation or chapter 34.04 RCW, and shall be quoted as follows: 'This rule is promulgated under the general rule-making authority of the (agency) as authorized in RCW .....'

(2) The code reviser ((is directed to develop a format for placing such specific language in each rule; and agencies shall then comply with the code reviser's direction, and shall include the same in)) shall incorporate the statutory authority cited by the agency into the final adopted rule.

(3) During the promulgation hearings process the public may question whether such rule should have a more specific reference, and the agency shall, pursuant to RCW 34.04.025(1)(b), give consideration to such requests.

NEW SECTION. Sec. 3. There is added to chapter 34.08 RCW a new section to read as follows:

The code reviser shall include in a preface to each register a statement to the effect that all agency rules are reviewed by the office of the attorney general and that a copy of the opinion may be obtained either from the agency adopting the rule or from the office of the attorney general.

**NEW SECTION.** Sec. 4. There is added to chapter 57, Laws of 1971 ex. sess. and to chapter 28B.19 RCW a new section to read as follows:

(1) At the time an institution of higher education files notice of intent to adopt, amend, or repeal a rule with the code reviser pursuant to RCW 28B.19.030(1)(a), it shall file a duplicate of the notice, including the text of the proposed rule, with the attorney general.

(2) No later than fourteen days prior to the date upon which any proceeding may be held for consideration or adoption of the proposed rule, the attorney general shall review the proposed rule and issue to the institution a written opinion, advisory in nature, in such form as the attorney general may prescribe, stating whether or not the attorney general finds that the proposed rule:

(a) Properly cites the statutory authority for the rule as required by RCW 28B.19.030(1)(a)(i) and section 5 of this 1980 act;

(b) Is within the powers and authority delegated by the legislature in enacting the statutes cited pursuant to section 5 of this 1980 act.

(3) The institution shall file the applicable attorney general's opinion with the code reviser simultaneously with the filing of any new or amendatory rule permanently adopted and filed.

(4) Upon filing the rule with the code reviser, the adopting institution shall have copies of the applicable opinion on file and available for public inspection and shall forward three copies each of the opinion to the secretary of the senate and the chief clerk of the house of representatives.

(5) The attorney general may delegate to an assistant or assistants any of the duties imposed by this section.

**NEW SECTION.** Sec. 5. There is added to chapter 57, Laws of 1971 ex. sess. and to chapter 28B.19 RCW a new section to read as follows:

(1) In order to comply with the provisions of RCW 28B.19.030(1)(a)(i), every institution of higher education shall incorporate into the notice the most specific, but in no case omit all, of the following language alternatives:

(a) The most specific reference shall be to a section of law which the rule is implementing, and shall be quoted as follows: 'This rule is promulgated pursuant to RCW ..... and is intended to administratively implement that statute.'

(b) The next specific reference, and one which shall be used only if paragraph (a) of this subsection is not applicable, shall be to that portion of an act which directs an institution of higher education to adopt rules and regulations as necessary to implement the act, and shall be quoted as follows: 'This rule is promulgated pursuant to RCW ..... which directs that the (institution of higher education) has authority to implement the provisions of (name of act or RCW citation).'

(c) The least specific reference, and one which shall be used only if paragraphs (a) and (b) of this subsection are not applicable, is one which indicates that the rule is promulgated under the institution's broad rule-making authority—either in the institution's enabling legislation or chapter 28B.19 RCW, and shall be quoted as follows: 'This rule is promulgated under the general rule-making authority of the (institution of higher education) as authorized in RCW .....

(2) The code reviser shall incorporate the statutory authority cited by the institution into the final adopted rule.

(3) During the promulgation hearings process the public may question whether such rule should have a more specific reference, and the institution shall, pursuant to RCW 28B.19.030(1)(c), give consideration to such requests.

Sec. 6. Section 43.10.030, chapter 8, Laws of 1965 as last amended by section 5, chapter 40, Laws of 1975 and RCW 43.10.030 are each amended to read as follows:

The attorney general shall:

(1) Appear for and represent the state before the supreme court or the court of appeals in all cases in which the state is interested;

(2) Institute and prosecute all actions and proceedings for, or for the use of the state, which may be necessary in the execution of the duties of any state officer;

(3) Defend all actions and proceedings against any state officer or employee acting in his official capacity, in any of the courts of this state or the United States;

(4) Consult with and advise the several prosecuting attorneys in matters relating to the duties of their office, and when the interests of the state require, he shall attend the trial of any person accused of a crime, and assist in the prosecution;

(5) Consult with and advise the governor, members of the legislature, and other state officers, and when requested, give written opinions upon all constitutional or legal questions relating to the duties of such officers;

(6) Prepare proper drafts of contracts and other instruments relating to subjects in which the state is interested;

(7) Give written opinions, when requested by either branch of the legislature, or any committee thereof, upon constitutional or legal questions;

(8) Enforce the proper application of funds appropriated for the public institutions of the state, and prosecute corporations for failure or refusal to make the reports required by law;

(9) Keep in proper books a record of all cases prosecuted or defended by him, on behalf of the state or its officers, and of all proceedings had in relation thereto, and deliver the same to his successor in office;

(10) Keep books in which he shall record all the official opinions given by him during his term of office, and deliver the same to his successor in office;

(11) Pay into the state treasury all moneys received by him for the use of the state;

(12) Give written opinions pursuant to sections 1 and 4 of this 1980 act, on proposed rule-making actions of state agencies and institutions of higher education.

**NEW SECTION.** Sec. 7. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

In line 2 of the title, after "34.04.026;" strike everything through and including "34.08.020;" on line 4

In line 7 of the title, after "RCW;" insert "adding a new section to chapter 34.08 RCW;"

Signed by Representatives Ehlers, Co-Chairman; Taller, Co-Chairman; Burns, Flint, Greengo, Jovanovich, McGinnis, O'Brien, Pruitt, Walk, Williams.

Passed to Committee on Rules for second reading.

February 15, 1980

ENGROSSED SENATE BILL NO. 3368, Prime Sponsor: Senator Moore, modifying the mobile home landlord-tenant act. Reported by Committee on Commerce.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 2, beginning on line 17 after "tenant" strike all material down to and including "term:" on line 20 and insert ") Anyone who desires to occupy a mobile home lot for other than a term of one year or more may have the option to be on a month-to-month basis but must waive, in writing, the right to such one year or more term: PROVIDED, That no waiver shall be valid for a period of more than one year and upon the expiration of any waiver the landlord shall again offer the tenant a term of one year or more. ("

On page 5, line 12 delete "Sec. 6."

On page 6, after line 17 insert the following:

**NEW SECTION.** Sec. 6. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 11 of the title after "59.20.090;" strike "and"

On page 1, line 12 of the title after "RCW" and before the period insert "; and declaring an emergency"

Signed by Representatives Greengo, Co-Chairman; Brekke, Fuller, Gallagher, May, North, Owen, Sanders, Struthers.

Passed to Committee on Rules for second reading.

February 14, 1980

SENATE BILL NO. 3452, Prime Sponsor: Senator Peterson, establishing recount procedures for state and local measures. Reported by Committee on Constitution, Elections and Governmental Ethics.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, after line 16 insert the following additional sections:

"Sec. 2. Section 29.79.080, chapter 9, Laws of 1965 as amended by section 4, chapter 118, Laws of 1973 1st ex. sess. and RCW 29.79.080 are each amended to read as follows:

((Upon the ballot title being established,)) The person((s)) proposing the measure ((may prepare)) shall print blank petitions ((and cause them to be printed)) upon single sheets of paper of good writing quality ((twelve)) eleven inches in width and no less than fourteen inches nor more than seventeen inches in length((, with a margin of one and three-quarters inches at the top for binding)). Each petition at the time of circulating, signing, and filing with the secretary of state shall consist of not more than one sheet with numbered lines for not more than twenty signatures on each sheet, with the prescribed warning, title, and form of petition on each sheet, and a full, true, and correct copy of the proposed measure referred to therein printed on the reverse side of said petition ((or on sheets of paper of like size and quality as the petition, firmly fastened together)). The petition and text may be printed on single sheets of paper larger than eleven by seventeen inches, in increments of eleven by seventeen inches, if the text of the measure is too long to be printed legibly in an eleven by seventeen inch space: PROVIDED, That the language required by RCW 29.79.090, 29.79.100, and 29.79.110, as now or hereafter amended, shall occupy a space no larger than eleven by seventeen inches on the face of such petition.

Sec. 3. Section 29.80.010, chapter 9, Laws of 1965 as last amended by section 106, chapter 361, Laws of 1977 ex. sess. and RCW 29.80.010 are each amended to read as follows:

((As soon as possible)) At least two weeks prior to each state general election at which federal or state officials are to be elected, the secretary of state shall publish and mail to each individual place of residence of the state a candidates' pamphlet containing photographs and campaign statements of eligible nominees who desire to participate therein, together with a campaign mailing address and telephone number submitted by

the nominee at the nominee's option, and in even-numbered years containing a description of the office of precinct committeeman and its duties, in order that voters will understand that such office is a state office and will be found on the ballot of the forthcoming general election: PROVIDED, That in odd-numbered years no candidates' pamphlet shall be published, unless an election is to be held to fill a vacancy in one or more of the following state-wide elective offices: United States senator, governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, superintendent of public instruction, commissioner of public lands, insurance commissioner, and justice of the supreme court.

Sec. 4. Section 29.80.020, chapter 9, Laws of 1965 as last amended by section 1, chapter 145, Laws of 1971 ex. sess. and RCW 29.80.020 are each amended to read as follows:

At a time to be determined by the secretary of state, but in any event(;) not later than forty-five days prior to the applicable state general election, each nominee for the office of United States senator, United States representative, governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, superintendent of public instruction, commissioner of public lands, insurance commissioner, state senator, state representative, justice of the supreme court, judge of the court of appeals, and judge of the superior court may file with the secretary of state a written statement advocating his candidacy accompanied by the campaign mailing address and telephone number submitted by the nominee at the nominee's option, and a photograph not more than five years old and of a size and quality which the secretary of state determines suitable for reproduction in the voters' pamphlet. The maximum number of words for such statements shall be determined according to the offices sought as follows: State representative, one hundred words; state senator, judge of the superior court, judge of the court of appeals, judge of the supreme court, and all state offices voted upon throughout the state, except that of governor, two hundred words; United States senator, United States representative, and governor, three hundred words. No such statement or photograph shall be printed in the candidates' pamphlet for any person who is the sole nominee for any nonpartisan or judicial office.

Sec. 5. Section 29.80.040, chapter 9, Laws of 1965 as amended by section 2, chapter 145, Laws of 1971 ex. sess. and RCW 29.80.040 are each amended to read as follows:

((Said)) The nominees' statements ((and)), photographs, and the addresses and telephone numbers submitted by them as set forth in RCW 29.80.010 and 29.80.020 as now or hereafter amended shall be published by the secretary of state as a candidates' pamphlet, the printing and distribution of which shall be completed ((as soon as possible)) at least two weeks prior to the state general election concerned. The overall dimensions of such pamphlet shall be determined by the secretary of state as those which in his judgment best serve the voters, and whenever possible the candidates' pamphlet shall be combined with the voters' pamphlet as a single publication.

Sec. 6. Section 29.81.010, chapter 9, Laws of 1965 as amended by section 1, chapter 143, Laws of 1973 1st ex. sess. and RCW 29.81.010 are each amended to read as follows:

The voters' pamphlet shall contain as to each state measure to be voted upon, the following in the order set forth in this section:

(1) Upon the top portion of the first two opposing pages relating to said measure and not exceeding one-third of the total printing area shall appear:

- (a) The legal identification of the measure by serial designation and number;
- (b) The official ballot title of the measure;
- (c) A brief statement explaining the law as it presently exists;
- (d) A brief statement explaining the effect of the proposed measure should it be approved into law;
- (e) The total number of votes cast for and against the measure in both the state senate and house of representatives if the measure has been passed by the legislature;
- (f) A heavy double ruled line across both pages to clearly set apart the above items from the remaining text.

(2) Upon the lower portion of the left page of the two facing pages shall appear an argument advocating the voters' approval of the measure together with any rebuttal statement of the opposing argument as provided in RCW 29.81.030, 29.81.040, or 29.81.050.

(3) Upon the lower portion of the right hand page of the two facing pages shall appear an argument advocating the voters' rejection of the measure together with any rebuttal statement of the opposing argument as provided in RCW 29.81.030, 29.81.040, or 29.81.050.

(4) Following each argument or rebuttal statement each member of the committee advocating for or against a measure shall be listed by name and address to the end that the public shall be fully apprised of the advocate's identity. Also, following each argument or rebuttal statement, the secretary of state shall list, at the option of a committee, a telephone number which citizens may call in order to obtain information with respect to the ballot measure.

(5) At the conclusion of the pamphlet the full text of each of the measures shall appear. The text of the proposed constitutional amendments shall be set forth in the form provided for in RCW 29.81.080.

Sec. 7. Section 1, chapter 72, Laws of 1969 ex. sess. and RCW 29.81.012 are each amended to read as follows:

In addition to any other contents required by this chapter, every voters' pamphlet published shall contain therein an application form for a state general election absentee ballot ((and during presidential election years an application form for a special presidential ballot)) which ((forms)) form shall constitute sufficient notice upon receipt thereof by the appropriate election officers to assure the applicant of obtaining therefrom an absentee ((ballots)) ballot, upon being qualified therefor.

NEW SECTION. Sec. 8. There is added to chapter 29.80 RCW a new section to read as follows:



In addition to other contents included in the candidates' pamphlet, the secretary of state shall prepare and include a section containing (1) a brief explanation of how voters may participate in the election campaign process; (2) the name, address, and telephone number of each political party which has one or more nominees listed in the candidates' pamphlet, but this information shall be included in the candidates' pamphlet only if and as filed with the secretary of state by the state committee of a major political party or the convention of a minor political party; (3) the address and telephone number of the public disclosure commission, established under RCW 42.17.350; (4) a summary of the disclosure requirements which apply when contributions are made to candidates and political committees; and (5) an explanation of the federal income tax credits and deductions which are available to persons who make such contributions. Whenever the candidates' pamphlet is combined with the voters' pamphlet, the section shall be placed at or near the beginning of the combined publication.

Sec. 9. Section 29.81.140, chapter 9, Laws of 1965 as amended by section 7, chapter 145, Laws of 1971 ex. sess. and RCW 29.81.140 are each amended to read as follows:

(As soon as possible before) At least two weeks prior to any election at which initiative or referendum measures, referendum bills, proposed constitutional amendments, or any other state measures are to be submitted to the people, the secretary of state shall transmit, by mail with postage fully prepaid, one copy of the pamphlet to each individual place of residence in the state and shall make such additional distribution as he shall deem necessary to reasonably assure that each voter will have an opportunity to study the measures prior to election.

Sec. 10. Section 29.81.150, chapter 9, Laws of 1965 and RCW 29.81.150 are each amended to read as follows:

The secretary of state shall transmit at least two weeks prior to any election at which initiative or referendum measures, referendum bills, proposed constitutional amendments, or any other state measures are to be submitted to the people, by the least expensive means, copies of the pamphlet as follows:

(1) Two copies to:

Each state officer and each member of a state board;  
Each county officer;  
Each judge of the supreme and superior courts;  
Each public library;  
Each member of the legislature;

(2) Three copies to:

Each voting precinct in the state, by transmittal through the county auditor of each county for the precincts in his county for the information of voters at the polls;  
Each educational, charitable, penal, and reformatory institution of the state for its library;

(3) Five copies to the state library((:)).

((+)) The secretary of state shall also maintain a reserve supply for distribution on request, of as many copies as he deems necessary.

Sec. 11. Section 29.27.080, chapter 9, Laws of 1965 and RCW 29.27.080 are each amended to read as follows:

(1) Notice for any state, county, district, or municipal election, whether special or general, shall be given by at least one publication not more than ten nor less than three days prior to the election by the county auditor or the officer conducting the election as the case may be, in one or more newspapers of general circulation within the county. Said legal notice shall contain the title of each office under the proper party designation, the names and addresses of all officers who have been nominated for an office to be voted upon at that election, together with the ballot titles of all measures, the hours during which the polls will be open, and that the election will be held in the regular polling places in each precinct, giving the address of each polling place: PROVIDED, That the names of all candidates for nonpartisan offices shall be published separately with designation of the offices for which they are candidates but without party designation. This shall be the only notice required for a state, county, district or municipal general or special election and shall supersede the provisions of any and all other statutes, whether general or special in nature, having different requirements for the giving of notice of any general or special elections.

(2) All school district elections held on February 5, 1980, at which the number and proportion of persons required by law voted to authorize bonds or tax levies, are hereby validated regardless of any failure to publish notice of such election. No action challenging the validity of any such election may be brought later than April 15, 1980, or thirty days from the effective date of this act, whichever is later. Notice of provisions of this subsection shall be published within five days after the effective date of this section of this 1980 act, in a newspaper of general circulation within each county where a school district election was held on February 5, 1980, and where notice of such election was not published as provided in subsection (1) of this section.

NEW SECTION. Sec. 12. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 13. Section 11 of this 1980 act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

In line 1 of the title, after "elections;" strike "and"

In line 2 of the title after "29.64.080" and before the period, insert "amending section 29.27.080, chapter 9, Laws of 1965 and RCW 29.27.080; amending section 29.79.080, chapter 9, Laws of 1965 as amended by section 4, chapter 118, Laws of 1973 1st ex. sess. and RCW 29.79.080; amending section 29.80.010,

chapter 9, Laws of 1965 as last amended by section 106, chapter 361, Laws of 1977 ex. sess. and RCW 29.80.010; amending section 29.80.020, chapter 9, Laws of 1965 as last amended by section 1, chapter 145, Laws of 1971 ex. sess. and RCW 29.80.020; amending section 29.80.040, chapter 9, Laws of 1965 as amended by section 2, chapter 145, Laws of 1971 ex. sess. and RCW 29.80.040; amending section 29.81.010, chapter 9, Laws of 1965 as amended by section 1, chapter 143, Laws of 1973 1st ex. sess. and RCW 29.81.010; amending section 1, chapter 72, Laws of 1969 ex. sess. and RCW 29.81.012; amending section 29.81.140, chapter 9, Laws of 1965 as amended by section 7, chapter 145, Laws of 1971 ex. sess. and RCW 29.81.140; amending section 29.81.150, chapter 9, Laws of 1965 and RCW 29.81.150; adding a new section to chapter 29.80 RCW; and declaring an emergency."

Signed by Representatives Oliver, Executive Chairman; Erickson, Co-Chairwoman; Barnes, Eng, Fuller, Granlund, Gruger, Hastings.

Passed to Committee on Rules for second reading.

February 18, 1980

SENATE BILL NO. 3576, Prime Sponsor: Senator Hansen, exempting alcohol fuels from the liquor control laws. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kreidler, Co-Chairman; Fancher, Co-Chairwoman; Becker, Clayton, Erak, Heck, Scott, Van Dyken.

Passed to Committee on Rules for second reading.

#### SECOND READING

ENGROSSED SENATE BILL NO. 3331, by Senators Henry, Guess and Talley:

Establishing penalties for the illegal transportation of dangerous commodities.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 26th Day, February 8, 1980.)

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

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3331 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

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

Not voting: Representatives Chandler, Clayton, Oliver, Rohrbach.

Engrossed Senate Bill No. 3331 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

Please record for the record that I voted "Yes" for ESB 3331. The Clerk failed to hear my call as present and I was not yet to my voting switch to cast an affirmative vote before the voting machine was locked.

CLAUDE L. OLIVER, 8th District.

ENGROSSED SENATE BILL NO. 3422, by Senators Henry, Benitz, Hansen and Talley:

Increasing port districts' authority to operate facilities for the movement of freight and passengers.

The bill was read the second time.

Committee on Transportation recommendation: -Majority, do pass as amended. (For amendment, see Journal, 26th Day, February 8, 1980.)

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

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3422 as amended by the House was placed on final passage.

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

#### POINT OF INQUIRY

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

Mr. O'Brien: "Representative Martinis, in view of the fact that operations of port districts are at least partially subsidized by public taxes, I have some serious concerns regarding legislative intent of Senate Bill No. 3422. Is it the intent of the bill to establish the precedent of allowing port districts to compete in any way or any area with existing private carriers of passengers or cargo and private owners and operators of recreation tourism facilities and services such as sightseeing boats and buses?"

Mr. Martinis: "No. This legislation is tightly drawn to where there is only one area and that would be the Columbia River and those port districts that have interstate boundaries, and it would allow them to operate in interstate waters of another state. That basically boils this thing right down to the Columbia River and in no way would this allow it on Puget Sound. It's very tightly drawn."

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Gallagher.

Mr. Gallagher: "Would this bill have any effect on the Tacoma beltline operated by the Tacoma Utilities Department in the Port of Tacoma?"

Mr. Martinis: "No, it would not. Presently the Port of Tacoma and the City of Tacoma have an agreement on operating that beltline railroad and RCW 53.08.020 would prohibit the port district from having the right of eminent domain over beltline areas."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3422 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

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

Voting nay: Representative Jovanovich.

Not voting: Representative Chandler, Rohrbach.

Engrossed Senate Bill No. 3422 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### POINT OF PERSONAL PRIVILEGE

Representative Rohrbach appeared before the bar of the House and announced that, for personal reasons, he was submitting his resignation, effective immediately.

REENGROSSED SENATE BILL NO. 2204, by Senators Woody, Odegaard, Conner, Peterson, Newschwander, von Reichbauer and Talley:

Modifying the provisions for free hunting and fishing licenses.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, 32nd Day, February 14, 1980.)

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

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Senate Bill No. 2204, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

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

Reengrossed Senate Bill No. 2204 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3140, by Committee on Local Government (originally sponsored by Senators Walgren, Goltz and Rasmussen):

Authorizing combined city-county housing authorities.

The bill was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3140, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

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

Engrossed Substitute Senate Bill No. 3140, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3235, by Senators Lewis, Wilson and Sellar:

Modifying restrictions on compensation of fire commissioners.

The bill was read the second time.

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

Mr. Charnley spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3235, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

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

Senate Bill No. 3235, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3240, by Senators Walgren, Odegaard, Wilson, von Reichbauer, Marsh, Woody, Wojahn, Peterson, Vognild, Fleming, Day, Ridder, Rasmussen, Hurley, Moore, Talmadge and Talley:

Enacting the Coordinated Review and Accountability Act of 1980.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 29th Day, February 11, 1980.)

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3240 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

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

Senate Bill No. 3240 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3245, by Senators Donohue, Shinpoch, Jones, Wojahn, Gaspard and Scott:

Clarifying certain public retirement laws.

The bill was read the second time.

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

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3245, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 1.

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

Not voting: Representative Oliver.

Senate Bill No. 3245, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3253, by Senators Rasmussen and Matson:

Rearranging the law on electricians.

The bill was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3253, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

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

Engrossed Senate Bill No. 3253, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3271, by Committee on Ways and Means (originally sponsored by Senators McDermott, Shipoch and Jones):

Providing for membership transfers by former PERS members now in the judicial retirement system.

The bill was read the second time.

Mr. Taller moved adoption of the following amendment:

On page 2, after line 31 insert the following new section:

\*Sec. 2. Section 4, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.040 are each amended to read as follows:

The Washington judicial retirement system is hereby created for judges appointed or elected under the provisions of chapters 2.04, 2.06, and 2.08 RCW. All judges first appointed or elected to the courts covered by these chapters on or after August 9, 1971, and on or before June 30, 1980, shall be members of this system. Any person serving as a judge on August 9, 1971 and who is covered under the provisions of chapter 2.12 RCW shall have the option of transferring to this system. Said transfer shall be in writing and received by the Washington judicial retirement board not later than one calendar year after August 9, 1971."

#### POINT OF ORDER

Mr. O'Brien: "It appears that the substance of this amendment is already included in another bill. Our rules prohibit amendments being offered when a pending bill is still before the House."

Speaker Berentson: "Representative O'Brien, will you refer to the bill you are speaking of?"

Mr. O'Brien: "House Bill No. 430."

#### SPEAKER'S RULING

Speaker Berentson: "Representative O'Brien, the Speaker is going to rule that House Bill No. 430 is not alive; therefore, it could not be before this body, so your point of order is not well taken."

#### POINT OF ORDER

Mr. O'Brien: "I raise a point of order on the scope and object of the amendment."

With the consent of the House, Mr. Taller withdrew the amendment.

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

On page 2, following section 1 insert a new section as follows:

**"NEW SECTION.** Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title after "system;" strike "and" and on line 3 of the title after "2.10.220" insert "; and adding an emergency clause"

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3271 as amended by the House was placed on final passage.

Representatives Thompson, O'Brien and Maxie spoke in favor of the bill, and Mr. Taller spoke against it.

Mr. Thompson spoke again in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3271 as amended by the House, and the bill passed the House by the following vote: Yeas, 64; nays, 31; not voting, 2.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Charnley, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Flanagan, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Newhouse, North, O'Brien, Owen, Patterson, Rinehart, Rosbach, Salatino, Scott, Sherman, Smith R., Sommers, Stratton, Taylor, Teutsch, Thompson, Valle, Van Dyken, Vrooman, Walk, Warnke, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barr, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Fancher, Flint, Fuller, Greengo, Gruger, Hastings, Houchen, Isaacson, McGinnis, Nelson G. A., Nisbet, Oliver, Pruitt, Schmitt, Smith C. P., Sprague, Struthers, Taller, Tilly, Tupper, Whiteside, Williams.

Not voting: Representatives Polk, Sanders.

Substitute Senate Bill No. 3271 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SENATE BILL NO. 3282, by Senators Marsh, Hayner and Talmadge:**

Modifying the business corporation act.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 26th Day, February 8, 1980.)

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

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3282 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

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

Engrossed Senate Bill No. 3282 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3309, by Committee on Social and Health Services (originally sponsored by Senators Day, Jones, Talmadge and Moore):

Regulating ophthalmologists.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, 31st Day, February 13, 1980.)

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

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

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

#### POINT OF INQUIRY

Mr. Whiteside yielded to question by Ms. Valle.

Ms. Valle: "Representative Whiteside, would you tell me what professional training an ophthalmologist has?"

Mr. Whiteside: "They have, I believe, two years of professional training and their training would be licensed by the Department of Licensing. So if you are concerned about the capabilities, there's no question there. Those people are, at this time, performing this service, so we're not creating any new profession; we are just recognizing them and giving them substantiation."

Mr. Eberle spoke against the bill, and Representatives Barr and May spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3309 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 6; not voting, 0.

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

Voting nay: Representatives Barnes, Eberle, Greengo, Heck, Valle, Zimmerman.

Engrossed Substitute Senate Bill No. 3309 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3404, by Senators Scott, Odegaard and Lee:

Disestablishing various state funds and accounts.

The bill was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3404, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

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



Senate Bill No. 3404, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE SENATE BILL NO. 3611**, by Committee on Ways and Means (originally sponsored by Senators Lewis and Day):

Authorizing the investment of municipal pension funds in state authorized investments.

The bill was read the second time.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and the bill was placed on the calendar for second reading.

Mr. Nelson (G) spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3611, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

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

Substitute Senate Bill No. 3611, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

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

#### THIRD READING

**SUBSTITUTE SENATE BILL NO. 3164** as amended by the House, by Committee on Parks and Recreation (originally sponsored by Senators von Reichbauer, Fleming, Lewis and Ridder):

Authorizing and establishing priorities for urban state parks.

The bill was read the third time.

On motion of Mr. Polk, the rules were suspended, and the bill was returned to second reading for the purpose of amendment.

On motion of Ms. North, the following amendment by Representatives North, Brown, Walk and Grimm was adopted:

On page 6, line 37 strike "intensively developed areas which have little, if any, natural habitat or undeveloped land remaining" and insert "any incorporated city with a population of five thousand persons or greater or any county with a population density of two hundred fifty persons per square mile or greater"

Mr. Warnke moved adoption of the following amendment by Representatives Warnke and Eberle:

On page 7 of the committee amendment following section 4, strike section 5 and insert a new section as follows:

**NEW SECTION.** Sec. 5. (1) In keeping with the purposes of this 1980 act, the powers, functions, and duties heretofore exercised by the game commission, department of game, or its director, respecting the management, control, and operation of the approximately 165-acre tract of land bordering the White/Stuck Rivers in or near the city of Auburn and currently used as a game preserve are, except as provided under this section, terminated as of the effective date of this section, and the powers, functions, and duties with respect to such land are vested in the parks and recreation commission to be exercised in accordance with chapter 43.51 RCW as now existing or hereafter amended for the purposes specified therein.

(2) Nothing in this section shall impair any contract, debt, or obligation owed by the game commission or department of game in respect to such land. However, the director of the office of financial management may, if the director finds it appropriate, transfer the duty to satisfy any such contract, debt, or obligation to the parks and recreation commission.

(3) The director of the office of financial management is authorized to make whatever orders are convenient or necessary for the implementation of this section. In addition, the director is authorized to make

decisions resolving questions regarding the impact of this section on preexisting contracts, debts, or obligations with respect to such land. Any orders or decisions made by the director under this section shall be binding on the game commission, the department of game, and the parks and recreation commission.

(4) On the effective date of this section, the state treasurer shall transfer from the general fund to the game fund the sum of one million five hundred thousand dollars to compensate the game fund for the transfer of the Auburn game farm to the parks and recreation commission.

(5) Section 5 of this act shall become effective on July 31, 1981, at which time the transfer of powers, functions and duties provided for in subsection (1) and the transfer of funds provided for in subsection (4) shall occur: PROVIDED, HOWEVER, That the parks and recreation commission is hereby authorized to begin planning for the public use of this property as an urban park on the effective date of this 1980 act."

Representatives Warnke and Schmitt spoke in favor of the amendment, and Mr. Nelson (G) spoke against it.

#### POINT OF INQUIRY

Mr. Warnke yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Warnke, this would appear to establish a precedent. The Game Department has operated without general fund money over all these years, but now in this year, 1980, we would give them \$1.5 million. Will they be able to spend it in this year or will this establish a host you have to feed from now on, another \$1.5 million every year, to keep this process going? Are they allowed to spend this money from the game fund for their purposes?"

Mr. Warnke: "Whether or not we're establishing a precedent, we certainly are in that this is the first time, to my knowledge, the Game Department has gotten any general fund money. However, we, as you've said, cannot obligate the next session of the Legislature or any other session, to give money to the Game Department. I think the action has been taken because we, in the Legislature, in the budget, established on that game farm when it was to be vacated, that the Game Department was to sell the money for \$1.5 million, so we're sort of caught on the horns of a dilemma. In one order we have ordered them to sell it and we established the \$1.5 million, so I guess we're sort of caught on this one."

Representatives Martinis and Eberle spoke in favor of the amendment, and Mr. Thompson spoke against it.

#### POINT OF INQUIRY

Mr. Schmitt yielded to question by Mr. Flanagan:

Mr. Flanagan: "Representative Schmitt, you have stated the Game Department operates completely on user fees, and I agree this is right for operation purposes, but I don't believe they operate on user fees for land acquisition. The way I understand it, most land operations come out of the state interagency committee grants. Is that right?"

Mr. Schmitt: "You are correct, Representative Flanagan."

Mr. Schmitt spoke again in favor of the amendment, and Mr. Thompson again opposed it.

#### MOTION

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

#### AFTERNOON SESSION

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

The House resumed consideration of Substitute Senate Bill No. 3164.

The Speaker (Mr. Amen presiding) stated the question before the House to be the amendment by Representatives Warnke and Eberle.

Mr. McDonald moved adoption of the following amendment to the Warnke/Eberle amendment:

On page 1, section 5, lines 39 - 44, strike all of subsection (4).

Mr. McDonald spoke in favor of the amendment to the amendment, and Mr. Schmitten spoke against it.

The amendment to the amendment was not adopted.

A division was called on the amendment by Representatives Warnke and Eberle.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Warnke and Eberle to Substitute Senate Bill No. 3164, and the amendment was adopted by the following vote: Yeas, 59; nays 30; not voting, 8.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Brown, Burns, Dawson, Deccio, Dunlap, Eberle, Ellis, Erak, Fancher, Flanagan, Flint, Gallagher, Garrett, Granlund, Grimm, Hastings, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Martinis, Maxie, May, Monohon, Nisbet, North, O'Brien, Oliver, Owen, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Stratton, Struthers, Teutsch, Tilly, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Wilson.

Voting nay: Representatives Bauer, Becker, Bender, Bond, Brekke, Chandler, Charnley, Clayton, Ehlers, Eng, Erickson, Fuller, Galloway, Greengo, Gruger, Heck, Kreidler, Lux, McDonald, Mitchell, Nelson D., Nelson G. A., Newhouse, Patterson, Pruitt, Sprague, Taller, Williams, Winsley, Zimmerman.

Not voting: Representatives Berentson, Craswell, McCormick, McGinnis, Polk, Taylor, Thompson, Valle.

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

On page 1, line 4 of the title following "RCW 43.51.060;" insert "providing an effective date;"

#### MOTION

Mr. Deccio moved that the rules be suspended, the second reading considered the third, and Substitute Senate Bill No. 3164 as amended by the House be placed on final passage.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Substitute Senate Bill No. 3164 as amended by the House to final passage, and the motion received the necessary two-thirds majority, by the following vote: Yeas, 82; nays, 10; not voting, 5.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Berentson, Brekke, Brown, Burns, Chandler, Dawson, Deccio, Dunlap, Eberle, Ellis, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Barr, Bond, Charnley, Clayton, Ehlers, Flanagan, Greengo, McDonald, Newhouse, Tilly.

Not voting: Representatives Bender, Craswell, Flint, Taller, Valle.

The Speaker (Mr. Amen presiding) stated the question before the House to be Substitute Senate Bill No. 3164 as amended by the House on final passage.

Representatives North, Maxie, Grimm, Stratton, Walk, Martinis, Nelson (D) and Warnke spoke in favor of the bill, and Representatives Taylor, McDonald, Craswell, Greengo and Nelson (G) spoke against it.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3164 as amended by the House, and the bill passed the House by the following vote: Yeas, 62; nays, 35; not voting, 0.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Eberle, Eng, Erak, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Kreidler, Lux, Martinis, Maxie, May, McCormick, Mitchell, Monohon, Nelson D., North, O'Brien, Oliver, Owen, Pruitt, Rinehart, Salatino, Sanders, Schmitten, Scott, Sherman, Smith R., Sommers, Stratton, Struthers, Taller, Teutsch, Tupper, Vrooman, Walk, Warnke, Wilson, Winsley.

Voting nay: Representatives Amen, Barr, Berentson, Bond, Clayton, Craswell, Deccio, Dunlap, Ehlers, Ellis, Erickson, Fancher, Flanagan, Greengo, Hastings, Heck, Knowles, McDonald, McGinnis, Nelson G. A.,

Newhouse, Nisbet, Patterson, Polk, Rosbach, Smith C. P., Sprague, Taylor, Thompson, Tilly, Valle, Van Dyken, Whiteside, Williams, Zimmerman.

Substitute Senate Bill No. 3164 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

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

#### SECOND READING

HOUSE BILL NO. 1981, by Representatives Zimmerman, Thompson and Struthers:

Modifying provisions relating to jail bonds.

The bill was read the second time.

On motion of Mr. Zimmerman, Substitute House Bill No. 1981 was substituted for House Bill No. 1981, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1981 was read the second time.

Mr. Barr moved adoption of the following amendment:

On page 1, after line 21 insert a new section to read as follows:

\*Sec. 2. Section 1, chapter 316, Laws of 1979 ex. sess. and RCW 70.48.010 are each amended to read as follows:

It is the policy of this state that all city and county jails provide a humane and safe environment. It is the purpose of this chapter (1) to require classification of county and city jails on the basis of their purpose and their function in order to provide for (a) the setting of state-wide mandatory custodial care standards that are essential for the health, welfare, and security of persons confined in jails, (b) advisory custodial care minimum standards, and (c) physical plant minimum standards: PROVIDED, That when local jurisdictions completely finance the cost of new jail construction in compliance with current physical plant standards, custodial care standards shall not apply. (2) to aid the Washington state criminal justice training commission in developing and implementing personnel training and qualification standards, and (3) to provide for a determination of the role of the state and local units of government with regard to the custody of persons who are arrested for and/or convicted of violating statutes or ordinances which define crimes. The legislature also finds that in order to accomplish the purpose of this chapter it is necessary for the state to provide adequate funds to enable units of local government to fully comply with the physical plant minimum standards for detention and correctional facilities.\*

Mr. Barr spoke in favor of the amendment, and Ms. Becker spoke against it.

Mr. Barr spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barr to Substitute House Bill No. 1981, and the amendment was not adopted by the following vote: Yeas, 43; nays, 52; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Erak, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Stratton, Tally, Taylor, Tilly, Tupper, Whiteside, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charney, Ehlers, Eng, Erickson, Gallagher, Galloway, Garrett, Granlund, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rohrbach, Salatino, Scott, Sherman, Smith R., Sommers, Struthers, Teutsch, Thompson, Valle, Van Dyken, Vrooman, Warnke, Williams, Winsley, Zimmerman.

Not voting: Representatives Grimm, Walk.

On motion of Mr. Tilly, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1981 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1981 and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charney, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon,

Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Nelson D., Patterson.

Not voting: Representative Vrooman.

Substitute House Bill No. 1981, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1541, by Representative Thompson:

Making an appropriation to the department of agriculture.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 33rd Day, February 15, 1980.)

On motion of Mr. Van Dyken, the following amendment to the title by Representatives Van Dyken and Kreidler was adopted:

On line 1 of the title following "making" strike the remainder of the title and insert "appropriations for the fiscal biennium ending June 30, 1981; adding a new section to chapter 15.04 RCW; and declaring an emergency."

The bill was ordered engrossed.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1541 was placed on final passage.

Mr. Nelson (G) spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1541, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

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

Engrossed House Bill No. 1541, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE CONCURRENT RESOLUTION NO. 30, by Representatives Addison, McCormick, Bender, Tupper, Sprague, Scott, Williams, Nisbet, Monohon and Taller:

Requesting speedy construction of addition to Ross Dam.

The resolution was read the second time.

Committee on Energy and Utilities recommendation: Majority, do pass as amended. (For amendment, see Journal, 30th Day, February 12, 1980.)

On motion of Ms. McCormick, the committee amendment was adopted.

Ms. Rinehart moved adoption of the following amendment by Representatives Rinehart, Burns, Nelson (D), Charnley and Granlund:

On page 1, beginning on line 9 strike all the material down through and including "approvals" on line 30 and insert the following:

"WHEREAS, Seattle City Light is in the process of evaluating the need for increased energy sources; and

WHEREAS, There exist serious questions regarding the effects of expanding the size of Ross Lake into the upper Skagit Valley; and

WHEREAS, The Legislative Assembly of the Province of British Columbia has expressed its present opposition to the expansion of Ross Dam and the consequent flooding that would occur; and

WHEREAS, There is a need for energy planning and development to proceed in an orderly and reasonable pace; and

WHEREAS, The City of Seattle and the Province of British Columbia are currently engaged in highly sensitive and critical negotiations regarding the possible raising of Ross Dam;

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the State of Washington, the Senate concurring, That the City of Seattle be urged and encouraged to proceed without further delay to complete negotiations with the Province of British Columbia on issues concerning the planned addition to Ross Dam on the Skagit River; and

BE IT FURTHER RESOLVED, That, if the parties to the negotiation are in full agreement as to the need for expansion, then the state agencies of Washington which must give their approval or review to such expansion should facilitate their actions"

Representatives Rinehart, Burns, Granlund, Nelson (D) and Lux spoke in favor of the amendment, and Representatives Addison, Taller, Bond and Greengo spoke against it.

Ms. Rinehart spoke again in favor of the amendment, and Mr. Addison again opposed it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Rinehart and others to House Concurrent Resolution No. 30, and the amendment was not adopted by the following vote: Yeas, 49; nays, 48; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Stratton, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whitesid , Williams, Wilson, Winsley, Zimmerman.

The resolution was ordered engrossed.

#### MOTION

Mr. Deccio moved that the rules be suspended, the second reading considered the third, and Engrossed House Concurrent Resolution No. 30 be advanced to final passage.

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

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed House Concurrent Resolution No. 30 to final passage, and the motion failed to receive the necessary two-thirds majority by the following vote: Yeas, 54; nays, 43; not voting, 0.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Bender, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Gallagher, Greengo, Hastings, Houchen, Isaacson, Lux, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Owen, Patterson, Polk, Rosbach, Sanders, Schmitt, Scott, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, Monohon, Nelson D., North, O'Brien, Pruitt, Rinehart, Salatino, Sherman, Smith R., Sommers, Stratton, Thompson, Valle, Vrooman, Walk, Warnke.

Engrossed House Concurrent Resolution No. 30 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 1540, by Representative Thompson:

Making an appropriation to the department of natural resources.

The bill was read the second time.

On motion of Mr. Nelson (G), Substitute House Bill No. 1540 was substituted for House Bill No. 1540, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1540 was read the second time.

## MOTION

On motion of Mr. Polk, further consideration of Substitute House Bill No. 1540 was deferred.

SECOND SUBSTITUTE SENATE BILL NO. 2748, by Committee on Agriculture (originally sponsored by Senators Day and Benitz):

Increasing the compensation of members of the board of directors for irrigation districts.

The bill was read the second time.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 2748, and the bill passed the House by the following vote: Yeas, 90; nays, 5; not voting, 2.

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

Voting nay: Representatives Craswell, Ehlers, Eng, Heck, Zimmerman.

Not voting: Representatives Smith C. P., Wilson.

Second Substitute Senate Bill No. 2748, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3482, by Committee on Labor (originally sponsored by Senators Vognild and Walgren):

Removing marine employees from restrictions which might otherwise be imposed by state employees insurance board.

The bill was read the second time.

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

A division was called.

## ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed Substitute Senate Bill No. 3482 to final passage, and the motion failed to receive the necessary two-thirds majority, by the following vote: Yeas, 48; nays, 44; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Clayton, Craswell, Deccio, Dunlap, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Chandler, Dawson, Eberle, Smith R., Wilson.

Engrossed Substitute Senate Bill No. 3482 was passed to Committee on Rules for third reading.

SECOND SUBSTITUTE SENATE BILL NO. 3133, by Committee on Transportation (originally sponsored by Senators Scott, Gould and Gaspard):

Exempting all school buses from payment of vehicle license fees.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 31st Day, February 13, 1980.)

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

Mr. Gallagher moved adoption of the following amendment:

On page 1, after line 14 insert the following:

"Sec. 2. Section 1, chapter 178, Laws of 1949 as last amended by section 221, chapter 158, Laws of 1979 and RCW 73.04.110 are each amended to read as follows:

Any veteran who is a veteran of any war of the United States, or of any military campaign for which a campaign ribbon shall have been awarded, and has been awarded an honorable discharge, who (~~shall~~) submits to the director of licensing satisfactory proof that he (~~has lost the use of one or both of his arms or legs or that he had~~) or she is receiving compensation or a pension from the veterans administration or any branch of the armed forces of the United States for the loss of or the loss of the use of both arms or legs or one arm and one leg or a loss or use of one arm or one leg that precludes locomotion without the use of or aid of braces, crutches, canes, a wheelchair, or a permanent prosthesis; he or she has become unemployable; or he or she has become blind in both eyes as the result of ((his)) military service ((in such war or military campaign)), shall be entitled to have issued to him or her by the director of licensing ((an annual motor vehicle license for one automobile)) general license plates or license plates with distinguishing marks, letters, or numerals indicating that the motor vehicle is owned by a disabled veteran. This license shall be issued annually for one vehicle for personal use without the payment of any license fees or excise tax thereon. Whenever any person who has been issued license plates under the provisions of this section applies to the department for transfer of such plates to a subsequently acquired motor vehicle, a transfer fee of five dollars shall be charged in addition to all other appropriate fees.

Any person who has been issued free motor vehicle license plates under this section prior to the effective date of this 1980 act, shall continue to be eligible for the annual free license plates.

For the purposes of this section, "blind" shall mean that definition of "blind" utilized by the state of Washington in determining eligibility for financial assistance to the blind under Title 74 RCW.

Any unauthorized use of a special plate is a gross misdemeanor."

#### POINT OF ORDER

Mr. Newhouse: "Mr. Speaker, I'd like to challenge the scope and object of this amendment. I note the bill itself relates to chapter 46.16 RCW and the amendment relates to chapter 73."

#### SPEAKER'S RULING

The Speaker (Mr. Amen presiding): "The Speakers have ruled that the amendment is within the scope and object of the bill."

Mr. Gallagher spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Gallagher yielded to question by Mr. Dawson.

Mr. Dawson: "Representative Gallagher, to clarify legislative intent, is it the intention of this bill to limit eligibility only to those veterans who sustained injuries in a line-of-duty accident, and have an honorable discharge?"

Mr. Gallagher: "That's my understanding of the bill."

The amendment was adopted.

On motion of Mr. Gallagher, the following amendments to the title were adopted:

On page 1, beginning on line 1 of the title strike "including school buses; and" and insert "amending section 1, chapter 178, Laws of 1949 as last amended by section 221, chapter 158, Laws of 1979 and RCW 73.04.110;"

On page 1, line 3 of the title after "RCW" insert "; and prescribing penalties"

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3133 as amended by the House was placed on final passage.

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



## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3133 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 0.

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

Voting nay: Representative Lux.

Substitute Senate Bill No. 3133 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGES FROM THE SENATE

February 18, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3271, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 18, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3271,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKERS

The Speaker (Mr. Amen presiding) announced the Speakers were signing:

SUBSTITUTE SENATE BILL NO. 3271.

ENGROSSED SENATE BILL NO. 3593, by Senators Henry, Guess, Van Hollebeke, Gallagher, Quigg, Lee, Matson, von Reichbauer, Goltz, Donohue, Lewis, Talley, Peterson, Moore, Rasmussen, Day, Benitz, Odegaard, Walgren, Wanamaker, Talmadge and Hansen:

Vesting rights of the state in unappropriated public lands.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, 32nd Day, February 14, 1980.)

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

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

Mr. Zimmerman spoke against the bill.

Representatives Vrooman, Schmitten, Barr, Fancher and Heck spoke in favor of the bill, and Mr. Zimmerman again spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3593 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 7; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders,

Schmitt, Scott, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley.

Voting nay: Representatives Becker, Kreidler, Nelson D., North, Sherman, Van Dyken, Zimmerman.

Engrossed Senate Bill No. 3593 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE JOINT RESOLUTION NO. 132, by Senators Henry, Guess, Van Hollebeke, Gallagher, Lee, Quigg, Talley, Goltz, Donohue, Lewis, Hansen, Moore, Rasmussen, Day, Benitz, Odegaard, Walgren, Wanamaker, Talmadge and von Reichbauer:

Modifying the state's disclaimer of rights to unappropriated public lands.

The resolution was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Senate Joint Resolution No. 132 was placed on final passage.

Mr. Schmitt spoke in favor of passage of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Resolution No. 132, and the resolution passed the House by the following vote: Yeas, 89; nays, 8; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley.

Voting nay: Representatives Becker, Kreidler, Nelson D., North, Sherman, Valle, Van Dyken, Zimmerman.

Senate Joint Resolution No. 132, having received the constitutional majority, was declared passed.

SENATE BILL NO. 3244, by Senators Donohue, Shinpoch, Jones, Wojahn, Gaspard, Scott and Lee:

Providing certain elective membership in the LEOFF retirement system.

The bill was read the second time.

Committee on Appropriations recommendation: Majority, do pass as amended. (For amendments, see Journal, 33rd Day, February 15, 1980.)

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

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

Mr. Taller spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3244 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

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

Senate Bill No. 3244 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE SENATE BILL NO. 3330**, by Committee on Social and Health Services (originally sponsored by Senators Day, Moore and Talmadge):

Permitting university hospitals to make purchases directly from cooperative hospital service organizations.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 32nd Day, February 14, 1980.)

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

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3330 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

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

Substitute Senate Bill No. 3330 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE SENATE BILL NO. 3405**, by Committee on State Government (originally sponsored by Senators Day, Gallagher and Rasmussen – by Department of Licensing request):

Regulating administrative practice and procedure applicable to licenses and licensing.

The bill was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3405, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

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

Substitute Senate Bill No. 3405, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SENATE BILL NO. 3474**, by Senators Peterson and Talley:

Protecting landowners from tort liability for unintentional injuries to persons cutting firewood on the property.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 33rd Day, February 15, 1980.)

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

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Newhouse spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3474 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Baucr, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Senate Bill No. 3474 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Polk, the House reverted to the fifth order of business.

#### REPORT OF STANDING COMMITTEE

February 14, 1980

ENGROSSED SENATE BILL NO. 3254, Prime Sponsor: Senator Ridder, exempting certain medically necessary items from the sales and use tax. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

\*Section 1. Section 48, chapter \_\_\_ (SHB 1016), Laws of 1980 and RCW 82.08. \_\_\_ are each amended to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales of insulin, prosthetic devices, ostomic items, medically prescribed braces, medically prescribed orthopedic appliances used to correct skeletal alignment, and medically prescribed oxygen.

Sec. 2. Section 75, chapter \_\_\_ (SHB 1016), Laws of 1980 and RCW 82.12. \_\_\_ are each amended to read as follows:

The provisions of this chapter shall not apply in respect to the use of insulin, prosthetic devices, ostomic items, medically prescribed braces, medically prescribed orthopedic appliances used to correct skeletal alignment, and medically prescribed oxygen."

On page 1, on line 1 of the title, after "taxation;" strike the remainder of the title and insert "amending section 48, chapter \_\_\_ (SHB 1016), Laws of 1980 and RCW 82.08. \_\_\_; and amending section 75, chapter \_\_\_ (SHB 1016), Laws of 1980 and RCW 82.12. \_\_\_."

On page 16, after line 35 insert the following:

\*Sec. 3. Section 46, chapter \_\_\_ (SHB 1016), Laws of 1980 and RCW 82.08. \_\_\_ are each amended to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales of prescription drugs, including sales to the state or a political subdivision or municipal corporation thereof of drugs to be dispensed to patients by prescription without charge. The term 'prescription drugs' shall include any medicine, drug, prescription lens, or other substance other than food for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment in humans, including legend drugs for the prevention of conception, ordered by (1) the written prescription to a pharmacist by a practitioner authorized by law of this state or laws of another jurisdiction to issue prescriptions, or (2) upon an oral prescription of such practitioner which is reduced promptly to writing and filed by a duly licensed pharmacist, or (3) by refilling any such written or oral prescription if such refilling is authorized by the prescriber either in the original prescription or by oral order which is reduced promptly to writing and filed by the pharmacist, or (4) physicians or optometrists by way of written directions and specifications for the preparation, grinding, and fabrication of lenses intended to aid or correct visual defects or anomalies of humans.

Sec. 4. Section 73, chapter \_\_\_ (SHB 1016), Laws of 1980 and RCW 82.08. \_\_\_ are each amended to read as follows:

The provisions of this chapter shall not apply in respect to the use of prescription drugs, including the use by the state or a political subdivision or municipal corporation thereof of drugs to be dispensed to patients by prescription without charge. The term 'prescription drugs' shall include any medicine, drug, prescription lens, or other substance other than food for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment in humans, including legend drugs for the prevention of conception, ordered by (1) the written prescription to a pharmacist by a practitioner authorized by law of this state or laws of another jurisdiction to issue prescriptions, or (2) upon an oral prescription of such practitioner which is reduced promptly to writing and filed by a duly licensed pharmacist, or (3) by refilling any such written or oral prescription if such refilling is authorized by the prescriber either in the original prescription or by oral order which is reduced promptly to writing and filed by the pharmacist, or (4) physicians or optometrists by way of written directions and specifications for the preparation, grinding, and fabrication of lenses intended to aid or correct visual defects or anomalies of humans."

On page 1, on line 1 of the title, after "taxation;" insert "amending section 46, chapter \_\_\_ (SHB 1016), Laws of 1980 and RCW 82.08. \_\_\_; amending section 73, chapter \_\_\_ (SHB 1016), Laws of 1980 and RCW 82.08. \_\_\_;"

On page 16, after line 35 insert the following:

"NEW SECTION. Sec. 3. There is added to chapter 82.12 RCW a new section to read as follows:

(1) This chapter does not apply in respect to the use of donated art objects of cultural value by an artistic or cultural organization.

(2) As used in this section, 'artistic or cultural organization' means an organization which provides artistic or cultural exhibitions, presentations or performances, or cultural or art education programs for viewing or attendance by the general public. The organization must be a not-for-profit corporation under chapter 24.03 RCW and managed by a governing board of not less than eight individuals none of whom is a paid employee of the organization, or a corporation sole under chapter 24.12 RCW, and the organization must satisfy the following conditions:

(a) No part of its income may be paid directly or indirectly to its members, stockholders, officers, directors, or trustees except in the form of services rendered by the corporation in accordance with its purposes and bylaws;

(b) Salary or compensation paid to its officers and executives must be only for actual services rendered, and at levels comparable to the salary or compensation of like positions within the public service of the state;

(c) Assets of the corporation, on the liquidation, dissolution, or abandonment by the corporation, may not inure directly or indirectly to the benefit of any member or individual except another artistic or cultural organization;

(d) The corporation must be duly licensed or certified where licensing or certification is required by law or regulation;

(e) Services must be available regardless of race, color, national origin, or ancestry; and

(f) The director of revenue shall have access to its books in order to determine whether the corporation is exempt from taxes within the intent of this section.

(3) As used in this section, 'artistic or cultural exhibitions, presentations or performances, or cultural or art education programs' means:

(a) An exhibition or presentation of works of art or objects of cultural or historical significance, such as those commonly displayed in art or history museums;

(b) A musical or dramatic performance or series of performances; or

(c) An educational seminar or program, or series of these programs, offered by the organization to the general public on an artistic, cultural, or historical subject."

On page 1, on line 3 of the title, after "82.08.030;" strike "and" and on line 6 of the title, after "82.12.030" insert "; and adding a new section to chapter 82.12 RCW"

Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Bond, Erickson, Flanagan, Galloway, Granlund, Greengo, Nelson (D), Rinehart, Winsley.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Polk, the House adjourned until 9:30 a.m., Tuesday, February 19, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## THIRTY-SEVENTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, February 19, 1980

The House was called to order at 9:30 a.m. by Speaker Bagnariol. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Andrea Seabert, Brenda Longnecker and Pat Stamey. Prayer was offered by The Reverend George Mitchell of the First Christian Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGES FROM THE SENATE

February 18, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1496,

HOUSE BILL NO. 1524,

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 37,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 18, 1980

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 277,

HOUSE BILL NO. 878,

SUBSTITUTE HOUSE BILL NO. 1016,

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1141,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1210,

ENGROSSED HOUSE BILL NO. 1371,

HOUSE BILL NO. 1414,

SUBSTITUTE HOUSE BILL NO. 1416,

ENGROSSED HOUSE BILL NO. 1434,

HOUSE BILL NO. 1435,

SUBSTITUTE HOUSE BILL NO. 1511,

HOUSE BILL NO. 1555,

SUBSTITUTE HOUSE BILL NO. 1575,

HOUSE BILL NO. 1585,

HOUSE BILL NO. 1586,

HOUSE BILL NO. 1587,

HOUSE BILL NO. 1588,

HOUSE BILL NO. 1589,

HOUSE BILL NO. 1624,

HOUSE BILL NO. 1686,

ENGROSSED HOUSE BILL NO. 1762,

SUBSTITUTE HOUSE BILL NO. 1807,

ENGROSSED HOUSE BILL NO. 1829,

HOUSE BILL NO. 1976,

SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO. 29,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 18, 1980

Mr. Speaker:

The President has signed:

ENGROSSED SENATE BILL NO. 3011,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 3237,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORTS OF STANDING COMMITTEES

February 18, 1980

SUBSTITUTE SENATE BILL NO. 3228, Prime Sponsor: Senator Williams, modifying the motor vehicle emission control law. Reported by Committee on Ecology.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 36 after "(2)" insert "(a)"

On page 3, after line 7 add the following subsections:

"(b) An emission contributing area established for a carbon monoxide or oxides of nitrogen noncompliance area must contain the noncompliance area within its boundaries.

(c) An emission contributing area established for an ozone noncompliance area located in this state need not contain the ozone noncompliance area within its boundaries if:

It can be proven that vehicles registered in the area to be declared the emission contributing area contribute significantly to violations of the ozone air quality standard in the noncompliance area.

(d) An emission contributing area may be established in this state for violations of federal air quality standards for ozone in an adjacent state if:

(i) The U.S. environmental protection agency declares an area to be a nonattainment area for ozone under the provisions of the federal Clean Air Act (42.U.S.C. 7401 et. seq.) and the nonattainment area encompasses portions of both Washington and the adjacent state; and

(ii) It can be proven that vehicles registered in this state contribute significantly to the violation of the federal air quality standards for ozone in the adjacent state's portion of the nonattainment area."

On page 3, beginning on line 26 after "area." strike all material through "compliance." on line 33

On page 4, beginning on line 6 after "stations" strike all material through "border" on line 8

On page 4, line 27 after "state-wide" insert "or throughout an emission contributing area"

On page 4, at the beginning of line 28 strike "No" and insert "A"

On page 4, beginning on line 28 after "to" strike "or retained by the state for program administration" and insert "the state and deposited in the general fund"

On page 4, line 32 after "Before" strike "the" and insert "each annual"

On page 5, line 5 after "inspection)." insert "If the inspected vehicle's emissions do not comply with those standards, one re-inspection of the vehicle's emission shall be afforded without charge."

On page 5, after line 20 add the following new section:

"NEW SECTION, Sec. 5. There is added to chapter 163, Laws of 1979 ex. sess. and to chapter 70.120 RCW a new section to read as follows:

The department shall establish and maintain in the Washington portion of the Portland-Vancouver metropolitan area not less than three ambient air monitoring devices for ozone, not less than three ambient air monitoring devices for hydrocarbons, and not less than two ambient air monitoring devices for oxides of nitrogen.

The department shall report annually to the legislature regarding the effect on air quality of vehicle emission control and other air quality programs in that metropolitan area and in the Washington portion of the area as indicated by the data recorded by the monitoring devices."

Signed by Representatives Valle, Executive Chairwoman; Barr, Co-Chairman; Brekke, Galloway, Isaacson, Nisbet, Pruitt, Rinehart, Sanders, Smith (C), Whiteside.

Passed to Committee on Rules for second reading.

February 18, 1980

SENATE BILL NO. 3574, Prime Sponsor: Senator Odegaard, maintaining the delinquency prevention services program without significant changes. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Co-Chairman; Flint, Houchen, Kreidler, May, Mitchell, Pruitt, Schmitten, Stratton.

Passed to Committee on Rules for second reading.

## SECOND READING

SUBSTITUTE SENATE BILL NO. 3509, by Committee on Ways and Means (originally sponsored by Senator Bausch):

Granting property tax relief to senior citizens owning a residence by a lease for life.

The bill was read the second time.

Committee on Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, 33rd Day, February 15, 1980.)

On motion of Ms. Sommers, the committee amendments were adopted.

Mr. Brown moved adoption of the following amendments by Representatives Brown, Winsley, Addison, Erickson, Sommers, Tupper and Walk:

On page 1, beginning on line 8 strike everything after the committee amendment, and insert the following:

**NEW SECTION.** Sec. 3. There is added to chapter 84.36 RCW a new section to read as follows:

The legislature finds that the property tax exemption authorized by Article VII, section 10 of the state Constitution should be made available on the basis of a retired person's ability to pay property taxes. The legislature further finds that the best measure of a retired person's ability to pay taxes is that person's disposable income as defined in RCW 84.36.383(6).

Sec. 4. Section 1, chapter 182, Laws of 1974 ex. sess. as last amended by section 1, chapter 214, Laws of 1979 ex. sess. and RCW 84.36.381 are each amended to read as follows:

A person shall be exempt from any legal obligation to pay all or a portion of the amount of excess and regular real property taxes due and payable in the year following the year in which a claim is filed in accordance with the following:

(1) The property taxes must have been imposed upon a residence which was occupied by the person claiming the exemption as a principal place of residence as of January 1st of the year for which the claim is filed: PROVIDED, That any person who sells, transfers, or is displaced from his or her residence may transfer his or her exemption status to a replacement residence, but no claimant shall receive an exemption on more than one residence in any year: PROVIDED FURTHER, That confinement of the person to a hospital or nursing home shall not disqualify the claim of exemption if the residence is temporarily unoccupied or if the residence is occupied by a spouse and/or a person financially dependent on the claimant for support;

(2) The person claiming the exemption must have owned, at the time of filing, in fee, as a life estate, or by contract purchase, the residence on which the property taxes have been imposed or if the person claiming the exemption lives in a cooperative housing association, corporation, or partnership, such person must own a share therein representing the unit or portion of the structure in which he or she resides. For purposes of this subsection, a residence owned by a marital community or owned by cotenants shall be deemed to be owned by each spouse or cotenant, and any lease for life shall be deemed a life estate;

(3) The person claiming the exemption must have been sixty-one years of age or older on January 1st of the year in which the exemption claim is filed, or must have been, at the time of filing, retired from regular gainful employment by reason of physical disability: PROVIDED, That any surviving spouse of a person who was receiving an exemption at the time of the person's death shall qualify if the surviving spouse is fifty-seven years of age or older and otherwise meets the requirements of this section;

(4) The amount that the person shall be exempt from an obligation to pay shall be calculated((:)) on the basis of ((the)) combined disposable income, ((from all sources whatsoever, of the person claiming the exemption, his or her spouse, and any cotenant occupying the residence for the preceding calendar year)) as defined in RCW 84.36.383. If the person claiming the exemption was retired for two months or more of the preceding year, the combined disposable income of such person((-his or her spouse, and any cotenant occupying the residence)) shall be calculated by multiplying the average monthly combined disposable income of such person((-his or her spouse, and any cotenant occupying the residence)) during the months such person was retired by twelve. ((Only two-thirds of any social security benefits, federal civil service retirement, or railroad retirement pension shall be considered as income for the purposes of this section. The gain realized by any person from the sale, transfer, or upon being displaced from his or her residence shall not be considered as income for the purposes of this section if reinvested in a replacement residence within eighteen months of its realization.))

(5) (a) A person who otherwise qualifies under this section and ((is within the income range)) has a combined disposable income of ((eleven)) fourteen thousand dollars or less shall be exempt from all excess property taxes; and in addition

(b) A person who otherwise qualifies under this section and ((is within the income range)) has a combined disposable income of ((seven)) ten thousand dollars or less shall be exempt from all regular property taxes on up to fifteen thousand dollars of valuation of his or her residence.

((6) For the purposes of this section, cotenants mean two or more individuals who reside together, who jointly own the residence, and who otherwise meet the requirements of this section.))

Sec. 5. Section 2, chapter 182, Laws of 1974 ex. sess. as last amended by section 2, chapter 214, Laws of 1979 ex. sess. and RCW 84.36.383 are each amended to read as follows:



As used in RCW 84.36.381 through 84.36.389, except where the context clearly indicates a different meaning:

(1) The term 'residence' shall mean a single family dwelling unit whether such unit be separate or part of a multiunit dwelling, including the land on which such dwelling stands not to exceed one acre. The term shall also include a share ownership in a cooperative housing association, corporation, or partnership if the person claiming exemption can establish that his or her share represents the specific unit or portion of such structure in which he or she resides. The term shall also include a single family dwelling situated upon lands the fee of which is vested in the United States or any instrumentality thereof including an Indian tribe or in the state of Washington, and notwithstanding the provisions of RCW 84.04.080, 84.04.090 or 84.40.250, such a residence shall be deemed real property.

(2) The term 'real property' except for the purposes of chapters 84.56 and 84.60 RCW, shall also include a mobile home which has substantially lost its identity as a mobile unit by virtue of its being fixed in location upon land owned or leased by the owner of the mobile home and placed on a foundation (posts or blocks) with fixed pipe, connections with sewer, water, or other utilities.

(3) The term 'preceding calendar year' shall mean the calendar year preceding the year in which the claim for exemption is to be made.

(4) 'Department' shall mean the state department of revenue.

(5) 'Combined disposable income' means the disposable income of the person claiming the exemption, plus the disposable income of his or her spouse, and the disposable income of each cotenant occupying the residence for the preceding calendar year.

(6) 'Disposable income' means adjusted gross income as defined in the federal internal revenue code, as amended prior to January 1, 1980, plus all of the following items to the extent they are not included in or have been deducted from adjusted gross income:

(a) Capital gains;

(b) Amounts deducted for loss;

(c) Amounts deducted for depreciation;

(d) Pension and annuity receipts;

(e) Military pay and benefits;

(f) Veterans benefits;

(g) Federal social security act and railroad retirement benefits;

(h) Dividend receipts; and

(i) Interest received on state and municipal bonds.

(7) 'Cotenant' means a person who resides with the person claiming the exemption and who has an ownership interest in the residence.

Sec. 6. Section 4, chapter 182, Laws of 1974 ex. sess. as amended by section 16, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.387 are each amended to read as follows:

(1) All claims for exemption shall be made and signed by the person entitled to the exemption, by his or her attorney in fact or in the event the residence of such person is under mortgage or purchase contract requiring accumulation of reserves out of which the holder of the mortgage or contract is required to pay real estate taxes, by such holder or by the owner, either before two witnesses or the county assessor or his deputy in the county where the real property is located: PROVIDED, That if a claim for exemption is made by a person living in a cooperative housing association, corporation, or partnership, such claim shall be made and signed by the person entitled to the exemption and by the authorized agent of such cooperative.

(2) If the taxpayer is unable to submit his own claim, the claim shall be submitted by a duly authorized agent or by a guardian or other person charged with the care of the person or property of such taxpayer.

(3) Any person signing a false claim with the intent to defraud or evade the payment of any tax shall be guilty of the offense of perjury.

(4) The tax liability of a cooperative housing association, corporation, or partnership shall be reduced by the amount of tax exemption to which a claimant residing therein is entitled and such cooperative shall reduce any amount owed by the claimant to the cooperative by such exact amount of tax exemption or, if no amount be owed, the cooperative shall make payment to the claimant of such exact amount of exemption.

(5) A remainderman or other person who would have otherwise paid the tax on real property that is the subject of an exemption granted under RCW 84.36.381 for an estate for life shall reduce the amount which would have been payable by the life tenant to the remainderman or other person to the extent of the exemption. If no amount is owed or separately stated as an obligation between these persons, the remainderman or other person shall make payment to the life tenant in the exact amount of the exemption.

Sec. 7. Except for the amendments to RCW 84.36.381(2) and 84.36.387 by this 1980 act, this 1980 act is effective for property taxes due in 1982 and thereafter."

On page 1, on line 4 of the title, strike "and" and on line 6 of the title, after "84.36.387" insert "; amending section 2, chapter 182, Laws of 1974 ex. sess. as last amended by section 2, chapter 214, Laws of 1979 ex. sess. and RCW 84.36.383; adding a new section to chapter 84.36 RCW; and creating a new section"

Representatives Brown and Addison spoke in favor of the amendments, and they were adopted.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3509 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Chandler, Flanagan.

Substitute Senate Bill No. 3509 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3130, by Committee on Education (originally sponsored by Senators McDermott, Hayner, Gaspard and Morrison):

Implementing law relating to sale or lease of school district or educational service district surplus property.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 31st Day, February 13, 1980.)

Mr. Heck moved adoption of the committee amendments.

Representatives Heck and Taylor spoke in favor of the amendments, and they were adopted.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3130 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Tally, Taylor, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Eberle, Teutsch, Van Dyken.

Not voting: Representative Chandler.

Engrossed Substitute Senate Bill No. 3130 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3220, by Senators Talmadge, Hayner and Vognild:

Modifying procedures for civil judgments.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, 33rd Day, February 15, 1980.)

On motion of Mr. Newhouse, the committee amendment was adopted.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Newhouse spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3220 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Engrossed Senate Bill No. 3220 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3256, by Committee on Natural Resources (originally sponsored by Senators Gallagher, Rasmussen and Lee):

Modifying the fish tax.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, 29th Day, February 11, 1980.)

On motion of Mr. Schmitt, the committee amendments were adopted.

Mr. Jovanovich moved adoption of the following amendment:

On page 3, line 4 after "shellfish," insert "In the case of food fish raised in this state the measure of the tax is the selling price paid by the raiser, regardless of the place of sale or the fact that deliveries to or by the raiser may be made at points outside the state."

Mr. Jovanovich spoke in favor of the amendment, and Mr. Smith (R) spoke against it.

Mr. Jovanovich spoke again in favor of the amendment.

Mr. Jovanovich demanded an electric roll call vote on the amendment, and the demand was sustained.

Mr. Smith (R) again opposed the amendment, and Ms. Craswell also spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Jovanovich to Substitute Senate Bill No. 3256, and the amendment was not adopted by the following vote: Yeas, 39; nays, 56; not voting, 2.

Voting yea: Representatives Addison, Barnes, Barr, Becker, Bender, Burns, Clayton, Dawson, Ehlers, Eng, Erak, Galloway, Houchen, Jovanovich, King, Knowles, Lux, Martinis, Maxie, Mitchell, Monohon, Nisbet, North, Oliver, Rinehart, Salatino, Sanders, Schmitt, Sprague, Stratton, Struthers, Teutsch, Tilly, Tupper, Valle, Van Dyken, Warnke, Williams, Winsley.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Berentson, Bond, Brekke, Brown, Chandler, Charnley, Craswell, Deccio, Dunlap, Eberle, Ellis, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Hughes, Isaacson, Keller, Kreidler, May, McCormick, McDonald, McGinnis, Nelson D., Nelson G. A., Newhouse, O'Brien, Owen, Patterson, Polk, Pruitt, Rosbach, Scott, Sherman, Smith C. P., Smith R., Sommers, Taller, Taylor, Thompson, Vrooman, Walk, Whiteside.

Not voting: Representatives Wilson, Zimmerman.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Schmitt spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3256 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Substitute Senate Bill No. 3256 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3320, by Senators Bottiger and Clarke:

Permitting agencies to issue summary orders in contested cases.

The bill was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Newhouse spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3320, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Engrossed Senate Bill No. 3320, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3321, by Committee on Education (originally sponsored by Senators McDermott and Hayner - by Superintendent of Public Instruction request):

Providing for receipt of certain ballots if not postmarked when received.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendment, see Journal, 26th Day, February 8, 1980.)

On motion of Mr. Heck, the committee amendment was adopted.

Mr. Heck moved adoption of the following amendments by Representatives Heck, Chandler and Addison:

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 28A.04.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.010 are each amended to read as follows:

The state board of education shall be comprised of two members from each congressional district of the state, not including any congressional district at large, elected by the members of the boards of directors of school districts thereof, as hereinafter in this chapter provided, and one nonvoting member elected at large, as hereinafter in this chapter provided, by the members of the boards of directors of all private schools in the state meeting the requirements of RCW 28A.02.201, as now or hereafter amended.

NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.04 RCW a new section to read as follows:

The superintendent of public instruction, at the time of calling the election for state board membership under RCW 28A.04.020, if there be a state board member representative of the private schools within the state whose term of membership will end on the second Monday of January next following, shall call an election to be held throughout the state in those private schools referred to in RCW 28A.04.010 and shall give written notice thereof to each member of the board of directors of each such private school. Such notice

shall include such instructions, rules and regulations as provided for in RCW 28A.04.020, as now or hereafter amended.

**NEW SECTION.** Sec. 3. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.04 RCW a new section to read as follows:

Not later than the twenty-fifth day of August of the year in which this amendatory act becomes effective and, subsequently, not later than the twenty-fifth day of August in any year in which there will be a vacancy in the nonvoting position on the state board on the second Monday of January next following, the superintendent of public instruction shall call an election to be held in those private schools referred to in RCW 28A.04.010, to select the nonvoting member of the state board of education to represent the private schools of the state. Not earlier than the first day of September, nor later than the sixteenth day of September, candidates for this position on the board shall file declarations of candidacy in person or by mail with the superintendent of public instruction on forms prepared by the superintendent. The superintendent of public instruction may not accept any declaration of candidacy that is not on file in his office or is not received by mail before the seventeenth day of September. Not later than the first day of October, the superintendent of public instruction shall send ballots to the chairperson of each private school referred to in RCW 28A.04.010 enclosing therewith biographical data on each candidate for such membership on the board. Each member of the board of directors of each private school in the state qualified under RCW 28A.04.010 shall be eligible to vote for the candidate for the state board of education representative of the private schools as provided in this section. Each member of the private school board shall obtain a ballot and biographical data from the chairperson of the board and shall cast his or her vote for one candidate whose name appears on the ballot. The ballot shall then be returned to the chairperson of the board who shall compile the votes of the individual board members and declare the candidate who receives a majority of the members' votes to be the candidate of the board. No votes shall be accepted for counting if received by mail after the sixteenth day of October. The superintendent of public instruction, along with three persons appointed by the state board of education, shall count and tally the votes from each private school not later than the twenty-fifth day of October, computing electoral points by multiplying each vote for a candidate by the number of enrolled students in the respective school as determined by enrollment reports forwarded to the superintendent of public instruction for the last previous month of September. Within ten days of such computation the superintendent of public instruction shall immediately notify by certified mail the candidate who received a majority of electoral points in the election, and the private schools so voting, of the results of such election. If no candidate receives a majority of the electoral points cast, then, not later than the first day of November, the superintendent of public instruction shall call a second election to be conducted in the same manner and at which the candidates shall be the two candidates receiving the highest number of electoral points accruing from such votes cast. No vote cast at such second election shall be received for counting if received by mail after the sixteenth day of November and the votes shall be counted as hereinabove provided on the twenty-fifth day of November. The candidate receiving a majority of electoral points accruing from the votes at any such second election shall be declared elected. In the event of a tie in such second election, the candidate elected shall be determined by a chance drawing of a nature established by the superintendent of public instruction. Within ten days following the count of votes in an election at which a member of the state board of education representative of the private schools in the state is elected, the superintendent of public instruction shall certify to the secretary of state the name of the person elected to be a member of the state board of education.

Sec. 4. Section 28A.04.040, chapter 223, Laws of 1969 ex. sess. as last amended by section 49, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.04.040 are each amended to read as follows:

Candidates for membership on the state board of education shall file declarations of candidacy with the superintendent of public instruction on forms prepared by the superintendent. Declarations of candidacy may be filed by person or by mail not earlier than the first day of September, or later than the sixteenth day of September. The superintendent of public instruction may not accept any declaration of candidacy that is not on file in his office or is not postmarked before the seventeenth day of September, or if not postmarked or the postmark is not legible, if received by mail after the twenty-first day of September. No person employed in any school, college, university, or other educational institution or any educational service district superintendent's office or in the office of superintendent of public instruction shall be eligible for membership on the state board of education and each member elected who is not representative of the private schools in this state and thus not running-at-large must be a resident of the congressional district from which he was elected. No member of a board of directors of a local school district or private school shall continue to serve in that capacity after having been elected to the state board.

Sec. 5. Section 28A.04.060, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 19, Laws of 1975 and RCW.28A.04.060 are each amended to read as follows:

Each member of the state board of education shall be elected by a majority of the electoral points accruing from all the votes cast at the election for all candidates for the position. All votes shall be cast by mail addressed to the superintendent of public instruction and no votes shall be accepted for counting if postmarked after the sixteenth day of October, or if not postmarked or the postmark is not legible, if received by mail after the twenty-first day of October following the call of the election. The superintendent of public instruction and an election board comprised of three persons appointed by the state board of education shall count and tally the votes and the electoral points accruing therefrom not later than the twenty-fifth day of October in the following manner: Each vote cast by a school director shall be accorded as many electoral points as there are enrolled students in that director's school district as determined by the enrollment reports forwarded to the state superintendent of public instruction for apportionment purposes for the

month of September of the year of election: PROVIDED, That school directors from a school district which has more than five directors shall have their electoral points based upon enrollment recomputed by multiplying such number by a fraction, the denominator of which shall be the number of directors in such district, and the numerator of which shall be five; the electoral points shall then be tallied for each candidate as the votes are counted; and it shall be the majority of electoral points which determines the winning candidate. If no candidate receives a majority of the electoral points cast, then, not later than the first day of November, the superintendent of public instruction shall call a second election to be conducted in the same manner and at which the candidates shall be the two candidates receiving the highest number of electoral points accruing from such votes cast. No vote cast at such second election shall be received for counting if postmarked after the sixteenth day of November, or if not postmarked or the postmark is not legible, if received by mail after the twenty-first day of November and the votes shall be counted as hereinabove provided on the twenty-fifth day of November. The candidate receiving a majority of electoral points accruing from the votes at any such second election shall be declared elected. In the event of a tie in such second election, the candidate elected shall be determined by a chance drawing of a nature established by the superintendent of public instruction. Within ten days following the count of votes in an election at which a member of the state board of education is elected, the superintendent of public instruction shall certify to the secretary of state the name or names of the persons elected to be members of the state board of education.

Sec. 6. Section 1, chapter 19, Laws of 1975 and RCW 28A.04.065 are each amended to read as follows:

Any common school district board member or any private school board member eligible to vote for a candidate for membership on the state board of education or any candidate for the position, within ten days after the state superintendent of public instruction's certification of election, may contest the election of the candidate for any of the following causes:

- (1) For misconduct on the part of the state superintendent of public instruction or any member of the election board with respect to such election;
- (2) Because the person whose right is being contested was not eligible for membership on the state board of education at the time the person was certified as elected;
- (3) Because the person whose right is being contested gave a bribe or reward to a voter or to an inspector, judge or clerk of the election for the purpose of procuring the person's election, or offered to do so;
- (4) On account of illegal votes.

An action contesting an election pursuant to this section shall be conducted in compliance with RCW 29.65.020 and 29.65.040 through 29.65.120, as now or hereafter amended.

Sec. 7. Section 17, chapter 283, Laws of 1977 ex. sess. and RCW 28A.21.033 are each amended to read as follows:

Each member of an educational service district board shall be elected by a majority of the votes cast at the election for all candidates for the position. All votes shall be cast by mail addressed to the secretary to the state board of education and no votes shall be accepted for counting if postmarked after the sixteenth day of October or if not postmarked or the postmark is not legible, if received by mail after the twenty-first day of October following the call of the election. The secretary to the state board of education and an election board comprised of three persons appointed by the state board of education shall count and tally the votes not later than the twenty-fifth day of October in the following manner: Each vote cast by a school director shall be accorded as one vote. If no candidate receives a majority of the votes cast, then, not later than the first day of November, the secretary to the state board of education shall call a second election to be conducted in the same manner and at which the candidates shall be the two candidates receiving the highest number of votes cast. No vote cast at such second election shall be received for counting if postmarked after the sixteenth day of November or if not postmarked or the postmark is not legible, if received by mail after the twenty-first day of November and the votes shall be counted as hereinabove provided on the twenty-fifth day of November. The candidate receiving a majority of votes at any such second election shall be declared elected. In the event of a tie in such second election, the candidate elected shall be determined by a chance drawing of a nature established by the secretary to the state board of education. Within ten days following the count of votes in an election at which a member of an educational service district board is elected, the secretary to the state board of education shall certify to the county auditor of the headquarters county of the educational service district the name or names of the persons elected to be members of the educational service district board.

**NEW SECTION.** Sec. 8. If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "education;" strike the remainder of the title and insert "amending section 28A.04.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.010; amending section 28A.04.040, chapter 223, Laws of 1969 ex. sess. as last amended by section 49, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.04.040; amending section 28A.04.060, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 19, Laws of 1975 and RCW 28A.04.060; amending section 1, chapter 19, Laws of 1975 and RCW 28A.04.065; amending section 17, chapter 283, Laws of 1977 ex. sess. and RCW 28A.21.033; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.04 RCW."

Representatives Heck, O'Brien and Van Dyken spoke in favor of the amendments, and Representatives Lux and Galloway spoke against them.

The amendments were adopted.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3321 as amended by the House, and the bill passed the House by the following vote: Yes, 93; nays, 4; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Clayton, Galloway, Lux, Sherman.

Substitute Senate Bill No. 3321 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Speaker Bagnariol called on Mr. O'Brien to preside.

SENATE BILL NO. 3334, by Senators Talmadge, Jones, Sellar and Conner:

Extending the lien and enforcement of judgments to ten years.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 33rd Day, February 15, 1980.)

On motion of Mr. Newhouse, the committee amendments were adopted.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3334 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Knowles, Valle.

Not voting: Representatives Salatino, Thompson.

Senate Bill No. 3334 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3362, by Senator Woody:

Correcting laws relating to election precincts.

The bill was read the second time.

Committee on Constitution, Elections and Governmental Ethics recommendation: Majority, do pass as amended. (For amendments, see Journal, 33rd Day, February 15, 1980.)

On motion of Mr. Oliver, the committee amendments were adopted.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Erickson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3362 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Decchio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Senate Bill No. 3362 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3378, by Senators Moore, Vognild and Van Hollebeke:

Authorizing county civil service transfers to the sheriff's office without meeting competitive examination requirements.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 31st Day, February 13, 1980.)

On motion of Mr. Charnley, the committee amendment was adopted.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Charnley spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3378 as amended by the House, and the bill passed the House by the following vote: Yes, 97; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Decchio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Engrossed Senate Bill No. 3378 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SIGNED BY THE SPEAKERS

The Speaker (Mr. O'Brien presiding) announced the Speakers were signing:

HOUSE BILL NO. 878,

HOUSE BILL NO. 1414,

HOUSE BILL NO. 1587,

HOUSE BILL NO. 1588,

HOUSE BILL NO. 1589,

HOUSE BILL NO. 1624,

HOUSE BILL NO. 1686,

HOUSE BILL NO. 1762,

SUBSTITUTE HOUSE BILL NO. 1807,

HOUSE BILL NO. 1976,

SENATE BILL NO. 3011,

SUBSTITUTE SENATE BILL NO. 3237.



## ENGROSSED SENATE BILL NO. 3565, by Senator Henry:

Increasing the time for which a temporary permit for driving trucks, buses or cabs may be issued.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 31st Day, February 13, 1980.)

On motion of Mr. Wilson, the committee amendments were adopted.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wilson spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3565 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmittens, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Erickson, Thompson.

Engrossed Senate Bill No. 3565 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 2616, by Committee on Commerce (originally sponsored by Senators Bausch, von Reichbauer, Morrison, Ridder and Vognil):

Permitting minor disc jockeys and sound and lighting technicians to go into taverns and bars.

The bill was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2616 was placed on final passage.

Mr. Warnke spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2616, and the bill passed the House by the following vote: Yeas, 81; nays, 9; not voting, 7.

Voting yea: Representatives Adams, Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Bond, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hastings, Heck, Houchen, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Patterson, Polk, Rinehart, Rosbach, Salatino, Sanders, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson.

Voting nay: Representatives Amen, Brekke, Ellis, Gruger, Newhouse, Oliver, Pruitt, Van Dyken, Zimmerman.

Not voting: Representatives Addison, Barnes, Fuller, Isaacson, Schmittens, Tupper, Winsley.

Substitute Senate Bill No. 2616, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3202, by Senator Day:

Repeal law relating to basic sciences.

The bill was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Adams spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3202, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Senate Bill No. 3202, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Salatino, the House reverted to the fifth order of business.

#### REPORT OF STANDING COMMITTEE

February 18, 1980

ENGROSSED SENATE BILL NO. 3200, Prime Sponsor: Senator Talmadge, establishing the office of mental health ombudsman. Reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, beginning on line 1 after "(1)" strike all material down to and including "concerns" on line 11 and insert:

"To convey information concerning the activities and problems of the state mental health institutions to the legislature and the public, and to act as a liaison between private citizens and these state institutions;

(2) To assist persons throughout the state who have difficulties in obtaining mental health services for themselves or family members;

(3) To act as a liaison between private citizens and county mental health facilities and personnel; and

(4) To work closely with the department of social and health services in responding to private citizens' concerns about mental health services in the state"

Signed by Representatives Adams, Co-Chairman; Whiteside, Co-Chairman; Brekke, Lux, May, Pruitt, Stratton, Teutsch.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Salatino, the House recessed until 1:00 p.m.

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#### AFTERNOON SESSION

The House was called to order at 1:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

#### MESSAGE FROM THE SENATE

February 19, 1980

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 878,  
HOUSE BILL NO. 1414,  
HOUSE BILL NO. 1587,  
HOUSE BILL NO. 1588,  
HOUSE BILL NO. 1589,  
HOUSE BILL NO. 1624,

HOUSE BILL NO. 1686,  
HOUSE BILL NO. 1762,  
SUBSTITUTE HOUSE BILL NO. 1807,  
HOUSE BILL NO. 1976,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SECOND READING

SUBSTITUTE SENATE BILL NO. 3224, by Committee on Agriculture (originally sponsored by Senator Hansen):

Revising laws governing elections of county weed board members.

The bill was read the second time.

Committee on Constitution, Elections and Governmental Ethics recommendation: Majority, do pass as amended. (For amendments see Journal, 33rd Day, February 15, 1980.)

On motion of Ms. Erickson, the committee amendments were adopted.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Erickson and Struthers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3224 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Lux, Martinis, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Sommers, Sprague, Stratton, Struthers, Toller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Flint, Granlund, Kreidler, Maxie, McDonald, Smith R.

Substitute Senate Bill No. 3224 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REENGROSSED SENATE BILL NO. 2433, by Senators Day, Ridder and Shipchoc:

Revising the definition of unemployable persons.

The bill was read the second time.

On motion of Mr. Heck, the following amendment by Representatives Heck and Zimmerman was adopted:

On page 2, line 7 after "assistance" insert ": PROVIDED, That general assistance shall be granted temporarily to any person eligible for and receiving supplemental security income whose need, as defined in this section, is not met by such supplemental security income grant because of separation from a spouse"

MOTION

on motion of Mr. King, further consideration of Reengrossed Senate Bill No. 2433 was deferred and the bill was ordered placed on the second reading calendar following Substitute Senate Bill No. 3169.

SUBSTITUTE SENATE BILL NO. 3169, by Committee on Labor (originally sponsored by Senator Conner):

Modifying workers' compensation period for temporary total disability.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 36th Day, February 18, 1980.)

On motion of Mr. Clayton, the committee amendment to page 2, line 29 was adopted.

Mr. Clayton moved adoption of the committee amendment to page 3.

On motion of Mr. King, the following amendment to the committee amendment was adopted:

Beginning on page 3 of the committee amendment strike section 4 and insert the following:

"Sec. 4. Section 16, chapter 289, Laws of 1971 ex. sess. as amended by section 24, chapter 350, laws of 1977 ex. sess. and RCW 51.16.035 are each amended to read as follows:

The department shall classify all occupations or industries in accordance with their degree of hazard and fix therefor basic rates of premium which shall be the lowest necessary to maintain actuarial solvency of the accident and medical aid funds in accordance with recognized insurance principles. The department shall formulate and adopt rules and regulations governing the method of premium calculation and collection and providing for a rating system consistent with recognized principles of workers' compensation insurance which shall be designed to stimulate and encourage accident prevention and to facilitate collection. The department may annually, or at such other times as it deems necessary to maintain solvency of the funds, readjust rates in accordance with the rating system to become effective on such dates as the department may designate.

The department may insure the workers' compensation obligations of employers as a group if the following conditions are met:

(1) All the employers in the group are members of an organization that has been in existence for at least two years;

(2) The organization was formed for a purpose other than that of obtaining workers' compensation coverage;

(3) The occupations or industries of the employers in the organization are substantially similar, taking into consideration the nature of the services being performed by workers of such employers;

(4) The employers in the group constitute at least fifty percent of the total employers in such organization; and

(5) The formation and operation of the group program in the organization will substantially improve accident prevention and claim management for the employers in the group.

In providing an employer group plan under this section, the department may consider an employer group as a single employing entity for purposes of dividends or premium discounts."

The committee amendment as amended was adopted.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Knowles:

On page 3, after line 6, insert the following:

"**NEW SECTION.** Sec. 2. Sections 3 through 5 of this 1980 act are required to clarify the legislative intent concerning the phrase 'public or private insurance' as used in section 13, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.130 which was the subject of *Wagner v. Labor & Indus.*, 92 Wn.2d 463 (1979). It has continuously been the legislative intent to include as 'public insurance' both state and federal statutory social welfare and insurance schemes which make available to victims or their beneficiaries recompense as a result of the claimed injury or death, such as but not limited to old age and survivors insurance, medicare, medicaid, benefits under the veterans' benefits act, longshore and harbor workers act, industrial insurance act, law enforcement officers' and fire fighters' retirement system act, Washington public employees' retirement system act, teachers' retirement system act, and firemen's relief and pension act. 'Private insurance' continuously has been intended to include sources of recompense available by contract, such as but not limited to policies insuring a victim's life or disability.

Sec. 3. Section 2, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.020 are each amended to read as follows:

The following words and phrases as used in this chapter (~~shall~~) have the (~~following~~) meanings set forth in this section unless the context otherwise requires(~~:-~~):

(1) 'Department' means the department of labor and industries.

(2) 'Criminal act' means an act committed or attempted in this state which is punishable as a felony or gross misdemeanor under the laws of this state: PROVIDED, That the operation of a motor vehicle, motorcycle, train, boat, or aircraft in violation of law does not constitute a 'criminal act' unless the injury or death was intentionally inflicted or the operation thereof was part of the commission of another criminal act as defined in this section: PROVIDED FURTHER: (a) That neither an acquittal in a criminal prosecution nor the absence of any such prosecution (~~shall be~~) is admissible in any claim or proceeding under this chapter as evidence of the noncriminal character of the acts giving rise to such claim or proceeding; (b) that evidence of a criminal conviction arising from acts which are the basis for a claim or proceeding under this chapter (~~shall be~~) is admissible in such claim or proceeding for the limited purpose of proving the criminal character of the acts; (c) that acts which, but for the insanity or mental irresponsibility of the perpetrator, would constitute criminal conduct (~~shall be~~) are deemed to be criminal conduct within the meaning of this chapter.

(3) 'Victim' means a person who suffers bodily injury or death as a proximate result of a criminal act of another person, the victim's own good faith and reasonable effort to prevent a criminal act, or his good faith effort to apprehend a person reasonably suspected of engaging in a criminal act. For the purposes of receiving benefits pursuant to this chapter, 'victim' (~~shall be~~) is interchangeable with 'employee' or 'workman' as defined in chapter 51.08 RCW as now or hereafter amended.

(4) 'Child((+))', 'accredited school((+))', 'dependent((+))', 'beneficiary((+))', 'average monthly wage((+))', 'director((+))', 'injury((+))', 'invalid((+))', 'permanent partial disability((+))' and 'permanent total disability' ((~~shall~~)) have the meanings assigned to them in chapter 51.08 RCW as now or hereafter amended.

(5) 'Gainfully employed' means engaging on a regular and continuous basis in a lawful activity from which a person derives a livelihood.

(6) 'Private insurance' means any source of recompense provided by contract available as a result of the claimed injury or death at the time of such injury or death, or which becomes available any time thereafter.

(7) 'Public insurance' means any source of recompense provided by statute, state or federal, available as a result of the claimed injury or death at the time of such injury or death, or which becomes available any time thereafter.

Sec. 4. Section 5, chapter 122, Laws of 1973 1st ex. sess. as amended by section 3, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.050 are each amended to read as follows:

(1) No right of action at law for damages incurred as a consequence of a criminal act shall be lost as a consequence of being entitled to benefits under the provisions of this chapter. ~~((In the event any person entitled to benefits under this chapter additionally seeks a remedy for damages incurred as a consequence of a criminal act, then and in that event the department shall be subrogated to the rights of such person and have a lien upon any recovery so made to the extent of the benefits paid or payable by the department to or on behalf of such person under this chapter.))~~ The victim or his beneficiary may elect to seek damages from the person or persons liable for the claimed injury or death, and such victim or beneficiary is entitled to the full compensation and benefits provided by this chapter regardless of any election or recovery made pursuant to this section.

(2) For the purposes of this section, the rights, privileges, responsibilities, duties, limitations, and procedures contained in RCW 51.24.050 through 51.24.100 as now existing or hereafter amended apply.

(3) If the recovery involved is against the state, the lien of the department ((~~shall~~)) includes the interest on the benefits paid by the department to or on behalf of such person under this chapter computed at the rate of eight percent per annum from the date of payment.

(4) The 1980 amendments to this section apply only to injuries which occur on or after the effective date of this 1980 act.

Sec. 5. Section 13, chapter 122, Laws of 1973 1st ex. sess. as amended by section 8, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.130 are each amended to read as follows:

Benefits payable pursuant to this chapter shall be reduced by the amount of any other public or private insurance~~((- industrial insurance, or medical health or disability benefits))~~ available. Payment by the department under this chapter shall be secondary to such other insurance ~~((or))~~ benefits, notwithstanding the provision of any contract or coverage to the contrary: PROVIDED, That in the case of private life insurance proceeds, the first forty thousand dollars of such proceeds shall not be considered for purposes of any such reduction in benefits.

NEW SECTION. Sec. 6. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Renumber the sections consecutively and correct all internal references accordingly.

### MOTION

On motion of Mr. King, further consideration of Substitute Senate Bill No. 3169 was deferred and the bill was ordered placed on the second reading calendar following Substitute Senate Bill No. 3558.

ENGROSSED SENATE BILL NO. 3243, by Senators Henry, Quigg and Talley:

Providing for household goods' storage warehouses.

The bill was read the second time.

Ms. North moved adoption of the following amendment:

On page 10, line 35 of the printed bill, being page 11, line 18 of the engrossed bill, strike all of section 15 of the printed bill, being section 16 of the engrossed bill.

Ms. North spoke in favor of the amendment, and Representatives Martinis and Wilson spoke against it.

With the consent of the House, Ms. North withdrew the amendment.

Mr. Dunlap moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 3243 be placed on final passage.

A division was called.

## ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Engrossed Senate Bill No. 3243 on final passage, and the motion failed to received the necessary two-thirds majority, by the following vote: Yeas, 53; nays, 43; not voting, 1.

Voting yea: Representatives Addison, Amen, Barr, Bender, Berentson, Bond, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Garrett, Greengo, Hastings, Houchen, Isaacson, Martinis, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Pruitt, Rosbach, Sanders, Schmittin, Sherman, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Becker, Brekke, Brown, Burns, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Lux, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Rinehart, Salatino, Scott, Smith R., Sommers, Stratton, Thompson, Valle, Vrooman, Walk, Warnke.

Not voting: Representative Kreidler.

Engrossed Senate Bill No. 3243 was passed to Committee on Rules for third reading.

REENGROSSED SENATE BILL NO. 2433:

The House resumed consideration of the bill on second reading.

On motion of Mr. Whiteside, the following amendment by Representatives Whiteside and Williams was adopted:

On page 6, strike section 2 and insert a new section as follows:

**\*NEW SECTION.** Sec. 2. (1) Not later than September 1, 1980, the secretary and the commissioner of the employment security department shall jointly submit proposed rules regarding unemployable persons, as set forth in subsection (3) of this section, to the standing committees on social and health services and appropriations in the house of representatives and social and health services and ways and means in the senate for review and approval. Proposed rules shall be approved by the legislative committees by February 1, 1981 and shall subsequently be adopted pursuant to chapter 34.04 RCW and will become effective July 1, 1981.

(2) The secretary and the commissioner of the employment security department shall make periodic reports to the committees of the legislature referred to in subsection (1) as to the progress in the development of such rules.

(3) The rules required by subsection (1) of this section shall include the following:

(a) A uniform definition of unemployable persons, which definition shall include physical, mental, or other personal obstacle or obstacles to any (i) employment or (ii) work training opportunity: PROVIDED, That any definition shall discourage the continued classification of an individual as unemployable if incapacity or infirmity is correctable through treatment or use of corrective aids unless such disqualifying condition or conditions shall persist beyond a reasonable period of time as determined pursuant to the rules adopted hereunder.

(b) A system of review of such unemployable persons for the purpose of determining the continuing existence of such condition or conditions serving as obstacles to any (i) employment or (ii) work training opportunity."

## POINT OF INQUIRY

Mr. Whiteside yielded to question by Mr. Adams.

Mr. Adams: "Representative Whiteside, does the language in subsection (3)(a) mean that a person whose incapacity is uncorrectable cannot be classified as unemployable for a short period of time?"

Mr. Whiteside: "No, it does not mean that. The language here is that a person who, for the lack of glasses, was classified as unemployable, they would not stay unemployable, or if it was for lack of dentures that they were classified unemployable, they should go out and get glasses or dentures. These are correctable conditions that a person can take care of and we're trying to tighten this up so those people who are really in need of these services will be taken care of."

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Adams spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Senate Bill No. 2433 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 6; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmittens, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Barr, Bond, Clayton, Craswell, Flanagan, Flint.

Reengrossed Senate Bill No. 2433 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE SENATE BILL NO. 3558**, by Committee on Natural Resources (originally sponsored by Senators Conner, Vognild, Rasmussen and Peterson):

Creating a fleet opportunity board and setting forth its powers and duties and providing for the expiration thereof.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendment, see Journal, 32nd Day, February 14, 1980.)

On motion of Mr. Vrooman, the committee amendment was adopted.

Mr. Martinis moved adoption of the following amendments:

On page 1, line 8 after "existing" insert "salmon and"

On page 1, line 9 after "through" strike "75.28.440" and insert "75.28.480"

On page 1, line 10 after "the" insert "salmon and"

#### POINT OF ORDER

Mr. Jovanovich: "Mr. Speaker, I believe these amendments are out of the scope and object of the bill. We're dealing with a bill about herring, and Mr. Martinis is talking about salmon."

#### MOTION

On motion of Mr. King, further consideration of the bill was deferred and it was placed on the second reading calendar following Substitute Senate Bill No. 3226.

**SUBSTITUTE SENATE BILL NO. 3169:**

The House resumed consideration of the bill on second reading.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representatives Tilly and Knowles.

Mr. Tilly spoke in favor of the amendment, and Mr. Lux spoke against it.

Mr. Tilly spoke again in favor of the amendment, and it was adopted.

Mr. Sanders moved adoption of the following amendment by Representatives Sanders and Clayton:

On page 3, after line 6 insert the following:

"Sec. 2. Section 51.08.070, chapter 23, Laws of 1961 as last amended by section 12, chapter 350, Laws of 1977 ex. sess. and RCW 51.08.070 are each amended to read as follows:

'Employer' means any person, body of persons, corporate or otherwise, and the legal representatives of a deceased employer, all while engaged in this state in any work covered by the provisions of this title, by way of trade or business, or who contracts with one or more workers, the essence of which is the personal labor of such worker or workers. For purposes of this title, any contractor registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW is not an employer of another contractor registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW with whom the contractor contracts for the performance of a job.

Sec. 3. Section 51.08.180, chapter 23, Laws of 1961 as amended by section 15, chapter 350, Laws of 1977 ex. sess. and RCW 51.08.180 are each amended to read as follows:

'Worker' means every person in this state who is engaged in the employment of an employer under this title, whether by way of manual labor or otherwise in the course of his or her employment; also every person in this state who is engaged in the employment of or who is working under an independent contract, the essence of which is his or her personal labor for an employer under this title, whether by way of manual

labor or otherwise, in the course of his or her employment. 'Worker' does not include any contractor registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW who performs under a contract with another contractor registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW.

Sec. 4. Section 51.12.070, chapter 23, Laws of 1961 as last amended by section 81, chapter 289, Laws of 1971 ex. sess. and RCW 51.12.070 are each amended to read as follows:

The provisions of this title shall apply to all work done by contract; the person, firm, or corporation who lets a contract for such work shall be responsible primarily and directly for all premiums upon the work. The contractor and any subcontractor shall be subject to the provisions of this title and the person, firm, or corporation letting the contract shall be entitled to collect from the contractor the full amount payable in premiums and the contractor in turn shall be entitled to collect from the subcontractor his proportionate amount of the payment. For the purposes of this section, a contractor registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW is not a subcontractor of another contractor registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW with whom the contractor performs under contract.

It shall be unlawful for any county, city or town to issue a construction building permit to any person who has not submitted to the department an estimate of payroll and paid premium thereon as provided by chapter 51.16 RCW of this title or proof that such person has qualified as a self-insurer.

Sec. 5. Section 51.12.020, chapter 23, Laws of 1961 as last amended by section 1, chapter 128, Laws of 1979 and RCW 51.12.020 are each amended to read as follows:

The following are the only employments which shall not be included within the mandatory coverage of this title:

(1) Any person employed as a domestic servant in a private home by an employer who has less than two employees regularly employed forty or more hours a week in such employment.

(2) Any person employed to do gardening, maintenance, repair, remodeling, or similar work in or about the private home of the employer which does not exceed ten consecutive work days.

(3) A person whose work is casual and the employment is not in the course of the trade, business, or profession of his employer.

(4) Any person performing services in return for aid or sustenance only, received from any religious or charitable organization.

(5) Sole proprietors (and) or partners: PROVIDED, That sole proprietors or partners who are contractors registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW shall be included under the mandatory coverage of this title until such time as the sole proprietor or partners voluntarily elect to withdraw from coverage under section 6 of this 1980 act.

(6) Any employee, not regularly and continuously employed by the employer in agricultural labor, whose cash remuneration paid by or due from any one employer in that calendar year for agricultural labor is less than one hundred fifty dollars. Employees not regularly and continuously employed in agricultural labor by any one employer but who are employed in agricultural labor on a seasonal basis shall come under the coverage of this title only when their cash remuneration paid or due in that calendar year exceeds one hundred fifty dollars but only as of the occurrence of that event and only as to their work for that employer.

(7) Any child under eighteen years of age employed by his parent or parents in agricultural activities on the family farm.

(8) Jockeys while participating in or preparing horses for race meets licensed by the Washington horse racing commission pursuant to chapter 67.16 RCW.

(9) Any executive officer elected and empowered in accordance with the articles of incorporation or bylaws of a corporation who at all times during the period involved is also a director and shareholder of the corporation. Any officer who was considered by the department to be covered on and after June 30, 1977, shall continue to be covered until such time as the officer voluntarily elects to withdraw from coverage in the manner provided by RCW 51.12.110. However, any corporation may elect to cover such officers who are in fact employees of the corporation in the manner provided by RCW 51.12.110.

NEW SECTION. Sec. 6. There is added to chapter 51.12 RCW a new section to read as follows:

Any sole proprietor or partner who is a contractor registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW may file notice with the director at the sole proprietor's or partner's election to be exempted from the mandatory coverage of this title. Such exemption shall become effective within five days after the director has received the notice of withdrawal. However, any sole proprietor or partner who has elected exemption from mandatory coverage may at any time voluntarily reelect to be covered under this title and shall be subject to all the provisions and entitled to all of the benefits under this title."

Representatives Sanders and Clayton spoke in favor of the amendment, and Representatives King and Lux spoke against it.

Mr. Sanders spoke again in favor of the amendment.

Mr. Patterson demanded an electric roll call vote on the amendment, and the demand was sustained.

Mr. Lux again spoke in opposition to the amendment.



## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Sanders and Clayton to Substitute Senate Bill No. 3169, and the amendment was not adopted by the following vote: Yeas, 48; nays, 48; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Nisbet, Oliver, Owen, Patterson, Polk, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Stratton, Thompson, Valle, Vrooman, Walk, Warnke.

Not voting: Representative Newhouse.

On motion of Mr. Clayton, the committee amendment to the title was adopted.

On motion of Mr. Tilly, the following amendments to the title were adopted:

On page 1, line 1 of the title strike "industrial"

On page 1, line 1 of the title after "insurance;" strike "and"

On page 1, line 4 of the title after "51.32.090" and before the period insert "; amending section 2, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.020; amending section 5, chapter 122, Laws of 1973 1st ex. sess. as amended by section 3, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.050; amending section 13, chapter 122, Laws of 1973 1st ex. sess. as amended by section 8, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.130; creating a new section; and declaring an emergency"

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3169 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Dawson, Newhouse.

Substitute Senate Bill No. 3169 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE SENATE BILL NO. 3226**, by Committee on Social and Health Services (originally sponsored by Senator Day):

Revising laws relating to prescriptions.

The bill was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Mitchell spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3226, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon,

Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Substitute Senate Bill No. 3226, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SUBSTITUTE SENATE BILL NO. 3558:

The House resumed consideration of the bill on second reading.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the Point of Order raised by Representative Jovanovich.

#### SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "The Speakers have ruled that the amendment is within the scope and object of the bill."

Mr. Martinis spoke in favor of the amendments.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Schmitt.

Mr. Schmitt: "Representative Martinis, this bill that we had before the committee is directed to an inequity in the herring fishing industry. It's identifying the answer to a number of licenses held by purse seiners and those held by the gill netters. I would ask, with your amendments which would include salmon, how would that come about? If it came about, what sort of priority would this industry have? How would they know if the salmon advisory council would truly examine those problems in the herring fishing industry?"

Mr. Martinis: "Well, Representative Schmitt, this bill mandates that they would address that issue. As far as the inequities between purse seiners and gill netters, the bill has one major problem in it. In the second paragraph, lines 16 and 17, it's saying that this board will consist of two purse seiners who do not harvest herring and two gill netters who do not harvest herring. The problem you have here is that you have somebody sitting on the outside looking in at those people who are doing the harvesting. Now how do you think that study is going to come out? Let's say you don't have a herring fishing license and you're sitting on this board, and you're looking at a purse seiner or a gill netter that does have one; it's going to be extremely difficult for that person to rationally bring back a statement saying whether there should be a shift in who gets licenses and who does not. I know if I were sitting there and I were looking in, I would say I would sure like in and some of the rest of us should get in there. The way this bill is set up, it's not very rational in the area of people they are setting up. In the salmon advisory council, again, those industry representatives are on their council and you would get a more rational approach to this type of thing. Some of them do and some of them do not have herring fishing licenses. You have representatives who represent both the people who do not and those who do have licenses. But the way this bill is set up, it's totally one-sided. We don't want to create a new board; let's put them into a board that understands the problems and understands that the herring resource and the salmon resource of this state are very closely tied together."

Mr. Jovanovich spoke against the amendments.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. McDonald.

Mr. McDonald: "Representative Martinis, I think I get the drift of your amendment, but, I guess for my curiosity and perhaps for the rest of them, is it your intent that we look for a more equitable harvesting system? As I understand it, you want to look at a more equitable harvesting system for herring only and not open up the question to both herring and salmon, because that would certainly be far beyond the intent I understood in the Natural Resources Committee?"

Mr. Martinis: "Representative McDonald, are you saying that the amendment is deficient by permitting limiting to herring? That's not my intent."

Mr. McDonald: "You intend then to make it both? To open it up to all trolling, gill nets, seiners, everything?"

Mr. Martinis: "I'm talking about the equitable harvesting of herring and salmon."

Mr. McDonald spoke against the amendments, and Mr. Martinis again spoke in favor of them.

Mr. King demanded the previous question, and the demand was not sustained.

Mr. Jovanovich spoke against the amendments.

Mr. Dunlap demanded the previous question and the demand was not sustained.

Mr. Vrooman spoke in favor of the amendments.

The amendments were not adopted.

Mr. Martinis moved adoption of the following amendments:

On page 1, line 16 strike "do not"

On page 1, line 17, strike "do not"

Mr. Martinis spoke in favor of the amendments, and Mr. Jovanovich spoke against them.

Mr. Martinis spoke again in favor of the amendments, and Mr. Jovanovich again opposed them.

The amendments were not adopted.

Mr. King moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Substitute Senate Bill No. 3558 as amended by the House to final passage, and the motion received the required two-thirds majority, by the following vote: Yeas, 87; nays, 9; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Galloway, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Pruitt, Rosbach, Salatino, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Brown, Gallagher, Garrett, Martinis, Patterson, Polk, Rinehart, Sanders, Wilson.

Not voting: Representative Hughes.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 3558 as amended by the House.

Mr. Vrooman spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3558 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Gallagher, Martinis, Polk.

Substitute Senate Bill No. 3558 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3280, by Senators Van Hollebeke, Wojahn, Quigg and Hurley (by Department of Licensing request):

Revising laws relating to real estate brokers and salesmen.

The bill was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Warnke spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3280, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Senate Bill No. 3280, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3297, by Committee on Local Government (originally sponsored by Senators Wilson, Rasmussen and Lewis):

Modifying the law on warrants.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 31st Day, February 13, 1980.)

On motion of Mr. Charnley, the committee amendments were adopted.

On motion of Mr. Charnley, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Charnley spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3297 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Substitute Senate Bill No. 3297 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3415, by Senators Day, Fleming, Moore, Talmadge, Vognild, Wanamaker and Henry:

Including hearing-aid dogs under the white cane law.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 33rd Day, February 15, 1980.)

Mr. Whiteside moved adoption of the committee amendment, inserting all new language.

On motion of Mr. Schmitten, the following amendment to the committee amendment was adopted:

On page 2, line 19 after "person or" strike everything down to and including "of" on line 22

The committee amendment as amended was adopted.

On motion of Mr. Whiteside, the committee amendment to the title was adopted.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Adams spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3415 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Brekke.

Senate Bill No. 3415 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3487, by Senator Lysen:

Allowing transfer of certain retirement plan credits for person having transferred employment between certain state universities.

The bill was read the second time.

Committee on Appropriations recommendation: Majority, do pass as amended. (For amendment, see Journal, 33rd Day, February 15, 1980.)

On motion of Mr. Taller, the committee amendment was adopted.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Taller spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3487 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bauer, Knowles, Teutsch.

Senate Bill No. 3487 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. King, the Rules Committee was relieved of the following bills, and they were placed at the bottom of today's second reading calendar:

SECOND SUBSTITUTE SENATE BILL NO. 2381,  
 SECOND SUBSTITUTE SENATE BILL NO. 2865,  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3136,  
 ENGROSSED SENATE BILL NO. 3254,  
 SUBSTITUTE SENATE BILL NO. 3442,  
 SENATE BILL NO. 3452.

ENGROSSED SENATE BILL NO. 3478, by Senators Wojahn, Clarke, Ridder, Quigg, Gaspard, von Reichbauer, Van Hollebeke, Rasmussen, Lee, Gould, Haley, Moore, Talmadge, Morrison and Odegaard:

Making it a class C felony to buy or sell a child.

The bill was read the second time.

Mr. Chandler moved adoption of the following amendment by Representatives Chandler and Sherman:

On page 1, after line 27 insert the following additional sections:

**\*NEW SECTION.** Sec. 2. As used in this section, sections 4 through 9 of this 1980 act, and RCW 70.58.210, as now or hereafter amended, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) 'Adult adopted person' means a person who was adopted under the laws of this state and is at least twenty-one years of age.

(2) 'Adoptive parents' means persons who received custody of the adopted person under the laws of this state.

(3) 'Adoption registry' means a record kept by the department of social and health services under RCW 70.58.210, as now or hereafter amended, for purposes of recording the natural parent's consent to disclosure of identity to an adult adopted person.

(4) 'Agency' means a public or private social agency expressly empowered by law to receive and place children for adoption or foster care, including the department of social and health services.

(5) 'Confidential intermediary' means a suitable and qualified person appointed by the court who agrees, under oath of confidentiality, to mediate between and make contact with the natural parents and the adult adopted person to the extent allowed by the court.

(6) 'Department' means the department of social and health services.

(7) 'Natural parents' means the biological parents of the adopted person.

Sec. 3. Section 1, chapter 133, Laws of 1939 as last amended by section 2, chapter 101, Laws of 1979 ex. sess. and RCW 70.58.210 are each amended to read as follows:

(1) Whenever a decree of adoption has been entered declaring a child, born in the state of Washington, adopted in any court of competent jurisdiction in the state of Washington or any other state or any territory of the United States or foreign country, a certified copy of the decree of adoption shall be recorded with the proper department of registration of births in the state of Washington and a certificate of birth shall issue upon request, bearing the new name of the child as shown in the decree of adoption, the names of the adoptive parents of the child and the age, sex, and date of birth of the child, but no ((reference in any)) birth certificate (~~shall have reference~~) may refer to the adoption of the child. However, original registration of births shall remain a part of the record of the board of health.

(2) Whenever a decree of adoption has been entered declaring a child, born outside of the United States and its territories, adopted in any court of competent jurisdiction in the state of Washington, a certified copy of the decree of adoption together with evidence as to the child's birth date and birth place provided by the original birth certificate, or by a certified copy, extract, or translation thereof or by a certified copy of some other document essentially equivalent thereto, shall be recorded with the proper department of registration of births in the state of Washington. The records of the United States immigration and naturalization service or of the United States department of state are essentially equivalent to the birth certificate. A certificate of birth shall issue upon request, bearing the new name of the child as shown in the decree of adoption, the names of the adoptive parents of the child and the age, sex, and date of birth of the child, but no reference in any birth certificate shall have reference to the adoption of the child. Unless the court orders otherwise, the certificate of birth shall have the same overall appearance as the certificate which would have been issued if the adopted child had been born in the state of Washington.

A person born outside of the United States and its territories for whom a decree of adoption has been entered in a court of this state before September 1, 1979, may apply for a certificate of birth under this subsection by furnishing the proper department of registration of births with a certified copy of the decree of adoption together with the other evidence required by this subsection as to the date and place of birth. Upon receipt of the decree and evidence, a certificate of birth shall be issued in accordance with this subsection.

(3) In conjunction with the original birth registration, there shall be established an adoption registry. At the time of adoption or at any time thereafter, either or both natural parents may file consent to disclosure of their identity, to become effective at the time the adopted person reaches twenty-one years of age, in the adoption registry.

**NEW SECTION.** Sec. 4. Upon the request of an adult adopted person, the department shall examine the adoption registry to ascertain whether either or both natural parents have placed a consent to disclosure of their identity on file.

If the consent is found in the adoption registry, the names of either or both natural parents, depending on whether either or both natural parents have filed a consent, the name and location of the court issuing the decree of adoption together with the cause number, and other information contained in the file relating to the identity and location of the natural parents shall be disclosed to the adult adopted person.

The department shall also provide the adult adopted person with an affidavit, executed by the custodian of these records, which affirms that a consent to disclosure has been filed in the adoption registry.

The information on file shall not be disclosed in any other case, except as otherwise provided by sections 5 through 9 of this act.

**NEW SECTION.** Sec. 5. An adult adopted person may petition the court for disclosure of the identity of his or her natural parents. The petition to open the sealed adoption file shall contain the following information, if known:

- (1) Name of the petitioner;
- (2) Date of birth;
- (3) Address of current residence;
- (4) Whether the adult adopted person still resides with or is a dependent of the adoptive parents;
- (5) County and state of adoption and date of adoption;
- (6) Any information known to the adult adopted person concerning the natural parents; and
- (7) That no consent to disclosure has been filed in the adoption registry.

The petition may be filed under the original cause number.

**NEW SECTION.** Sec. 6. In response to a petition by an adult adopted person for disclosure of the identity of the natural parents, the court shall appoint a confidential intermediary if:

- (1) The adult adopted person no longer lives with or is not a dependent of the adoptive parents; or
- (2) The adoptive parents of the adult adopted person file written consent to the search with the court.

**NEW SECTION.** Sec. 7. (1) The duties and responsibilities of the confidential intermediary are as follows:

- (a) To refrain from disclosing directly or indirectly any information to the petitioner until so ordered by the court;
- (b) To conduct a search for the natural parents; and
- (c) To make a written report of the results of the search to the court no later than six months after appointment.

If the confidential intermediary fails to locate the natural parents within six months, the report shall include a recommendation as to whether or not further search is warranted and the reasons for this recommendation. If the confidential intermediary locates the natural parents, a discreet and confidential inquiry shall be made as to whether they will consent to having their present identity disclosed to the petitioner. The identity of the petitioner shall not be disclosed to the natural parents. If the natural parents consent to the disclosure of their identity, the confidential intermediary shall obtain the consent in writing and shall include the original of the consent in the report to be made to the court.

(2) Information found in records of the court proceeding of the adoption or in the files of the agency shall be released to the confidential intermediary for use in the search, but only that information relating to the identities and location of the natural parents. The confidential intermediary shall not divulge the contents of these files or the results of any search except as authorized by the court.

(3) The court may request the confidential intermediary to help arrange contact between the petitioner and the natural parents if the consent is obtained.

(4) The confidential intermediary shall receive as compensation from the petitioner for services a reasonable fee as set by the court, including reimbursement for actual expenses as listed in the report made to the court.

**NEW SECTION.** Sec. 8. The confidential intermediary shall sign an oath of confidentiality substantially as follows:

I, . . . . ., being first duly sworn on oath depose and say: As a condition of appointment as a confidential intermediary, I affirm that, when adoption files are opened for me:

I will not disclose to the petitioner, directly or indirectly, any information therein without further order of the court.

I will conduct a diligent search for the natural parents and make a discreet and confidential inquiry as to whether the natural parents will consent to being put in contact with the petitioner, and will report back to the court the results of my search and inquiry.

If the person sought consents to be put in contact with the petitioner, I will attempt to obtain a dated, written, and notarized consent of the person and attach the original thereof to my report to the court.

I will not make any charge or accept any compensation for my services except as approved by the court or as reimbursement from the petitioner of actual out-of-pocket expenses such as postage, advertising, telephone calls, or travel expenses, and that all of the expenses will be listed in my report to the court.

I recognize that unauthorized release of confidential information may subject me to civil liability under state law.

/s/ . . . . . date . . . . .  
 witness . . . . . date . . . . .  
 witness . . . . . date . . . . .

**NEW SECTION.** Sec. 9. (1) If the confidential intermediary obtains written consent from the natural parents for disclosure of their identity to the petitioner, the court shall order that their names and other identifying information be released to the petitioner.

(2) If the natural parents are deceased, the court shall order disclosure of the available files to the petitioner.

(3) If the confidential intermediary is unable to make contact with the natural parents within six months, the court may order the search be continued for a specified time.

Sec. 10. Section 12, chapter 291, Laws of 1955 as last amended by section 1, chapter 101, Laws of 1979 ex. sess. and by section 19, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.120 are each reenacted and amended to read as follows:

Upon the conclusion of such hearing, if had, or upon filing the report of investigation, if any, or as soon as the procedure hereunder may permit, the court shall enter its decree either granting or denying the petition for adoption and change of name, if any, all as in its discretion it shall deem proper. If the decree denies the petition for adoption, the court shall make appropriate provision for the custody and care of the child. If the decree is for adoption, it shall provide:

(1) In the case of a child born in a state other than Washington, or in a territory of the United States, for the forwarding of the certificate of adoption to the department of health, or its equivalent, of the state or territory of the United States in which the birth occurred;

(2) In the case of a child born in the state of Washington, for the issuance of a certificate of birth by the state registrar of vital statistics, in such form and containing such information as the court may deem proper and by such decree shall direct;

(3) In the case of a child born outside of the United States and its territories, for the issuance of a certificate of birth by the state registrar of vital statistics, in such form and containing such information as the court may deem proper and by such decree shall direct, but unless the court orders otherwise, the certificate of birth shall have the same overall appearance as the certificate which would have been issued if the adopted child had been born in the state of Washington;

(4) That the records of the registrar shall be secret unless otherwise provided by the court, and the same shall be disclosed only upon order of court for good cause shown or under sections 4 through 9 (~~chapter 291, Laws of 1979 (Adoptive Records Act.))~~) of this 1980 act; and

(5) That such adoption shall remain interlocutory for six months from date of entry of such decree, and shall become absolute at the expiration of said six months.

Such decree shall be final as to the parties thereto and those notified as herein provided unless appealed from within thirty days after entry thereof.

Sec. 11. Section 15, chapter 291, Laws of 1955 and RCW 26.32.150 are each amended to read as follows:

((Unless otherwise requested by the adopted,)) All records of any proceeding hereunder shall be sealed and shall not be thereafter open to inspection by any person except upon order of the court for good cause shown or in accordance with sections 7 through 9 of this 1980 act, or to an adult adopted person upon production of an affidavit executed by the custodian of the adoption registry of the department which affirms the existence in the registry of a consent to disclosure as described in section 4 of this 1980 act and RCW 70.58.210 as now or hereafter amended, and thereafter shall be again sealed as before.

Sec. 12. Section 3, chapter 150, Laws of 1935 and RCW 26.36.030 are each amended to read as follows:

It ((shall be)) is unlawful for any person to show or to divulge the contents of any of the court records existing by reason of RCW 26.36.010 or of the records required to be kept under RCW 26.36.020 which would tend to disclose the identity of the natural parents of an adopted person, except on written order of the superior court made upon a petition showing to the satisfaction of the court that the divulging of the information would inure to the benefit of the child or except as provided in sections 7 through 9 of this 1980 act.

Sec. 13. Section 1, chapter 82, Laws of 1970 ex. sess. as last amended by section 20, chapter 165, Laws of 1979 ex. sess. and RCW 26.36.050 are each amended to read as follows:

Every person, firm, society, association, or corporation receiving, securing a home for, or otherwise caring for a minor child shall transmit to the prospective adopting parent prior to placement and shall make available to all persons with whom a child has been placed by adoption or to those qualified to receive information under sections 5 through 9 of this 1980 act, a complete medical report containing all reasonably available information concerning the mental, physical, and sensory handicaps of said child. Said report shall not reveal the identity of the natural parents of the child but shall include any reasonably available mental or physical health history of the natural parents that needs to be known by the adoptive parents to facilitate proper health care for the child. RCW 26.36.030 and 26.36.060 shall not apply to any information made available by this section.

NEW SECTION. Sec. 14. Sections 2 and 4 through 9 of this 1980 act are each added to chapter 26.32 RCW.\*

Mr. Dawson moved adoption of the following amendment by Representatives Dawson and Erickson to the Chandler/Sherman amendment:

On page 13 of the amendment, following line 13 insert a new section as follows:

\*NEW SECTION. Sec. 14. The provisions of sections 5 through 13 of this 1980 act shall not apply to any adoption finalized prior to the effective date of this 1980 act.\*

Renumber the remaining section consecutively.

Mr. Dawson spoke in favor of the amendment to the amendment, and Mr. Chandler spoke against it.



## POINT OF INQUIRY

Mr. Chandler yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Chandler, is there anything either in the amendment you are offering or the amendment to the amendment that can, in any way, allow the names and identity of the natural parents to be disclosed without their consent?"

Mr. Chandler: "No, there is not. First of all, it sets up a provision for a person who allows the child to be adopted to grant consent in advance. If that does not occur, then the petitioner, the adult adopted person, who wants to have the identity of those parents revealed to them, appeals to the court. The court appoints an intermediary and the intermediary goes to the persons who have given up their child and asks them if they want to have their identity revealed. If they do not, then that's as far as it goes."

## POINT OF INQUIRY

Mr. Chandler yielded to questions by Ms. Flint.

Ms. Flint: "Representative Chandler, you say that there is good reason for these adoptees to know their natural parents, but the medical records of the natural parents are part of the record already, so could you give any other good reason for knowing their natural parents?"

Mr. Chandler: "I think there's tremendous curiosity on the part of all of us to know what our roots are and people, like my two children, are very curious about why they have brown eyes, why they are the types of people they are and so many of the adopted people I've talked to, curiosity becomes a compelling reason with them—one which very often creates some psychological trauma if they don't know. It's not out of disrespect for their adoptive parents. I'm convinced that if my children need their natural parents someday, they'll love me just as much as they do now. I don't think there's any fear of that at all. It would satisfy a very natural curiosity which exists within us all to know where we came from and who we are and how we got here."

Ms. Flint: "Representative Chandler, what about those children who find out they were born as a result of rape or incest, or an accident after an all night drinking party? This is what concerns me."

Mr. Chandler: "I think that's not really an issue here because you have the intermediary and the court making the decision whether this identity is revealed and whether there could be some damage done to that adopted person if the identity were revealed. I think there's a good deal of discretion placed in that court to protect people from that sort of thing, so I don't think that's a fear."

Mr. Barnes spoke against the amendment to the amendment.

## POINT OF INQUIRY

Mr. Chandler yielded to question by Mr. Charnley.

Mr. Charnley: "Representative Chandler, there's been some reference here to the fact that children would learn harmful things about themselves. Would you clarify for me whether this information would be available or not?"

Mr. Chandler: "Referring to the definition section of this amendment, where an adult adopted person is defined as an adopted person who is over the age of 21, so we are only talking about adults of the age of 21 or over."

Representatives Knowles and Smith (R) spoke against the amendment to the amendment.

The amendment to the amendment was not adopted.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representatives Chandler and Sherman.

## POINT OF ORDER

Mr. Owen: "Mr. Speaker, I'd like to challenge the scope and object of this amendment to the bill, and also Rule 31."

## SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "Representative Owen, the speaker would like to refer you to Reed's Rule 112: A time for making these objections. It states in part, 'After

debate has begun or other action has been taken it is too late.' It is too late to raise a point of order at this time."

#### MOTION

On motion of Mr. King, further consideration of Engrossed Senate Bill No. 3478 was deferred and the bill was ordered placed on the calendar following Substitute Senate Bill No. 3581.

**SUBSTITUTE SENATE BILL NO. 3581**, by Committee on Education (originally sponsored by Senators McDermott, Gould, Talmadge, Hayner, Gaspard, Ridder and Morrison):

Supplementing law relating to lease or rental of school property of whatsoever kind.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 31st Day, February 13, 1980.)

#### MOTION

On motion of Mr. Heck, further consideration of Substitute Senate Bill No. 3581 was deferred, and the bill was ordered placed on the calendar following Senate Bill No. 3452.

**ENGROSSED SENATE BILL NO. 3190**, by Senators Odegaard and Talley:

Authorizing transportation of members of the public to school sports activities by school transportation when such transportation has been authorized for students and school employees supervising same.

The bill was read the second time.

On motion of Mr. Chandler, the following amendment by Representatives Chandler and Heck was adopted:

On line 23 following "transportation" insert ": PROVIDED FURTHER, That wherever private transportation certified or licensed by the utilities and transportation commission or public transportation is reasonably available as determined by rule and regulation of the state board of education, this section shall not apply"

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3190 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmittgen, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Ehlers, Hastings, May.

Engrossed Senate Bill No. 3190 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SECOND SUBSTITUTE SENATE BILL NO. 2381**, by Committee on Judiciary (originally sponsored by Senators Talmadge, Bottiger and Gallagher):

Revising superior court clerks' fees.

The bill was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Scott spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 2381, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greeno, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Thompson.

Second Substitute Senate Bill No. 2381, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## ENGROSSED SENATE BILL NO. 3478:

The House resumed consideration of the bill on second reading.

Mr. Barnes moved adoption of the following amendment to the Chandler/Sherman amendment:

On page 9, line 19 strike "shall" and insert "may"

Representatives Barnes and Smith (R) spoke in favor of the amendment, and it was adopted.

## MOTION

Mr. Polk moved that the House immediately consider Substitute Senate Bill No. 3581 and Engrossed Senate Bill No. 3254, and the motion was carried.

## SUBSTITUTE SENATE BILL NO. 3581:

The House resumed consideration of the bill on second reading.

The committee amendments were adopted.

On motion of Mr. Taylor, the following amendments were adopted:

On page 2, line 12 following "use of" insert "surplus"

On page 2, beginning on line 12 strike "sections 1 and" and insert "section"

On page 2, line 19 following "use of" insert "surplus"

On page 2, line 19 following "under" strike "sections 1 and" and insert "section"

On page 3, line 3 following "date of" strike "sections 1, 2 and 3 of"

On page 3, line 8 following "sections" strike "1" and insert "2"

## MOTION

On motion of Mr. King, Engrossed Senate Bill No. 3478 was made a Special Order of Business at 3:59 p.m. today.

The House resumed consideration of Substitute Senate Bill No. 3581.

On motion of Ms. Sherman, the following amendments were adopted:

On page 3, following section 7 add a section to read as follows and renumber the remaining section consecutively:

\*Sec. 8. Section 2, chapter 200, Laws of 1971 ex. sess. and RCW 79.01.770 are each amended to read as follows:

Notwithstanding the provisions of RCW 79.01.096 or any other provision of law, any school district or institution of higher education, that on August 9, 1971 is leasing land granted to the state by the United States and on which land by January 1, 1976, such district or institution has placed improvements as defined in RCW 79.01.036 shall be afforded the opportunity by the department of natural resources at any time prior to January 1, ((1976)) 1981, to purchase such land, excepting land over which the department retains management responsibilities, for the purposes of schoolhouse construction and/or necessary supporting facilities or structures at the appraised value thereof less the value that any improvements thereon added to the value of the land itself at the time of the sale thereof."

In line 3 of the title after "28A.58.040;" and before "creating" insert "amending section 2, chapter 200, Laws of 1971 ex. sess. and RCW 79.01.770;"

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3581 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmittin, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Deccio.

Substitute Senate Bill No. 3581 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SPECIAL ORDER OF BUSINESS

The Speaker (Mr. O'Brien presiding) announced that the hour of 3:59 p.m. having arrived, the question before the House was consideration of Engrossed Senate Bill No. 3478 on second reading.

## ENGROSSED SENATE BILL NO. 3478:

Mr. Owen moved adoption of the following amendment to the Chandler/Sherman amendment:

On page 6, line 14 of the amendment following "(1)" strike all material down to and including "(2)" on line 17.

Mr. Owen spoke in favor of the amendment to the amendment, and Representatives Chandler and Brekke spoke against it.

## POINT OF INQUIRY

Mr. Chandler yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Chandler, you just made the comment that you felt the adopted persons should have the right to search out their natural parents if they so desire. Does your comment include the natural parents as well as the adopted parents?"

Mr. Chandler: "No, if the natural parents refuse to give consent, they are never revealed."

Mr. Greengo: "I'm looking for a little bit more, Representative Chandler; I'm looking for some signal of intention on your part. Are you going to be sponsoring legislation next year to make it mandatory that the natural parents be disclosed? I'm concerned about the fact that something like 95 or 96% of all children born to single parents are kept by those single parents now. They are raised by a single parent and it's also pretty clear from a lot of data, that children of single parents have a lot more trouble in this world. They cause a disproportionate share of the problems in school and they end up in the courts. I don't want to do anything that would discourage young women from letting their children out for adoption. If we, in any way, are going to do anything to destroy that confidentiality that they have been promised, I just can't support this bill."

Mr. Chandler: "In no way are we saying that if a person has a child and gives it up for adoption and does not desire to have his/her identity revealed, can the courts violate that under the terms of this act. They must give their consent."

## POINT OF INQUIRY

Mr. Smith (R) yielded to question by Mr. Dawson.

Mr. Dawson: "Representative Smith, just to follow up on this question that has been raised, what if one of the parents consented, but not both parents, would the identity of that one natural parent be revealed?"

Mr. Smith (R): "Yes, either parent could agree to disclose or not."

Mr. Smith (R) spoke against the amendment to the amendment, and Mr. Owen spoke again in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Owen to the Chandler/Sherman amendment, and the amendment to the amendment was not adopted by the following vote: Yeas, 30; nays, 64; not voting, 3.

Voting yea: Representatives Amen, Bond, Brown, Dawson, Eberle, Ehlers, Erickson, Flanagan, Flint, Fuller, Greengo, Grimm, Hastings, Houchen, Isaacson, Keller, Martinis, Mitchell, North, Oliver, Owen, Patterson, Smith C. P., Struthers, Van Dyken, Vrooman, Walk, Warnke, Winsley, Zimmerman.

Voting nay: Representatives Adams, Addison, Barnes, Barr, Bauer, Becker, Bender, Berentson, Brekke, Burns, Chandler, Charnley, Clayton, Craswell, Deccio, Dunlap, Ellis, Eng, Erak, Fancher, Gallagher, Galloway, Garrett, Granlund, Gruger, Heck, Hughes, Jovanovich, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, O'Brien, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Sherman, Smith R., Sommers, Sprague, Stratton, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Whiteside, Williams.

Not voting: Representatives Bagnariol, Scott, Wilson.

The Chandler/Sherman amendment as amended was adopted.

On motion of Mr. Chandler, the following amendment to the title was adopted:

In line 1 of the title, after "children;" insert "amending section 1, chapter 133, Laws of 1939 as last amended by section 2, chapter 101, Laws of 1979 ex. sess. and RCW 70.58.210; reenacting and amending section 12, chapter 291, Laws of 1955 as last amended by section 1, chapter 101, Laws of 1979 ex. sess. and by section 19, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.120; amending section 15, chapter 291, Laws of 1955 and RCW 26.32.150; amending section 3, chapter 150, Laws of 1935 and RCW 26.36.030; amending section 1, chapter 82, Laws of 1970 ex. sess. as last amended by section 20, chapter 165, Laws of 1979 ex. sess. and RCW 26.36.050; adding new sections to chapter 26.32 RCW;"

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3478 as amended by the House was placed on final passage.

Mr. Van Dyken spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3478 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 5; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Eng, Erak, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Zimmerman.

Voting nay: Representatives Bond, Ehlers, Erickson, Owen, Winsley.

Not voting: Representative Wilson.

Engrossed Senate Bill No. 3478 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. King, the House adjourned until 9:30 a.m., Wednesday, February 20, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## THIRTY-EIGHTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 20, 1980

The House was called to order at 9:30 a.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Janette Johnson, Rhonda Michelson and Ellen Simonis. Prayer was offered by The Reverend George Mitchell of the First Christian Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

## MESSAGES FROM THE SENATE

February 19, 1980

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 1460,  
ENGROSSED HOUSE BILL NO. 1464,  
HOUSE BILL NO. 1593,  
SUBSTITUTE HOUSE BILL NO. 1609,  
HOUSE BILL NO. 1681,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1952,  
HOUSE JOINT MEMORIAL NO. 24,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

February 19, 1980

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE SENATE BILL NO. 2748,  
SUBSTITUTE SENATE BILL NO. 3140,  
SENATE BILL NO. 3235,  
SENATE BILL NO. 3245,  
SENATE BILL NO. 3253,  
SENATE BILL NO. 3404,  
SUBSTITUTE SENATE BILL NO. 3405,  
SUBSTITUTE SENATE BILL NO. 3611,  
SENATE JOINT RESOLUTION NO. 132,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Polk, the following bills were rereferred to Committee on Rules: SECOND SUBSTITUTE SENATE BILL NO. 2865; ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3136; ENGROSSED SENATE BILL NO. 3254; SUBSTITUTE SENATE BILL NO. 3442; and SENATE BILL NO. 3452.

## SECOND READING

HOUSE BILL NO. 1584, by Representative Nelson (G):

Modifying provisions of the 1979-80 budget.

The bill was read the second time.

On motion of Mr. Nelson (G), Substitute House Bill No. 1584 was substituted for House Bill No. 1584, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1584 was read the second time.

On motion of Mr. Taller, the following amendment was adopted:

On page 8, after line 28 insert a new subsection as follows:

"(32) LINDA LOGAN, VERNA SUTTON, and DELORES WOLFF, Payment pursuant to stipulation, agreement, and covenant in United States District Court, Western District of Washington, cause No. C78-424V: PROVIDED, That payment shall be from the state printing plant revolving fund . . . . . \$75,000.00"

The bill was ordered engrossed. On motion of Mr. Polk, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1584 was placed on final passage.

Mr. Nelson (G) spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Nelson (G) yielded to question by Mr. Struthers.

Mr. Struthers: "Representative Nelson, is this the total amount of the sundry claims including those claims against the Department of Game?"

Mr. Nelson (G): "Yes, at this time, only those have been approved as recommended by the Department of Game. In most cases, those would be \$1,000. That would be the normal amount which would be provided for reimbursement for some claimant whose claim has been approved by the Department of Game."

Mr. Struthers: "And if it's in excess of \$1,000? Are all of those claims in the bill that are going to be addressed and funded? There were claims made in excess of \$1,000 against the Department of Game, and I'm wondering if there's any further consideration for those claims that are not identified in this bill that will be funded?"

Mr. Nelson (G): "Those persons who have made a claim against the state and who, at this time, are not being reimbursed, could come back and resubmit their claim for further consideration."

Mr. Struthers: "Would that carry over then to the next session of the legislature? This is all that will be funded this time?"

Mr. Nelson (G): "In this bill, yes. If there were other evidence, perhaps it was provided to the Senate, and they could modify this bill and add that onto this measure."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1584, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charney, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Ellis, Salatino.

Engrossed Substitute House Bill No. 1584, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1540, by Committee on Appropriations (originally sponsored by Representative Thompson):

Making an appropriation to the department of natural resources.

The bill was read the second time.

Ms. Valle moved adoption of the following amendments by Representatives Valle, Heck, Smith (C), Dawson, Clayton and Kreidler:

On page 1, line 8 strike "and irrigation improvement for state-owned lands within the Patterson power and water district"

On page 1, line 14 strike "2,350,000" and insert "1,350,000"

On page 1, line 15 strike "4,280,000" and insert "3,280,000"

Representatives Valle and Smith (C) spoke in favor of the amendments.

## POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. Flanagan.

Mr. Flanagan: "Does the million dollar appropriation in this amendment come out of the Resource Management Account or the general fund? Does it reduce the appropriation to the Resource Management Account or the general fund?"

Mr. Zimmerman: "It does come out of the Resource Management Account. It is not out of the general fund."

Representatives Barr, Jovanovich and Isaacson spoke in favor of the amendments, and Representatives Newhouse and Zimmerman spoke against them.

Ms. Valle again spoke in favor of the amendments.

The amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Tilly, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Zimmerman spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1540, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warne, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Salatino.

Engrossed Substitute House Bill No. 1540, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. Amen presiding) declared the House to be at ease.

The Speaker (Mr. Amen presiding) called the House to order.

## SENATE AMENDMENTS TO HOUSE BILL

February 18, 1980

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 382 with the following amendments:

On page 1, line 13 after "RCW" insert "after December 31, 1980"

On page 1, strike all of lines 12 and 13, including the Van Hollebeke amendment, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Gallagher, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 382.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 382 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 382 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett,



Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Barnes, Sommers.

Engrossed Substitute House Bill No. 382 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENT TO HOUSE BILL

February 18, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1429 with the following amendment:

On page 2, line 28 after "produced on" strike "such" and insert "their own" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Owen, the House concurred in the Senate amendment to Substitute House Bill No. 1429.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1429 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1429 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Berentson.

Substitute House Bill No. 1429 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENT TO HOUSE BILL

February 18, 1980

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1463 with the following amendment:

On page 1, line 24 after "progress" strike everything through "year" on line 25 and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Bauer, the House concurred in the Senate amendment to Engrossed House Bill No. 1463.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1463 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1463 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Engrossed House Bill No. 1463 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

February 18, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1466 with the following amendments:

On page 2, line 29 after "up to" strike "and including"

On page 2, line 35 after "building," strike "improvements, repairs" and insert "improvement, repair"

On page 3, line 21 after "is" strike "in excess of ten thousand dollars," and insert "ten thousand dollars or more"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Taylor, the House concurred in the Senate amendments to Substitute House Bill No. 1466.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1466 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1466 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Craswell, Sprague.

Substitute House Bill No. 1466 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENT TO HOUSE BILL

February 18, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1510 with the following amendment:

On page 3, line 28 after "That" strike all the material down to and including "subsection" on page 3, line 33 and insert "after three willful and material breaches of the same term of the franchise agreement occurring within a twelve month period, for which the franchisee has been given notice and an opportunity to

cure as provided in this subsection, the franchisor may terminate the agreement upon any subsequent willful and material breach of the same term within the twelve month period without providing notice or opportunity to cure" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary

### MOTION

On motion of Mr. Warnke, the House concurred in the Senate amendment to Substitute House Bill No. 1510.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1510 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1510 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruit, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Substitute House Bill No. 1510 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### SENATE AMENDMENTS TO HOUSE BILL

February 18, 1980

Mr. Speaker;

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1558 with the following amendments:

On page 1, line 1 of the title strike "and"

On page 1, line 4 of the title after "19.27.060" insert "; and declaring an emergency"

On page 2, line 6 after "apparatus" strike "shall not apply" and insert "applying" and on line 9 after "code" strike the period and insert ", shall be applied at the discretion of the governing body of each city, town or county."

On page 2, line 10 insert:

"NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing institutions, and shall take effect immediately."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

On motion of Mr. Zimmerman, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1558.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1558 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1558 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King,

Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Bender.

Engrossed Substitute House Bill No. 1558 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

February 18, 1980

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1598 with the following amendments:

On page 2, line 8 strike "fourteen" and insert "thirteen"

On page 2, line 19 strike "four" and insert "three"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Schmitt, the House concurred in the Senate amendments to Engrossed House Bill No. 1598.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1598 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1598 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Engrossed House Bill No. 1598 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

February 18, 1980

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1663 with the following amendments:

On page 3, line 8 after "hundred" strike "fifty" and insert "((fifty))"

On page 3, line 15 before "dollars" strike "fifty" and insert "((fifty))"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Warnke, the House concurred in the Senate amendments to Engrossed House Bill No. 1663.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY THE SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1663 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1663 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berenson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kroidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinchart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Hastings.

Engrossed House Bill No. 1663 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

February 14, 1980

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 395 with the following amendments:

Strike everything after the enacting clause and insert:

\*Section 1. Section 1, chapter 53, Laws of 1959 as amended by section 1, chapter 50, Laws of 1965 excess. and RCW 18.25.015 are each amended to read as follows:

There is hereby created a state board of chiropractic examiners consisting of three practicing chiropractors to conduct examinations and perform duties as provided in this chapter.

Members of the board shall be appointed by the governor (~~from a list of five or more names submitted by the Washington Chiropractors Association, Inc. and/or the Chiropractic Society of Washington~~), who may consider such persons who are recommended for appointment by chiropractic associations of this state. ~~((At))~~ For at least five years preceding the time of their appointment, and during their tenure of office, the members of the board must be actual residents of Washington, licensed to practice chiropractic in this state, and must be citizens of the United States.

In order that the terms of ~~((one))~~ members shall expire ~~((each year))~~ in succession, first members appointed shall serve ~~((one))~~ as follows: One for a term of three years, one for a term of two years, and one for a term of one year; thereafter appointments shall be for a term of three years. Vacancies of members shall be filled by the governor as in the case of original appointment, such appointee to hold office for the remainder of the unexpired term.

Sec. 2. Section 10, chapter 5, Laws of 1919 as last amended by section 22, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.25.070 are each amended to read as follows:

(1) Every person practicing chiropractic shall, as a prerequisite to annual renewal of license, submit to the director at the time of application therefor, satisfactory proof showing attendance of at least twenty-five hours during the preceding ~~((year))~~ three-year period, at one or more chiropractic symposiums which are recognized and approved by the board of chiropractic examiners: PROVIDED, That the board may, for good cause shown, waive said attendance. The following guidelines for such symposiums shall apply:

~~((++))~~ (a) Symposiums which shall be approved ~~((:))~~ by the board ~~((:))~~ for licensees practicing or residing within the state of Washington are those sponsored or conducted by ~~((the Washington Chiropractor's Association, the Chiropractic Society of Washington, the American Chiropractic Association, or The International Chiropractic Association,))~~ any chiropractic association in the state or an approved chiropractic college ~~((and))~~ or other institutions or organizations which devote themselves to lectures or demonstrations concerning matters which are recognized in the state of Washington chiropractic licensing laws ~~((:))~~;

~~((2))~~ ~~Symposiums approved:~~ (b) Rules shall be adopted by the board ~~((:))~~ for licensees practicing and residing outside the state ~~((are those sponsored or conducted by an approved chiropractic college or a recognized chiropractic organization which is representative of the chiropractors of a state, a territory, a province, or a country:))~~

(3) To be eligible for approval, a symposium shall:

(a) Be sponsored by an approved chiropractic college or a recognized chiropractic organization which is representative of the chiropractors of a state, a territory, a province, or a country; and

(b) Extend over a period of at least two days, and offer an education program consisting of at least eight hours; and

(c) Include instruction by at least two outstanding chiropractic educators) who shall meet all requirements established by the board by rules and regulations.

(2) Every person practicing chiropractic within this state shall pay on or before the first day of September of each year, after a license is issued to him as herein provided, to said director a renewal license fee to be determined by the director as provided in RCW 43.24.085 as now or hereafter amended. The director

shall, thirty days or more before September first(;) of each year, mail to all chiropractors in the state a notice of the fact that the renewal fee will be due on or before the first of September. Nothing in this chapter shall be construed so as to require that the receipts shall be recorded as original licenses are required to be recorded.

The failure of any licensed chiropractor to pay his annual license renewal fee by the first day of October following the date on which the fee was due shall work a forfeiture of his license. It shall not be reinstated except upon ((written-application)) evidence that continuing educational requirements have been fulfilled and the payment of a penalty to be determined by the director as provided in RCW 43.24.085 as now or hereafter amended, together with all annual license renewal fees delinquent at the time of the forfeiture, and those for each year thereafter up to the time of reinstatement. Should the licentiate allow his license to elapse for more than three years, he must be reexamined as ((for-a-new-license)) provided for in RCW 18.25.040.

**NEW SECTION, Sec. 3.** There is added to chapter 18.25 RCW a new section to read as follows:

The board shall have authority to grant accreditation to chiropractic schools and colleges.

The board shall have authority to adopt educational standards which may include standards of any accreditation agency recognized by the office of education of the department of health and human services or its successor agency, or any portion of such standards, as the board's standards: PROVIDED, That such standards, so adopted, shall contain, as a minimum of on-campus instruction in chiropractic, the following: Principles of chiropractic, two hundred hours; adjustive technique, four hundred hours; spinal roentgenology, one hundred seventy-five hours; symptomatology and diagnosis, four hundred twenty-five hours; clinic, six hundred twenty-five hours: PROVIDED FURTHER, That such standards shall not mandate, as a requirement for either graduation or accreditation, or include in the computation of hours of chiropractic instruction required by this section, instruction in the following: Mechanotherapy, physiotherapy, acupuncture, acupressure, or any other therapy.

The board shall approve and accredit chiropractic colleges and schools which apply for board accreditation and approval and which meet to the board's satisfaction the educational standards adopted by the board. It shall be the responsibility of the college to apply for accreditation and approval, and of a student to ascertain whether a college or school has been accredited or approved by the board.

The board shall have authority to engage assistants in the giving of examinations called for under this chapter.

**NEW SECTION, Sec. 4.** This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

**NEW SECTION, Sec. 5.** Section 9, chapter 5, Laws of 1919 and RCW 18.25.060 are each repealed.

**NEW SECTION, Sec. 6.** If any provision of this 1980 act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.\*

In the title, page 1, line 1, strike everything after "chiropractic;" and insert "amending section 1, chapter 53, Laws of 1959 as amended by section 1, chapter 50, Laws of 1965 ex. sess. and RCW 18.25.015; amending section 10, chapter 5, Laws of 1919 as last amended by section 22, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.25.070; adding a new section to chapter 18.25 RCW; repealing section 9, chapter 5, Laws of 1919 and RCW 18.25.060; and declaring an emergency." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Adams, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 395.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 395 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 395 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Toller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Berentson.

Engrossed Substitute House Bill No. 395 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

February 14, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1481 with the following amendments:

On page 1, line 20 after "by" strike "the state's community colleges."

On page 1, line 27 after "The" strike "limitation" and insert "((limitation)) limitations" and after "waivers" insert "provided in subsections (1) and (2) of this section" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Burns, the House concurred in the Senate amendments to Substitute House Bill No. 1481.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1481 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1481 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 69; nays, 27; not voting, 1.

Voting yea: Representatives Adams, Addison, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Deccio, Dunlap, Ehlers, Ellis, Eng, Erak, Erickson, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Jovanovich, Keller, King, Knowles, Kroidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith R., Sommers, Sprague, Stratton, Taylor, Teutsch, Thompson, Tupper, Valle, Vrooman, Walk, Warnke, Wilson, Winsley.

Voting nay: Representatives Amen, Barnes, Barr, Bond, Clayton, Craswell, Eberle, Fancher, Flanagan, Hastings, Houchen, Hughes, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Polk, Smith C. P., Struthers, Taller, Tilly, Van Dyken, Whiteside, Williams, Zimmerman.

Not voting: Representative Berentson.

Substitute House Bill No. 1481 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

February 15, 1980

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 357 with the following amendments:

On page 1, line 16 after "students" strike "in institutional policy"

On page 1, line 27 after "body" insert "except tenure review committees pursuant to RCW 28B.50.850 through RCW 28B.50.870"

On page 2, line 1 after "students" strike "in recommending institutional policy" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Zimmerman moved that the House do concur in the Senate amendments to Engrossed House Bill No. 357.

Representatives Zimmerman and Barnes spoke in favor of the motion, and it was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 357 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 357 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Berentson.

Engrossed House Bill No. 357 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Speaker Berentson assumed the Chair.

## APPOINTMENT OF MEMBER

February 20, 1980

The Honorable Dixie Lee Ray  
Governor, State of Washington  
Legislative Building  
Olympia, Washington  
Dear Governor Ray:

The King County Council in special session today confirmed the appointment of Russell A. Austin, Jr., to the vacancy of State Representative, 33rd Legislative District.

Very truly yours,  
Dorothy M. Owens, Deputy Clerk  
King County Council.

Speaker Berentson appointed Representatives Amen, Newhouse and Sherman to escort Justice Robert F. Utter to the rostrum.

Speaker Berentson appointed Representative Barnes to escort Mr. Russell A. Austin, Jr. to the rostrum.

## OATH OF OFFICE

Justice Utter issued the oath of office to Mr. Austin.

Speaker Berentson requested the committee to escort Justice Utter from the House Chamber.

Speaker Berentson instructed Representative Barnes to escort Representative Austin to a seat on the floor of the House.

## MOTION

On motion of Mr. Polk, the House adjourned until 9:30 a.m., Thursday, February 21, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk



## THIRTY-NINTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Thursday, February 21, 1980

The House was called to order at 9:30 a.m. by Speaker Bagnariol. The Clerk called the roll and all members were present except Representative Smith (R), who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Grant Nelson, Dave Dietel and Sammy Drew. Prayer was offered by The Reverend George Mitchell of the First Christian Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGE FROM THE SENATE

February 19, 1980

Mr. Speaker:

The Senate failed to pass REENGROSSED HOUSE JOINT RESOLUTION NO. 22 with the following amendments:

On page 1, line 11 after "levied" insert "in any taxing district assenting thereto"

On page 1, line 11 after "of the" strike "real"

On page 1, after "public" on line 13 strike "development or" on line 14

On page 1, line 15 after "project." strike "A taxing authority shall not pledge funds for payment of such obligations from any state or local tax source other than those derived from the previously mentioned increase in true and fair value or other revenue derived from within such project; and such obligations shall not constitute general indebtedness of the taxing authority." and insert "A taxing authority shall not pledge funds for payment of such obligations from any state or local revenue source other than those tax revenues derived from the previously mentioned increase in true and fair value or those non-tax revenues derived from within such project; and such obligations shall not constitute general indebtedness of the taxing authority." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### SENATE AMENDMENTS TO HOUSE BILL

February 19, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 799 with the following amendments:

On page 1, line 12 strike "twelve" and insert "thirteen"

On page 1, line 14 strike "five" and insert "six"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

On motion of Mr. Ehlers, the House concurred in the Senate amendments to Substitute House Bill No. 799.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of Substitute House Bill No. 799 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 799 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 77; nays, 1; not voting, 20.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bauer, Bender, Berentson, Brekke, Brown, Charnley, Clayton, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McDonald, McGinnis, Mitchell, Monohon, Newhouse, Nisbet, North, O'Brien, Oliver, Patterson, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Valle, Van Dyken, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Dawson.

Not voting: Representatives Austin, Barr, Becker, Bond, Burns, Chandler, Craswell, Deccio, Lux, McCormick, Nelson D., Nelson G. A., Owen, Polk, Smith R., Sommers, Taller, Thompson, Tupper, Whiteside.

Substitute House Bill No. 799 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SIGNED BY THE SPEAKERS

Speaker Bagnariol announced the Speakers were signing:

HOUSE BILL NO. 277,  
 SUBSTITUTE HOUSE BILL NO. 1016,  
 SECOND SUBSTITUTE HOUSE BILL NO. 1141,  
 SUBSTITUTE HOUSE BILL NO. 1210,  
 HOUSE BILL NO. 1371,  
 SUBSTITUTE HOUSE BILL NO. 1416,  
 HOUSE BILL NO. 1434,  
 HOUSE BILL NO. 1435,  
 SUBSTITUTE HOUSE BILL NO. 1511,  
 HOUSE BILL NO. 1555,  
 SUBSTITUTE HOUSE BILL NO. 1575,  
 HOUSE BILL NO. 1585,  
 HOUSE BILL NO. 1586,  
 HOUSE BILL NO. 1829,  
 SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO. 29,  
 SECOND SUBSTITUTE SENATE BILL NO. 2748,  
 SUBSTITUTE SENATE BILL NO. 3140,  
 SENATE BILL NO. 3235,  
 SENATE BILL NO. 3245,  
 SENATE BILL NO. 3253,  
 SENATE BILL NO. 3404,  
 SUBSTITUTE SENATE BILL NO. 3405,  
 SUBSTITUTE SENATE BILL NO. 3611,  
 SENATE JOINT RESOLUTION NO. 132.

Speaker Bagnariol called on Mr. O'Brien to preside.

#### SENATE AMENDMENTS TO HOUSE BILL

February 15, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1454 with the following amendments:

On page 2, line 10 strike "That a maximum of five" and insert "Five"

On page 2, line 16 strike "quarterly or"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Charnley, the House concurred in the Senate amendments to Substitute House Bill No. 1454.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1454 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1454 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Jovanovich, Keller, King, Knowles,

Kreidler, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Oliver, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Chandler, Isaacson, Lux, Nelson G. A., Owen, Smith R., Thompson, Whiteside.

Substitute House Bill No. 1454 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### SENATE AMENDMENTS TO HOUSE BILL

February 15, 1980

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1432 with the following amendments:

On page 1, line 14 of the title after "29.04.170;" insert "declaring an emergency"

On page 7, after line 15 add the following new sections:

"Sec. 8. Section 29.27.080 as amended by chapter 9, Laws of 1965 and RCW 29.27.080 are each amended to read as follows:

"a) Notice for any state, county, district, or municipal election, whether special or general, shall be given by at least one publication not more than ten nor less than three days prior to the election by the county auditor or the officer conducting the election as the case may be, in one or more newspapers of general circulation within the county. Said legal notice shall contain the title of each office under the proper party designation, the names and addresses of all officers who have been nominated for an office to be voted upon at that election, together with the ballot titles of all measures, the hours during which the polls will be open, and that the election will be held in the regular polling places in each precinct, giving the address of each polling place: PROVIDED, That the names of all candidates for nonpartisan offices shall be published separately with designation of the offices for which they are candidates but without party designation. This shall be the only notice required for a state, county, district or municipal general or special election and shall supersede the provisions of any and all other statutes, whether general or special in nature, having different requirements for the giving of notice of any general or special elections.

(b) All school district elections held on February 5, 1980, at which the number and proportion of persons required by law voted to authorize bonds or tax levies, are hereby validated regardless of any failure to publish notice of such election. No action challenging the validity of any such election may be brought later than April 15, 1980, or thirty days from the regular polling date of this act, whichever is later. Notice of provisions of this subsection shall be published within five days after the effective date of this section of this 1980 act in a newspaper of general circulation within each county where a school district election was held on February 5, 1980, and where notice of such election was not published as provided in subsection (a).

NEW SECTION. Sec. 9. Section 8 of this 1980 act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its public institutions, and shall take effect immediately."

Re-number the remaining section consecutively, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Mr. Thompson, the House concurred in the Senate amendments to House Bill No. 1432.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of House Bill No. 1432 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1432 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Jovanovich, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Charnley.

Not voting: Representatives Chandler, Isaacson, Keller, Nelson G. A., Vrooman.

House Bill No. 1432 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 15, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1457 with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

\*Section 1. Section 4, chapter 46, Laws of 1949 and RCW 70.08.040 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the director of public health under this chapter shall be appointed by the mayor of the city of one hundred thousand population or more, such appointment to be effective only upon a majority vote confirmation of each ((governing body)) legislative authority of said city and said county. He shall be paid such salary and allowed such expenses as shall be determined annually by the ((governing bodies)) legislative authorities of said city and said county. He shall hold office for an indefinite term and may be removed at any time by the mayor of said city only for cause shown and after public hearing on charges reduced to writing, a copy of such charges having first been filed ten days prior to such public hearing with the ((governing bodies)) legislative authorities of said city and of said county.

(2) Where a combined department is established under this chapter involving a city with a population of four hundred thousand or more and a class AA county in which such city is located, the director of public health under this chapter shall be appointed by the county executive of the county and the mayor of the city for a term of four years and until a successor is appointed and confirmed. The director of public health may be reappointed by the county executive of the county and the mayor of the city for additional four year terms. The appointment shall be effective only upon a majority vote confirmation of the legislative authority of the county and the legislative authority of the city. The director may be removed by the county executive of the county, after consultation with the mayor of the city, upon filing a statement of reasons therefor with the legislative authorities of the county and the city.

Sec. 2. Section 5, chapter 46, Laws of 1949 and RCW 70.08.070 are each amended to read as follows:

((All)) Notwithstanding any provisions to the contrary contained in any city or county charter, and to the extent provided by the city and the county pursuant to appropriate legislative enactment, employees of the combined city and county health department ((except those already covered by civil service and retirement plans;)) may ((upon passage of an ordinance by the city;)) be included in the civil service and retirement plans of ((such)) the city or the county: PROVIDED, That residential requirements for such positions shall be coextensive with the county boundaries: PROVIDED FURTHER, That the city or county is authorized to pay such parts of the expense of operating and maintaining such civil service and retirement system and to contribute to the retirement fund in behalf of employees such sums as may be agreed upon between the ((governing bodies)) legislative authorities of such city and county.

Sec. 3. Section 6, chapter 46, Laws of 1949 and RCW 70.08.080 are each amended to read as follows:

The city by ordinance, and the county by ((resolution)) appropriate legislative enactment, under this chapter may pool all or any part of their respective funds available for public health purposes, in the office of the city treasurer or the office of the county treasurer in a special pooling fund to be established in accordance with agreements between the ((governing bodies)) legislative authorities of said city and county and which shall be expended for the combined health department.

NEW SECTION. Sec. 4. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, on line 1 of the title, after "departments;" strike the remainder of the title and insert "amending section 4, chapter 46, Laws of 1949 and RCW 70.08.040; amending section 5, chapter 46, Laws of 1949 and RCW 70.08.070; amending section 6, chapter 46, Laws of 1949 and RCW 70.08.080; and declaring an emergency."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Charnley, the House concurred in the Senate amendments to Substitute House Bill No. 1457.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1457 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1457 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greeno, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Sanders, Schmitt, Scott, Sherman, Smith C. P., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley.

Not voting: Representatives Chandler, Salatino, Smith R., Zimmerman.

Substitute House Bill No. 1457 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENT TO HOUSE BILL

February 18, 1980

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 427 with the following amendment:

On page 1, line 29 after "followed," strike "Evidence obtained pursuant to a warrant issued in violation of this subsection is inadmissible in all subsequent judicial proceedings."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Newhouse, the House concurred in the Senate amendment to Engrossed House Bill No. 427.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 427 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 427 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greeno, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Lux, Smith R., Wilson.

Engrossed House Bill No. 427 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENT TO HOUSE BILL

February 14, 1980

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 762 with the following amendment:

On page 1, after line 25 insert a new section to read as follows:

NEW SECTION. Sec. 3. The provisions of this 1980 amendatory act shall take effect on the effective date of a law enacted by the United States Congress enabling depository institutions in the state of

Washington to allow the owner of a deposit or account on which interest or dividends are paid to make withdrawals by negotiable or transferable instruments for the purpose of making transfers to third parties." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

On motion of Ms. Winsley, the House concurred in the Senate amendment to House Bill No. 762.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of House Bill No. 762 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 762 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Smith R.

House Bill No. 762 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### SENATE AMENDMENTS TO HOUSE BILL

February 14, 1980

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 714 with the following amendments:

On page 2, line 19 strike "1978" and insert "1979"

On page 2, line 28 strike "1979" and insert "1980"

On page 3, after line 5 insert:

"(4) License endorsements issued under this section are not transferable from one owner to another owner, except from parent to child or upon the death of the owner, before July 1, 1982."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTIONS

On motion of Mr. Vrooman, the House concurred in the Senate amendments to page 2.

On motion of Mr. Vrooman, the House refused to concur in the Senate amendment to page 3, and asked the Senate to recede therefrom.

### SENATE AMENDMENTS TO HOUSE BILL

February 15, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 551 with the following amendments:

On page 1, beginning on line 30 insert:

"(6) Visual or printed matter means any film, photograph, negative, slide, motion picture, video tape, book, magazine, or other mechanically reproduced visual or printed material."

On page 2, line 9 after "of a" strike all the material down to and including "fine" on line 12 and insert "Class B felony"

On page 2, line 20 after "3." strike all the material down to and including "fine" on line 29 and insert:

"A person who knowingly sends or causes to be sent, or brings or causes to be brought, into this state for sale or distribution, or in this state possesses, prepares, publishes, or prints with intent to distribute, sell, or exhibit to others for commercial consideration, any visual or printed matter which is obscene, knowing that

the production of such matter involves the use of a minor engaged in sexually explicit conduct and that the matter depicts such conduct, is guilty of a Class C felony\* and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Brown moved that the House do concur in the Senate amendments to Substitute House Bill No. 551.

Representatives Brown and Newhouse spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 551 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 551 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Smith R.

Substitute House Bill No. 551 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Polk, the House advanced to the eighth order of business.

#### RESOLUTION

HOUSE RESOLUTION NO. 80-143, by Representatives Becker and Van Dyken:

WHEREAS, Excellence in athletic ability is a commendable adjunct to academic endeavors; and

WHEREAS, The athletic program at Western Washington University is a "walk-on," no athletic scholarship activity; and

WHEREAS, Pat Locker, a senior at Western Washington University, has earned particular distinction on the gridiron as a halfback for the Vikings; and

WHEREAS, This season he became the first man in Northwest annals and only the 37th player in the 111-year history of college football to run for 4,000 yards in a career; and

WHEREAS, His four-year total of 4,049 yards comprises but one of his 12 football records at Western; and

WHEREAS, Pat Locker has been named first-team Kodak All-American College Division I, second-team NAIA Division I All-American, honorable mention Associated Press Little All-American, honorable mention United Press International All-Coast and the Miller Brewing Company's Offensive Player of the Year for the State of Washington; and

WHEREAS, Pat Locker also was named Little All-Northwest, NAIA District I All-Star and All-Evergreen Conference in each of his four seasons at Western;

NOW, THEREFORE, BE IT RESOLVED, That heartiest congratulations and best wishes be given to Pat Locker, a native of Ferndale, Washington, who has brought recognition and honor to himself, his coaches and teammates, his university's student body and alumni, his city and the entire Evergreen State, at this legislative session held this 21st day of February, 1980; and

BE IT FURTHER RESOLVED, That the Chief Clerks of the House of Representatives of the State of Washington shall transmit a copy of this Resolution to Pat Locker.

Ms. Becker moved adoption of the resolution.

Representatives Becker and Van Dyken spoke in favor of the resolution, and it was adopted.

#### MOTION

On motion of Mr. King, the House reverted to the sixth order of business.

#### SECOND READING

HOUSE BILL NO. 1533, by Representatives Thompson and Nelson (G):

Making an appropriation to the department of social and health services.

The bill was read the second time.

On motion of Mr. Nelson (G), Substitute House Bill No. 1533 was substituted for House Bill No. 1533, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1533 was read the second time.

Mr. Bond moved adoption of the following amendment by Representatives Bond and McGinnis:

On page 2, following line 12 insert a new subsection as follows:

"(4) The department of social and health services shall enter into an agreement with the town of Medical Lake obligating that town to supply police protection, one full-time fire department employee, and associated operating costs, for the department's property within the jurisdiction, for an amount not to exceed fifty-eight thousand dollars above the current contract."

Mr. Scott moved adoption of the following amendment to the amendment:

Strike everything after "with the" and insert "towns of Monroe and Medical Lake obligating those towns to supply police protection, one full-time fire department employee, and associated operating costs, for the department's property within those jurisdictions, for an amount not to exceed fifty-eight thousand dollars to each town above current contracts."

Mr. Scott spoke in favor of the amendment to the amendment.

#### POINT OF INQUIRY

Mr. Bond asked Mr. Scott to yield to question, and Mr. Scott refused to yield.

Representatives Thompson, Mitchell, McGinnis and King spoke in favor of the amendment to the amendment, and Representatives Struthers, Taller and Rosbach spoke against it.

Mr. Scott spoke again in favor of the amendment to the amendment, and Mr. Struthers again opposed it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Scott to the Bond/McGinnis amendment to Substitute House Bill No. 1533, and the amendment to the amendment was adopted by the following vote: Yeas, 58; nays, 38; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Bond, Brekke, Brown, Burns, Charney, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Schmitt, Scott, Sherman, Sommers, Sprague, Stratton, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Wilson.

Voting nay: Representatives Addison, Amen, Austin, Barnes, Barr, Berentson, Chandler, Clayton, Craswell, Deccio, Dunlap, Ellis, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, Newhouse, Nisbet, Oliver, Patterson, Polk, Rosbach, Sanders, Smith C. P., Struthers, Taller, Taylor, Teutsch, Tupper, Van Dyken, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Dawson, Smith R.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the Bond/McGinnis amendment as amended.

Mr. Bond spoke in favor of the amendment, and Ms. Becker spoke against it.

#### MOTION

Mr. Polk moved that further consideration of the amendment be deferred for twenty minutes to allow members time to prepare additional amendments to the amendment.

Mr. Polk spoke in favor of the motion, and Representatives Bond, Scott and McGinnis spoke against it.



## POINT OF ORDER

Mr. Polk: "Mr. Speaker, Mr. McGinnis is not speaking to my motion; he's debating the merits of the amendment before us and talking about Medical Lake and Monroe again. After all, that's not the point of my motion."

The Speaker (Mr. O'Brien presiding): "Your point is pretty well taken. Confine your remarks to the motion to defer action for twenty minutes, Representative McGinnis."

Mr. McGinnis concluded his remarks against the motion.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Polk: "Mr. Speaker, since I made the motion for twenty minutes, is the time started from the time the amendment was moved or from when I made the motion?"

The Speaker (Mr. O'Brien presiding): "I would imagine the time started when you made the motion, unless you want to make it to a time certain."

Mr. King demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion to defer consideration of the Bond/McGinnis amendment, and the motion was lost by the following vote: Yeas, 43; nays, 52; not voting, 3.

Voting yea: Representatives Amen, Austin, Barnes, Barr, Berentson, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Eng, Erak, Fancher, Flint, Fuller, Gallagher, Hastings, Houchen, Isaacson, Lux, May, McDonald, Nelson G. A., Nisbet, O'Brien, Owen, Patterson, Polk, Rosbach, Sanders, Sprague, Struthers, Taller, Teutsch, Tupper, Van Dyken, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Adams, Addison, Bagnariol, Bauer, Becker, Bender, Bond, Brekke, Brown, Burns, Charnley, Ehlers, Erickson, Flanagan, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Oliver, Pruitt, Rinehart, Salatino, Schmitten, Scott, Sherman, Smith C. P., Sommers, Stratton, Taylor, Thompson, Tilly, Valle, Vrooman, Walk, Wilson.

Not voting: Representatives North, Smith R., Warnke.

Speaker Bagnariol resumed the Chair.

Mr. Nisbet moved adoption of the following amendment by Representatives Nisbet and Owen to the Bond/McGinnis amendment:

On line 5 of the amendment insert "Forks and Shelton"

Mr. Nisbet spoke in favor of the amendment to the amendment, and Mr. Bond spoke against it.

## POINT OF ORDER

Mr. Nisbet: "Mr. Speaker, I object to the amendment being referred to as 'frivolous.'"

## SPEAKER'S RULING

Speaker Bagnariol: "Your point is well taken, and I would ask you, Representative Bond, and the other members of the House, to confine your remarks to the merits or demerits of the amendments being offered."

Mr. Owen spoke in favor of the amendment to the amendment, and it was adopted.

Ms. Rosbach moved adoption of the following amendment by Representatives Rosbach and Fuller to the Bond/McGinnis amendment:

On line 5 of the amendment insert "Naselle Youth Camp and Cedar Creek Adult Facility,"

Ms. Rosbach spoke in favor of the amendment to the amendment.

## MOTION

On motion of Mr. Salatino, further consideration of the amendment by Representatives Bond and McGinnis and the amendments thereto, was deferred.

Mr. Struthers moved adoption of the following amendment:

On page 2, line 13 strike all of subsection (4) down through "camp" on line 16 and insert the following: "(4) Funds appropriated to programs during the 1979-81 biennium may be expended to operate the Cedar Creek youth camp as an adult correctional facility, including, but not limited to, an honor camp."

## POINT OF ORDER

Mr. Keller: "Mr. Speaker, my point is that this amendment is not germane."

## SPEAKER'S RULING

Speaker Bagnariol: "Your point is well taken; the amendment is out of order."

## MOTION

On motion of Mr. King, further consideration of Substitute House Bill No. 1533 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 1532.

HOUSE BILL NO. 1532, by Representative Thompson:

Making an appropriation to the office of financial management.

The bill was read the second time.

On motion of Mr. Thompson, Substitute House Bill No. 1532 was substituted for House Bill No. 1532, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1532 was read the second time.

## MOTION

On motion of Mr. King, the House adjourned until 9:00 a.m., Friday, February 22, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## FORTIETH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Friday, February 22, 1980

The House was called to order at 9:00 a.m. by Speaker Berentson. The Clerk called the roll and all members were present except Representatives Chandler and Martinis.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Rodney Maxie, Rhonda Michelson and Marianne Dick. Prayer was offered by The Reverend George Smith of the First Christian Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGE FROM THE SENATE

February 20, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2616,  
SENATE BILL NO. 3202,  
SENATE BILL NO. 3320,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

### STANDING COMMITTEE APPOINTMENTS

Speaker Berentson appointed Representative Austin to Committee on Commerce, Committee on Judiciary and Committee on Social and Health Services.

Speaker Berentson announced the following committee changes: Representative Oliver from Committee on Commerce to Committee on Insurance; Representative Winsley from Committee on Judiciary to Committee on Institutions; and Representative Barr from Committee on Social and Health Services to Committee on Local Government.

Speaker Berentson appointed Representative Dawson as Co-Chairman of Committee on Insurance.

### REPORT OF STANDING COMMITTEE

February 21, 1980

SUBSTITUTE SENATE BILL NO. 3621, Prime Sponsor: Senator Walgren, creating special criminal justice task force. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Newhouse, Executive Chairman; Ellis, Knowles, Sherman, Tilly.

Passed to Committee on Rules for second reading.

Speaker Berentson declared the House to be at ease.

Speaker Berentson called the House to order.

### SECOND READING

SUBSTITUTE HOUSE BILL NO. 1532, by Committee on Appropriations (originally sponsored by Representative Thompson):

Making an appropriation to the office of financial management.

The bill was read the second time.

Mr. Polk moved adoption of the following amendment:

On page 3, after line 8 insert the following:

**"NEW SECTION.** Sec. 3. The office of financial management shall place in reserve status 3% of the general fund—state appropriations made by the forty-sixth legislature. Such moneys shall remain in reserve status and shall not be authorized for expenditure through the allotment process. This section does not apply to sections 34, 38, or 100 of chapter 270, Laws of 1979 ex. sess."

Renumber the remaining section consecutively.

## POINT OF ORDER

Mr. King: "Mr. Speaker, my point of order is that this amendment is out of order. It expands the title of the bill; it's beyond the scope and object of the bill. The bill is an act dealing with the Office of Financial Management and this amendment is an amendment which would reduce the budgets of most of the agents of state government by about 6%."

Speaker Berentson declared the House to be at ease.

Speaker Berentson called the House to order.

## MOTION

On motion of Mr. Polk, Substitute House Bill No. 1533 was placed on the calendar for immediate consideration.

SUBSTITUTE HOUSE BILL NO. 1533 by Committee on Appropriations (originally sponsored by Representatives Thompson and Nelson, G.):

Making an appropriation to the department of social and health services.

The bill was read the second time.

## MOTION

On motion of Mr. Dunlap, further consideration of Substitute House Bill No. 1533 was deferred.

## SENATE AMENDMENTS TO HOUSE BILL

February 19, 1980

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1447 with the following amendments:

On page 18, line 31 strike "This section shall not" and insert "Nothing contained herein shall"

On page 18, beginning on line 32 strike "trespass upon the owner's" and insert "the owner's private"

On page 31, line 23 strike "specifically for that purpose" and insert "((for that purpose)) for the acquisition of a specific property"

On page 58, line 15 after "of origin." insert "A person who is now otherwise lawfully diverting water from a lake, river or stream shall not be deemed guilty of a violation of this section."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Schmitt, the House concurred in the Senate amendments to Engrossed House Bill No. 1447.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Engrossed House Bill No. 1447 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1447 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Charnley, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Clayton, Flanagan, Newhouse.

Not voting: Representatives Chandler, Martinis.

Engrossed House Bill No. 1447 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

February 19, 1980

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1458 with the following amendments:

On page 1, after line 29 insert the following:

\*Sec. 2. Section 74.08.335, chapter 26, Laws of 1959 as amended by section 330, chapter 141, Laws of 1979 and RCW 74.08.335 are each amended to read as follows:

((Public)) Aid to families with dependent children and general assistance shall not be granted ((under this title)) to any person who has made an assignment or transfer of property for the purpose of rendering himself eligible for the assistance ((under this title)). ((Any person who shall have transferred or shall)) There is a rebuttable presumption that a person who has transferred or transfers any real or personal property or any interest in property within two years of the date of application for ((public)) the assistance without receiving adequate monetary consideration therefor, did so for the purpose of rendering himself eligible for the assistance. Any person who transfers property for the purpose of rendering himself eligible for assistance, or any person who after becoming a recipient transfers any property or any interest in property without the consent of the secretary, shall be ineligible for ((public)) assistance for a period of time during which the reasonable value of the property so transferred would have been adequate to meet ((his)) the person's needs under normal conditions of living: PROVIDED, That the secretary is hereby authorized to allow exceptions in cases where undue hardship would result from a denial of assistance.

On page 1, line 1 of the title, strike "and"

On page 1, line 4 of the title, after "74.08.025" and before the period insert "; and amending section 74.08.335, chapter 26, Laws of 1959 as amended by section 330, chapter 141, Laws of 1979 and RCW 74.08.335"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Whiteside, the House concurred in the Senate amendments to House Bill No. 1458.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of House Bill No. 1458 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1458 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Chandler, Martinis.

House Bill No. 1458 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENT TO HOUSE BILL

February 18, 1980

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1486 with the following amendment:

On page 2, line 7 after "director" strike all of the material down to the period on line 8.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Vrooman, the House concurred in the Senate amendment to Engrossed House Bill No. 1486.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Engrossed House Bill No. 1486 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1486 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Chandler, Martinis.

Engrossed House Bill No. 1486 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

February 15, 1980

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1521 with the following amendments:

Strike everything after the enacting clause and insert:

'Section 1. Section 74.04.005, chapter 26, Laws of 1959 as last amended by section 294, chapter 141, Laws of 1979 and RCW 74.04.005 are each amended to read as follows:

For the purposes of this title, unless the context indicates otherwise, the following definitions shall apply:

(1) 'Public assistance' or 'assistance'—Public aid to persons in need thereof for any cause, including services, medical care, assistance grants, disbursing orders, work relief, general assistance and federal-aid assistance.

(2) 'Department'—The department of social and health services.

(3) 'County or local office'—The administrative office for one or more counties or designated service areas.

(4) 'Secretary'—The secretary of social and health services.

(5) 'Federal-aid assistance'—The specific categories of assistance for which provision is made in any federal law existing or hereafter passed by which payments are made from the federal government to the state in aid or in respect to payment by the state for public assistance rendered to any category of needy persons (~~including old-age assistance, medical assistance, aid to families with dependent children, aid to the permanently and totally disabled persons, aid to the blind, child welfare services, and any other programs of public assistance~~) for which provision for federal funds or aid may from time to time be made.

(6) 'General assistance'—Shall include aid to unemployable persons and unemployed employable persons who are not eligible to receive or are not receiving federal-aid assistance.

(a) 'Unemployable persons' are those persons who by reason of bodily or mental infirmity or other cause are substantially incapacitated from gainful employment.

(b) 'Unemployed employable persons' are those persons who although capable of gainful employment are unemployed.

(7) 'Medical indigents'—Are persons without income or resources sufficient to secure necessary medical services.

(8) 'Applicant'—Any person who has made a request, or on behalf of whom a request has been made, to any county or local office for assistance.

(9) 'Recipient'—Any person receiving assistance (~~or currently approved to receive assistance at any future date~~) and in addition those dependents whose needs are included in the recipient's (~~grant~~) assistance.

(10) 'Requirement'—Items of goods and services included in the state department of social and health services standards of assistance and required by an applicant or recipient to maintain a defined standard of living.

(11) 'Resource'—Any asset, tangible or intangible, owned by or available to the applicant at the time of application, which can be applied toward meeting the applicant's need, either directly or by conversion into money or its equivalent: PROVIDED, That an applicant may retain the following described resources and not be ineligible for public assistance because of such resources.

(a) A home, which is defined as real property owned and used by an applicant or recipient as a place of residence, together with a reasonable amount of property surrounding and contiguous thereto, which is used

by and useful to the applicant. Whenever a recipient shall cease to use such property for residential purposes, either for himself or his dependents, the property shall be considered as income which can be made available to meet need, and if the recipient or his dependents absent themselves from the home for a period of ninety consecutive days such absence, unless due to hospitalization or health reasons or a natural disaster, shall raise a rebuttable presumption of abandonment: PROVIDED, That if in the opinion of three physicians the recipient will be unable to return to the home during his lifetime, and the home is not occupied by a spouse or dependent children or disabled sons or daughters, such property shall be considered as income which can be made available to meet need.

(b) ~~Household furnishings and personal ((clothing used and useful to the person)) effects and other personal property having great sentimental value to the applicant or recipient.~~

(c) ~~((Automobile(s))) Term and burial insurance for use of the applicant or recipient.~~

(d) ~~Vehicle(s) used and useful((-d) Cash of not to exceed two hundred dollars for a single person or four hundred dollars for a family unit of two, or marketable securities of such value. This maximum shall be increased by twenty-five dollars for each additional member of the family unit) having an equity value not to exceed one thousand five hundred dollars.~~

(e) Life insurance having a cash surrender value not to exceed seven hundred fifty dollars until July 1, 1981, and thereafter one thousand five hundred dollars.

(f) ~~((Other personal property and belongings which are used and useful or which have great sentimental value to the applicant or recipient)) Cash, marketable securities, and any excess of values exempted under (d) and (e) of this section, not to exceed seven hundred fifty dollars for a single person or one thousand two hundred fifty dollars for a family unit of two or more until July 1, 1981, and thereafter one thousand five hundred dollars for a single person or two thousand two hundred fifty dollars for a family unit of two or more.~~

((Whenever such person ceases to make use of any of the property specified in items (b), (c) and (f) of this section, the same shall be considered as income available to meet need: PROVIDED, That the department may by rule and regulation exempt such personal property and belongings which can be used by the applicant or recipient to decrease his need for public assistance or aid in rehabilitating him or his dependents:))

(g) ~~((The department shall by rule and regulation fix the ceiling value for the individual or family unit for all property and belongings as defined in items (c), (d) and (e) of this section. In establishing such ceiling, the department shall establish a sliding scale based upon the family size:)) If an applicant for or recipient of public assistance possesses property and belongings in excess of the ceiling value, such value shall be used in determining the need of the applicant or recipient: PROVIDED, That in the determination of need of applicants for or recipients of general assistance for unemployed employables no resources or income shall be considered as exempt per se, but the department may by rule and regulation adopt standards which will permit the exemption of the home and personal property and belongings from consideration as an available resource or income when such resources or income are determined to be necessary to the applicant's or recipient's restoration to independence. The department may by rule and regulation exempt personal property and belongings and income-producing property which can be used by the applicant or recipient to decrease his or her need for public assistance or aid in rehabilitating the applicant or recipient or his or her dependents.~~

(12) 'Income'—All appreciable gains in real or personal property (cash or kind) or other assets, which are received by or become available for use and enjoyment by an applicant or recipient after applying for or receiving public assistance: PROVIDED, That all necessary expenses that may reasonably be attributed to the earning of income shall be considered in determining net income: PROVIDED FURTHER, That the department may by rule and regulation exempt income received by an applicant for or recipient of public assistance which can be used by him to decrease his need for public assistance or to aid in rehabilitating him or his dependents, but such exemption shall not, unless otherwise provided in this title, exceed the exemptions of resources granted under this chapter to an applicant for public assistance: ((PROVIDED FURTHER, That in determining the amount of assistance to which a recipient of aid to the blind is entitled or to which any dependent of such recipient may be entitled under any category of public assistance, the department is hereby authorized to disregard as a resource or income the first eighty-five dollars per month of any earned income plus one-half of earned income in excess of eighty-five dollars per month and for a period of not in excess of thirty-six months such additional amounts of other income and resources, in the case of an individual who has a plan for achieving self-support approved by the department, as may be necessary for the fulfillment of such plan of such blind recipient who is otherwise eligible for an aid to the blind grant:)) PROVIDED FURTHER, That in determining the amount of assistance to which a recipient of aid to families with dependent children is entitled, the department is hereby authorized to disregard as a resource or income ((a) with respect to a child who is not a full-time employee and who is a full-time or part-time student attending a school, college, or university, or a course of vocational or technical training designed to fit him for gainful employment, all of the earned income of such child; and (b) with respect to any other dependent child, adult, or other person in the home whose needs are taken into account in making such determination, the first thirty dollars of the total of their earned income for such month and one-third of the remainder)) the earned income exemptions consistent with federal requirements: PROVIDED FURTHER, The department may permit the above exemption of earnings of a child to be retained by such child to cover the cost of special future identifiable needs even though the total exceeds the exemptions or resources granted to applicants and recipients of public assistance, but consistent with federal requirements((-PROVIDED FURTHER, That in determining the amount of assistance to which a recipient of old

age assistance is entitled, the department is hereby authorized to disregard as a resource or income the first twenty dollars per month of any earned income plus one-half of additional earnings up to eighty dollars of such recipient who is otherwise eligible for an old age assistance grant, but the total amount of earnings or other income if accumulated shall not, when added to the amount of cash or marketable securities exempted under (d) of subsection (11) of this section, exceed the total amounts exempted under that subsection for a family unit. PROVIDED FURTHER, That a recipient of aid to the blind may accumulate without penalty from such exempt income, an amount not to exceed the maximum value of personal property as established by the department pursuant to this section less other cash, marketable securities, cash surrender value of insurance and/or car held by such recipient): In formulating rules and regulations pursuant to this chapter the department shall define 'earned income' ((in such a manner as to meet with the approval of the department of health, education and welfare and PROVIDED FURTHER, That) consistent with federal requirements. All resources and income not specifically exempted, and any income or other economic benefit derived from the use of, or appreciation in value of, exempt resources, shall be considered in determining the need of an applicant or recipient of public assistance.

(13) 'Need'—The difference between the applicant's or recipient's cost of requirements for himself and the dependent members of his family, as measured by the standards of the department, and value of all nonexempt resources and nonexempt net income received by or available to the applicant or recipient and the dependent members of his family.

(14) In the construction of words and phrases used in this title, the singular number shall include the plural, the masculine gender shall include both the feminine and neuter genders and the present tense shall include the past and future tenses, unless the context thereof shall clearly indicate to the contrary.

Sec. 2. Section 74.04.300, chapter 26, Laws of 1959 as last amended by section 306, chapter 141, Laws of 1979 and RCW 74.04.300 are each amended to read as follows:

If a recipient receives public assistance for which he is not eligible, or receives public assistance in an amount greater than that for which he is eligible, the portion of the payment to which he is not entitled shall be a debt due the state: PROVIDED, That if any part of any assistance payment is obtained by a person as a result of a wilfully false statement, or representation, or impersonation, or other fraudulent device, or wilful failure to reveal resources or income, one hundred twenty-five percent of the amount of assistance to which he was not entitled shall be a debt due the state and shall become a lien against the real and personal property of such person from the time of filing by the department with the county auditor of the county in which the person resides or owns property, and such lien claim shall have preference to the claims of all unsecured creditors. It shall be the duty of recipients of public assistance to notify the department within twenty days of the receipt or possession of all income or resources not previously declared to the department, and any failure to so report shall be prima facie evidence of fraud: PROVIDED FURTHER, That there shall be no liability placed upon recipients for receipt of overpayments of public assistance which result from error on the part of the department and no fault on the part of the recipient in obtaining or retaining the assistance if the recovery thereof would be inequitable as determined by the secretary or his designee or when the department determines that the cost of collection exceeds the amount recoverable from a non-fraudulent overpayment.

Debts due the state pursuant to the provisions of this section, may be recovered by the state by deduction from the subsequent assistance payments to such persons or may be recovered by a civil action instituted by the attorney general.

NEW SECTION. Sec. 3. There is appropriated from the general fund to the department of social and health services for the biennium ending June 30, 1981, the sum of five hundred thousand dollars, or as much thereof as may be necessary, to carry out the purposes of this act."

In the title, page 1, line 1, strike everything after "assistance;" and insert "amending section 74.04.005, chapter 26, Laws of 1959 as last amended by section 294, chapter 141, Laws of 1979 and RCW 74.04.005; amending section 74.04.300, chapter 26, Laws of 1959 as last amended by section 306, chapter 141, Laws of 1979 and RCW 74.04.300; and making an appropriation." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Whiteside, the House concurred in the Senate amendments to House Bill No. 1521.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of House Bill No. 1521 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1521 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King,



Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Barr.

Not voting: Representatives Chandler, Martinis.

House Bill No. 1521 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

### SUBSTITUTE HOUSE BILL NO. 1533:

Making an appropriation to the department of social and health services.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

Speaker Berentson stated the question before the House to be the amendment by Representatives Bond and McGinnis as amended.

With the consent of the House, Mr. Bond withdrew the amendment.

Ms. Becker moved adoption of the following amendment by Representatives Becker and Struthers:

On page 2, line 13 strike all of subsection (4) down through "camp" on line 16 and insert the following: "(4) Funds appropriated to programs during the 1979-81 biennium may be expended temporarily on an emergency basis to operate the Cedar Creek youth camp as an adult correctional facility, including, but not limited to, an honor camp until March 1, 1981. Use of the Cedar Creek youth camp for adult correctional purposes after March 1, 1981, is contingent upon legislative approval: PROVIDED, That the department of social and health services shall submit a report to the house committee on appropriations, the house committee on institutions, and the senate committee on ways and means no later than August 1, 1980, which shall detail the specific criteria used by the department in determining whether or not to place an inmate in an honor camp or any other minimum security facility and specifying, with respect to each offender placed in any such facility during the current biennium, that offender's age and criminal record and any indication of assaultive behavior in the offender's criminal history."

Mr. Keller moved adoption of the following amendment by Representatives Keller and Kreidler to the Becker/Struthers amendment:

On the last line of the amendment after "history" insert ": AND PROVIDED FURTHER, That no inmate placed at Cedar Creek shall have been transferred from the state penitentiary at Walla Walla, nor shall any inmate placed at Cedar Creek have a criminal record or history of assaultive behavior against persons: AND PROVIDED FURTHER, That each inmate placed at Cedar Creek shall spend at least thirty hours per week in a forestry program under close supervision or in a daytime education program inside the facility."

Representatives Keller and Kreidler spoke in favor of the amendment to the amendment, and Representatives Struthers and Becker spoke against it.

## POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Deccio.

Mr. Deccio: "Representative Kreidler, what do you mean by 'nor shall any inmate placed in Cedar Creek have a criminal record or history of assaultive behavior against persons?' Would that include someone with a criminal record and not having been convicted of a nonviolent crime?"

Mr. Kreidler: "The amendment, Representative Deccio, clearly indicates what the department said—that they were not going to have violent criminals or criminals with violent criminal history and record placed at Cedar Creek. That language clearly defines exactly what that means to the Cedar Creek community and the Littlerock areas. When the department said they wouldn't be violent criminals, this language takes it one step further to guarantee that."

Mr. Deccio spoke against the amendment to the amendment, and Mr. Owen spoke in favor of it.

## POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Newhouse.

Mr. Newhouse: "In reading your amendment, Representative Kreidler, I see that under that language no one who has been at Walla Walla could ever be transferred to Cedar Creek and obviously there are quite a few inmates down there who have not been convicted of a crime of assaultive behavior or crime against persons. Are you intending that those types of prisoners could not be put into the work-release program at Cedar Creek?"

Mr. Kreidler: "The department assured the Littlerock community when they made the conversion that they would put no prisoners coming from Walla Walla into the Cedar Creek facility. That was the assurance given that community and this carries it to the literal point. If they are going to state that fact, then we'll make it a fact."

Representatives Newhouse and Nisbet spoke against the amendment to the amendment.

Representatives Keller and Kreidler spoke again in favor of the amendment to the amendment, and Representatives Deccio and Struthers again opposed it.

Mr. Keller demanded an electric roll call vote on the amendment to the amendment, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Keller and Kreidler to the Becker/Struthers amendment to Substitute House Bill No. 1533, and the amendment to the amendment was not adopted by the following vote: Yeas, 32; nays, 63; not voting, 3.

Voting yea: Representatives Bagnariol, Bauer, Bender, Brekke, Brown, Ehlers, Eng, Gallagher, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, Monohon, North, Owen, Pruitt, Rinehart, Smith R., Stratton, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Adams, Addison, Amen, Austin, Barnes, Barr, Becker, Berentson, Bond, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Galloway, Garrett, Granlund, Greengo, Hastings, Houchen, Isaacson, McCormick, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Newhouse, Nisbet, O'Brien, Oliver, Patterson, Polk, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Sommers, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Chandler, Martinis, Sprague.

Speaker Berentson stated the question before the House to be the amendment by Representatives Becker and Struthers.

Representatives Becker and Struthers spoke in favor of the amendment, and Mr. Hughes spoke against it.

## POINT OF ORDER

Mr. Struthers: "Mr. Speaker, I believe the current speaker is not addressing the issue at all. He's getting into personalities, and he's not talking about the issue before the House. I wish he would confine his remarks to the issue of the Cedar Creek Honor Camp."

Speaker Berentson: "Mr. Hughes, please confine your remarks to the amendment."

Mr. Hughes concluded his remarks in opposition to the amendment.

Representatives Nelson (G) and Taller spoke in favor of the amendment, and Mr. Kreidler spoke against it.

Mr. Keller demanded an electric roll call vote, and the demand was sustained.

Mr. Polk spoke in favor of the amendment.

## POINT OF ORDER

Mr. Thompson: "Mr. Speaker, I would be much more interested in Representative Polk's views on the amendment."

Speaker Berentson: "Representative Polk, would you speak to the amendment."

Mr. Polk continued his remarks in favor of the amendment.

POINT OF ORDER

Mr. Salatino: "Mr. Speaker, I would again ask that Representative Polk refrain from talking about taxes and budget and keep his comments to the specific details of the amendment."

Speaker Berentson: "Representative Polk, I'm sure you will do that."

Mr. Polk concluded his remarks in favor of the amendment, and Representatives Thompson and Nelson (G) also spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Becker and Struthers to Substitute House Bill No. 1533, and the amendment was adopted by the following vote: Yeas, 86; nays, 10; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Decchio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Galloway, Garrett, Granlund, Greengo, Gruger, Hastings, Heck, Houchen, Isaacson, Jovanovich, King, Knowles, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, O'Brien, Oliver, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Gallagher, Grimm, Hughes, Keller, Kreidler, North, Owen, Sherman, Walk, Warnke.

Not voting: Representatives Chandler, Martinis.

Speaker Berentson called on Mr. Newhouse to preside.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly, Smith (R), Schmitt, Rosbach, Fuller, Granlund, Craswell, Monohon and Erak:

On page 2, after line 16, insert a new section to read as follows:

\*Sec. 2. Section 65, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—

|                                            |               |
|--------------------------------------------|---------------|
| General Fund Appropriation - State .....   | \$ 70,935,000 |
| General Fund Appropriation - Federal ..... | \$103,001,000 |
| Total Appropriation .....                  | \$ 7,792      |

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Fifty-two FTE's shall be utilized in the delinquency prevention and crisis intervention intake services program. During the 1979-81 biennium, the juvenile delinquency prevention services program shall be maintained without any significant changes.

(2) Not more than 258 FTE staff years and \$7,852,000 (of which \$7,736,000 shall be from federal funds) shall be utilized in the disability insurance benefits section.

(3) The department of social and health services shall obtain competitive bids from the private sector for the purposes of the administration of the dental program with medical assistance."

Re-number the remaining sections consecutively.

Mr. Whiteside moved adoption of the following amendment by Representatives Whiteside and Becker to the amendment by Representative Tilly and others:

On line 12 of the amendment after "FTE's" insert "and \$903,000"

Mr. Whiteside spoke in favor of the amendment to the amendment.

POINT OF INQUIRY

Mr. Whiteside yielded to question by Mr. Schmitt.

Mr. Schmitt: "Representative Whiteside, if this body were to pass this appropriation, would it be your intent to continue the delinquency prevention program as it currently is without transfers to the welfare offices, the CSO program?"

Mr. Whiteside: "No, the intent would be to support the DPS program."

Mr. Schmitt: "I'm not sure where your dollars go in this amendment. In your dialogue, you seemed very concerned about crisis intervention and indicated you wanted the dollars to go to the delinquency services program. As I read your amendment, it states that fifty-two FTE's and \$903,000 shall be utilized in the delinquency prevention program and crisis intervention program. Who gets the money?"

Mr. Whiteside: "This amount of money would be in this program because there are instances where these delinquency prevention people are not only in that particular field, but

also are offering their services or their services are available, for crisis intervention in the state, too. I would like to see them work in that area also."

Representatives Tilly and Smith (R) spoke against the amendment to the amendment, and Ms. Becker spoke in favor of it.

The amendment was not adopted.

The Speaker (Mr. Newhouse presiding) stated the question before the House to be the amendment by Representative Tilly and others.

Representatives Tilly, Dawson, Rosbach and Smith (R) spoke in favor of the amendment, and Representatives Brekke and Whiteside spoke against it.

Mr. Tilly spoke again in favor of the amendment, and Mr. Whiteside again opposed it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly and others to Substitute House Bill No. 1533, and the amendment was not adopted by the following vote: Yeas, 26; nays, 67; not voting, 5.

Voting yea: Representatives Barr, Bender, Charnley, Craswell, Dawson, Eberle, Erak, Fancher, Fuller, Granlund, Gruger, Hastings, Houchen, Mitchell, Monohon, Oliver, Polk, Pruitt, Rosbach, Schmitt, Scott, Smith R., Stratton, Taller, Tilly, Wilson.

Voting nay: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Bauer, Becker, Bond, Brekke, Brown, Burns, Clayton, Deccio, Dunlap, Ehlers, Ellis, Eng, Erickson, Flanagan, Flint, Gallagher, Galloway, Garrett, Greengo, Grimm, Heck, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McGinnis, Nelson D., Nelson G. A., Newhouse, Nisbet, North, Owen, Patterson, Rinehart, Salatino, Sanders, Sherman, Smith C. P., Sommers, Sprague, Struthers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Berentson, Chandler, Martinis, McDonald, O'Brien.

Mr. Vrooman moved adoption of the following amendment:

On page 2, after line 16 insert the following:

\*Sec. 2. Section 177, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

#### FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE ADULT CORRECTIONS PROGRAM

(1) To construct and equip one 100-bed honor camp: PROVIDED, That as of the effective date of this 1980 act, no additional moneys may be expended from the appropriation contained in this section, including construction of an honor camp in Skagit County. Such portion of the appropriation that is unexpended as of the effective date of this 1980 act, or so much thereof as may be necessary, is appropriated to the department of social and health services and shall be expended to develop at least one hundred minimum security beds to be distributed at one or more of the existing minimum security adult correctional facilities.

|                  |            | Reappropriation | Appropriation |
|------------------|------------|-----------------|---------------|
| DSHS Constr Acct |            | 3,260,000       | -0-           |
| Project          | Estimated  | Estimated       | Estimated     |
| Costs            | Costs      | Total           | Completion    |
| Through          | 7/1/81 and | Costs           | Date          |
| 6/30/79          | Thereafter |                 |               |
| 40,000           | -0-        | 3,300,000       | 7/80          |

(2) To renovate and repair roofs, Washington Corrections Center.

|                  |            | Reappropriation | Appropriation |
|------------------|------------|-----------------|---------------|
| DSHS Constr Acct |            | 255,000         | -0-           |
| Project          | Estimated  | Estimated       | Estimated     |
| Costs            | Costs      | Total           | Completion    |
| Through          | 7/1/81 and | Costs           | Date          |
| 6/30/79          | Thereafter |                 |               |
| 521,000          | -0-        | 776,000         | 10/79         |

(3) To remodel food service area and replace obsolete equipment, Washington State Penitentiary; except that, if construction has not begun by 3/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve:

|                  |  | Reappropriation | Appropriation |
|------------------|--|-----------------|---------------|
| DSHS Constr Acct |  | 1,993,000       | -0-           |

| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| -0-                           | -0-                                   | 1,993,000             | 1/81                      |

(4) For remodeling of dental areas, Washington State Penitentiary; except that, if construction has not begun by 2/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

| CEP & RI Acct | Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Reappropriation Estimated Total Costs | Appropriation Estimated Completion Date |
|---------------|-------------------------------|---------------------------------------|---------------------------------------|-----------------------------------------|
|               | -0-                           | -0-                                   | 145,000                               | -0-                                     |
|               |                               |                                       | 145,000                               | 6/80                                    |

(5) To improve security, facilities, and utilities, Washington State Penitentiary; except that, if construction has not begun by 9/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

| DSHS Constr Acct | Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Reappropriation Estimated Total Costs | Appropriation Estimated Completion Date |
|------------------|-------------------------------|---------------------------------------|---------------------------------------|-----------------------------------------|
|                  | 101,000                       | 6,966,000                             | -0-                                   | 5,924,000                               |
|                  |                               |                                       | 12,991,000                            | 6/84                                    |

(6) To construct and equip 120-bed medium security unit, Washington Corrections Center; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

| DSHS Constr Acct | Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Reappropriation Estimated Total Costs | Appropriation Estimated Completion Date |
|------------------|-------------------------------|---------------------------------------|---------------------------------------|-----------------------------------------|
|                  | 25,000                        | -0-                                   | 42,000                                | 3,361,000                               |
|                  |                               |                                       | 3,427,000                             | 9/81                                    |

(7) To convert 300-bed minimum security building at Walla Walla to medium security facility; except that, if construction has not begun by 8/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

| DSHS Constr Acct | Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Reappropriation Estimated Total Costs | Appropriation Estimated Completion Date |
|------------------|-------------------------------|---------------------------------------|---------------------------------------|-----------------------------------------|
|                  | 53,000                        | 1,690,000                             | 100,000                               | 5,275,000                               |
|                  |                               |                                       | 7,118,000                             | 6/83                                    |

(8) To convert former women's quarters to 100-bed minimum custody unit, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

| DSHS Constr Acct | Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Reappropriation Estimated Total Costs | Appropriation Estimated Completion Date |
|------------------|-------------------------------|---------------------------------------|---------------------------------------|-----------------------------------------|
|                  | 19,000                        | -0-                                   | 321,000                               | 1,073,000                               |
|                  |                               |                                       | 1,412,000                             | 3/81                                    |

(9) To construct and equip maximum security facility, Washington State Reformatory.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 8,342,000             | 1,654,000                 |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 2,058,000                     | -0-                                   | 12,054,000            | 7/81                      |

(10) To provide fire and safety improvements, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                                     |                                       | Reappropriation       | Appropriation             |
|-------------------------------------|---------------------------------------|-----------------------|---------------------------|
| General Fund—State DSHS Constr Acct |                                       | 23,000                | -0-                       |
| Project Costs Through 6/30/79       | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 128,000                             | -0-                                   | 900,000               | 1/81                      |

(11) To provide fire and safety improvements, Washington State Reformatory; except that, if construction has not begun by 11/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                                |                                       | Reappropriation       | Appropriation             |
|--------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct CEP & RI Acct |                                       | -0-                   | 1,304,000                 |
| Project Costs Through 6/30/79  | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 27,000                         | -0-                                   | 1,681,000             | 9/81                      |

(12) To renovate and expand visiting/dining/recreation facilities, Washington State Reformatory; except that, if construction has not begun by 12/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 1,524,000                 |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 1,524,000             | 2/82                      |

(13) To renovate and convert gang showers to individual showers, Washington State Penitentiary; except that, if construction has not begun by 6/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 402,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 402,000               | 3/81                      |

(14) To provide three prefabricated steel buildings, Washington State Reformatory; except that, if construction has not begun by 3/15/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                  |           | Reappropriation | Appropriation |
|------------------|-----------|-----------------|---------------|
| DSHS Constr Acct |           | -0-             | 386,000       |
| Project          | Estimated | Estimated       | Estimated     |

| Costs Through 6/30/79 | Costs 7/1/81 and Thereafter | Total Costs | Completion Date |
|-----------------------|-----------------------------|-------------|-----------------|
| -0-                   | -0-                         | 386,000     | 8/80            |

(15) To construct and equip multipurpose building, Pine Lodge Correction Center; except that, if construction has not begun by 9/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 248,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 248,000               | 4/81                      |

(16) To renovate and expand Industries Building, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| General Fund—Federal          |                                       | -0-                   | 414,000                   |
| DSHS Constr Acct              |                                       | -0-                   | 305,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 719,000               | 11/80                     |

(17) To renovate and repair roofs, Washington Corrections Center; except that, if construction has not begun by 11/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 273,000               | 346,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 503,000                       | -0-                                   | 1,122,000             | 8/80                      |

(18) To repair perimeter walls, Washington State Reformatory; except that, if construction has not begun by 7/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 617,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 617,000               | 11/80                     |

(19) To purchase and install an electronic perimeter security system, Washington Corrections Center.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 300,000               | -0-                       |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 76,000                        | -0-                                   | 376,000               | 7/79                      |

(20) To renovate and open work training release facility, Geiger Field.

|                  |  | Reappropriation | Appropriation |
|------------------|--|-----------------|---------------|
| DSHS Constr Acct |  | 600,000         | -0-           |

| Project<br>Costs<br>Through<br>6/30/79 | Estimated<br>Costs<br>7/1/81 and<br>Thereafter | Estimated<br>Total<br>Costs | Estimated<br>Completion<br>Date |
|----------------------------------------|------------------------------------------------|-----------------------------|---------------------------------|
| 20,000                                 | -0-                                            | 620,000                     | 1/80                            |

(21) To renovate and repair roofs, Women's Treatment Center; except that, if construction has not begun by 6/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

| Project<br>Costs<br>Through<br>6/30/79 | Estimated<br>Costs<br>7/1/81 and<br>Thereafter | Reappropriation<br>Estimated<br>Total<br>Costs | Appropriation<br>Estimated<br>Completion<br>Date |
|----------------------------------------|------------------------------------------------|------------------------------------------------|--------------------------------------------------|
| -0-                                    | -0-                                            | 112,000                                        | 10/80                                            |

(22) To provide preliminary design, site preparation, and steam plant for new 500-bed medium security facility.

| Project<br>Costs<br>Through<br>6/30/79 | Estimated<br>Costs<br>7/1/81 and<br>Thereafter | Reappropriation<br>Estimated<br>Total<br>Costs | Appropriation<br>Estimated<br>Completion<br>Date |
|----------------------------------------|------------------------------------------------|------------------------------------------------|--------------------------------------------------|
| -0-                                    | 27,126,000                                     | 32,555,000                                     | 6/83*                                            |

Renumber the remaining sections consecutively.

Mr. Scott moved adoption of the following amendment to the Vrooman amendment: .  
On page 1, line 18 after "facilities" insert "except the Monroe Honor Farm"

Representatives Scott and Mitchell spoke in favor of the amendment to the amendment, and Ms. Becker spoke against it.

Mr. Scott spoke again in favor of the amendment to the amendment.

The amendment to the amendment was not adopted.

The Speaker (Mr. Newhouse presiding) stated the question before the House to be the amendment by Mr. Vrooman.

Representatives Vrooman and Becker spoke in favor of the amendment, and Representatives Struthers and Van Dyken spoke against it.

#### POINT OF INQUIRY

Mr. Vrooman yielded to question by Ms. Houchen.

Ms. Houchen: "Representative Vrooman, is it your intention with this amendment to think of reestablishment of the 100-bed facility in Skagit County?"

Mr. Vrooman: "Yes, and have it removed to existing site as it is worded."

Ms. Houchen spoke against the amendment, and Mr. Vrooman closed debate, speaking again in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Vrooman to Substitute House Bill No. 1533, and the amendment was not adopted by the following vote: Yeas, 47; nays, 47; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, Monohon, Nelson D., North, Owen, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Stratton, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Austin, Barnes, Barr, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, O'Brien, Oliver, Patterson, Polk,



Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Tallor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Berentson, Chandler, Martinis, Taylor.

Mr. Struthers moved adoption of the following amendments by Representatives Struthers, Owen, Scott and Mitchell:

On page 2, line 21 strike "4,188,000" and insert "4,688,000"

On page 2, after line 32 insert:

"(3) Up to \$500,000 shall be expended for reimbursement through the Institutional Impact account pursuant to RCW 72.72"

Representatives Struthers, Owen, Scott, Mitchell, Thompson and Bond spoke in favor of the amendments, and they were adopted.

Mr. Tallor moved adoption of the following amendments:

On page 2, line 21 strike "4,188,000" and insert "4,286,000"

On page 2, line 32 insert a new subsection to read as follows:

"(3) Up to \$98,000 shall be expended to expand the capacity of the Western State Hospital work release facility by 20 beds"

Mr. Tallor spoke in favor of the amendments, and Mr. Nelson (G) spoke against them.

The amendments were not adopted.

On motion of Mr. Thompson, the following amendment by Representatives Thompson and Nelson (G) was adopted:

On page 2, beginning on line 22 after "section" strike everything through "act" on line 24

The Speaker (Mr. Newhouse presiding) called on Mr. Amen to preside.

Mr. Scott moved adoption of the following amendment:

On page 2, after line 32 insert the following:

**"NEW SECTION, Sec. 3.** There is added to chapter 72.01 RCW a new section to read as follows:

If any housing units other than those authorized by chapter 338, Laws of 1977 ex. sess. are constructed or completed after the effective date of this act on the grounds currently occupied by the Monroe Reformatory, such housing units shall not exceed in occupancy the maximum capacity for which the units were designed. The maximum capacity of such housing units shall be based on nationally accepted standards and shall be published in the Washington State Register at the time the architectural design for such units is completed."

Renumber the remaining sections consecutively.

Representatives Scott, Becker, Thompson and Struthers spoke in favor of the amendment, and Mr. Nelson (G) spoke against it.

The amendment was adopted.

Mr. Polk moved adoption of the following amendment by Representatives Polk, Becker and Struthers:

On page 2, after line 32 insert the following:

**"NEW SECTION, Sec. 3.** The legislature finds that there exists an immediate need to increase the number of medium security beds in the penal system of Washington state. The legislature further finds that such beds should be created as quickly as possible, in a manner which is cost-effective, and by means which will minimize adverse impacts on any single community.

Sec. 4. Section 177, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE ADULT CORRECTIONS PROGRAM**

- (1) To construct and equip one 100-bed honor camp.

|                 |            | Reappropriation | Appropriation |
|-----------------|------------|-----------------|---------------|
| DSHS Constr Act |            | 3,260,000       | -0-           |
| Project         | Estimated  | Estimated       | Estimated     |
| Costs           | Costs      | Total           | Completion    |
| Through         | 7/1/81 and | Costs           | Date          |
| 6/30/79         | Thereafter |                 |               |
| 40,000          | -0-        | 3,300,000       | 7/80          |

- (2) To renovate and repair roofs, Washington Corrections Center.

|                 |  | Reappropriation | Appropriation |
|-----------------|--|-----------------|---------------|
| DSHS Constr Act |  | 255,000         | -0-           |

| Project<br>Costs<br>Through<br>6/30/79 | Estimated<br>Costs<br>7/1/81 and<br>Thereafter | Estimated<br>Total<br>Costs | Estimated<br>Completion<br>Date |
|----------------------------------------|------------------------------------------------|-----------------------------|---------------------------------|
| 521,000                                | -0-                                            | 776,000                     | 10/79                           |

(3) To remodel food service area and replace obsolete equipment, Washington State Penitentiary; except that, if construction has not begun by 3/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                                        |                                                | Reappropriation             | Appropriation                   |
|----------------------------------------|------------------------------------------------|-----------------------------|---------------------------------|
| DSHS Constr Acct                       |                                                | 1,993,000                   | -0-                             |
| Project<br>Costs<br>Through<br>6/30/79 | Estimated<br>Costs<br>7/1/81 and<br>Thereafter | Estimated<br>Total<br>Costs | Estimated<br>Completion<br>Date |
| -0-                                    | -0-                                            | 1,993,000                   | 1/81                            |

(4) For remodeling of dental areas, Washington State Penitentiary; except that, if construction has not begun by 2/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                                        |                                                | Reappropriation             | Appropriation                   |
|----------------------------------------|------------------------------------------------|-----------------------------|---------------------------------|
| CEP & RI Acct                          |                                                | 145,000                     | -0-                             |
| Project<br>Costs<br>Through<br>6/30/79 | Estimated<br>Costs<br>7/1/81 and<br>Thereafter | Estimated<br>Total<br>Costs | Estimated<br>Completion<br>Date |
| -0-                                    | -0-                                            | 145,000                     | 6/80                            |

(5) To improve security, facilities, and utilities, Washington State Penitentiary; except that, if construction has not begun by 9/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                                        |                                                | Reappropriation             | Appropriation                   |
|----------------------------------------|------------------------------------------------|-----------------------------|---------------------------------|
| DSHS Constr Acct                       |                                                | -0-                         | 5,924,000                       |
| Project<br>Costs<br>Through<br>6/30/79 | Estimated<br>Costs<br>7/1/81 and<br>Thereafter | Estimated<br>Total<br>Costs | Estimated<br>Completion<br>Date |
| 101,000                                | 6,966,000                                      | 12,991,000                  | 6/84                            |

(6) To construct and equip 120-bed medium security unit, Washington Corrections Center; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                                        |                                                | Reappropriation             | Appropriation                   |
|----------------------------------------|------------------------------------------------|-----------------------------|---------------------------------|
| DSHS Constr Acct                       |                                                | 42,000                      | 3,361,000                       |
| Project<br>Costs<br>Through<br>6/30/79 | Estimated<br>Costs<br>7/1/81 and<br>Thereafter | Estimated<br>Total<br>Costs | Estimated<br>Completion<br>Date |
| 25,000                                 | -0-                                            | 3,427,000                   | 9/81                            |

(7) To convert 300-bed minimum security building at Walla Walla to medium security facility; except that, if construction has not begun by 8/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                                        |                                                | Reappropriation             | Appropriation                   |
|----------------------------------------|------------------------------------------------|-----------------------------|---------------------------------|
| DSHS Constr Acct                       |                                                | 100,000                     | 5,275,000                       |
| Project<br>Costs<br>Through<br>6/30/79 | Estimated<br>Costs<br>7/1/81 and<br>Thereafter | Estimated<br>Total<br>Costs | Estimated<br>Completion<br>Date |
| 53,000                                 | 1,690,000                                      | 7,118,000                   | 6/83                            |

(8) To convert former women's quarters to 100-bed minimum custody unit, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 321,000               | 1,073,000                 |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 19,000                        | -0-                                   | 1,412,000             | 3/81                      |

(9) To construct and equip maximum security facility, Washington State Reformatory.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 8,342,000             | 1,654,000                 |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 2,058,000                     | -0-                                   | 12,054,000            | 7/81                      |

(10) To provide fire and safety improvements, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| General Fund—State            |                                       | 23,000                | -0-                       |
| DSHS Constr Acct              |                                       | -0-                   | 749,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 128,000                       | -0-                                   | 900,000               | 1/81                      |

(11) To provide fire and safety improvements, Washington State Reformatory; except that, if construction has not begun by 11/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 1,304,000                 |
| CEP & RI Acct                 |                                       | 350,000               | -0-                       |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 27,000                        | -0-                                   | 1,681,000             | 9/81                      |

(12) To renovate and expand visiting/dining/recreation facilities, Washington State Reformatory; except that, if construction has not begun by 12/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 1,524,000                 |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 1,524,000             | 2/82                      |

(13) To renovate and convert gang showers to individual showers, Washington State Penitentiary; except that, if construction has not begun by 6/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                  |  | Reappropriation | Appropriation |
|------------------|--|-----------------|---------------|
| DSHS Constr Acct |  | -0-             | 402,000       |

| Project<br>Costs<br>Through<br>6/30/79 | Estimated<br>Costs<br>7/1/81 and<br>Thereafter | Estimated<br>Total<br>Costs | Estimated<br>Completion<br>Date |
|----------------------------------------|------------------------------------------------|-----------------------------|---------------------------------|
| -0-                                    | -0-                                            | 402,000                     | 3/81                            |

(14) To provide three prefabricated steel buildings, Washington State Reformatory; except that, if construction has not begun by 3/15/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                                        |                                                | Reappropriation             | Appropriation                   |
|----------------------------------------|------------------------------------------------|-----------------------------|---------------------------------|
| DSHS Constr Acct                       |                                                | -0-                         | 386,000                         |
| Project<br>Costs<br>Through<br>6/30/79 | Estimated<br>Costs<br>7/1/81 and<br>Thereafter | Estimated<br>Total<br>Costs | Estimated<br>Completion<br>Date |
| -0-                                    | -0-                                            | 386,000                     | 8/80                            |

(15) To construct and equip multipurpose building, Pine Lodge Correction Center; except that, if construction has not begun by 9/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                                        |                                                | Reappropriation             | Appropriation                   |
|----------------------------------------|------------------------------------------------|-----------------------------|---------------------------------|
| DSHS Constr Acct                       |                                                | -0-                         | 248,000                         |
| Project<br>Costs<br>Through<br>6/30/79 | Estimated<br>Costs<br>7/1/81 and<br>Thereafter | Estimated<br>Total<br>Costs | Estimated<br>Completion<br>Date |
| -0-                                    | -0-                                            | 248,000                     | 4/81                            |

(16) To renovate and expand Industries Building, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                                        |                                                | Reappropriation             | Appropriation                   |
|----------------------------------------|------------------------------------------------|-----------------------------|---------------------------------|
| General Fund—Federal                   |                                                | -0-                         | 414,000                         |
| DSHS Constr Acct                       |                                                | -0-                         | 305,000                         |
| Project<br>Costs<br>Through<br>6/30/79 | Estimated<br>Costs<br>7/1/81 and<br>Thereafter | Estimated<br>Total<br>Costs | Estimated<br>Completion<br>Date |
| -0-                                    | -0-                                            | 719,000                     | 11/80                           |

(17) To renovate and repair roofs, Washington Corrections Center; except that, if construction has not begun by 11/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                                        |                                                | Reappropriation             | Appropriation                   |
|----------------------------------------|------------------------------------------------|-----------------------------|---------------------------------|
| DSHS Constr Acct                       |                                                | 273,000                     | 346,000                         |
| Project<br>Costs<br>Through<br>6/30/79 | Estimated<br>Costs<br>7/1/81 and<br>Thereafter | Estimated<br>Total<br>Costs | Estimated<br>Completion<br>Date |
| 503,000                                | -0-                                            | 1,122,000                   | 8/80                            |

(18) To repair perimeter walls, Washington State Reformatory; except that, if construction has not begun by 7/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                                        |                                                | Reappropriation             | Appropriation                   |
|----------------------------------------|------------------------------------------------|-----------------------------|---------------------------------|
| DSHS Constr Acct                       |                                                | -0-                         | 617,000                         |
| Project<br>Costs<br>Through<br>6/30/79 | Estimated<br>Costs<br>7/1/81 and<br>Thereafter | Estimated<br>Total<br>Costs | Estimated<br>Completion<br>Date |
| -0-                                    | -0-                                            | 617,000                     | 11/80                           |

(19) To purchase and install an electronic perimeter security system, Washington Corrections Center.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 300,000               | -0-                       |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 76,000                        | -0-                                   | 376,000               | 7/79                      |

(20) To renovate and open work training release facility, Geiger Field.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 600,000               | -0-                       |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 20,000                        | -0-                                   | 620,000               | 1/80                      |

(21) To renovate and repair roofs, Women's Treatment Center; except that, if construction has not begun by 6/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 112,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 112,000               | 10/80                     |

(22) To provide preliminary design, site preparation, and steam plant for new 500-bed medium security facility.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 5,429,000                 |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | 27,126,000                            | 32,555,000            | 6/83                      |

(23) (a) As of the effective date of this 1980 act, no additional moneys may be expended from the appropriation contained in subsection (22) of this section. Such portion of that appropriation that is unexpended as of the effective date of this 1980 act is hereby appropriated to the department of social and health services to begin construction on facilities, or make acquisition of facilities, which will provide for a total of five hundred medium security beds. It is the intent of the legislature that the five hundred beds be located on McNeil Island on the site currently occupied by the McNeil Federal Penitentiary and that such utilization shall include the use of as many appropriate beds existing thereon as is possible. To acquire the use of the McNeil Island prison site for correctional use by the state, it is the intent of the legislature that the governor pursue the following steps:

(i) Institute negotiations with appropriate federal authorities for the acquisition of the McNeil correctional site for immediate state use;

(ii) Make every effort to halt the dismantling and removal of equipment at the prison site which could be useful to the state in the operation of the facility;

(iii) Solicit the active support of this state's Congressional delegation in acquiring the McNeil Island site for use by our state. It is the intent of the legislature that the governor report to the legislature no later than sixty days after the effective date of this 1980 act detailing the status of the actions specified in this subsection.

(b) If the state determines not to construct new beds, or utilize existing beds, on McNeil Island, the five hundred beds shall be located at one or distributed among the following sites: The grounds occupied by the Washington Corrections Center; and the grounds occupied by the Washington State Reformatory. The appropriation contained in this subsection is subject to the following conditions and limitations:

(i) Not more than one hundred twenty-eight beds shall be constructed on the site of the Washington Corrections Center.

(ii) Any facility constructed on the grounds of the Washington State Reformatory shall share with that institution the maximum number of support services found to be practicable, which may include but is not

limited to the following: Meatcutting, baking, purchasing, warehousing, maintenance, laundry, motor pool, administration, industrial programs, and hospital.

(iii) If any housing units other than those authorized by chapter 338, Laws of 1977 ex. sess. are constructed or completed on or after the effective date of this act on the grounds currently occupied by the Monroe Reformatory, such housing units shall not exceed in occupancy the maximum capacity for which the units were designed. The maximum capacity of such housing units shall be based on nationally accepted standards and shall be published in the Washington State Register at the time the architectural design for such units is completed.

(iv) The actions to be taken by the governor pursuant to the provisions of this act should be construed to include but shall not be limited to application on behalf of the state for acquisition of the McNeil Island prison site pursuant to the terms of the Federal Surplus Property Disposal Act."

Renumber the remaining section consecutively.

Mr. Polk spoke in favor of the amendment, and Mr. O'Brien spoke against it.

#### POINT OF ORDER

Mr. Tilly: "The present speaker is talking about things that are not at all involved in this amendment. We should not be talking about personalities."

The Speaker (Mr. Amen presiding): "Will you please confine your remarks to the amendment, Representative O'Brien."

Mr. O'Brien concluded his remarks in opposition to the amendment, and Mr. Struthers spoke in favor of it.

#### POINT OF INQUIRY

Mr. Struthers yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Struthers, we've heard many comments about the quality of McNeil Island and the condition it's in. You have been, I believe, to Walla Walla and Monroe and to McNeil Island. Could you comment as to a comparison of what McNeil is like and the facilities and the quality compared to those others?"

Mr. Struthers: "Representative Greengo, I have been to those places as an outside observer, and, yes, the reports show that the facility is in much better condition on McNeil than either Monroe or Walla Walla. The report showed that in black and white just as recently as a year and a half ago."

Representatives Sanders, Taylor and Houchen spoke in favor of the amendment, and Representatives Hughes and O'Brien spoke against it.

Mr. Patterson demanded an electric roll call vote and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment to Substitute House Bill No. 1533 by Representatives Polk, Becker and Struthers, and the amendment was adopted by the following vote: Yeas, 87; nays, 9; not voting, 2.

Voting yea: Representatives Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Galloway, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmiten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Gallagher, Garrett, Granlund, North, O'Brien, Stratton, Warnke, Winsley.

Not voting: Representatives Chandler, Martinis.

On motion of Mr. Scott, the following amendment to the title was adopted:  
On page 1, line 3 of the title after "(uncodified)," insert "adding a new section to chapter 72.01 RCW;"

On motion of Mr. Polk, the following amendment to the title was adopted:  
On page 1, line 3 of the title after "(uncodified)," insert "amending section 177, chapter 270, Laws of 1979 ex. sess. (uncodified); creating a new section;"

The bill was ordered engrossed.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1533 was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1533, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Chandler, Martinis.

Engrossed Substitute House Bill No. 1533, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Polk, the House reverted to the fifth order of business.

## REPORTS OF STANDING COMMITTEES

February 21, 1980

HOUSE BILL NO. 1073, Prime Sponsor: Representative McCormick, relating to energy policy. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Bond, Co-Chairman; McCormick, Co-Chairwoman; Charnley, Dunlap, Grimm, Monohon, Nelson (D), Nisbet, Scott, Sherman, Sprague, Tupper, Williams, Wilson.

Passed to Committee on Rules for second reading.

February 20, 1980

HOUSE BILL NO. 1419, Prime Sponsor: Representative Scott, encouraging the use of renewable energy resources by gas and electric companies. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Bond, Brown, Erickson, Flanagan, Galloway, Granlund, Greengo, Hastings, Nelson (D), O'Brien, Rinehart, Sanders, Winsley.

Passed to Committee on Rules for second reading.

February 21, 1980

HOUSE BILL NO. 1577, Prime Sponsor: Representative King, preventing conflict of interest within the legislative branch of government. Reported by Committee on Constitution, Elections and Governmental Ethics.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Oliver, Executive Chairman; Erickson, Co-Chairwoman; Barnes, Eng, Fuller, Granlund, Gruger, Hughes.

Passed to Committee on Rules for second reading.

February 13, 1980

SUBSTITUTE SENATE BILL NO. 3603, Prime Sponsor: Senator Donohue, authorizing a bond issue for pollution control facilities. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 5 strike "and any interest earned on the interim investment of these proceeds,"

On page 2, line 7 after "account" insert "Waste Disposal Facilities, 1980 hereby created"

On page 2, line 13 after "account" insert "Waste Disposal Facilities, 1980"

On page 4, strike section 8 and insert the following new section:

**NEW SECTION.** Sec. 8. The waste disposal facilities bond redemption fund shall be used for the purpose of the payment of the principal of and redemption premium, if any, and interest on the bonds and the bond anticipation notes authorized to be issued under this chapter.

The state finance committee, on or before June 30 of each year, shall certify to the state treasurer the amount required in the next succeeding twelve months for the payment of the principal of and interest coming due on the bonds. Not less than thirty days prior to the date on which any interest or principal and interest payment is due, the state treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the waste disposal facilities bond redemption fund an amount equal to the amount certified by the state finance committee to be due on the payment date. The owner and holder of each of the bonds or the trustee for any of the bonds may be mandamus or other appropriate proceeding require the transfer and payment of funds as directed in this chapter."

On page 2, line 22 after "this chapter." insert the following: "The department shall ensure that funds derived from the sale of bonds authorized under this chapter do not constitute more than seventy-five percent of the total cost of any waste disposal or management facility."

On page 1, after line 15 insert the following:

"The purpose of this chapter is to assist the state and local governments in providing that protection but it is not the purpose of this chapter to provide funding for facilities which encourage speculative development."

On page 1, line 26 after "for" insert ": (1)"

On page 1, line 29 after "enterprise" insert "; or (2) the construction of municipal wastewater facilities with design capacity to serve a population in excess of that population forecasted for a ten-year period from the date of grant award, unless said sewer facilities are approved by a general purpose unit of local government in accordance with chapter 36.94 and 35.67 RCW"

On page 2, after line 25 insert the following:

"At least one hundred fifty million dollars of the proceeds of the bonds authorized by this chapter shall be used exclusively for waste management systems capable of producing renewable energy or energy savings as a result of the management of the wastes. 'Renewable energy' means, but is not limited to, the production of steam, hot water for steam heat, electricity, cogeneration, gas, or fuel through the use of wastes by incineration, refuse-derived fuel processes, pyrolysis, hydrolysis, or bioconversion, and energy savings through material recovery from waste source separation and/or recycling.

The department of ecology shall present a progress report of actual projects committed by the department to the senate committee on ways and means and the house of representatives committee on appropriations no later than November 30th of each year."

Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Becker, Deccio, Ehlers, Fancher, Gruger, Heck, Hughes, Maxie, Nisbet, Taller, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

#### MOTIONS

On motion of Mr. Polk, the House advanced to the eighth order of business.

On motion of Mr. Polk, SUBSTITUTE SENATE BILL NO. 3621 was rereferred from Committee on Rules to Committee on Appropriations.

#### RESOLUTION

HOUSE RESOLUTION NO. 80-153, by Representatives Charnley, Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith (C), Smith (R), Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman:

WHEREAS, Two Washingtonians, Phil and Steve Mahre of White Pass and Yakima, have represented this state and country all over the world in Alpine skiing competition; and

WHEREAS, The United States Alpine team had not won any medals at the thirteenth Winter Olympic Games until today, February 22, 1980; and

WHEREAS, Phil Mahre today won a Silver Medal in the slalom event, missing the Gold Medal by one-half second; and

WHEREAS, Phil Mahre's medal today is particularly gratifying in that he fought back from a severe injury which seriously questioned whether he might ever even walk well again, much less ski;



NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives officially congratulates Phil Mahre on his courage, desire and many accomplishments, especially today; and

BE IT FURTHER RESOLVED, That notification of this resolution be immediately transmitted to Phil Mahre at the Olympic Village in Lake Placid, New York.

Mr. Charnley moved adoption of the resolution. Representatives Charnley and Whiteside spoke in favor of the resolution and it was adopted.

#### SIGNED BY THE SPEAKERS

The Speaker (Mr. Amen presiding) announced the Speakers were signing:

HOUSE BILL NO. 357,  
 SUBSTITUTE HOUSE BILL NO. 382,  
 SUBSTITUTE HOUSE BILL NO. 395,  
 HOUSE BILL NO. 427,  
 SUBSTITUTE HOUSE BILL NO. 551,  
 HOUSE BILL NO. 762,  
 SUBSTITUTE HOUSE BILL NO. 799,  
 SUBSTITUTE HOUSE BILL NO. 1429,  
 HOUSE BILL NO. 1432,  
 SUBSTITUTE HOUSE BILL NO. 1454,  
 SUBSTITUTE HOUSE BILL NO. 1457,  
 HOUSE BILL NO. 1460,  
 HOUSE BILL NO. 1463,  
 HOUSE BILL NO. 1464,  
 SUBSTITUTE HOUSE BILL NO. 1466,  
 SUBSTITUTE HOUSE BILL NO. 1481,  
 SUBSTITUTE HOUSE BILL NO. 1510,  
 SUBSTITUTE HOUSE BILL NO. 1558,  
 HOUSE BILL NO. 1593,  
 HOUSE BILL NO. 1598,  
 SUBSTITUTE HOUSE BILL NO. 1609,  
 HOUSE BILL NO. 1663,  
 HOUSE BILL NO. 1681,  
 SUBSTITUTE HOUSE BILL NO. 1952,  
 HOUSE JOINT MEMORIAL NO. 24,  
 SUBSTITUTE SENATE BILL NO. 2616,  
 SENATE BILL NO. 3202,  
 SENATE BILL NO. 3320.

#### MOTION

On motion of Mr. Polk, the House adjourned until 10:30 a.m., Monday, February 25, 1980.

JOHN BAGNARIOL, Speaker  
 DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
 VITO T. CHIECHI, Chief Clerk

## FORTY-THIRD DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 25, 1980

The House was called to order at 10:30 a.m. by Speaker Bagnariol. The Clerk called the roll and all members were present except Representative Deccio, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Ty Carlson, Vince Cabbage and Julie Jacobson. Prayer was offered by The Reverend James Blundell of St. John's Episcopal Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGES FROM THE SENATE

February 22, 1980

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 277,  
 SUBSTITUTE HOUSE BILL NO. 1016,  
 SECOND SUBSTITUTE HOUSE BILL NO. 1141,  
 SUBSTITUTE HOUSE BILL NO. 1210,  
 HOUSE BILL NO. 1371,  
 SUBSTITUTE HOUSE BILL NO. 1416,  
 HOUSE BILL NO. 1434,  
 HOUSE BILL NO. 1435,  
 SUBSTITUTE HOUSE BILL NO. 1511,  
 HOUSE BILL NO. 1555,  
 SUBSTITUTE HOUSE BILL NO. 1575,  
 HOUSE BILL NO. 1585,  
 HOUSE BILL NO. 1586,  
 HOUSE BILL NO. 1829,  
 SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO. 29,  
 SECOND SUBSTITUTE SENATE BILL NO. 2381,  
 SUBSTITUTE SENATE BILL NO. 3226,  
 SENATE BILL NO. 3280,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3133, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3164, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3184, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3211, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3214, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 3220, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3224, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3236, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 3241, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3256, and has passed the bill as amended by the House.

Sidney, R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 3282, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 3309, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3318, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3330, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3331, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3334, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3362, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 3378, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 3422, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3474, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate concurred in the House amendment to SENATE BILL NO. 3487, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3558, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3565, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3581, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3593, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKERS

Speaker Bagnariol announced the Speakers were signing:

SECOND SUBSTITUTE SENATE BILL NO. 2381,  
SUBSTITUTE SENATE BILL NO. 3226,  
SENATE BILL NO. 3280.

REPORTS OF STANDING COMMITTEES

February 21, 1980

HOUSE JOINT MEMORIAL NO. 31, Prime Sponsor: Representative Williams, requesting Congress to designate one federal agency to process complicated energy licensing applications. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: The substitute memorial be substituted therefor and the substitute memorial do pass. Signed by Representatives Bond, Co-Chairman; McCormick, Co-Chairwoman; Dunlap, Grimm, Monohon, Nelson (D), Nisbet, Scott, Sherman, Sprague, Tupper, Williams, Wilson.

Passed to Committee on Rules for second reading.

February 21, 1980

ENGROSSED SUBSTITUTE SENATE BILL NO. 3551, Prime Sponsor: Senator Hansen, establishing temporary tax incentives for alcohol fuels. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendments:

- On page 1, line 19 after "crops" strike "is" and insert "are"
- On page 1, line 25 after "upon" strike "the" and insert "an annually determined"
- On page 2, line 20 after "crops" strike "is" and insert "are"
- On page 2, line 26 after "upon" strike "the" and insert "an annually determined"
- On page 3, line 12 after "This" insert "RCW"

Signed by Representatives Sommers, Co-Chairwoman; Addison, Bond, Brown, Erickson, Flanagan, Galloway, Granlund, Greengo, Hastings, O'Brien, Rinehart, Sanders, Winsley.

Passed to Committee on Rules for second reading.

February 21, 1980

ENGROSSED SUBSTITUTE SENATE BILL NO. 3629, Prime Sponsor: Senator Hansen, providing tax incentives for alcohol fuels. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendments:

- Beginning on page 1, line 29 strike all material down to and including line 4, page 2, and insert: "NEW SECTION. Sec. 5. There is added to chapter 82.38 RCW a new section to read as follows: For purposes of this chapter, 'special fuel' also includes any combination of ethanol and gasoline which contains nine and one-half percent or more by volume of ethanol, and the gasoline component of any such combination of ethanol and gasoline shall be subject to the special fuel tax."
- On page 1, beginning on line 1 of the title after "fuels;" strike all material down to and including "82.38 RCW;" on line 3 and insert "adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 82.36 RCW; adding new sections to 82.38 RCW;"

Signed by Representatives Sommers, Co-Chairwoman; Addison, Bond, Erickson, Flanagan, Galloway, Granlund, Greengo, Hastings, Nelson (D), O'Brien, Rinehart, Sanders, Winsley.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. King, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by Speaker Bagnariol. The Clerk called the roll and all members were present except Representative Deccio, who was excused.

## SENATE AMENDMENTS TO HOUSE BILL

February 18, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 19 with the following amendments:

On line 10 after "board" strike "~~((may))~~ shall" and insert "may"

On page 1, line 12 after "prisoner" insert ". The board retains the jurisdiction to issue a certificate of discharge after the expiration of the prisoner's or parolee's maximum statutory sentence"

On page 1, beginning on line 17 strike all of the underlined material through "request." on line 21. and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Newhouse, the House concurred in the Senate amendments to Substitute House Bill No. 19.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of Substitute House Bill No. 19 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 19 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley.

Voting nay: Representative Barnes.

Not voting: Representatives Deccio, Zimmerman.

Substitute House Bill No. 19 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

February 19, 1980

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 209 with the following amendments:

In line 2 of the title strike all of the language and insert "amending section 3, chapter 221, Laws of 1969 ex. sess. as last amended by section 1, chapter 102, Laws of 1979 and RCW 2.06.030; and adding new sections to chapter 34.04 RCW."

On line 7 after "RCW" strike all the material down to and including the period on line 11 and insert "may be directly reviewed by the court of appeals upon certification by the superior court pursuant to this section. An application for such direct review must be filed with the superior court within thirty days of the filing of the petition for review in superior court. The superior court may certify a case for direct review only if the judicial review is limited to the record of the agency proceeding and the court finds that:

(1) Fundamental and urgent issues affecting the future administrative process or the public interest are involved which require a prompt determination;

(2) Delay in obtaining a final and prompt determination of such issues would be detrimental to any party or the public interest;

(3) An appeal to the court of appeals would be likely regardless of the determination in superior court; and

(4) The appellate court's determination in the proceeding would have significant precedential value.

NEW SECTION. Sec. 2. There is added to chapter 34.04 RCW a new section to read as follows:

The court of appeals may refuse to accept review of a case certified pursuant to section 1 of this act. The refusal to accept such review is not subject to further appellate review, notwithstanding anything in Rule 13.3 of the Rules of Appellate Procedure to the contrary.

Sec. 3. Section 3, chapter 221, Laws of 1969 ex. sess. as amended by section 1, chapter 102, Laws of 1979 and RCW 2.06.030 are each amended to read as follows:

The administration and procedures of the court shall be as provided by rules of the supreme court. The court shall be vested with all power and authority, not inconsistent with said rules, necessary to carry into complete execution all of its judgments, decrees and determinations in all matters within its jurisdiction, according to the rules and principles of the common law and the Constitution and laws of this state.

For the prompt and orderly administration of justice, the supreme court may (1) transfer to the appropriate division of the court for decision a case or appeal pending before the supreme court; or (2) transfer to the supreme court for decision a case or appeal pending in a division of the court.

Subject to the provisions of this section, the court shall have exclusive appellate jurisdiction in all cases except:

- (a) cases of quo warranto, prohibition, injunction or mandamus directed to state officials;
- (b) criminal cases where the death penalty has been decreed;
- (c) cases where the validity of all or any portion of a statute, ordinance, tax, impost, assessment or toll is drawn into question on the grounds of repugnancy to the Constitution of the United States or of the state of Washington, or to a statute or treaty of the United States, and the superior court has held against its validity;
- (d) cases involving fundamental and urgent issues of broad public import requiring prompt and ultimate determination; and
- (e) cases involving substantive issues on which there is a direct conflict among prevailing decisions of panels of the court or between decisions of the supreme court; all of which shall be appealed directly to the supreme court: PROVIDED, That whenever a majority of the court before which an appeal is pending, but before a hearing thereon, is in doubt as to whether such appeal is within the categories set forth in subsection (d) or (e) of this section, the cause shall be certified to the supreme court for such determination.

The appellate jurisdiction of the court of appeals does not extend to civil actions at law for the recovery of money or personal property when the original amount in controversy, or the value of the property does not exceed the sum of two hundred dollars.

The court shall have appellate jurisdiction over review of final decisions of administrative agencies certified by the superior court pursuant to section 1 of this act.

Appeals from the court to the supreme court shall be only at the discretion of the supreme court upon the filing of a petition for review. No case, appeal or petition for a writ filed in the supreme court or the court shall be dismissed for the reason that it was not filed in the proper court, but it shall be transferred to the proper court."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Newhouse, the House concurred in the Senate amendments to House Bill No. 209.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of House Bill No. 209 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 209 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Deccio.

House Bill No. 209 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

February 19, 1980

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 783 with the following amendments:  
Strike everything after the enacting clause and insert the following:

\*Section 1. Section 43.43.120, chapter 8, Laws of 1965 as last amended by section 1, chapter 180, Laws of 1973 1st ex. sess. and RCW 43.43.120 are each amended to read as follows:

As used in the following sections:

- (1) 'Retirement system' means the Washington state patrol retirement system.
- (2) 'Retirement fund' means the Washington state patrol retirement fund.
- (3) 'State treasurer' means the treasurer of the state of Washington.
- (4) 'Member' means any person included in the membership of the retirement fund.
- (5) 'Employee' means any commissioned employee of the Washington state patrol.
- (6) 'Cadet' is a person who has passed the Washington state patrol's entry-level oral, written, physical performance, and background examinations and is, thereby, appointed by the chief as a candidate to be a commissioned officer of the Washington state patrol.

(7) 'Beneficiary' means any person in receipt of retirement allowance or any other benefit allowed by this chapter.

((7)) (8) 'Regular interest' means interest compounded annually at such rates as may be determined by the retirement board.

((8)) (9) 'Retirement board' means the board provided for in this chapter.

((9)) (10) 'Insurance commissioner' means the insurance commissioner of the state of Washington.

((10)) (11) 'Lieutenant governor' means the lieutenant governor of the state of Washington.

((11)) (12) 'Service' shall mean services rendered to the state of Washington or any political subdivisions thereof for which compensation has been paid. Full time employment for ten days or more in any given calendar month shall constitute one month of service. Only months of service shall be counted in the computation of any retirement allowance or other benefit provided for herein. Years of service shall be determined by dividing the total number of months of service by twelve. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefit.

((12)) (13) 'Prior service' shall mean all services rendered by a member to the state of Washington, or any of its political subdivisions prior to August 1, 1947, unless such service has been credited in another public retirement or pension system operating in the state of Washington.

((13)) (14) 'Current service' shall mean all service as a member rendered on or after August 1, 1947.

((14)) (15) 'Average final salary' shall mean the average monthly salary received by a member during his last two years of service or any consecutive two year period of service, whichever is the greater, as an employee of the Washington state patrol; or if he has less than two years of service, then the average monthly salary received by him during his total years of service.

((15)) (16) 'Actuarial equivalent' shall mean a benefit of equal value when computed upon the basis of such mortality table as may be adopted and such interest rate as may be determined by the board.

((16)) (17) Unless the context expressly indicates otherwise, words importing the masculine gender shall be extended to include the feminine gender and words importing the feminine gender shall be extended to include the masculine gender.

Sec. 2. Section 43.43.130, chapter 8, Laws of 1965 and RCW 43.43.130 are each amended to read as follows:

(1) A Washington state patrol retirement fund is hereby established for members of the Washington state patrol which shall include funds created and placed under the management of a retirement board for the payment of retirement allowances and other benefits under the provisions hereof.

(2) Any employee of the Washington state patrol, upon date of commissioning, shall be eligible to participate in the retirement plan and shall start contributing to the fund immediately. Any employee of the Washington state patrol employed by the state of Washington or any of its political subdivisions prior to August 1, 1947, unless such service has been credited in another public retirement or pension system operating in the state of Washington shall receive full credit for such prior service but after that date each new commissioned employee must automatically participate in the fund. If a member shall terminate service in the patrol and later reenter, he shall be treated in all respects as a new employee: PROVIDED, That a member who reenters or has reentered service within ten years from the date of his termination, shall upon completion of six months of continuous service and upon the restoration of all withdrawn contributions, plus earned interest, which restoration must be completed within four years after resumption of service, be returned to the status of membership he earned at the time of termination.

(3) (a) An employee of the Washington state patrol who becomes a member of the retirement system after the effective date of this 1980 act and who has service as a cadet in the patrol training program may make an irrevocable election to transfer the service to the retirement system. Any member upon making such election shall have transferred all existing service credited in a prior public retirement system in this state for periods of employment as a cadet. Transfer of credit under this subsection is contingent on completion of the transfer of funds specified in subsection (3)(b) of this section.

(b) Within sixty days of notification of a member's cadet service transfer as provided in subsection (3)(a) of this section, the department of retirement systems shall transfer:

(i) The employee's accumulated contributions attributable to the periods of service as a cadet, including accumulated interest; and

(ii) The employer's accumulated contributions attributable to the periods of service as a cadet, including accumulated interest.

(4) A member of the retirement system who has served or shall serve on active federal service in the armed forces of the United States pursuant to and by reason of orders by competent federal authority, who



left or shall leave the Washington state patrol to enter such service, and who within one year from termination of such active federal service, resumes employment as a state employee, shall have his service in such armed forces credited to him as a member of the retirement system: PROVIDED, That no such service in excess of five years shall be credited unless such service was actually rendered during time of war or emergency."

On page 1, line 1 of the title, after "patrol;" delete all material down to and including "43.43.020;" on line 3

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Taller, the House concurred in the Senate amendments to House Bill No. 783.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of House Bill No. 783 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 783 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Deccio.

House Bill No. 783 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 19, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1485 with the following amendments:

In the title, page 1, line 1 after "substances;" insert "amending section 69.50.101, chapter 308, Laws of 1971 ex. sess. as amended by section 1, chapter 38, Laws of 1973 2nd ex. sess. and RCW 69.50.101;"

After the enacting clause, insert a section as follows:

"Section 1. Section 69.50.101, chapter 308, Laws of 1971 ex. sess. as amended by section 1, chapter 38, Laws of 1973 2nd ex. sess. and RCW 69.50.101 are each amended to read as follows:

As used in this chapter:

(a) 'Administer' means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by:

- (1) a practitioner, or
- (2) the patient or research subject at the direction and in the presence of the practitioner.

(b) 'Agent' means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseman, or employee of the carrier or warehouseman.

(c) 'Bureau' means the Bureau of Narcotics and Dangerous Drugs, United States Department of Justice, or its successor agency.

(d) 'Controlled substance' means a drug, substance, or immediate precursor in Schedules I through V of Article II.

(e) 'Counterfeit substance' means a controlled substance which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person who in fact manufactured, distributed, or dispensed the substance.

(f) 'Deliver' or 'delivery' means the actual, constructive, or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship.

(g) 'Dispense' means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for that delivery.

(h) 'Dispenser' means a practitioner who dispenses.

(i) 'Distribute' means to deliver other than by administering or dispensing a controlled substance.

(j) 'Distributor' means a person who distributes.

(k) 'Drug' means (1) substances recognized as drugs in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or Official National Formulary, or any supplement to any of them; (2) substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals; (3) substances (other than food) intended to affect the structure or any function of the body of man or animals; and (4) substances intended for use as a component of any article specified in clause (1), (2), or (3) of this subsection. It does not include devices or their components, parts, or accessories.

(l) 'Immediate precursor' means a substance which the state board of pharmacy has found to be and by rule designates as being the principal compound commonly used or produced primarily for use, and which is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail, or limit manufacture.

(m) 'Manufacture' means the production, preparation, propagation, compounding, conversion or processing of a controlled substance, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance by an individual for his own use or the preparation, compounding, packaging, or labeling of a controlled substance:

(1) by a practitioner as an incident to his administering or dispensing of a controlled substance in the course of his professional practice, or

(2) by a practitioner, or by his authorized agent under his supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale.

(n) 'Marihuana' means all parts of the plant of the genus *Cannabis* L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

(o) 'Narcotic drug' means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate.

(2) Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause 1, but not including the isoquinoline alkaloids of opium.

(3) Opium poppy and poppy straw.

(4) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecgonine.

(p) 'Opiate' means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. It does not include, unless specifically designated as controlled under RCW 69.50.201, the dextro-rotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). It does include its racemic and levorotatory forms.

(q) 'Opium poppy' means the plant of the genus *Papaver* L., except its seeds, capable of producing an opiate.

(r) 'Person' means individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity.

(s) 'Poppy straw' means all parts, except the seeds, of the opium poppy, after mowing.

(t) 'Practitioner' means:

(1) A physician under chapter 18.71 RCW, an osteopathic physician or an osteopathic physician and surgeon under chapter 18.57 RCW, a dentist under chapter 18.32 RCW, a chiropractor under chapter 18.22 RCW, a veterinarian under chapter 18.92 RCW, a registered nurse under chapter 18.88 RCW, a licensed practical nurse under chapter 18.78 RCW, a pharmacist under chapter 18.64 RCW or a scientific investigator under this chapter, licensed, registered or otherwise permitted insofar as is consistent with those licensing laws to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of their professional practice or research in this state.

(2) A pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.

(3) A physician licensed to practice medicine and surgery or a physician licensed to practice osteopathy and surgery in any state which shares a common border with the state of Washington.

(u) 'Production' includes the manufacture, planting, cultivation, growing, or harvesting of a controlled substance.

(v) 'State', when applied to a part of the United States, includes any state, district, commonwealth, territory, insular possession thereof, and any area subject to the legal authority of the United States of America.

(w) 'Ultimate user' means a person who lawfully possesses a controlled substance for his own use or for the use of a member of his household or for administering to an animal owned by him or by a member of his household.

(x) 'Board' means the state board of pharmacy.

(y) 'Executive officer' means the executive officer of the state board of pharmacy.

Re-number remaining sections consecutively and change internal references accordingly.

On page 15, line 21 after "practitioners:" strike all material down and through line 24 including "obesity"

On page 15, line 16 after "board" insert "and the osteopathic disciplinary board"

On page 15, line 23 after "nonnarcotic" strike "stimulents" and insert "stimulants" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTIONS

On motion of Mr. Mitchell, the House concurred in the Senate amendments to page 15, line 16 and to page 15, line 21.

On motion of Mr. Mitchell, the House refused to concur in the Senate amendments to page 1 and page 15, line 23, and asked the Senate to recede therefrom.

SENATE AMENDMENTS TO HOUSE BILL

February 14, 1980

Mr. Speaker:

The Senate has passed REENGROSSED SUBSTITUTE HOUSE BILL NO. 1676 with the following amendments:

On page 5 of the title after "RCW 28A.58.201" and before the period insert "; and making an appropriation"

On page 1, line 26 after "period" insert ": PROVIDED FURTHER, That upon excluding a student from the classroom, the teacher shall immediately notify the principal or the principal's designee, who shall, on that same day, contact by phone or mail written notification of such exclusion to the student's parents or guardian"

On page 2, following section 2 add a new section to read as follows:

"NEW SECTION. Sec. 3. There is hereby appropriated from the general fund to the superintendent of public instruction the sum of sixty-eight thousand one hundred seventy-five dollars, or so much thereof as may be necessary for the purpose of developing an in-service training program plan for the education of school personnel and the parents of students. The objective of the program shall be to effectuate parental involvement and the general purpose of sections 1 and 2 of this amendatory act by fostering cooperation and understanding on the part of parents and school personnel respecting academic achievement and the causes and remedies for student discipline problems."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Heck, the House refused to concur in the Senate amendments to Reengrossed Substitute House Bill No. 1676, and asked the Senate to recede therefrom.

SENATE AMENDMENTS TO HOUSE BILL

February 19, 1980

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1729 with the following amendments:

On page 1, beginning on line 12 strike all the material down to and including the period on line 20, page 3 and insert:

"Section 1. Section 3, chapter 291, Laws of 1955 as last amended by section 15, chapter 165, Laws of 1979 ex. sess. and RCW 26.32.030 are each amended to read as follows:

(1) Written consent to adoption must be filed with the petition for adoption, as follows:

((+)) (a) By the person to be adopted, if such person is fourteen years of age or older, but the filing of such consent shall not obviate the necessity of securing any other consent herein required;

((?) (b) If a legal guardian has been appointed for the person of the child, then by such guardian;

((and (3)) (c) If the person to be adopted is a minor ((and has been permanently committed upon due notice to his parents by any court of general jurisdiction to an approved agency, then by such approved agency)) then by each of his or her living parents who has not had his or her parent and child relationship terminated pursuant to a court order. If the parents' written consent is obtained, the procedures specified in this chapter

for voluntary termination of the parent and child relationship are not applicable. A parent may revoke his or her written consent at any time before the consent is accepted by the court; and

(d) If the person to be adopted is a minor and has been permanently committed upon due notice to his or her parents by any court of general jurisdiction to an approved agency, then by such approved agency.

(2) The written consent shall be acknowledged before a notary public and filed with the petition or at all events before any action is taken by the court in such proceeding. Such consent shall recite that it is given subject to the approval of the court to be requested in an adoption proceeding and to have no force or effect until such court has approved the same. Such consent shall also provide therein that, after it is approved by the court and the order of relinquishment issued and filed, as required by RCW 26.36.010, and the child relinquished by the petitioners, it is not revocable except for fraud practiced by the petitioners or mental incompetency of the person signing the consent at the time of signing the same;

(3) If the parent signing the consent is a minor, the court shall appoint a guardian ad litem, who shall make an investigation and report prior to the order of relinquishment, covering the competency of the person signing the consent and certifying that the consent was voluntarily made and for the best interests of the child.

Renumber the remaining sections consecutively.

On page 4, line 15 after "the" insert "prenatal."

On page 4, line 19 strike "B" and insert "C"

On page 4, line 20 strike "B" and insert "C"

Beginning on line 3 of the title after ".030;" strike all material down to and including "RCW;" on line 7 and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Newhouse, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1729.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1729 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1729 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charney, Clayton, Craswell, Dawson, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Schmiten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Austin, Barnes.

Not voting: Representatives Deccio, Sanders.

Engrossed Substitute House Bill No. 1729 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

February 19, 1980

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1841 with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

"Section 1. Section 48, chapter \_\_\_ (SHB 1016), Laws of 1980 and RCW 82.08. \_\_\_ are each amended to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales of insulin((:)); prosthetic and orthotic devices((:)) prescribed for an individual by a person licensed under chapters 18.25, 18.57, or 18.71 RCW; ostomic items; and medically prescribed oxygen.

Sec. 2. Section 75, chapter \_\_\_ (SHB 1016), Laws of 1980 and RCW 82.12. \_\_\_ are each amended to read as follows:

The provisions of this chapter shall not apply in respect to the use of insulin((:)); prosthetic and orthotic devices((:)) prescribed for an individual by a person licensed under chapters 18.25, 18.57, or 18.71 RCW; ostomic items; and medically prescribed oxygen.

Sec. 3. Section 49, chapter \_\_ (SHB 1016), Laws of 1980 and RCW 82.08.\_\_\_\_ are each amended to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales of food products for human consumption.

'Food products' include cereals and cereal products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products.

'Food products' include milk and milk products, milk shakes, malted milks, and any other similar type beverages which are composed at least in part of milk or a milk product and which require the use of milk or a milk product in their preparation.

'Food products' include all fruit juices, vegetable juices, and other beverages except bottled water, spirituous, malt or vinous liquors or carbonated beverages, whether liquid or frozen.

'Food products' do not include medicines and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts.

The exemption of 'food products' provided for in this paragraph shall not apply: (a) When the food products are furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware whether provided by the retailer or by a person with whom the retailer contracts to furnish, prepare, or serve food products to others, except for food products furnished as meals under a state administered nutrition program for the aged as provided for in the Older American Act (P.L. 95-478 Title III) and RCW 74.38.040(6), or (b) when the food products are ordinarily sold for immediate consumption on or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location, even though such products are sold on a 'takeout' or 'to go' order and are actually packaged or wrapped and taken from the premises of the retailer, or (c) when the food products are sold for consumption within a place, the entrance to which is subject to an admission charge, except for national and state parks and monuments.

Sec. 4. Section 76, chapter \_\_ (SHB 1016), Laws of 1980 and RCW 82.12.\_\_\_\_ are each amended to read as follows:

The provisions of this chapter shall not apply in respect to the use of food products for human consumption.

'Food products' include cereals and cereal products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products.

'Food products' include milk and milk products, milk shakes, malted milks, and any other similar type beverages which are composed at least in part of milk or a milk product and which require the use of milk or a milk product in their preparation.

'Food products' include all fruit juices, vegetable juices, and other beverages except bottled water, spirituous, malt or vinous liquors or carbonated beverages, whether liquid or frozen.

'Food products' do not include medicines and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts.

The exemption of 'food products' provided for in this paragraph shall not apply: (a) When the food products are furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware whether provided by the retailer or by a person with whom the retailer contracts to furnish, prepare, or serve food products to others, except for food products furnished as meals under a state administered nutrition program for the aged as provided for in the Older American Act (P.L. 95-478 Title III) and RCW 74.38.040(6), or (b) when the food products are ordinarily sold for immediate consumption on or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location, even though such products are sold on a 'takeout' or 'to go' order and are actually packaged or wrapped and taken from the premises of the retailer, or (c) when the food products are sold for consumption within a place, the entrance to which is subject to an admission charge, except for national and state parks and monuments."

On page 8, line 17 after "insulin" strike ", prosthetic devices" and insert "((:)) ; prosthetic and orthotic devices prescribed for an individual by a person licensed under chapters 18.25 RCW, 18.57 RCW, and 18.71 RCW; ostomic items"

On page 9, line 8 after "aged" insert "as provided for in the Older American Act (P.L. 95-478 Title III) and RCW 74.38.040(6)"

On page 15, line 29 after "insulin" strike ", prosthetic devices" and insert "((:)) ; prosthetic and orthotic devices prescribed for an individual by a person licensed under chapters 18.25 RCW, 18.57 RCW, and 18.71 RCW; ostomic items"

On page 16, line 20 after "aged" insert "as provided for in the Older American Act (P.L. 95-478 Title III) and RCW 74.38.040(6)"

On page 1, on line 1 of the title, after "taxation;" strike the remainder of the title and insert "amending section 48, chapter \_\_ (SHB 1016), Laws of 1980 and RCW 82.08.\_\_\_\_; amending section 75, chapter \_\_ (SHB 1016), Laws of 1980 and RCW 82.12.\_\_\_\_; amending section 49, chapter \_\_ (SHB 1016), Laws of 1980 and RCW 82.08.\_\_\_\_; and amending section 76, chapter \_\_ (SHB 1016), Laws of 1980 and RCW 82.12.\_\_\_\_."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Ms. Craswell, the House concurred in the Senate amendments to House Bill No. 1841.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of House Bill No. 1841 as amended by the Senate.

## POINT OF INQUIRY

Ms. Craswell yielded to question by Ms. Sommers.

Ms. Sommers: "For the purpose of clarifying the definition and to recognize the work the Revenue Committee did on this definition, would you please tell us what is an orthotic device? Could recreational equipment, such as football helmets and pads, be considered an orthotic device?"

Ms. Craswell: "An orthotic device, as defined by the Revenue Committee, is intended to mean an appliance or apparatus used to support, align or correct deformities or to improve the function of moveable parts of the body. For example, a brace used to align or relieve a low-back injury would be an orthotic device. As far as recreational equipment, such as football helmets, qualifying under this definition, no, they couldn't. It would have to be something which is prescribed for a particular physical impairment or injury."

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1841 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Deccio.

House Bill No. 1841 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

February 15, 1980

Mr. Speaker:

The Senate has passed **SUBSTITUTE HOUSE BILL NO. 440** with the following amendments:

On line 4 of the title after "and adding" strike "a new section" and insert "new sections"

On page 3, following section 2 add a new section to read as follows:

**NEW SECTION.** Sec. 3. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.24 RCW a new section to read as follows:

In addition to the authority otherwise provided in this chapter to school districts for the transportation of persons, whether school children, school personnel, or otherwise, any school district authorized to use school buses and drivers hired by the district for the transportation of school children to and from a school activity, along with such school employees as necessary for their supervision, shall, if such school activity be an interscholastic activity, be authorized to transport members of the general public to such event and utilize the school district's buses, transportation equipment and facilities, and employees therefor: **PROVIDED**, That provision shall be made for the reimbursement and payment to the school district by such members of the general public of not less than the district's actual costs and the reasonable value of the use of the district's buses and facilities provided in connection with such transportation."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Heck, the House refused to concur in the Senate amendments to Substitute House Bill No. 440, and asked the Senate to recede therefrom.

SENATE AMENDMENT TO HOUSE BILL

February 18, 1980

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1480 with the following amendment:

On page 1, after line 13 strike section 2 and insert the following:

"NEW SECTION. Sec. 2. The boards of trustees and the boards of regents of the respective institutions of higher education shall adopt guidelines governing the establishment and funding of programs supported by services and activities fees. Such guidelines shall spell out procedures for budgeting and expending services and activities fee revenue. Any such guidelines shall be consistent with the following provisions:

(1) Initial responsibility for proposing program priorities and budget levels for that portion of program budgets that derive from services and activities fees shall reside with a services and activities fee committee, on which students shall hold at least a majority of the voting memberships, such student members to be recommended by the student government association or its equivalent. The governing board shall insure that the services and activities fee committee provides an opportunity for all viewpoints to be heard during its consideration of the funding of student programs and activities.

(2) The services and activities fee committee shall evaluate existing and proposed programs and submit budget recommendations for the expenditure of those services and activities fees to the college or university administration.

(3) The college or university administration shall review and publish a written response to the services and activities fee committee recommendations. This response shall outline areas of difference between the committee recommendations and the administration's proposed budget recommendations.

(4) The college or university administration, at the time it submits its proposed budget recommendations for the expenditure of services and activities fees to the governing board, shall also transmit a copy of the services and activities fee committee recommendations along with any supporting documentation originally provided by the committee and a copy of the administration's response to the committee recommendations. Before adoption of the final budget the governing board shall address areas of difference between the committee recommendations and the administration's budget recommendations presented for adoption by the board. A student representative of the services and activities fee committee shall be given the opportunity to reasonably address the governing board concerning any such differences.

(5) Services and activities fees and revenues generated by programs and activities funded by such fees shall be deposited and expended through the office of the chief fiscal officer of the institution.

(6) Services and activities fees and revenues generated by programs and activities funded by such fees shall be subject to the applicable policies, regulations, and procedures of the institution and the budget and accounting act, chapter 43.88 RCW.

(7) All information pertaining to services and activities fees budgets shall be made available to interested parties."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Burns moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 1480.

Representatives Burns and Barnes spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1480 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1480 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Dunlap, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Toller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Eberle, Polk.

Not voting: Representative Deccio.

Engrossed Substitute House Bill No. 1480 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENT TO HOUSE BILL

February 15, 1980

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1495 with the following amendment:

On page 2, line 5 following "religious" strike ", theological, or sectarian" and insert "or theological" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Barnes, the House concurred in the Senate amendment to Engrossed House Bill No. 1495.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of Engrossed House Bill No. 1495 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1495 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Deccio.

Engrossed House Bill No. 1495 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

February 22, 1980

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 3509, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Ms. Sommers, the House refused to recede from its amendments to Substitute Senate Bill No. 3509, and again asked the Senate to concur therewith.

#### MESSAGE FROM THE SENATE

February 25, 1980

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 357,  
 SUBSTITUTE HOUSE BILL NO. 382,  
 SUBSTITUTE HOUSE BILL NO. 395,  
 HOUSE BILL NO. 427,  
 SUBSTITUTE HOUSE BILL NO. 551,  
 HOUSE BILL NO. 762,  
 SUBSTITUTE HOUSE BILL NO. 799,  
 SUBSTITUTE HOUSE BILL NO. 1429,



HOUSE BILL NO. 1432,  
 SUBSTITUTE HOUSE BILL NO. 1454,  
 SUBSTITUTE HOUSE BILL NO. 1457,  
 HOUSE BILL NO. 1460,  
 HOUSE BILL NO. 1463,  
 HOUSE BILL NO. 1464,  
 SUBSTITUTE HOUSE BILL NO. 1466,  
 SUBSTITUTE HOUSE BILL NO. 1481,  
 SUBSTITUTE HOUSE BILL NO. 1510,  
 SUBSTITUTE HOUSE BILL NO. 1558,  
 HOUSE BILL NO. 1593,  
 HOUSE BILL NO. 1598,  
 SUBSTITUTE HOUSE BILL NO. 1609,  
 HOUSE BILL NO. 1663,  
 HOUSE BILL NO. 1681,  
 SUBSTITUTE HOUSE BILL NO. 1952,  
 HOUSE JOINT MEMORIAL NO. 24,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

**SIGNED BY THE SPEAKERS**

Speaker Bagnariol announced the Speakers were signing:

HOUSE BILL NO. 1458,  
 HOUSE BILL NO. 1486,  
 HOUSE BILL NO. 1521.

**SECOND READING**

SUBSTITUTE HOUSE BILL NO. 1532, by Committee on Appropriations (originally sponsored by Representative Thompson):

Making an appropriation to the office of financial management.

The bill was read the second time. (For previous action, see Journal, 39th Day, February 21, 1980.)

**POINT OF ORDER**

Speaker Bagnariol stated the question before the House to be the Point of Order raised by Representative King to the amendment by Representative Polk.

Speaker Bagnariol declared the House to be at ease.

Speaker Bagnariol called the House to order.

**MOTION**

On motion of Mr. King, the House adjourned until 9:30 a.m., Tuesday, February 26, 1980.

JOHN BAGNARIOL, Speaker  
 DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
 VITO T. CHIECHI, Chief Clerk

## FORTY-FOURTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, February 26, 1980

The House was called to order at 9:30 a.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present except Representatives Deccio, Ellis and Martinis, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Celia Morris, Jill McKenzie and Erin Shrader. Prayer was offered by The Reverend James Blundell of St. John's Episcopal Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

### REPORT OF STANDING COMMITTEE

February 25, 1980

HOUSE BILL NO. 1763, Prime Sponsor: Representative O'Brien, establishing a fund to support the addition of works of art for the legislative building. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ehlers, Co-Chairman; Tallor, Co-Chairman; Addison, Burns, Flint, Greengo, Jovanovich, McGinnis, O'Brien, Pruitt, Walk, Williams.

Passed to Committee on Rules for second reading.

### SENATE AMENDMENTS TO HOUSE BILL

February 19, 1980

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1515 with the following amendments:

On page 1, line 15 strike "and" and on page 1, line 17 after ".075" and before the period insert "providing an effective date"

On page 3, line 36 after "index" strike all the material down to and including "services" on page 4, line 3 and insert "established by rules and regulations by the department of social and health services"

On page 6, line 2 after "modernization" strike ", conversion, or closure" and insert "or conversion"

On page 6, line 16 after "index" strike the remainder of the paragraph and insert "established by rules and regulations by the department of social and health services."

On page 11, line 29 after "hearing" and before the period insert "in accordance with the governor's statement"

On page 14, line 33 after "provide" insert "substantial"

On page 25, insert a new section to read as follows:

"NEW SECTION. Sec. 14. Sections 7, 8, and 10 of this 1980 act shall take effect January 1, 1981."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

On motion of Mr. Kreidler, the House concurred in all the Senate amendments to Engrossed Substitute House Bill No. 1515 except the amendment to page 14, line 33, and asked the Senate to recede therefrom.

The Speaker (Mr. Amen presiding) declared the House to be at ease.

Speaker Berentson called the House to order.

### SENATE AMENDMENTS TO HOUSE BILL

February 19, 1980

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1475 with the following amendments:

On page 1, line 9 of the title after "44.04.010;" strike all material through and including "2.48.120;" on line 10

On page 1, line 18 of the title after "28A.92.030;" strike everything through and including "28B.16.110;"

On page 1, line 29 of the title after "41.06.070;" strike everything through and including "41.06.167;" on page 2, line 3

On page 3, line 26 of the title after "90.03.247;" strike "and"

On page 3, line 27 of the title after "RCW" and before the period insert "; and repealing section 6, chapter 181, Laws of 1945 and RCW 2.48.120"

On page 3, line 26 of the title after "90.02.137;" insert "adding a new section to chapter 41.56 RCW;"

On page 4, beginning on line 12 strike all of section 3 through and including line 21 and renumber the remaining sections consecutively, and correct internal references accordingly.

Beginning on page 7, line 1 strike all of section 10 through and including page 9, line 3 and renumber the sections remaining consecutively and correct internal references accordingly.

Beginning on page 16, line 8 strike all of sections 17 and 18 through and including page 19, line 8 and renumber the remaining sections consecutively and correct internal references accordingly.

On page 22, after line 12 insert:

"NEW SECTION. Sec. 23. There is added to chapter 41.56 RCW a new section to read as follows:

The arbitration panel created pursuant to RCW 41.56.450, in the performance of its duties under chapter 41.56 RCW, exercises a state function and is, for the purposes of that chapter, a state agency."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 50, after line 26 insert the following new section:

"NEW SECTION. Sec. 49. Section 6, chapter 181, Laws of 1945 and RCW 2.48.120 are each repealed."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Erickson, the House concurred in the Senate amendments to House Bill No. 1475.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of House Bill No. 1475 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1475 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmittens, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Deccio, Ellis, Martinis.

House Bill No. 1475 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1532, by Committee on Appropriations (originally sponsored by Representative Thompson):

Making an appropriation to the office of financial management.

The bill was read the second time. (For previous action, see Journal, 39th Day, February 21, 1980.)

Speaker Berentson stated the question before the House to be the Point of Order raised by Representative King to the Polk amendment.

Speaker Berentson declared the House to be at ease.

Speaker Berentson called the House to order.

## MOTION

Mr. Polk moved that the House now consider House Bill No. 1073, and the motion was carried.

HOUSE BILL NO. 1073, by Representative McCormick:

Relating to energy policy.

The bill was read the second time.

On motion of Ms. McCormick, Substitute House Bill No. 1073 was substituted for House Bill No. 1073, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1073 was read the second time.

Mr. Isaacson moved adoption of the following amendment by Representatives Isaacson, Oliver and Zimmerman:

On page 13, after line 36 insert the following:

NEW SECTION. Sec. 21. The legislature recognizes that the energy crisis affects the lives of every citizen in the state of Washington, Encouraging conservation and the development of alternative energy resources will help solve the energy crisis. A state energy fair generating public awareness of conservation methods and energy-saving technological developments through demonstrations and exhibits will be a step towards solving the energy crisis.

NEW SECTION. Sec. 22. The fair shall be known and called 'Energy Fair '83.'

NEW SECTION. Sec. 23. There is created the Energy Fair '83 commission to consist of sixteen members to be selected as follows: Five by the governor, of whom one shall be designated by the governor as chairperson of the commission, three by the president of the senate and three by the speakers of the house of representatives to serve until December 31, 1984, the lieutenant governor, the speakers of the house of representatives, one member of the board of county commissioners of Benton County to be appointed by such board, and one member of the board of county commissioners of Franklin County to be appointed by such board. The commission shall serve without compensation and shall meet at such time as it is called by the governor or by the chairperson of the commission.

NEW SECTION. Sec. 24. The members of the energy fair commission may become directors of Energy Fair '83, a nonprofit corporation organized under the provisions of chapter 24.03 RCW, and may remain directors of the corporation as long as they are members of the commission or until their successors are appointed and qualified. The energy fair commission through the nonprofit corporation shall stage a fair in Franklin or Benton county during the 1983 calendar year or as soon thereafter as is considered practical by the commission. The commission shall carry out the purposes of the energy fair by suitable exhibits and demonstrations.

NEW SECTION. Sec. 25. The department of commerce and economic development and the state energy commission, as well as all other interested departments and agencies, shall cooperate with the energy fair commission for the fair to become a memorable success. The energy fair commission and all other state departments and agencies shall cooperate in all respects with Benton and Franklin counties and with other departments, agencies, and political subdivisions of this state.

NEW SECTION. Sec. 26. The Energy Fair '83 local steering committee is created consisting of twelve voting members and one nonvoting member selected as follows:

- (1) One member from each of these counties: Benton, Franklin, Klickitat, Walla Walla, and Yakima appointed by the board of county commissions of the appropriate county;
- (2) One member from each of these cities: Pasco, Richland, Kennewick, Walla Walla, Goldendale, and Yakima appointed by the legislative body of the appropriate city;
- (3) One member from the Yakima Indian Reservation appointed by the Yakima Indian Council; and
- (4) One nonvoting member, appointed by the other members, who shall be the chairperson of the committee and who shall be responsible for insuring the effective and efficient operation of the committee.

The local steering committee's duties are to coordinate the siting and location of the fair, oversee promotional activities, and engage in exploratory research. The committee shall take those steps necessary to insure the success and effectiveness of Energy Fair '83."

Re-number remaining sections consecutively.

## POINT OF ORDER

Ms. McCormick: "Mr. Speaker; I don't think this is within the scope and object of the bill before us."

Speaker Berentson declared the House to be at ease.

Speaker Berentson called the House to order.

## MOTION

Mr. Polk moved that the House now consider House Bill No. 1419, and the motion was carried.

HOUSE BILL NO. 1419, by Representatives Scott, Bond, McCormick, Wilson, Nelson (D), Sprague, Martinis, Mitchell, Charnley, King, Sherman, Grimm, Ehlers, Thompson, Warnke, Burns, Gallagher, Knowles, Rinehart, Brekke, Eng, Erak, Galloway, Granlund, Hughes, Kreidler, Lux, Monohon, Pruitt, Salatino, Smith (R), Van Dyken and Vrooman:

Encouraging the use of renewable energy resources by gas and electric companies.

The bill was read the second time.

On motion of Ms. Sommers, Substitute House Bill No. 1419 was substituted for House Bill No. 1419, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1419 was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Scott and Granlund spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1419, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Deccio, Ellis, Martinis.

Substitute House Bill No. 1419, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### NOTICE OF PROPOSED RULE CHANGE

Mr. King served notice that he would, on the next working day, propose an amendment to the House Rules.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Polk: "Mr. Speaker, to receive notice of an impending request for a rule change, doesn't that also require the proposed change to be circulated to the members so that we have it on our desks one day in advance before consideration?"

Speaker Berentson: "Yes, it does. Representative King has informed us that it is being printed now and will be distributed as soon as it is available."

HOUSE BILL NO. 1483, by Representatives Whiteside, Adams, Stratton, Schmitt, Mitchell, Pruitt, Lux, Smith (C), Vrooman, Williams, Maxie, Gallagher, Valle and Salatino (by Department of Social and Health Services request):

Appropriating moneys to implement Referendum 37. (Facilities for the handicapped)

The bill was read the second time.

Committee on Appropriations recommendation: Majority, do pass as amended. (For amendments, see Journal, 33rd Day, February 15, 1980.)

Mr. Thompson moved adoption of the committee amendment.

On motion of Mr. Thompson, the following amendment to the committee amendment was adopted:

On page 2, line 2 of the committee amendment, after "dollars" strike all material through "boundaries" on line 3

Speaker Berentson stated the question before the House to be the committee amendment as amended.

Mr. Amen spoke in favor of the amendment, and it was adopted.

Mr. Whiteside moved adoption of the following amendment:

On line 13 following "appropriation," insert "No funds shall be committed for specific projects without prior approval of a majority of both the senate committee on ways and means and the house of representatives committee on appropriations."

Mr. Whiteside spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Whiteside yielded to question by Mr. Oliver.

Mr. Oliver: "Representative Whiteside, if we should pass this amendment, this is quite a change from where we have traditionally allocated referendum moneys. Is it your intention to lessen political involvement into those decisions? Do you see an impact on this?"

Mr. Whiteside: "Representative Oliver, I don't foresee that this would put us into a political arena. It's just that the people on it in the Legislature want to be assured that these programs are going to be meaningful. There has been some questions about how the funds are distributed in the Referendum 37 moneys and we want to build it into here to correct any problems that may arise from that."

Representatives Oliver, Thompson and Wilson spoke against the amendment, and Mr. Whiteside spoke again in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Whiteside to House Bill No. 1483, and the amendment was not adopted by the following vote: Yeas, 44; nays, 51; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Austin, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Dunlap, Eberle, Fancher, Flanagan, Flint, Fuller, Galloway, Greengo, Hastings, Jovanovich, May, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Patterson, Polk, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Stratton, Struthers, Teutsch, Tupper, Van Dyken, Whiteside, Williams, Winsley.

Voting nay: Representatives Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Garrett, Granlund, Grimm, Gruger, Heck, Houchen, Hughes, Isaacson, Keller, King, Knowles, Kreidler, Lux, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Oliver, Owen, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Taller, Taylor, Thompson, Tilly, Valle, Vrooman, Walk, Warnke, Wilson, Zimmerman.

Not voting: Representatives Deccio, Ellis, Martinis.

On motion of Mr. Thompson, the committee amendment to the title was adopted.

House Bill No. 1483 was ordered engrossed.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1483 was placed on final passage.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Nelson (G): "Mr. Speaker, how many votes does it take to pass this bill?"

Speaker Berentson: "Fifty-nine."

Mr. Nelson (G) spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1483, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Deccio, Ellis, Martinis.

Engrossed House Bill No. 1483, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Polk, the House adjourned until 9:30 a.m., Wednesday, February 27, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## FORTY-FIFTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 27, 1980

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Martinis and Nelson (G), who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Margaret Hanan, Kristi Paynter and Penny Wright. Prayer was offered by The Reverend Paul McCann of the United Churches of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGES FROM THE SENATE

February 26, 1980

Mr. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2494,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2977,  
SUBSTITUTE SENATE BILL NO. 3420,  
ENGROSSED SENATE BILL NO. 3371,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 26, 1980

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 3190, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 26, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3297, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 26, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3415, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 26, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3133,  
SUBSTITUTE SENATE BILL NO. 3164,  
SUBSTITUTE SENATE BILL NO. 3184,  
SENATE BILL NO. 3211,  
SENATE BILL NO. 3214,  
SENATE BILL NO. 3220,  
SUBSTITUTE SENATE BILL NO. 3224,  
SENATE BILL NO. 3236,  
SENATE BILL NO. 3241,  
SUBSTITUTE SENATE BILL NO. 3256,  
SENATE BILL NO. 3282,  
SUBSTITUTE SENATE BILL NO. 3309,  
SENATE BILL NO. 3318,  
SUBSTITUTE SENATE BILL NO. 3330,



SENATE BILL NO. 3331,  
 SENATE BILL NO. 3334,  
 SENATE BILL NO. 3362,  
 SENATE BILL NO. 3378,  
 SENATE BILL NO. 3422,  
 SENATE BILL NO. 3474,  
 SENATE BILL NO. 3487,  
 SUBSTITUTE SENATE BILL NO. 3558,  
 SENATE BILL NO. 3565,  
 SUBSTITUTE SENATE BILL NO. 3581,  
 SENATE BILL NO. 3593,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

INTRODUCTIONS AND FIRST READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2494, by Committee on Energy and Utilities (originally sponsored by Senator Bottiger):

Granting the power of eminent domain to certain energy facilities.

To Committee on Judiciary.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2977, by Committee on Energy and Utilities (originally sponsored by Senator Bottiger):

Providing for renewable energy practices and devices.

To Committee on Energy and Utilities.

SUBSTITUTE SENATE BILL NO. 3420, by Committee on Energy and Utilities (originally sponsored by Senators Bottiger and Benitz):

Appropriating funds for a feasibility study of constructing waste energy resource recovery facilities in various locations in the state.

To Committee on Energy and Utilities.

ENGROSSED SENATE BILL NO. 3371, by Senators Peterson, Wanamaker and Goltz (by Department of Ecology request):

Establishing the Padilla Bay estuarine sanctuary in Skagit County.

To Committee on Ecology.

MOTION

On motion of Mr. Salatino, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by Speaker Bagnariol. The Clerk called the roll and all members were present except Representatives Martinis and Nelson (G), who were excused.

SENATE AMENDMENT TO HOUSE BILL

February 19, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1492 with the following amendment:

On page 6, line 8 after "deduction" insert "by carriers holding a valid certificate of authority in the state of Washington and"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Taller, the House concurred in the Senate amendment to Substitute House Bill No. 1492.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol declared the question before the House to be the final passage of Substitute House Bill No. 1492 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1492 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rinehart, Rosbach, Salatino, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Chandler, Nelson G. A., Polk, Sanders.

Substitute House Bill No. 1492 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

February 18, 1980

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1983 with the following amendments:

On page 1, line 12 after "46.29.490;" strike "and" and on line 15 after "46.29.550" insert "; and providing an effective date"

On page 9, after line 20 add a new section to read as follows:

"NEW SECTION, Sec. 8. This act shall take effect on September 1, 1980."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Keller, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1983.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1983 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1983 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Amen, Austin, Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Addison, Barnes, Chandler, Martinis, Nelson G. A., Polk, Valle.

Engrossed Substitute House Bill No. 1983 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE GOVERNOR

February 22, 1980

To the Honorable,  
The House of Representatives  
Of the State of Washington  
Ladies and Gentlemen:

I have the honor to advise that on February 22, 1980, Governor Ray approved the following House Bills, entitled:

- HOUSE BILL NO. 322: An act relating to religious ceremonies;
- HOUSE BILL NO. 878: An act relating to special purpose districts;
- HOUSE BILL NO. 1414: An act relating to institutions of higher education;
- SUBSTITUTE HOUSE BILL NO. 1496: An act relating to health insurance conversion rights;
- HOUSE BILL NO. 1524: An act relating to salary survey – public employees;
- HOUSE BILL NO. 1587: An act relating to industrial insurance;
- HOUSE BILL NO. 1588: An act relating to horse racing;
- HOUSE BILL NO. 1589: An act relating to county prisoners;
- HOUSE BILL NO. 1624: An act relating to salmon enhancement;
- HOUSE BILL NO. 1686: An act relating to school district budgeting procedures;
- HOUSE BILL NO. 1762: An act relating to probation;
- SUBSTITUTE HOUSE BILL NO. 1807: An act relating to transportation of hazardous materials;
- HOUSE BILL NO. 1976: An act relating to pollution control.

Very truly yours,  
H. B. Hanna, Legal Counsel.

February 11, 1980

To the Honorable,  
The Senate and the House of Representatives  
of the State of Washington  
Ladies and Gentlemen:

In compliance with the provisions of Section 11 of Article III of the Constitution of the State of Washington, I have the honor to submit herewith my report of each case of reprieve, commutation, or pardon which has been granted since the adjournment of the First Extraordinary Session of the Forty-Sixth Regular Session of the Legislature.

Levy Arnett was convicted of Murder in the First Degree by the Superior Court for the State of Washington, in and for the County of King, under Cause No. 42518 on August 10, 1965, and was sentenced on that date to a mandatory life term, requiring that he serve twenty consecutive years less good time before he may be considered for parole by the Board of Prison Terms and Paroles.

Levy Arnett has been in continuous custody since his conviction for Murder in the First Degree except for the period from October 30, 1974 to March 25, 1977, at which time he was released on his personal recognizance by King County Court Order during his appeal process.

Letters of support and recommendation have been presented on behalf of Levy Arnett, advising that during the period he was released on person recognizance he was continuously employed, lived with his wife and a nephew in the Seattle area, and in all matters conducted himself properly.

Correctional officers have provided letters advising that Levy Arnett has been a stabilizing influence on programs within the prisons and that other residents respect Levy Arnett because of his integrity and willingness to work and his leadership during the critical period of the development of the Resident Government Council at the Washington State Penitentiary; further, Levy Arnett has been said to continue to enhance his reputation through ethical and law-abiding behavior, not only with his peers but also with all persons who come into contact with him.

The Board of Prison Terms and Paroles collectively reviewed the file of Levy Arnett and agreed to recommend a conditional gubernatorial pardon to give credit for that portion of time that Levy Arnett was released from continuous custody under personal recognizance, thereby giving the Board of Prison Terms and Paroles the jurisdiction to consider him for parole.

For these reasons, on June 14, 1979, Levy Arnett was granted a conditional pardon and authorized the Board of Prison Terms and Paroles to parole Levy Arnett, subject to the complete control, supervision and authority of said Board, which authority shall include any and all

action deemed appropriate by the Board, including the authority to revoke the parole and return Levy Arnett to imprisonment.

Respectfully submitted,  
DIXY LEE RAY, Governor.

#### MOTION

On motion of Mr. Salatino, the House advanced to the sixth order of business.

#### SECOND READING

HOUSE BILL NO. 1499, by Representatives Monohon, Tupper, Erak, McCormick, Burns, Nelson (D), Nisbet, Williams, Rinehart, Brown, North, Fuller, Charnley, Lux, Knowles, Salatino, May, Brekke, Eng, Vrooman, Sherman, Ellis and Gallagher:

Providing for the definition of "low income senior citizen" for reduced utility rates.

The bill was read the second time.

On motion of Ms. McCormick, Substitute House Bill No. 1499 was substituted for House Bill No. 1499, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1499 was read the second time.

Ms. Monohon moved adoption of the following amendment by Representatives Monohon, Tupper and Nisbet:

On page 1, line 23 after "exceed" insert "seventy percent of"

Representatives Monohon and Tupper spoke in favor of the amendment, and it was adopted.

Mr. Hastings moved adoption of the following amendment:

On page 1, strike everything after the enacting clause and insert the following:

"Section 1. Section 1, chapter 116, Laws of 1979 and RCW 74.38.070 are each amended to read as follows:

(1) Notwithstanding any other provision of law, any county, city, town, municipal corporation, or quasi municipal corporation providing utility services may provide such services at reduced rates for low income senior citizens, low income disabled persons, and low income handicapped persons: PROVIDED, That, for the purposes of this section, 'low income senior citizen' shall be defined by appropriate ordinance or resolution adopted by the governing body of the county, city, town, municipal corporation, or quasi municipal corporation providing the utility services except as provided in subsection (2) of this section. Any reduction in rates granted in whatever manner ((to low income senior citizens)) in one part of a service area shall be uniformly extended ((to low income senior citizens)) in all other parts of the service area.

(2) For purposes of implementing this section by any public utility district, 'low income senior citizen' means a person who is sixty-two years of age or older and whose total income, including that of his or her spouse or cotenant, does not exceed the amount specified in RCW 84.36.381(5)(b), as now or hereafter amended.

(3) As used in this section, 'low income disabled person' and 'low income handicapped person' means a person who meets the income requirements under this section and who is considered either handicapped or physically or mentally disabled under RCW 28A.10.010."

Mr. Hastings spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Hastings yielded to question by Mr. Tupper.

Mr. Tupper: "Representative Hastings, I'm concerned about your amendment on line 8 and line 17 of the second page—are we not making the same mistake we almost made previously in referring to the full level of support?"

Mr. Hastings: "Because we passed the last amendment, I feel it would apply to this. Is that correct, Mr. Speaker?"

Speaker Bagnariol: "That's not correct, Representative Hastings."

On motion of Mr. Hastings, the following amendment to the amendment was adopted:

On page 2, line 7 of the amendment after "exceed" insert "seventy percent of"

Speaker Bagnariol stated the question before the House to be the amendment by Representative Hastings as amended.

Ms. Monohon spoke against the amendment, and Mr. Hastings spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment as amended by Representative Hastings to Substitute House Bill No. 1499, and the amendment was adopted by the following vote: Yeas, 56; nays, 40; not voting, 2.

Voting yea: Representatives Addison, Amen, Austin, Barnes, Barr, Berentson, Bond, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Eng, Fancher, Flanagan, Flint, Fuller, Greengo, Grimm, Hastings, Heck, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Newhouse, Nisbet, Oliver, Owen, Patterson, Polk, Rosbach, Sanders, Schmitten, Sherman, Smith C. P., Smith R., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Ehlers, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Gruger, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Pruitt, Rinehart, Salatino, Scott, Sommers, Stratton, Thompson, Valle, Vrooman, Warnke.

Not voting: Representatives Martinis, Nelson G. A.

On motion of Mr. Hastings, the following amendment to the title was adopted:  
On page 1, line 1 of the title strike "senior"

The bill was ordered engrossed.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1499 was placed on final passage.

Ms. Monohon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1499, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Dunlap, Martinis, Nelson G. A.

Engrossed Substitute House Bill No. 1499, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1518, by Representatives Sanders, Schmitten, Erickson, Sommers and Owen:

Modifying minimum rental requirements for oil and gas leases on state lands.

The bill was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sanders spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1518, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Martinis, Nelson G. A., Valle.

House Bill No. 1518, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1989, by Representatives Warnke, May, Nisbet, Greengo, Salatino, Bauer, Mitchell, McGinnis, Kreidler, Charnley, Ehlers, McCormick, Sherman, Bender, Scott, North, Maxie, Gruger, Heck, Erickson, Knowles, Smith (R), O'Brien and Winsley (by House Select Committee on Mobile Homes request):

Regulating the manufacture, installation, sale, transportation and repair of manufactured homes.

The bill was read the second time.

On motion of Mr. Warnke, Substitute House Bill No. 1989 was substituted for House Bill No. 1989, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1989 was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. May spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1989, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley.

Not voting: Representatives Martinis, Nelson G. A., Zimmerman.

Substitute House Bill No. 1989, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT MEMORIAL NO. 31, by Representatives Williams, Eberle, Addison, Tupper, Zimmerman, Sprague, Dunlap and Isaacson:

Requesting Congress to designate one federal agency to process complicated energy licensing applications.

The memorial was read the second time.

On motion of Ms. McCormick, Substitute House Joint Memorial No. 31 was substituted for House Joint Memorial No. 31, and the substitute memorial was placed on the calendar for second reading.

Substitute House Joint Memorial No. 31 was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Mr. Williams spoke in favor of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Joint Memorial No. 31, and the memorial passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Martinis, Nelson G. A.

Substitute House Joint Memorial No. 31, having received the constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 3499, by Senators Day, Jones, Bradburn and Morrison:

Providing a program to aid fragile children.

The bill was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3499, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Martinis, Nelson G. A.

Engrossed Senate Bill No. 3499, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 26, 1980

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1568 with the following amendments:

On page 1, line 25 strike "other"

On page 1, line 26 before "motor vehicles" strike "passenger" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTIONS

On motion of Ms. McCormick, the House refused to concur in the Senate amendment to page 1, line 25 and asked the Senate to recede therefrom.

On motion of Ms. McCormick, the House concurred in the Senate amendment to page 1, line 26 to Engrossed House Bill No. 1568.

SENATE AMENDMENTS TO HOUSE BILL

February 26, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1778 with the following amendments:

On page 1, line 17 after "of" strike "1,401,000" and insert "1,469,000"

On page 1, line 20 after "of" strike "seven" and insert "eight"

On page 1, line 22 after "Oak Harbor," insert "Oroville,"

On page 1, line 23 after "of" strike "thirty-two" and insert "thirty-four"

On page 1, line 29 after "shall" strike all of the material down to and including "years" on line 30 and insert "remain unexpended to the extent that appropriations are made by that act for the purposes of carrying out section 1 of this act"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Wilson, the House concurred in the Senate amendments to Substitute House Bill No. 1778.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of Substitute House Bill No. 1778 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1778 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Martinis, Nelson G. A.

Substitute House Bill No. 1778 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Salatino, the House adjourned until 9:45 a.m., Thursday, February 28, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk



**FORTY-SIXTH DAY**

**MORNING SESSION**

House Chamber, Olympia, Wash., Thursday, February 28, 1980

The House was called to order at 9:30 a.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present except Representative Wilson, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Marie Sauter, Dominic Lee and Todd Gardiner. Prayer was offered by The Reverend William Archer of the Shelton Vineyard Church of Shelton.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

**MESSAGES FROM THE SENATE**

February 27, 1980

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 38,  
HOUSE BILL NO. 1620,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 27, 1980

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3447,  
SUBSTITUTE SENATE BILL NO. 3571,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 27, 1980

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3190,  
SUBSTITUTE SENATE BILL NO. 3297,  
SENATE BILL NO. 3415,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

**INTRODUCTIONS AND FIRST READING**

SUBSTITUTE SENATE BILL NO. 3447, by Committee on Ways and Means (originally sponsored by Senators Odegaard and Talley):

Appropriating money to replace state forest lands at Sequest.

SUBSTITUTE SENATE BILL NO. 3571, by Committee on Higher Education (originally sponsored by Senators Goltz, Guess, Scott, Benitz, Shinpoch, von Reichbauer and Odegaard):

Providing study for institute of applied technology.

**REPORTS OF STANDING COMMITTEES**

February 26, 1980

HOUSE BILL NO. 1916, Prime Sponsor: Representative Hughes, establishing a lobo wolf preserve. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill recommended by House Parks and Recreation Committee be substituted therefor and the substitute bill do pass. Signed by Representatives Thompson, Co-Chairman; Bauer, Becker, Ehlers, Grimm, Heck, Hughes, Keller, Maxie, McDonald, Taller, Valle, Vrooman, Warnke.

**MINORITY recommendation:** Do not pass. Signed by Representatives Nelson (G), Co-Chairman; Amen, Barnes, Chandler, Fancher, Nisbet, Taylor, Zimmerman.

Passed to Committee on Rules for second reading.

February 26, 1980

**SECOND SUBSTITUTE SENATE BILL NO. 2922,** Prime Sponsor: Senator Rasmussen, providing for a building for the public employees' retirement system. Reported by Committee on Appropriations.

**MAJORITY recommendation:** Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION.** Section 1. The director of the department of retirement systems shall cause a study to be conducted to determine the feasibility of using pension trust funds to build an office building in Thurston County as an investment. The study shall include, but shall not be limited to, the following considerations:

(1) Investment potential of an office building in Thurston County, including the expected rate of return to the trust funds; and (2) The size, design, and location of a building which would provide a sound investment to the trust funds.

**NEW SECTION.** Sec. 2. The feasibility study authorized in this 1980 act shall be completed by October 1, 1980 and copies provided to the senate ways and means committee, the house appropriations committee, the state finance committee, and the office of financial management.

**NEW SECTION.** Sec. 3. There is hereby appropriated to the department of retirement systems twenty thousand dollars, or so much thereof as may be necessary, from the general fund for the purposes of this act."

On page 1, line 1 of the title after "investments;" strike "adding new sections to chapter 41.40 RCW;" and insert "creating new sections;"

Signed by Representatives Thompson, Co-Chairman; Barnes, Bauer, Becker, Grimm, Gruger, Heck, Hughes, Keller, Tallor, Valle, Vrooman, Warnke, Williams.

Passed to Committee on Rules for second reading.

February 25, 1980

**ENGROSSED SUBSTITUTE SENATE BILL NO. 3250,** Prime Sponsor: Senator Fleming, establishing a nursing home audit and cost reimbursement system. Reported by Committee on Appropriations.

**MAJORITY recommendation:** Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION.** Section 1. This chapter may be known and cited as the 'Nursing Homes Auditing and Cost Reimbursement Act of 1980.'

**NEW SECTION.** Sec. 2. **DEFINITIONS.** Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Accrual method of accounting' means a method of accounting in which revenues are reported in the period when they are earned, regardless of when they are collected, and expenses are reported in the period in which they are incurred, regardless of when they are paid.

(2) 'Ancillary care' means those services required by the individual, comprehensive plan of care provided by qualified therapists.

(3) 'Appraisal' means the process of establishing the fair market value or reconstructing the historical cost of an asset acquired in a past period as performed by an individual professionally designated either by the American institute of real estate appraisers as a member, appraisal institute (MAI), or by the society of real estate appraisers as a senior real estate analyst (SREA) or a senior real property appraiser (SRPA). It includes a systematic, analytic determination and the recording and analyzing of property facts, rights, investments, and values based on a personal inspection and inventory of the property.

(4) 'Arm's-length transaction' means a transaction resulting from good-faith bargaining between a buyer and seller who are not related organizations and have adverse positions in the market place. Sales or exchanges of nursing home facilities among two or more parties in which all parties subsequently continue to own one or more of the facilities involved in the transactions shall not be considered as arm's-length transactions for purposes of this chapter. Sale of a nursing home facility which is subsequently leased back to the seller within five years of the date of sale shall not be considered as an arm's-length transaction for purposes of this chapter.

(5) 'Assets' means economic resources of the contractor, recognized and measured in conformity with generally accepted accounting principles.

(6) 'Bad debts' means amounts considered to be uncollectable from accounts and notes receivable.

(7) 'Beds' means the number of set-up beds in the facility, not to exceed the number of licensed beds.

(8) 'Beneficial owner' means:

(a) Any person who, directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise has or shares:

- (i) Voting power which includes the power to vote, or to direct the voting of such ownership interest; and/or
- (ii) Investment power which includes the power to dispose, or to direct the disposition of such ownership interest;

(b) Any person who, directly or indirectly, creates or uses a trust, proxy, power of attorney, pooling arrangement, or any other contract, arrangement, or device with the purpose or effect of divesting himself of beneficial ownership of an ownership interest or preventing the vesting of such beneficial ownership as part of a plan or scheme to evade the reporting requirements of this chapter;

(c) Any person who, subject to subparagraph (b) of this subsection, has the right to acquire beneficial ownership of such ownership interest within sixty days, including but not limited to any right to acquire:

- (i) Through the exercise of any option, warrant, or right;
  - (ii) Through the conversion of an ownership interest;
  - (iii) Pursuant to the power to revoke a trust, discretionary account, or similar arrangement; or
  - (iv) Pursuant to the automatic termination of a trust, discretionary account, or similar arrangement;
- except that, any person who acquires an ownership interest or power specified in subparagraphs (i), (ii), or (iii) of this subparagraph (c) with the purpose or effect of changing or influencing the control of the contractor, or in connection with or as a participant in any transaction having such purpose or effect, immediately upon such acquisition shall be deemed to be the beneficial owner of the ownership interest which may be acquired through the exercise or conversion of such ownership interest or power;

(d) Any person who in the ordinary course of business is a pledgee of ownership interest under a written pledge agreement shall not be deemed to be the beneficial owner of such pledged ownership interest until the pledgee has taken all formal steps necessary which are required to declare a default and determines that the power to vote or to direct the vote or to dispose or to direct the disposition of such pledged ownership interest will be exercised; except that:

(i) The pledge agreement is bona fide and was not entered into with the purpose nor with the effect of changing or influencing the control of the contractor, nor in connection with any transaction having such purpose or effect, including persons meeting the conditions set forth in subparagraph (b) of this subsection; and

- (ii) The pledge agreement, prior to default, does not grant to the pledgee:
  - (A) The power to vote or to direct the vote of the pledged ownership interest; or
  - (B) The power to dispose or direct the disposition of the pledged ownership interest, other than the grant of such power(s) pursuant to a pledge agreement under which credit is extended and in which the pledgee is a broker or dealer.

(9) 'Capitalization' means the recording of an expenditure as an asset.

(10) 'Contractor' means an entity which contracts with the department to provide services to medical care recipients in a facility and which entity is responsible for operational decisions.

(11) 'Department' means the department of social and health services (DSHS) and its employees.

(12) 'Depreciation' means the systematic distribution of the cost or other basis of tangible assets, less salvage, over the estimated useful life of the assets.

(13) 'Direct care supplies' means medical, pharmaceutical, and other supplies required for the direct nursing and ancillary care of medical care recipients.

(14) 'Entity' means an individual, partnership, corporation, or any other association of individuals capable of entering enforceable contracts.

(15) 'Equity' means the net book value of all tangible and intangible assets less the recorded value of all liabilities, as recognized and measured in conformity with generally accepted accounting principles.

(16) 'Facility' means a nursing home licensed in accordance with chapter 18.51 RCW, or that portion of a hospital licensed in accordance with chapter 70.41 RCW which operates as a nursing home.

(17) 'Fair market value' means the replacement cost of an asset less observed physical depreciation on the date for which the market value is being determined.

(18) 'Financial statements' means statements prepared and presented in conformity with generally accepted accounting principles including, but not limited to, balance sheet, statement of operations, statement of changes in financial position, and related notes.

(19) 'Generally accepted accounting principles' means accounting principles approved by the financial accounting standards board (FASB).

(20) 'Generally accepted auditing standards' means auditing standards approved by the American institute of certified public accountants (AICPA).

(21) 'Goodwill' means the excess of the price paid for a business over the fair market value of all other identifiable, tangible, and intangible assets acquired.

(22) 'Historical cost' means the actual cost incurred in acquiring and preparing an asset for use, including feasibility studies, architect's fees, and engineering studies.

(23) 'Imprest fund' means a fund which is regularly replenished in exactly the amount expended from it.

(24) 'Joint facility costs' means any costs which represent resources which benefit more than one facility, or one facility and any other entity.

(25) 'Medical care program' means medical assistance provided under RCW 74.09.500 or authorized state medical care services.

(26) 'Medical care recipient' or 'recipient' means an individual determined eligible by the department for the services provided in chapter 74.09 RCW.

(27) 'Net book value' means the historical cost of an asset less accumulated depreciation.

(28) 'Net invested funds' means the net book value of tangible fixed assets employed by a contractor to provide services under the medical care program, including land, buildings, and equipment as recognized and measured in conformity with generally accepted accounting principles, plus an allowance for working capital which shall be five percent of the allowable costs of each contractor for the previous calendar year.

(29) 'Operating lease' means a lease under which rental or lease expenses are included in current expenses in accordance with generally accepted accounting principles.

(30) 'Owner' means a sole proprietor, general or limited partners, and beneficial interest holders of five percent or more of a corporation's outstanding stock.

(31) 'Ownership interest' means all interests beneficially owned by a person, calculated in the aggregate, regardless of the form which such beneficial ownership takes.

(32) 'Patient day' or 'client day' means a calendar day of care which will include the day of admission and exclude the day of discharge; except that, when admission and discharge occur on the same day, one day of care shall be deemed to exist.

(33) 'Qualified therapist' means:

(a) An activities specialist who has specialized education, training, or experience as specified by the department;

(b) An audiologist who is eligible for a certificate of clinical competence in audiology or who has the equivalent education and clinical experience;

(c) A mental health professional as defined by chapter 71.05 RCW;

(d) A mental retardation professional who is either a qualified therapist or a therapist approved by the department who has had specialized training or one year's experience in treating or working with the mentally retarded or developmentally disabled;

(e) A social worker who is a graduate of a school of social work;

(f) A speech pathologist who is eligible for a certificate of clinical competence in speech pathology or who has the equivalent education and clinical experience;

(g) A physical therapist as defined by chapter 18.74 RCW; and

(h) An occupational therapist who is a graduate of a program in occupational therapy, or who has the equivalent of such education or training.

(34) 'Questioned costs' means those costs which have been determined in accordance with generally accepted accounting principles but which may constitute disallowed costs or departures from the provisions of this chapter or rules and regulations adopted by the department.

(35) 'Records' means those data supporting all financial statements and cost reports including, but not limited to, all general and subsidiary ledgers, books of original entry, and transaction documentation, however such data are maintained.

(36) 'Related organization' means an entity which is under common ownership and/or control with, or has control of, or is controlled by, the contractor.

(a) 'Common ownership' exists when an entity is the beneficial owner of five percent or more ownership interest in the contractor and any other entity.

(b) 'Control' exists where an entity has the power, directly or indirectly, significantly to influence or direct the actions or policies of an organization or institution, whether or not it is legally enforceable and however it is exercisable or exercised.

(37) 'Restricted fund' means those funds the principal and/or income of which is limited by agreement with or direction of the donor to a specific purpose.

(38) 'Secretary' means the secretary of the department of social and health services.

(39) 'Title XIX' or 'Medicaid' means the 1965 amendments to the social security act, P.L. 89-07, as amended.

#### PART A REPORTING

**NEW SECTION. Sec. 3. PRINCIPLES OF REPORTING REQUIREMENTS.** The principle inherent within sections 4 through 9 of this act is that the department shall receive complete, annual reporting of costs and financial condition of the contractor prepared and presented in a standardized manner.

**NEW SECTION. Sec. 4. REPORT DUE DATE.** (1) Not later than March 31, 1982, and each year thereafter, each contractor shall submit to the department an annual cost report, and such financial statements as are required by this chapter, for the period from January 1st through December 31st of the preceding year.

(2) Two extensions of not more than thirty days each after March 31st may be granted by the department upon receipt of a written request setting forth the circumstances which prohibit the contractor from compliance with such due date; except, that the secretary shall establish the grounds for extension in rule and regulation. Such request must be received by the department at least ten days prior to the due date.

(3) Not later than one hundred and twenty days following the termination of a contract, the contractor shall submit to the department a cost report, and such financial statements as are required by this chapter, for the period from January 1st through the date the contract terminated.

**NEW SECTION. Sec. 5. IMPROPERLY COMPLETED OR LATE REPORTS.** If either the cost report or the financial statements are not properly completed or if they are not received by the due date, all or part of any payments due under the contract may be withheld by the department until such time as the required cost report and financial statements are properly completed and received.

**NEW SECTION. Sec. 6. COMPLETING REPORTS AND MAINTAINING RECORDS.** (1) Cost reports shall be prepared in a standard manner and form, as determined pursuant to section 7 of this act, which shall provide for financial statements, an itemized list of allowable costs, and a preliminary settlement report. Costs reported shall be determined in accordance with generally accepted accounting principles and such additional rules and regulations as are established by the secretary.

(2) All financial statements of a contractor must be prepared in accordance with generally accepted accounting principles, such additional regulatory requirements developed pursuant to section 7 of this act, and such additional rules and regulations as are established by the secretary.

(3) The records shall be maintained on the accrual method of accounting and agree with or be reconcilable to the cost report and the financial statements.

**NEW SECTION. Sec. 7. DEVELOPMENT OF ACCOUNTING AND AUDITING REQUIREMENTS.** (1) The office of financial management shall, within seventy-five days after the effective date of this section, engage a consultant through competitive bids who will develop the following:

(a) A uniform chart of accounts;

(b) A standard cost report form, including financial statements which shall be in conformity with generally accepted accounting principles and such regulatory requirements established by this section as well as any relevant federal regulatory requirements;

(c) Regulatory reporting and accounting provisions which may be required; and

(d) Regulatory auditing provisions which may be required.

(2) Such consultant will develop the items specified in subsection (1) of this section:

(a) In cooperation with an advisory committee to be composed of representatives of the office of financial management, the legislature, the department, the office of the state auditor, the Washington society of certified public accountants, and the providers of nursing home services; and

(b) In a manner which will achieve the principles stated in sections 3 and 10 of this act.

(3) Such consultant shall provide ongoing financial consulting assistance to the patient task force created in section 85 of this act. The patient classification system and standard hours for each classification established by the task force must tie to the uniform chart of accounts, standard cost reports, and financial statements to allow the independent certified public accountant to express an opinion on the statement of expenditures presented in the annual cost report.

(4) Such consultant will complete the development of the items specified in subsection (1) of this section not later than October 1, 1980. The secretary will adopt rules and regulations necessary to implement the consultant's product not later than December 31, 1980, for use in the 1981 reporting year.

**NEW SECTION. Sec. 8. REQUIREMENTS FOR RETENTION OF RECORDS BY THE CONTRACTOR.** (1) All records supporting the required cost reports and financial statements, as well as trust funds established by section 69 of this act, shall be retained by the contractor for a period of four years following the filing of such reports at a location in the state of Washington specified by the contractor. The department may direct such records to be retained for a longer period if there remain unresolved questions on the cost reports and financial statements. All such records shall be made available upon demand to authorized representatives of the department, the office of the state auditor, and the United States department of health, education and welfare.

(2) When a contract is terminated, all payments due will be withheld until accessibility and preservation of the records within the state of Washington are assured.

**NEW SECTION. Sec. 9. RETENTION OF REPORTS BY THE DEPARTMENT.** The department will retain the required cost reports and financial statements for a period of one year after final settlement, or the period required under the provisions of chapter 40.14 RCW, whichever is greater.

#### PART B AUDIT

**NEW SECTION. Sec. 10. PRINCIPLES OF AUDIT REQUIREMENTS.** The principles inherent within sections 11 through 14 of this act are:

(1) To ascertain, through certified audit, that the costs for each year are accurately reported, thereby providing a valid basis for future rate determination;

(2) To ascertain, through certified audits of the cost reports, that cost reports properly reflect the financial statements of the contractor, particularly as they pertain to related organizations and beneficial ownership, thereby providing a valid basis for the determination of return as specified by this chapter;

(3) To ascertain, through the certified audit and the oversight of the office of the state auditor, that compliance with the accounting and auditing provisions of this chapter and the rules and regulations of the department as they pertain to these accounting and auditing provisions is proper and consistent; and

(4) To ascertain, through certified audits, that the responsibility of the contractor has been met in the maintenance of patient trust funds.

**NEW SECTION. Sec. 11. DESK REVIEW.** (1) The department shall analyze the submitted cost report and financial statements of each contractor to determine if the information is correct and complete. If the analysis finds that either the cost report or financial statements are incorrect or incomplete, the department shall take whatever steps are deemed necessary to obtain information from the contractor.

(2) The department shall accumulate data from the properly completed cost reports and financial statements for use in:

(a) Exception profiling; and

(b) Establishing rates.

(3) The department may further utilize such accumulated data for analytical, statistical, or informational purposes as it may deem necessary.

**NEW SECTION. Sec. 12. TYPES OF EXAMINATIONS.** Certified audits of the cost reports and patient trust accounts shall be conducted in accordance with the provisions of this chapter, as follows:

(1) The annual cost report of each contractor and the patient trust accounts under his control will be audited prior to submission to the department by an independent certified public accountant, licensed according to the provisions of chapter 18.04 RCW, who shall be engaged by the office of financial management through competitive bids. The office of financial management shall cause to be published a request for qualifications from independent certified public accountants. The office of financial management shall then select those independent certified public accountant firms which have qualified to participate in the competitive bid process through a request for proposals: PROVIDED, That during fiscal year 1982, for one hundred percent of the contractors, cost reports and patient trust accounts shall be audited: PROVIDED FURTHER, That during fiscal year 1983, for up to one hundred percent of the contractors, cost reports and patient trust accounts shall be audited. The requirements contained in this subsection shall not be required after June 30, 1983;

(2) Upon request of the secretary; and

(3) Upon termination of a contract.

**NEW SECTION. Sec. 13. PREPARATION FOR AUDIT BY THE CONTRACTOR.** (1) For the requirements of section 12(1) of this act, the contractor shall be notified by the accountant at least ten working days in advance of the engagement. Upon such notification, the contractor shall:

(a) Provide access to the facility, all records, and all working papers which are in support of the cost report, financial statements, and patient trust funds; and

(b) Prepare reconciliation of the cost report and financial statements with (i) applicable federal income and federal and state payroll tax returns and (ii) the records for the period covered by the cost report and financial statements.

(2) For the requirements of section 12(2) of this act, the contractor shall provide access to the facility and supply all records as required in subsection (1) of this section.

**NEW SECTION. Sec. 14. SCOPE OF AUDIT.** (1) The annual cost reports of contractors are required to be audited by an independent certified public accountant in accordance with generally accepted auditing standards established for audit of financial statements by the American institute of certified public accountants.

(2) Accompanying the annual cost report and accountant's report thereon shall be:

(a) A schedule of questioned costs, including dollar amounts being questioned and an explanation of the accountant's reason for questioning the allowability of such costs; except that, an amount, not less than five hundred dollars, shall be established by the secretary below which questioned costs need not be listed;

(b) A schedule summarizing the adjustments to the contractor's financial records as a result of the audit, including dollar amounts, the general ledger account or account group, and an explanation of the reason for adjustment; and

(c) A schedule summarizing the adjustments to the contractor's preliminary settlement report as a result of the audit.

(3)(a) The independent auditor shall perform separate audits on the trust funds established by section 69 of this act. Such audit shall be prepared in conformity with generally accepted auditing standards and additional rules and regulations established by the department.

(b) Accompanying the audit report on such trust funds shall be any letters of comments or recommendations relating to discrepancies or improvements in accounting procedures.

(4) The independent certified public accountant shall retain all working papers resulting from audits conducted pursuant to this section for a period of five years from the date the report was submitted to the department. The secretary shall have access to such retained working papers upon ten days' written notice to the independent certified public accountant.

#### PART C SETTLEMENT

**NEW SECTION. Sec. 15. SETTLEMENT PROCESS.** (1) The settlement process shall consist of:

(a) The evaluation of the preliminary settlement report by cost center contained within the cost report;

(b) The evaluation of the audit results, including disallowed costs; and

(c) The process of scheduling payment as to such underpayments or overpayments.

(2) In:

(a) Rulings on questioned costs; or

(b) Interpretations resulting in payment of the whole or a portion of a disallowed cost,

the department shall prepare and maintain such rulings and interpretations with full justification and explanation for the respective contractor and the appropriate standing committees of the legislature.

**NEW SECTION. Sec. 16. SETTLEMENT.** (1) Upon receipt of the preliminary settlement report, the department shall verify the accuracy of such report.

(2) Within thirty days after receipt of the audited reports by the secretary, the department will submit a proposed final settlement report by cost center to the contractor which rules on questioned costs, and fully substantiates disallowed costs, refunds, underpayments, and/or adjustments to the preliminary settlement report.

**NEW SECTION. Sec. 17. DATE SETTLEMENT BECOMES FINAL.** (1) The settlement will become final thirty days after the date the proposed final settlement report is submitted to the contractor,

unless the contractor contests the determination. In the event of such action, the contractor has thirty days after the date the proposed final settlement report has been submitted to notify the department of such contesting pursuant to the provisions of section 77 of this act.

(2) A settlement will be reopened if necessary to make adjustments for findings resulting from an audit performed pursuant to this chapter.

**NEW SECTION. Sec. 18. PAYMENT OF UNDERPAYMENTS—REFUND OF OVERPAYMENTS/ERRONEOUS PAYMENTS.** (1) The state shall make payment of any underpayments within fifteen days of the date the settlement becomes final.

(2) The contractor found to have received either overpayments and/or erroneous payments shall refund such payments to the state within thirty days of the date the settlement becomes final, subject to the provisions of subsections (3), (4), and (5) of this section.

(3) Within the cost centers of nursing services and food, all savings resulting from the respective audited allowable costs being lower than the respective reimbursement rate paid to the contractor during the report period shall be refunded.

(4) Within the cost centers of administration and operations and property, the contractor shall retain at least fifty percent, but not more than seventy-five percent, of any savings resulting from the respective, audited, allowable costs being lower than the respective reimbursement rates paid to the contractor during the report period multiplied by the number of authorized medical care client days in which said rates were in effect. The secretary, by rule and regulation, shall establish the basis for the specific percentages of savings to the contractors. Such rules and regulations may provide for differences in the percentages allowed for each cost center to individual facilities based on performance measures related to administrative efficiency.

(5) All allowances provided by section 53 of this act shall be retained by the contractor.

(6) In the event the contractor fails to make repayment in the time provided in subsection (2) of this section, the department shall either:

(a) Deduct the amount of refund due plus assessment of interest, as determined by the secretary, from payment amounts due the contractor; or

(b) In the instance the contract has been terminated, (i) deduct the amount of refund due plus an assessment of interest, determined by the secretary, from any payments due; or (ii) assess the amount due plus interest, as determined by the secretary, on the amount due.

(7) Where the facility is pursuing judicial or administrative remedies in good faith regarding settlement issues, the department shall not withhold from the facility current payment amounts the department claims to be due from the facility. If the judicial or administrative remedy sought by the facility is not granted after all appeals are exhausted or mutually terminated, the facility shall make payment of such amounts due plus interest, as payable on judgments, within sixty days of the date such decision is made.

#### PART D ALLOWABLE COSTS

**NEW SECTION. Sec. 19. PRINCIPLES OF ALLOWABLE COSTS.** (1) The substance of a transaction will prevail over its form.

(2) All documented costs which are ordinary, necessary, related to care of medical care recipients, and not expressly nonallowable, are to be allowable.

(3) Costs applicable to services, facilities, and supplies furnished to the provider by related organizations are allowable but at the cost to the related organization, provided they do not exceed the price of comparable services, facilities, or supplies that could be purchased elsewhere.

(4) The payment for property usage is to be independent of ownership structure and financing arrangements.

**NEW SECTION. Sec. 20. OFFSET OF MISCELLANEOUS REVENUES.** (1) Allowable costs shall be reduced by the contractor whenever the item, service, or activity covered by such costs generates revenue or financial benefits other than through the contractor's normal billing for care services; except that, unrestricted grants, gifts, and endowments, and interest therefrom, will not be deducted from the allowable costs of a nonprofit facility.

(2) Where goods or services are sold, the amount of the reduction shall be the actual cost relating to the item, service, or activity. In the absence of adequate documentation of cost, it shall be the full amount of the revenue received. Where financial benefits such as purchase discounts or rebates are received, the amount of the reduction shall be the amount of the discount or rebate.

**NEW SECTION. Sec. 21. COSTS OF MEETING STANDARDS.** All necessary and ordinary expenses a contractor incurs in providing care services will be allowable costs. These expenses include:

(1) Meeting licensing and certification standards;

(2) Meeting standards of providing regular room, nursing, ancillary, and dietary services, as established by department rule and regulation pursuant to chapter 211, Laws of 1979 ex. sess.; and

(3) Fulfilling accounting and reporting requirements imposed by this chapter.

**NEW SECTION. Sec. 22. LIMIT ON COSTS TO RELATED ORGANIZATIONS.** (1) Costs applicable to services, facilities, and supplies furnished by a related organization to the contractor shall be allowable only to the extent they do not exceed the lower of the cost to the related organization or the price of comparable services, facilities, or supplies purchased elsewhere.

(2) Documentation of costs to the related organization shall be made available to the auditor at the time and place the records relating to the entity are audited. Payments to or for the benefit of the related organization will be disallowed where the cost to the related organization cannot be documented.

**NEW SECTION. Sec. 23. INITIAL COST OF OPERATION.** (1) The necessary and ordinary one-time expenses directly incident to the preparation of a newly constructed or purchased building by a contractor for operation as a licensed facility shall be allowable costs. These expenses shall be limited to start-up and organizational costs incurred prior to the admission of the first patient.

(2) Start-up costs shall include, but not be limited to, administrative and nursing salaries, utility costs, taxes, insurance, repairs and maintenance, and training; except, that they shall exclude expenditures for capital assets. These costs will be allowable in the administration and operations cost center if they are amortized over a period of not less than sixty months beginning with the month in which the first patient is admitted for care.

(3) Organizational costs are those necessary, ordinary, and directly incident to the creation of a corporation or other form of business of the contractor including, but not limited to, legal fees incurred in establishing the corporation or other organization and fees paid to states for incorporation; except, that they do not include costs relating to the issuance and sale of shares of capital stock or other securities. Such organizational costs will be allowable in the administration cost center if they are amortized over a period of not less than sixty months beginning with the month in which the first patient is admitted for care.

**NEW SECTION. Sec. 24. EDUCATION AND TRAINING.** (1) Necessary and ordinary expenses of on-the-job training and in-service training required for employee orientation and certification training directly related to the performance of duties assigned will be allowable costs.

(2) Necessary and ordinary expenses of recreational and social activity training conducted by the contractor for volunteers will be allowable costs.

**NEW SECTION. Sec. 25. OWNER OR RELATIVE—COMPENSATION.** (1) Total compensation of an owner or relative of an owner shall be limited to ordinary compensation for necessary services actually performed.

(a) Compensation is ordinary if it is the amount usually paid for comparable services in a comparable facility to an unrelated employee, and does not exceed limits set out in this chapter.

(b) A service is necessary if it is related to patient care and would have had to be performed by another person if the owner or relative had not done it.

(2) The contractor, in maintaining customary time records adequate for audit, shall include such records for owners and relatives who receive compensation.

**NEW SECTION. Sec. 26. COMPENSATION FOR ADMINISTRATIVE PERSONNEL.** (1) Compensation for full-time administrative personnel, as defined in the contract between the contractor and such personnel, shall be an allowable cost, limited as follows:

(a) For calendar year 1981, the compensation of a licensed administrator of a facility having one hundred sixty or more beds shall not exceed thirty-two thousand dollars. The compensation of licensed administrators having beds not exceeding:

(i) Seventy-nine; and

(ii) One hundred fifty-nine;

shall be established by the department on a calendar year basis. The maximum compensation of these three categories of facilities may be adjusted in subsequent calendar years by the department through rule and regulation.

(b) The compensation of a licensed assistant administrator for a facility having eighty or more beds shall not exceed seventy-five percent of the compensation received by the licensed administrator of the facility.

(c) The compensation of a registered administrator-in-training shall not exceed sixty percent of the compensation received by the licensed administrator of the facility.

(2) If the licensed administrator, licensed assistant administrator, or registered administrator-in-training regularly work fewer than forty hours per week, the allowable compensation will be the product of the full-time compensation multiplied by the percentage derived from the division of the actual hours worked by forty hours.

(3) The contractor shall maintain customary time records for the licensed administrator, assistant administrator, and/or administrator-in-training.

**NEW SECTION. Sec. 27. DISCLOSURE AND APPROVAL OF COST ALLOCATION.** (1) The contractor shall disclose to the department:

(a) The nature and purpose of all costs which represent allocations of joint facility costs; and

(b) The methodology of the allocation utilized.

(2) Such disclosure shall be made not later than September 30, 1980, for the following year and not later than September 30th for each year thereafter; except that a new contractor shall submit the first year's disclosure together with the submissions required by section 66 of this act.

(3) The department shall approve such methodology not later than December 31, 1980, and not later than December 31st for each year thereafter. Such approval shall include, but not be limited to, the assurance that:

(a) The services involved are necessary and nonduplicative; and

(b) Costs are allocated in accordance with benefits received from the resources represented by those costs.

(4) An approved methodology may be revised or amended subject to approval as provided in subsection (3) of this section and rules and regulations adopted by the department.

**NEW SECTION. Sec. 28. MANAGEMENT AGREEMENTS.** (1) Management fees will be allowed only if:



(a) A written management agreement both creates a principal/agent relationship between the contractor and the manager, and sets forth the items, services, and activities to be provided by the manager; and  
 (b) Documentation demonstrates that the services contracted for were actually delivered.

(2) To be allowable, fees must be for necessary, nonduplicative services. Allowable fees for general management services, including the portion of a management fee which is not allocated to specific services such as accounting, are limited to

(a) the maximum allowable compensation under section 26 of this act of the licensed administrator and, if the facility has at least eighty beds, of an assistant administrator, less

(b) actual compensation received by the licensed administrator and by the assistant administrator and administrator-in-training, if any.

In computing maximum allowable compensation under section 26 of this act for a facility with at least eighty beds, include the maximum compensation of an assistant administrator even if an assistant administrator is not employed.

(3) A management fee paid to or for the benefit of a related organization will be allowable to the extent it does not exceed the lower of:

(a) The limits set out in subsection (2) of this section; or

(b) The lower of the actual cost to the related organization of providing necessary services related to patient care under the agreement, or the cost of comparable services purchased elsewhere. Where costs to the related organization represent joint facility costs, the measurement of such costs shall comply with section 27 of this act.

(4) A copy of the agreement must be received by the department at least sixty days before it is to become effective. A copy of any amendment to a management agreement must also be received by the department at least thirty days in advance of the date it is to become effective.

(5) Central office costs for general management services, including the portion of a management expense which is not allocated to specific services, such as accounting, shall be subject to the management fee limits determined in subsections (2) and (3) of this section.

**NEW SECTION. Sec. 29. EXPENSE FOR CONSTRUCTION INTEREST.** (1) Interest expense and loan origination fees relating to construction of a facility incurred during the period of construction shall be capitalized and amortized over the life of the facility pursuant to section 36 of this act. The period of construction shall extend from the date of the construction loan to the date the facility is put into service for patient care.

(2) For the purposes of this chapter, the period provided for in subsection (1) of this section shall not exceed the project certificate of need time period pursuant to RCW 70.38.125.

**NEW SECTION. Sec. 30. OPERATING LEASES OF EQUIPMENT.** Rental or lease costs under arm's-length operating leases of office equipment shall be allowable to the extent the cost is necessary and ordinary.

**NEW SECTION. Sec. 31. CAPITALIZATION.** The following costs shall be capitalized:

(1) Expenses for facilities or equipment with historical cost in excess of five hundred dollars per unit and a useful life of more than one year from the date of purchase; and

(2) Expenses for equipment with historical cost of five hundred dollars or less per unit if either:

(a) The item was acquired in a group purchase where the total cost exceeded five hundred dollars; or

(b) The item was part of the initial stock of the facility.

(3) Dollar limits in this section may be adjusted for economic trends and conditions by the department as established by rule and regulation.

**NEW SECTION. Sec. 32. DEPRECIATION EXPENSE.** Depreciation expense on depreciable assets which are required in the regular course of providing patient care will be an allowable cost. It shall be computed using the depreciation base, lives, and methods specified in this chapter.

**NEW SECTION. Sec. 33. DEPRECIABLE ASSETS.** Tangible assets of the following types in which a contractor has an interest through ownership or leasing are subject to depreciation:

(1) Building - the basic structure or shell and additions thereto;

(2) Building fixed equipment - attachments to buildings, including, but not limited to, wiring, electrical fixtures, plumbing, elevators, heating system, and air conditioning system. The general characteristics of this equipment are:

(a) Affixed to the building and not subject to transfer; and

(b) A fairly long life, but shorter than the life of the building to which affixed;

(3) Major movable equipment including, but not limited to, beds, wheelchairs, desks, and x-ray machines. The general characteristics of this equipment are:

(a) A relatively fixed location in the building;

(b) Capable of being moved as distinguished from building equipment;

(c) A unit cost sufficient to justify ledger control;

(d) Sufficient size and identity to make control feasible by means of identification tags; and

(e) A minimum life greater than one year;

(4) Minor equipment including, but not limited to, waste baskets, bed pans, syringes, catheters, silverware, mops, and buckets which are properly capitalized. No depreciation shall be taken on items which are not properly capitalized as directed in section 31 of this act. The general characteristics of minor equipment are:

(a) In general, no fixed location and subject to use by various departments;

(b) Small in size and unit cost;

- (c) Subject to inventory control;
- (d) Large number in use; and
- (e) Generally, a useful life of one to three years;

(5) Land improvements including, but not limited to, paving, tunnels, underpasses, on-site sewer and water lines, parking lots, shrubbery, fences, and walls where replacement is the responsibility of the contractor; and

(6) Leasehold improvements - betterments and additions made by the lessee to the leased property, which become the property of the lessor after the expiration of the lease.

**NEW SECTION. Sec. 34. LAND—DEPRECIATION—COST—IMPROVEMENTS.** Land is not depreciable. The cost of land includes but is not limited to, off-site sewer and water lines, public utility charges necessary to service the land, governmental assessments for street paving and sewers, the cost of permanent roadways and grading of a nondepreciable nature, and the cost of curbs and sidewalks, replacement of which is not the responsibility of the contractor.

**NEW SECTION. Sec. 35. METHODS OF DEPRECIATION.** (1) Buildings, land improvements, and fixed equipment shall be depreciated using the straight-line method of depreciation. Major-minor equipment shall be depreciated using either the straight-line method, the sum-of-the-years' digits method, or declining balance method not to exceed one hundred fifty percent of the straight line rate. Contractors who have elected to take either the sum-of-the-years' digits method or the declining balance method of depreciation on major-minor equipment may change to the straight-line method without permission of the department.

(2) The annual provision for depreciation shall be reduced by the portion allocable to use of the asset for purposes which are neither necessary nor related to patient care.

(3) No further depreciation shall be claimed after an asset has been fully depreciated unless a new depreciation base is established pursuant to section 36 of this act.

**NEW SECTION. Sec. 36. DEPRECIATION BASE.** (1) The depreciation base shall be the historical cost of the contractor or lessor, when the assets are leased by the contractor, in acquiring the asset in an arm's length transaction and preparing it for use, less goodwill, and less accumulated depreciation which has been incurred during periods that the assets have been used in or as a facility by the contractor, such accumulated depreciation to be measured in accordance with subsections (2), (3), and (4) of this section and sections 35 and 37 of this act. If the department challenges the historical cost of an asset, or if the contractor cannot or will not provide the historical costs, the department will have the department of general administration, through an appraisal procedure, determine the fair market value of the assets at the time of purchase. The depreciation base of the assets will not exceed such fair market value.

(2) The historical cost of donated assets, or of assets received through testate or intestate distribution, shall be the lesser of:

- (a) Fair market value at the date of donation or death; or
  - (b) The historical cost base of the owner last contracting with the department, if any.
- (3) Estimated salvage value of acquired, donated, or inherited assets shall be deducted from historical cost where the straight-line or sum-of-the-years' digits method of depreciation is used.

(4) (a) Where depreciable assets are acquired that were used in the medical care program subsequent to January 1, 1980, the depreciation base of the assets will not exceed the net book value which did exist or would have existed had the assets continued in use under the previous contract with the department; except that depreciation shall not be assumed to accumulate during periods when the assets were not in use in or as a facility.

(b) Subparagraph (4)(a) of this section shall not apply to the most recent arm's-length acquisition if it occurs at least ten years after the ownership of the assets has been previously transferred in an arm's-length transaction nor to the first arm's-length acquisition that occurs after January 1, 1980, for facilities participating in the medical care program prior to January 1, 1980. The new depreciation base for such acquisitions shall not exceed the fair market value of the assets as determined by the department of general administration through an appraisal procedure. A determination by the department of general administration of fair market value shall be final unless the procedure used to make such determination is shown to be arbitrary and capricious.

(c) Where depreciable assets are acquired from a related organization, the contractor's depreciation base shall not exceed the base the related organization had or would have had under a contract with the department.

(d) Where the depreciable asset is a donation or distribution between related organizations, the base shall be the lesser of (i) fair market value, less salvage value, or (ii) the depreciation base the related organization had or would have had for the asset under a contract with the department.

**NEW SECTION. Sec. 37. LIVES.** (1) Except for new buildings, the contractor shall use lives which reflect the estimated actual useful life of the asset and which shall be no shorter than guideline lives as established by the department. The shortest life which may be used for new buildings is thirty years. Lives shall be measured from the date on which the assets were first used in the medical care program or from the date of the most recent arm's-length acquisition of the asset, whichever is more recent. In cases where section 36(4)(a) of this act does apply, the shortest life that may be used for buildings is the remaining useful life under the prior contract. In all cases, lives shall be extended to reflect periods, if any, when assets were not used in or as a facility.

(2) Building improvements shall be depreciated over the remaining useful life of the building, as modified by the improvement.

(3) Improvements to leased property which are the responsibility of the contractor under the terms of the lease shall be depreciated over the useful life of the improvement.

(4) A contractor may change the estimate of an asset's useful life to a longer life for purposes of depreciation.

**NEW SECTION. Sec. 38. RETIREMENT OF DEPRECIABLE ASSETS.** (1) Where depreciable assets are disposed of through sale, trade-in, scrapping, exchange, theft, wrecking, or fire or other casualty, depreciation shall no longer be taken on the assets. No further depreciation shall be taken on permanently abandoned assets.

(2) Where an asset has been retired from active use but is being held for stand-by or emergency service, and the department has determined that it is needed and can be effectively used in the future, depreciation may be taken.

**NEW SECTION. Sec. 39. HANDLING OF GAINS AND LOSSES UPON RETIREMENT OF DEPRECIABLE ASSETS.** If the retired asset is replaced, the gain or loss shall be applied against or added to the cost of the replacement asset, provided that a loss will only be so applied if the contractor has made a reasonable effort to recover at least the outstanding book value of the asset.

**NEW SECTION. Sec. 40. TEMPORARY CONTRACT LABOR.** Costs for the purchased services of temporary contract labor shall be allowable only to the extent they do not exceed the average of the usual and customary rate for the wages and benefits of the facility's comparable permanent staff, as reimbursed pursuant to sections 48 and 50 of this act.

**NEW SECTION. Sec. 41. UNALLOWABLE COSTS.** (1) Costs will be unallowable if they are not documented, necessary, ordinary, and related to the provision of care services to authorized patients.

(2) Unallowable costs include, but are not limited to, the following:

(a) Costs of items or services not covered by the medical care program. Costs of such items or services will be unallowable even if they are indirectly reimbursed by the department as the result of an authorized reduction in patient contribution;

(b) Costs of services and items provided to recipients which are covered by the department's medical care program but not included in care services established by the department under this act;

(c) Costs associated with a capital expenditure subject to section 1122 approval (part 100, Title 42 C.F.R.) if the department found it was not consistent with applicable standards, criteria, or plans. If the department was not given timely notice of a proposed capital expenditure, all associated costs will be unallowable up to the date they are determined to be reimbursable under applicable federal regulations;

(d) Costs associated with a construction or acquisition project requiring certificate of need approval pursuant to chapter 70.38 RCW if such approval was not obtained;

(e) Interest costs other than those provided by section 29 of this act;

(f) Salaries or other compensation of officers, directors, stockholders, and others associated with the contractor or home office, except compensation paid for service related to patient care;

(g) Costs in excess of limits or violating principles set forth in this chapter;

(h) Costs resulting from transactions or the application of accounting methods which circumvent the principles of the cost-related reimbursement system set forth in this chapter;

(i) Costs applicable to services, facilities, and supplies furnished by a related organization in excess of the lower of the cost to the related organization or the price of comparable services, facilities, or supplies purchased elsewhere;

(j) Bad debts of non-Title XIX recipients;

(k) Charity and courtesy allowances;

(l) Cash, assessments, or other contributions, excluding dues, to charitable organizations, professional organizations, trade associations, or political parties, and costs incurred to improve community or public relations;

(m) Vending machine expenses;

(n) Expenses for barber or beautician services not included in routine care;

(o) Funeral and burial expenses;

(p) Costs of gift shop operations and inventory;

(q) Personal items such as cosmetics, smoking materials, newspapers and magazines, and clothing, except those used in patient activity programs;

(r) Fund-raising expenses, except those directly related to the patient activity program;

(s) Penalties and fines;

(t) Expenses related to telephones, televisions, radios, and similar appliances in patients' private accommodations;

(u) Federal, state, and other income taxes;

(v) Expenses of special care services except where authorized by the department;

(w) Expenses of key-man insurance and other insurance or retirement plans not made available to all employees;

(x) Expenses of profit-sharing plans;

(y) Expenses related to the purchase and/or use of private or commercial airplanes which are in excess of what a prudent contractor would expend for the ordinary and economic provision of such a transportation need related to patient care;

(z) Personal expenses and allowances of owners or relatives;

(aa) All expenses of maintaining professional licenses or membership in professional organizations;

(bb) Costs related to agreements not to compete;

- (cc) Amortization of goodwill;
- (dd) Expenses related to vehicles which are in excess of what a prudent contractor would expend for the ordinary and economic provision of transportation needs related to patient care;
- (ee) Legal and consultant fees in connection with a fair hearing against the department where a decision is rendered in favor of the department or where otherwise the determination of the department stands;
- (ff) Legal and consultant fees of a contractor or contractors in connection with a lawsuit against the department;
- (gg) Lease acquisition costs and other intangibles not related to patient care;
- (hh) All rental or lease costs other than those provided in section 30 of this act; and
- (ii) All audit costs incurred pursuant to section 12(1) of this act.

**PART E**  
**RATE SETTING**

**NEW SECTION. Sec. 42. PRINCIPLES OF RATE-SETTING.** The following principles are inherent in sections 43 through 58 of this act:

- (1) Reimbursement rates will be set prospectively on a per patient day basis;
- (2) Rates will be established not lower than the level which is reasonably expected to be adequate to reimburse in full the actual, allowable costs of a facility which is economically and efficiently operated and to provide care which meets the needs of a medical care recipient in compliance with applicable standards; and
- (3) The rates so established will take into account economic conditions and trends during the period to be covered by such rates.

**NEW SECTION. Sec. 43. PROSPECTIVE REIMBURSEMENT RATES.** (1) The department, as provided by this chapter, will determine prospective cost-related reimbursement rates for services provided to medical care recipients. Each rate so determined shall represent the contractor's maximum compensation within each cost center for each patient day for such medical care recipient.

(2) As required, the department may modify such maximum per patient day rates pursuant to the administrative review provisions of section 77 of this act.

(3) The maximum prospective reimbursement rates for the administration and operations and the property cost centers and the return on investment allowance shall be established based upon a minimum facility occupancy level of eighty-five percent.

**NEW SECTION. Sec. 44. LIMITATION OF SERVICES SUBJECT TO COST REIMBURSEMENT.** Only those services which are authorized for a facility pursuant to the medical care program shall be reimbursed under this chapter.

**NEW SECTION. Sec. 45. REIMBURSEMENT RATE FOR NEW CONTRACTOR.** (1) Prospective reimbursement rates for a new contractor will be established within sixty days following receipt by the department of the properly completed projected budget required by section 66 of this act. Such reimbursement rates will become effective as of the effective date of the contract.

(2) Such reimbursement rates will be based on the contractor's projected cost of operations through December 31st of the year the contract becomes effective, and on costs and payment rates of the prior contractor, if any, and/or of other contractors in comparable circumstances.

(3) If a properly completed budget is not received at least sixty days prior to the effective date of the contract, the department will establish preliminary rates based on the other factors specified in subsection (2) of this section. These preliminary rates will remain in effect until a determination is made pursuant to section 46 of this act.

**NEW SECTION. Sec. 46. RATE DETERMINATION—WHEN DETERMINED OR ADJUSTED.** (1) Each contractor's reimbursement rates will be determined prospectively at least once each calendar year, to be effective July 1st.

(2) Rates may be adjusted as determined by the department to take into account variations of more than ten percent in the distribution of patient classifications from the prior reporting year, program changes, economic trends and conditions, and/or administrative review provided by section 77 of this act and shall be adjusted for any capitalized additions or replacements made as a condition for licensure or certification.

(3) Where the contractor participated in the provisions of prospective cost-related reimbursement in effect prior to the effective date of this act, such contractor's prospective rate effective July 1, 1982, will be determined utilizing his reported allowable costs for calendar year 1981.

(4) All prospective reimbursement rates for 1983 and thereafter shall be determined utilizing the prior year's audited cost reports.

**NEW SECTION. Sec. 47. COST CENTERS.** A contractor's reimbursement rates for medical care recipients will be determined utilizing audited cost report data within the following cost centers:

- (1) Nursing services;
- (2) Food;
- (3) Administration and operations; and
- (4) Property.

**NEW SECTION. Sec. 48. NURSING SERVICES COST CENTER REIMBURSEMENT RATE.** (1) The nursing services cost center shall include all costs related to the direct provision of nursing care and ancillary care including fringe benefits and payroll taxes for the nursing care and ancillary service personnel, and direct care supplies.

(2) For rate-setting purposes, the department shall determine standard hours for each classification established by the department pursuant to section 85 of this act. Such standard hours shall be the sum of the hours for nursing assistants, licensed practical nurses, and registered nurses.

(3) The standard base rate per classification shall be the sum of the products of at least ninety percent of the prevailing wages for the categories of nursing assistant, licensed practical nurse, and registered nurse, expressed as an hourly rate, based upon the state-wide salary survey conducted pursuant to RCW 41.06.160, multiplied by the respective components of the standard hours as determined in subsection (2) of this section.

(4) The nursing services cost center rate, excluding the special care rate provided by subsection (5) of this section, for each facility, less special care patient days, shall be:

(a) The sum of the standard base rate per classification determined in subsection (3) of this section multiplied by the total patient days for the facility within each classification for the prior year, divided by the total patient days for the prior year for the facility, less special care patient days,

(b) Plus a factor to be determined annually by the department for the facility for fringe benefits, payroll taxes, ancillary care and direct care supplies; except that, the factor shall reflect the level of employee benefits, provided or agreed to, payroll taxes assessed, and/or ancillary services provided within each facility.

(5) Where the standard hours for rate setting purposes in subsection (2) of this section do not reflect the exceptional custodial or nursing care required for a patient, the department, upon verification of such exceptional custodial or nursing care, will negotiate a special rate for exceptional care for such patient. Such special rate will:

(a) Include the factors described in subparagraph (2)(b) of this section; and

(b) Be reimbursed to the facility independently of the nursing services cost center rate provided by subsection (4) of this section.

**NEW SECTION. Sec. 49. FOOD COST REIMBURSEMENT RATE.** (1) The food cost center shall include all costs for bulk and raw food and beverages purchased for the dietary needs of medical care recipients.

(2) The food cost reimbursement rate for each facility shall be computed as follows:

$$FR = (TFC/TPD) 1.15, \text{ where}$$

FR = the facility food cost center reimbursement rate;

TFC = the total of all reporting facilities' food cost center costs; and

TPD = the total patient days for the prior year of all reporting facilities.

(3) Unless extended by law for an additional period of time, on and after July 1, 1984, the food cost reimbursement rate for each facility shall be computed as follows:

$$FR = (TFC/TPD), \text{ where}$$

FR = the facility food cost center reimbursement rate;

TFC = the total of all reporting facilities' food cost center costs; and

TPD = the total patient days for the prior year of all reporting facilities.

**NEW SECTION. Sec. 50. ADMINISTRATION AND OPERATIONS COST CENTER REIMBURSEMENT RATE.** (1) The administration and operations cost center shall include all items not included in the cost centers of nursing services, food, and property.

(2) The administration and operations cost center reimbursement rate for each facility shall be based on the computation in this subsection and shall not exceed the eighty-fifth percentile of (a) the rates of all reporting facilities derived from the computation below, or (b) reporting facilities grouped in accordance with subsection (3) of this section:

$$AR = TAC/TPD, \text{ where}$$

AR = the administration and operations cost center reimbursement rate for a facility;

TAC = the total costs of the administration and operations cost center plus the retained savings from such cost center as provided in section 18 of this act of a facility; and

TPD = the total patient days for a facility for the prior year.

(3) The secretary may group facilities based on factors which could reasonably influence cost requirements of this cost center, other than ownership or legal organization characteristics.

**NEW SECTION. Sec. 51. PROPERTY COST CENTER.** The property cost center rate for each facility shall be determined by dividing the sum of the reported allowable prior period actual depreciation costs, subject to sections 31 through 38 of this act, adjusted for any capitalized additions or replacements approved by the department, and the retained savings from such cost center, as provided in section 19 of this act, by the total patient days for the facility in the prior period. If a capitalized addition or retirement of an asset will result in a different licensed bed capacity during the ensuing period, the prior period total patient days used in computing the property cost center rate shall be adjusted to anticipated patient day level.

When a certificate of need for a new facility is requested, the department, in reaching its decision, shall take into consideration per-bed land and building construction costs for the facility which shall not exceed a maximum to be established by the secretary.

**NEW SECTION. Sec. 52. ADJUSTMENT OF COST CENTER RATES.** The rates determined in sections 48 through 51 of this act shall be adjusted by the department utilizing appropriate indices or other measures of economic trends and conditions projected for the ensuing year.

**NEW SECTION. Sec. 53. RETURN ON INVESTMENT ALLOWANCE.** (1) The department shall first establish a total state-wide return on investment pool for use in determining individual facility return on investment allowances.

(a) In establishing the total state-wide return on investment pool the department shall determine the sum of net invested funds as of the end of the most recent reporting period of all facilities participating in the medical care program.

(b) In computing the portion of net invested funds representing the net book value of tangible fixed assets, the same assets, depreciation bases, lives, and methods referred to in sections 33, 35, 36, and 37 of this act, including owned and leased assets, shall be utilized, except that the capitalized cost of land upon which the facility is located and such other contiguous land which is reasonable and necessary used in the regular course of providing patient care shall also be included. In the case of leased facilities where the net invested funds are unknown or the contractor is unable to provide necessary information to determine net invested funds, the secretary shall have the authority to determine an amount for net invested funds based on an appraisal conducted according to section 36(1) of this act.

(c) The sum of net invested funds shall then be multiplied by 1.5 times the average of the rates of interest on special issues of public debt obligations issued to the federal hospital insurance trust fund for the last completed calendar quarter prior to rate-setting to establish the total state-wide return on investment pool.

(2) The department shall establish for individual facilities return on investment allowances composed of two parts: A financing allowance and a variable return allowance.

(a) The financing allowance shall be determined by multiplying the net invested funds of each facility by 1.15 times the average of the rates of interest on special issues of public debt obligations issued to the federal hospital insurance trust fund for the last completed quarter prior to rate-setting, and dividing by the contractor's total patient days. If a capitalized addition or retirement of an asset will result in a different licensed bed capacity during the ensuing period, the prior period total patient days used in computing the financing and variable return allowances shall be adjusted to the anticipated patient day level.

(b) In determining the variable return allowance:

(i) The department will first rank all facilities in numerical order from highest to lowest according to their average per diem allowable costs for the sum of the administration and operations and property cost centers for the previous reimbursement period.

(ii) The department shall then compute the variable return allowance by multiplying the appropriate percentage amounts, which shall not be less than one percent and not greater than five percent, by the total prospective rate for each facility, as determined in sections 45 through 51 of this act. The percentage amounts will be based on groupings of facilities according to the rankings as established in subparagraph (2)(b)(i) of this section. Those groups of facilities with lower per diem costs shall receive higher percentage amounts than those with higher per diem costs.

(iii) Such percentage amounts shall be calculated so that the variable return allowance plus the financing allowance times the total patient days for each facility, when summed for all facilities, shall be as close in amount to the total state-wide return on investment pool as is practical; except that, such percentage amounts for equivalent groups of facilities as determined in subparagraph (2)(b)(ii) of this section shall be no less than the percentage amounts as calculated pursuant to this subsection on July 1, 1982.

(c) The sum of the financing allowance and the variable return allowance shall be the return on investment for each facility, and shall be added to the prospective rates of each contractor as determined in sections 45 through 51 of this act.

(d) In the case of a facility which was leased by the contractor as of January 1, 1980, in an arm's-length agreement, which continues to be leased under the same lease agreement, and for which the annualized lease payment, plus any interest and depreciation expenses associated with contractor-owned assets, for the period covered by the prospective rates, divided by the contractor's total patient days, minus the property cost center determined according to section 51 of this act, is more than the return on investment allowance determined according to section 53(2)(c) of this act, the following shall apply:

(i) The financing allowance shall be recomputed substituting the fair market value of the assets as of January 1, 1980, as determined by the department of general administration, for the net book value of the assets in determining net invested funds for the facility. A determination by the department of general administration of fair market value shall be final unless the procedure used to make such determination is shown to be arbitrary and capricious.

(ii) The sum of the financing allowance computed under subparagraph (2)(d)(i) of this section and the variable allowance shall be compared to the annualized lease payment, plus any interest and depreciation expenses associated with contractor-owned assets, for the period covered by the prospective rates, divided by the contractor's total patient days, minus the property cost center rate determined according to section 51 of this act. The lesser of the two amounts shall be called the alternate return on investment allowance.

(iii) The return on investment allowance determined according to section 53(2)(c) of this act or the alternate return on investment allowance, whichever is greater, shall be the return on investment allowance for the facility and shall be added to the prospective rates of the contractor as determined in sections 45 through 51 of this act.

(3) In the event that the department of health, education and welfare disallows the application of the return on investment allowances to nonprofit facilities, the department shall modify the measurements of net invested funds used for computing both total state-wide return on investment pool and individual facility return on investment allowances as follows: Net invested funds for each nonprofit facility shall be multiplied by one minus the ratio of equity funds to the net invested funds of all nonprofit facilities.

(4) Each biennium, beginning in 1983, the secretary shall review the adequacy of return on investment allowances in relation to anticipated requirements for maintaining, reducing, or expanding nursing care

capacity. The secretary shall report the results of such review to the legislature and make recommendations for adjustments in the return on investment rates utilized in this section, if appropriate.

**NEW SECTION. Sec. 54. UPPER LIMITS TO REIMBURSEMENT RATES.** (1) The reimbursement rates shall not exceed the contractor's customary charges to the general public for comparable services.

(2) Rates shall not exceed the limits set forth in 42 CFR 450.30(b)(6).

**NEW SECTION. Sec. 55. NOTIFICATION OF RATES.** The department will notify each contractor in writing of its prospective reimbursement rates at least thirty days in advance of the effective date. Unless otherwise specified at the time it is issued, the rate will be effective from the first day of the month in which it is issued until a new rate becomes effective. If a rate is changed as the result of an appeal in accordance with section 77 of this act, it will be effective as of the date the appealed rate became effective.

**NEW SECTION. Sec. 56. ADJUSTMENTS REQUIRED DUE TO ERRORS OR OMISSIONS.** (1) Prospective rates are subject to adjustment by the department as a result of errors or omissions by the department or by the contractor. The department will notify the contractor in writing of each adjustment and of its effective date, and of any amount due to the department or to the contractor as a result of the rate adjustment.

(2) The contractor shall pay an amount it owes the department resulting from an error or omission, or commence repayment in accordance with a schedule determined by the department, within sixty days after receipt of notification of the rate adjustment, unless the contractor contests the department's determination in accordance with the procedures set forth in section 77 of this act. If the determination is contested, the contractor shall pay or commence repayment within sixty days after completion of these proceedings. If a refund is not paid when due, the amount thereof may be deducted from current payments by the department.

(3) The department shall pay any amount it owes the contractor as a result of a rate adjustment within thirty days after it notifies the contractor of the rate adjustment.

(4) No adjustments will be made to a rate after final settlement, except as provided in section 17(2) of this act.

**NEW SECTION. Sec. 57. PUBLIC REVIEW OF RATE-SETTING.** The department shall provide all interested members of the public with an opportunity to review and comment on the proposed rate-setting factors, indices, measures, and guidelines not later than May 15th of each year prior to their being used to set rates.

**NEW SECTION. Sec. 58. PUBLIC DISCLOSURE OF RATE-SETTING METHODOLOGY.** In accordance with the provisions of section 81 of this act, the department will make available to the public full information regarding its factors, indices, measures, and guidelines.

**PART F  
BILLING/PAYMENT**

**NEW SECTION. Sec. 59. BILLING PERIOD.** A contractor shall bill the department for care provided to medical care recipients from the first through the last day of each calendar month.

**NEW SECTION. Sec. 60. BILLING PROCEDURE.** (1) A contractor shall bill the department each month by completing and returning a facility billing statement as provided by the department which shall include, but not be limited to:

- (a) Billing by cost center;
- (b) Total patient days; and
- (c) Patient days for medical care recipients.

The statement shall be completed and filed in accordance with rules and regulations established by the secretary.

(2) A contractor shall not bill the department for service provided to a recipient until an award letter of eligibility of such recipient pursuant to rules and regulations established according to the provisions of chapter 74.09 RCW has been received by the contractor except that, a contractor may bill and shall be reimbursed for all medical care recipients referred to the contractor's facility by the department prior to the receipt of the award letter of eligibility or the denial of such eligibility. At that time it may bill for service provided back through the date the recipient was admitted or became eligible.

(3) Billing shall cover the patient days of care.

**NEW SECTION. Sec. 61. PAYMENT.** (1) The department will reimburse a contractor for service rendered under the facility contract and billed in accordance with section 60 of this act.

(2) The amount paid will be computed using the appropriate rates assigned to the contractor.

(3) For each recipient, the department will pay an amount equal to the appropriate rates, multiplied by the number of patient days each rate was in effect, less the amount the recipient is required to pay for his or her care as set forth by section 62 of this act.

**NEW SECTION. Sec. 62. CHARGES TO PATIENTS.** (1) The department will notify a contractor of the amount each medical care recipient is required to pay for care provided under the contract and the effective date of such required contribution. It is the contractor's responsibility to collect that portion of the cost of care from the patient, and to account for any authorized reduction from his or her contribution in accordance with rules and regulations established by the secretary.

(2) If a contractor receives documentation showing a change in the income or resources of a recipient which will mean a change in his or her contribution toward the cost of care, this shall be reported in writing to the department within seventy-two hours and in a manner specified by rules and regulations established by the secretary. If necessary, appropriate corrections will be made in the next facility statement, and a copy of documentation supporting the change will be attached. If increased funds for a recipient are received by a

contractor, an amount determined by the department shall be allowed for clothing and personal and incidental expense, and the balance applied to the cost of care.

(3) The contractor shall accept the reimbursement rates established by the department as full compensation for all services provided under the contract, certification as specified by Title XIX, and licensure under chapter 18.51 RCW. The contractor shall not seek or accept additional compensation from or on behalf of a recipient for any or all such services.

**NEW SECTION. Sec. 63. SUSPENSION OF PAYMENT.** (1) Payments to a contractor may be withheld by the department in each of the following circumstances:

(a) A required report is not properly completed and filed by the contractor within the appropriate time period, including any approved extension. Payments will be released as soon as a properly completed report is received;

(b) State auditors or authorized personnel in the course of their duties are refused access to a nursing home or are not provided with existing appropriate records. Payments will be released as soon as such access or records are provided;

(c) A refund in connection with an annual settlement or rate adjustment is not paid by the contractor when due. The amount withheld will be limited to the unpaid amount of the refund; and

(d) Payment for the final thirty days of service under a contract will be held pending final settlement when the contract is terminated.

(2) No payment will be withheld until written notification of the suspension is provided to the contractor, stating the reason therefor.

**NEW SECTION. Sec. 64. TERMINATION OF PAYMENTS.** All payments to a contractor will end no later than sixty days after any of the following occurs:

(1) A contract expires, is terminated or is not renewed;

(2) A facility license is revoked; or

(3) A facility is decertified as a Title XIX facility; except that, in situations where the secretary determines that residents must remain in such facility for a longer period because of the resident's health or safety, payments for such residents shall continue.

#### PART G ADMINISTRATION

**NEW SECTION. Sec. 65. CONDITIONS OF PARTICIPATION.** In order to participate in the prospective cost-related reimbursement system established by this chapter, the person or legal organization responsible for operation of a facility shall:

(1) Obtain a state certificate of need and/or federal capital expenditure review (section 1122) approval pursuant to chapter 70.38 RCW and Part 100, Title 42 CFR where required;

(2) Hold the appropriate current license;

(3) Hold current Title XIX certification;

(4) Hold a current contract to provide services under this chapter; and

(5) Comply with all provisions of the contract and all application regulations, including but not limited to the provisions of this chapter.

**NEW SECTION. Sec. 66. PROJECTED BUDGET FOR NEW CONTRACTORS.** (1) Each new contractor shall submit a projected budget to the department at least sixty days before its contract will become effective.

(2) The projected budget shall cover the period to December 31st from the date the contractor will enter the program. It shall be prepared on forms and in accordance with rules and regulations established by the secretary.

**NEW SECTION. Sec. 67. CHANGE OF OWNERSHIP.** (1) On the effective date of a change of ownership the department's contract with the old owner shall be terminated. The old owner shall give the department thirty days' written notice of such termination. When certificate of need and/or section 1122 approval is required pursuant to chapter 70.38 RCW and Part 100, Title 42 CFR, for the new owner to acquire the facility, and the new owner wishes to continue to provide service to recipients without interruption, certificate of need and/or section 1122 approval shall be obtained before the old owner submits a notice of termination.

(2) If the new owner desires to participate in the cost-related reimbursement system, it shall meet the conditions specified in section 65 of this act and shall submit a projected budget in accordance with section 66 of this act no later than sixty days before the date of the change of ownership. The facility contract with the new owner shall be effective as of the date of the change of ownership.

**NEW SECTION. Sec. 68. TERMINATION OF CONTRACT.** (1) When a facility contract is terminated for any reason, the old contractor shall submit final reports as required by section 4 of this act. Payment for care provided during the final thirty days of service under a contract will be held until the contractor has filed a properly completed final audited cost report, and final settlement has been determined, such settlement not to exceed sixty days following submittal of the final audited cost report.

(2) Following final settlement, a payment withheld pursuant to subsection (1) of this section will be sent to the contractor after any overpayment determined in connection with final settlement has been deducted. If the contractor contests the settlement determination in accordance with section 17 of this act, the department will hold the amount in dispute pending completion of the appeal process, but will release the balance of such payment to the contractor.



(3) The department will release a payment which would be withheld pursuant to subsection (1) of this section, provided a bond issued by a bonding company acceptable to the department is filed by the contractor. The bond shall:

(a) Be in an amount equal to the released payment;

(b) Be for a term sufficient to ensure effectiveness after final settlement and the exhaustion of administrative and judicial remedies;

(c) Provide that the full amount of the bond shall be paid to the department if a properly completed final audited cost report is not filed in accordance with this chapter, or if financial records supporting this record are not preserved and made available to the state auditor; and

(d) Provide that an amount equal to any recovery the department determines is due from the contractor at settlement, but not exceeding the amount of the bond, shall be paid to the department in the event the contractor does not pay the refund within sixty days following receipt of written demand or the conclusion of administrative or judicial proceedings to contest settlement issues.

(4) If a contract is terminated solely in order for the same owner to contract with the department to deliver services to another classification of medical care recipients at the same facility, the contractor is not required to submit final cost reports, and payment for the final thirty days will not be withheld.

PART H  
PATIENT TRUST FUNDS

**NEW SECTION, Sec. 69. TRUST FUND ESTABLISHMENT.** (1) Each contractor shall establish and maintain, as a service to the medical care recipient, a bookkeeping system incorporated into the business records for all recipient moneys entrusted to the contractor and received by the facility for the recipient.

(2) Such system will apply to a recipient who is:

(a) Incapable of handling his or her own money and the department or the recipient's guardian, relative, or physician makes written request of the facility to accept this responsibility; or

(b) Capable of handling his or her own money, but requests the facility in writing to accept this responsibility.

(3) The written requests provided in subsection (2) of this section shall be maintained by the contractor in the recipient's file.

(4) The recipient must be given at least a quarterly reporting of all financial transactions in his or her trust account. The representative payee, the guardian, and/or other designated agents of the recipient must be sent a copy of said reporting on the same basis as the recipient.

**NEW SECTION, Sec. 70. TRUST FUND ACCOUNTS.** (1) The contractor shall maintain a subsidiary ledger with an account for each recipient for whom the contractor has money in trust.

(2) Each account and related supporting records shall:

(a) Be kept current;

(b) Be balanced each month; and

(c) Show in detail, with supporting verification, all moneys received on behalf of the recipient and the disposition of all moneys so received.

(3) Records of each account shall be available for audit pursuant to section 14 of this act and shall be retained for a minimum of four years. When an account has attained the maximum limit established by rules and regulations promulgated by the secretary, the contractor will notify the department within five days.

(4) Any charge for medical services otherwise properly made to a recipient's trust account must be supported by a written denial of such services from the department.

**NEW SECTION, Sec. 71. PETTY CASH FUND.** (1) The contractor may maintain a petty cash fund originating from trust moneys of an amount determined by the department which shall be reasonable and necessary for the size of a facility and the needs of the recipients.

(2) Such petty cash fund shall be maintained as an imprest fund. All moneys over and above the trust fund petty cash amount shall be deposited intact, within twenty-four hours, in a trust fund checking account, separate and apart from any other bank account or accounts of the facility or other facilities.

(3) Cash deposits of recipient allowances from any source must be made intact to the trust account within one week from the time that payment of such allowances are received.

(4) Any related bankbooks, bank statements, checkbook, check register, and all voided and canceled checks, shall be made available for audit pursuant to section 14 of this act and shall be retained by the facility for not less than four years.

(5) No service charges for such checking account shall be paid from recipient trust moneys.

(6) The trust account per bank shall be reconciled monthly to the trust account per patient ledgers.

**NEW SECTION, Sec. 72. TRUST MONEYS CONTROL/DISBURSEMENT.** (1) Trust moneys shall be held in trust and are not to be turned over to anyone other than the recipient or the recipient's guardian without the written consent of the recipient, his designated agent as appointed by power of attorney, or an appropriate employee of the department designated by the secretary. Such trust moneys shall not be subject to attachment, execution, or other creditor remedies.

(2) When moneys are received, a receipt shall be filled out in duplicate; one copy shall be given to the person making payment of deposit, and the second copy shall be retained by the facility.

(3) Checks received by recipients shall be endorsed by the recipient. If the recipient is incapable of signing his or her name, the contractor shall secure the recipient's mark 'X' followed by the printed name of the recipient and the signature of two witnesses.

(4) The recipient's trust account ledger sheet must be credited with any allowance received; referenced with the receipt number and supported by a copy of the deposit slip.

**NEW SECTION. Sec. 73. TRUST MONEYS AVAILABILITY.** Moneys held in trust for any recipient shall be available for his or her personal and incidental needs when requested by the recipient or one of the persons designated in section 72(1) of this act.

**NEW SECTION. Sec. 74. PROCEDURE FOR REFUNDING TRUST MONEY.** When a recipient is discharged and/or transferred, the balance of the recipient's trust account shall be returned either directly to the person within five days, or by mail. In either instance a receipt shall be obtained.

**NEW SECTION. Sec. 75. LIQUIDATION OF TRUST FUND.** (1) When a recipient has died, the contractor shall obtain a receipt from the next of kin, guardian, or duly qualified agent when releasing the balance of money held in trust. If there is no identified next of kin, guardian, or duly qualified agent, the department shall be contacted in writing within seven days for assistance in the release of the money held in trust.

(2) A check or other document showing payment to such next of kin, guardian, or duly qualified agent will serve as a receipt.

(3) Where the recipient leaves the facility without authorization and his or her whereabouts are not known:

(a) The facility will make a reasonable attempt to locate the missing recipient using the agencies of state or local government;

(b) If the recipient cannot be located after ninety days, the facility shall notify the department of revenue of the existence of abandoned property, pursuant to chapter 63.28 RCW. The facility will be required to deliver to the department of revenue the balance of the recipient's trust fund account within twenty days following such notification.

#### PART I MISCELLANEOUS

**NEW SECTION. Sec. 76. DISPUTES.** If a contractor wishes to contest the way in which a rule or contract provision relating to the prospective cost-related reimbursement system was applied to the contractor by the department, it shall first pursue the administrative review process set forth in section 77 of this act.

(2) The administrative review process in section 77 of this act need not be exhausted if a contractor wishes to challenge the legal validity of a statute, rule, or contract provision.

**NEW SECTION. Sec. 77. ADMINISTRATIVE REVIEW PROCESS.** (1) Within thirty days after a contractor is notified of an action or determination it wishes to challenge, the contractor shall request in writing that the secretary review such determination. The request shall be signed by the contractor or the licensed administrator of the facility, shall identify the challenged determination and the date thereof, and shall state as specifically as practicable the grounds for its contention that the determination was erroneous. Copies of any documentation on which the contractor intends to rely to support its position shall be included with the request.

(2) After receiving a request meeting the above criteria, the secretary or his designee will contact the contractor to schedule a conference for the earliest mutually convenient time. The conference shall be scheduled for no later than thirty days after a properly completed request is received unless both parties agree in writing to a specified later date.

(3) The contractor and appropriate representatives of the department shall attend the conference. In addition, representatives selected by the contractor may attend and participate. The contractor shall bring to the conference, or provide to the department in advance of the conference, any documentation on which it intends to rely to support its contentions. The parties shall clarify and attempt to resolve the issues at the conference. If additional documentation is needed to resolve the issues, a second session of the conference shall be scheduled for not later than thirty days after the initial session unless both parties agree in writing to a specific later date.

(4) A written decision by the secretary will be furnished to the contractor within thirty days after the conclusion of the conference. The secretary shall prepare such decision for the fiscal and other appropriate standing committees of the legislature.

(5) If the contractor desires review of an adverse decision of the secretary, it shall within thirty days following receipt of such decision request a fair hearing in writing in accordance with the provisions of chapter 34.04 RCW.

**NEW SECTION. Sec. 78. DENIAL, SUSPENSION, REVOCATION OF LICENSE OR PROVISIONAL LICENSE—PENALTY.** The department is authorized to deny, suspend, or revoke a license or provisional license or, in lieu thereof or in addition thereto, assess monetary penalties of a civil nature not to exceed one thousand dollars per violation in any case in which it finds that the licensee, or any partner, officer, director, owner of five percent or more of the assets of the nursing home, or managing employee:

(1) Failed or refused to comply with the requirements of this chapter or the rules and regulations established hereunder; or

(2) Has knowingly or with reason to know made a false statement of a material fact in any record required by this chapter; or

(3) Refused to allow representatives or agents of the department to inspect all books, records, and files required by this chapter to be maintained or any portion of the premises of the nursing home; or

(4) Wilfully prevented, interfered with, or attempted to impede in any way the work of any duly authorized representative of the department and the lawful enforcement of any provision of this chapter; or

(5) Wilfully prevented or interfered with any representative of the department in the preservation of evidence of any violation of any of the provisions of this chapter or the rules and regulations promulgated hereunder.

**NEW SECTION, Sec. 79.** The department shall adopt, promulgate, amend, and rescind such administrative rules as are necessary to carry out the policies and purposes of this chapter. In addition, at least annually the department shall review changes to generally accepted accounting principles and generally accepted auditing standards as approved by the financial accounting standards board, and the American institute of certified public accountants, respectively. The department shall adopt by administrative rule those approved changes which it finds to be consistent with the policies and purposes of this chapter.

**NEW SECTION, Sec. 80. RESPONSIBILITY FOR AUDITS IN THE TRANSITION PERIOD.** The department, pursuant to RCW 74.09.560, shall be responsible for the completion of all audits for cost reports covering all periods through December 31, 1980.

**NEW SECTION, Sec. 81. DISCLOSURE.** (1) Cost reports and their final audit reports with any accompanying schedule of questioned costs submitted to the secretary shall be subject to public disclosure pursuant to the requirements of chapter 42.17 RCW. Notwithstanding any other provision of law, financial statements and any accompanying schedules summarizing the adjustments to a contractor's financial records, reports on review of internal control and accounting procedures, and letters of comments or recommendations relating to suggested improvements in internal control or accounting procedures which are prepared pursuant to the requirements of this chapter shall be exempt from public disclosure.

(2) Regardless of whether any document or report submitted to the secretary pursuant to this chapter is subject to public disclosure, copies of such documents or reports shall be provided by the secretary, upon written request, to the legislature and to state agencies or state or local law enforcement officials who have an official interest in the contents thereof.

**NEW SECTION, Sec. 82. DEVELOPMENT OF EXCEPTION PROFILE PROCESS.** The office of the state auditor with the cooperation and assistance of the department shall develop an exception profile process to be utilized in the analysis required under section 11 of this act. This exception profile process shall be implemented not later than December 1, 1981.

Sec. 83. Section 74.09.120, chapter 26, Laws of 1959 as last amended by section 1, chapter 213, Laws of 1975 1st ex. sess. and RCW 74.09.120 are each amended to read as follows:

(1) The department shall purchase necessary physician and dentist services by contract or 'fee for service((-))':

(2) The department shall purchase hospital care by contract or by all inclusive day rate, or at a reasonable cost based on a ratio of charges to cost. Any hospital when requested by the department shall supply such information as necessary to justify its rate, charges or costs. All additional services provided by the hospital shall be purchased at rates established by the department after consultation with the hospital.

(3) The department shall purchase nursing home care by contract. ~~((The department shall establish regulations for reasonable nursing home accounting and reimbursement systems which recognize relevant cost-related factors for department of social and health services patients, including but not limited to the scope or level of services or care, requirements of staff, and physical plant, and a reasonable rate of return on investment; said formula shall provide that no payment shall be made to a nursing home which does not permit inspection by the department of social and health services of every part of its premises and an examination of all records, including financial records, methods of administration, general and special dietary programs, the disbursement of drugs and methods of supply, and any other records the department deems relevant to the establishment of such a system.))~~

(4) All other services and supplies provided under the program shall be secured by contract.

Sec. 84. Section 61, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.610 are each amended to read as follows:

The department shall assess the needs of each resident within thirty days after the resident's admission. The department shall use the patient assessment system developed ~~((under))~~ pursuant to RCW 18.51.310, as now or hereafter amended. Based upon the assessment of the resident's needs, the department shall assign each resident to a classification, ~~developed by the patient care classification and standards task force pursuant to section 85 of this 1980 act, reflecting the level of care required by that resident. ((The classification system has at least five but not more than seven levels of care.))~~

This section shall apply to developmentally disabled residents as a separate system.

**NEW SECTION, Sec. 85.** (1) There is established a special task force to be known as the 'patient care classification and standards task force,' hereafter referred to in this section as 'the task force.' The task force shall terminate on December 31, 1980.

(2) The task force shall be composed of the following members:

(a) Two representatives of the nursing home industry appointed jointly by the president of the senate and the speaker of the house of representatives with such appointment made not later than twenty days following the effective date of this section. The persons appointed shall represent the following:

(i) One representative from the nursing home facility associations; and

(ii) One representative from nonprofit facilities;

(b) Two representatives from the department of social and health services appointed by the secretary and whose appointment shall be made not later than twenty days following the effective date of this section;

(c) Two representatives from nursing home consumer groups appointed jointly by the representatives appointed pursuant to subparagraphs (2)(a) and (b) of this section. The consumer group representatives shall be chosen within twenty days following the effective date of this section;

(d) Two representatives appointed by the governor and whose appointment shall be made not later than twenty days following the effective date of this section; and

(e) Four representatives from the legislature, two from the house and two from the senate, appointed by the speaker of the house of representatives and the president of the senate, respectively. The persons appointed shall represent the following standing committees:

- (i) One from the house appropriations committee;
- (ii) One from the house social and health services committee;
- (iii) One from the senate ways and means committee; and
- (iv) One from the senate social and health services committee.

(3) Not later than the thirtieth day following the effective date of this section, the task force members shall meet and:

(a) Elect a chairman of the task force from among the members, with such chairman presiding at all meetings and having administrative responsibility for the task force;

(b) Elect a vice-chairman of the task force from among the members, with such vice-chairman acting in the stead of the chairman upon the chairman's absence; and

(c) Adopt such procedural rules as necessary to carry out the responsibilities set forth in subsection (6) of this section.

(4) The task force shall provide progress reports to the appropriate legislative committees in each of the months of June and August 1980 and as otherwise requested.

(5) The office of financial management shall provide the support services and staff required by the task force.

(6) Not later than September 1, 1980, the task force shall present a report to the governor. The task force report shall also be presented by this same date to the legislature for its review and approval during the 1981 legislative session. Such report shall set forth the following:

(a) A patient classification system which reflects, as nearly as possible, the level of care required by each resident;

(b) Standard hours for each classification, with such standard hours to be expressed as either a range of hours or as a single standard hour per classification, except that such standard hours shall be the expressed composite of hours required for a nursing assistant, licensed practical nurse, and registered nurse;

(c) A draft of recommended legislation necessary for implementation of the task force recommendations pursuant to this section; and

(d) A fiscal note detailing the six-year fiscal impact of the task force recommendations pursuant to this section.

(7) The recommended legislation of the task force shall be subject to the approval of the legislature by March 1, 1981.

(8) The secretary shall adopt no later than March 31, 1981, the rules and regulations necessary to carry out the legislation approved in subsection (7) of this section.

**NEW SECTION.** Sec. 86. The department shall submit to the appropriate legislative committees not later than January 15, 1981, a report detailing the department's activities with regard to preplacement screening for medical care recipients, and the department's nursing home admissions policy. Such report shall include, but not be limited to, program descriptions, client flow analyses, programmatic impacts, and cost effectiveness analyses.

**NEW SECTION.** Sec. 87. Sections 1 through 82 and 91 of this act shall constitute a new chapter in Title 74 RCW.

**NEW SECTION.** Sec. 88. Section captions as used in this act do not constitute any part of the law.

**NEW SECTION.** Sec. 89. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.550;
- (2) Section 2, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.560;
- (3) Section 3, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.570;
- (4) Section 4, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.580; and
- (5) Section 5, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.590.

**NEW SECTION.** Sec. 90. (1) There is hereby appropriated from the general fund one hundred seventy-five thousand dollars, or as much thereof as may be necessary, to the office of financial management to carry out the purposes of sections 7 and 85 of this act.

(2) There is hereby appropriated from the general fund one hundred thirty-five thousand dollars, or as much thereof as may be necessary, to the office of the state auditor to carry out the purposes of the remaining sections of this act.

**NEW SECTION.** Sec. 91. If any part of this act is found by an agency of the federal government to be in conflict with federal requirements which are a prescribed condition to the receipts of federal funds to the state, the conflicting part of this act is hereby declared inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and such finding or determination shall not affect the operation of the remainder of this act in its application to the agencies concerned. In the event that any portion of this act is found to be in conflict with federal requirements which are a prescribed condition to the receipt of federal funds, the secretary, to the extent that the secretary finds it to be consistent with the general policies and intent of this chapter, may adopt such rules as to resolve a specific conflict and which do meet minimum federal requirements. In addition, the secretary shall submit to the next regular session of the legislature a summary of the specific rule changes made and recommendations for statutory resolution of the conflict.

NEW SECTION, Sec. 92. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION, Sec. 93. (1) Sections 2, 7, 84, 85, and 90 of this act are necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

(2) Section 27 of this act shall take effect on July 1, 1980.

(3) Sections 3, 4, 5, 6, 8, 9, 11, 12, and 82 of this act shall take effect on July 1, 1981.

(4) All other sections of this act shall take effect on July 1, 1982, which shall be 'the effective date of this act' where that term is used in this act."

Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Barnes, Bauer, Ehlers, Grimm, Gruger, Heck, Hughes, Keller, Maxie, McDonald, Nisbet, Polk, Taller, Taylor, Valle, Vrooman, Warnke.

Passed to Committee on Rules for second reading.

SENATE AMENDMENTS TO HOUSE BILL

February 27, 1980

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1418 with the following amendments:

In line 13 of the title after "(uncodified)" insert "amending section 3, chapter 136, Laws of 1979 1st ex. sess. and RCW 46.63.030; amending section 111, chapter 299, Laws of 1961 as last amended by section 1, chapter 129, Laws of 1979 1st ex. sess. and RCW 3.62.070; amending section 112, chapter 54, Laws of 1975 1st ex. sess. and RCW 46.90.710;"

In line 13 of the title after "adding" strike "a new section" and insert "new sections"

In line 13 of the title after "RCW;" insert "adding a new section to chapter 13.40 RCW;"

On page 8, line 24 after the period insert "Any person who has been issued a notice of infraction pursuant to RCW 46.63.030(3) and who wilfully fails to respond as provided in this title shall be guilty of a misdemeanor regardless of the disposition of the notice of infraction."

On page 8, beginning on line 31 insert the following:

"Sec. 10. Section 3, chapter 136, Laws of 1979 1st ex. sess. and RCW 46.63.030 are each amended to read as follows:

(1) A law enforcement officer has the authority to issue a notice of traffic infraction when the infraction is committed in the officer's presence or ~~((when the notice of traffic infraction is issued pursuant to RCW 46.64.017, pertaining to investigation at the scene of a motor vehicle accident))~~ if an officer investigating at the scene of a motor vehicle accident has reasonable cause to believe that the driver of a motor vehicle involved in the accident has committed a traffic infraction.

(2) A court may issue a notice of traffic infraction upon receipt of a written statement of the officer that there is reasonable cause to believe that an infraction was committed.

(3) If any motor vehicle without a driver is found parked, standing, or stopped in violation of this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution, the officer finding the vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to the vehicle a notice of traffic infraction.

NEW SECTION, Sec. 11. There is added to chapter 46.63 RCW a new section to read as follows:

(1) In any traffic infraction case involving a violation of this title or equivalent administrative regulation or local law, ordinance, regulation, or resolution relating to the stopping, standing, or parking of a vehicle, proof that the particular vehicle described in the notice of traffic infraction was stopping, standing, or parking in violation of any such provision of this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution, together with proof that the person named in the notice of traffic infraction was at the time of the violation the registered owner of the vehicle, shall constitute in evidence a prime facie presumption that the registered owner of the vehicle was the person who parked or placed the vehicle at the point where, and for the time during which, the violation occurred.

(2) The foregoing stated presumption shall apply only when the procedure prescribed in RCW 46.63.030(3) has been followed.

Sec. 12. Section 25, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.291 are each amended to read as follows:

(1) The department is hereby authorized to suspend the license of a driver upon a showing by its records or other sufficient evidence that the licensee:

(a) Has committed an offense for which mandatory revocation or suspension of license is provided by law;

(b) Has, by reckless or unlawful operation of a motor vehicle, caused or contributed to an accident resulting in death or injury to any person or serious property damage;

(c) Has been convicted ~~((with such frequency))~~ of offenses against traffic regulations governing the movement of vehicles, or found to have committed traffic infractions, with such frequency as to indicate a disrespect for traffic laws ~~((and))~~ or a disregard for the safety of other persons on the highways;

(d) Is incompetent to drive a motor vehicle for any of the reasons enumerated in subsections (4), (5) and (8) of RCW 46.20.043;

(e) Has committed one of the prohibited practices relating to drivers' licenses defined in RCW 46.20.336.

NEW SECTION. Sec. 13. There is added to chapter 46.63 RCW a new section to read as follows:

(1) Notwithstanding any other provision of law, the court may suspend either a portion or all of the costs of the action.

(2) The court may not award attorney's fees or costs to the defendant in a traffic infraction case.

Sec. 14. Section 111, chapter 299, Laws of 1961 as last amended by section 1, chapter 129, Laws of 1979 1st ex. sess. and RCW 3.62.070 are each amended to read as follows:

Except in traffic cases wherein bail is forfeited or a monetary penalty paid to a violations bureau, and except in cases filed in municipal departments established pursuant to chapter 3.46 RCW and except in cases where a city has contracted with another city for such services pursuant to chapter 39.34 RCW, in every criminal or traffic infraction action filed by a city for an ordinance violation, the city shall be charged a filing fee determined pursuant to an agreement as provided for in chapter 39.34 RCW, the interlocal cooperation act, between the city and the county providing the court service. In such criminal or traffic infraction actions the cost of providing services necessary for the preparation and presentation of a defense at public expense are not within the filing fee and shall be paid by the city. In all other criminal or traffic infraction actions, no filing fee shall be assessed or collected: PROVIDED, That in such cases, for the purposes of RCW 3.62.010, four dollars or the agreed filing fee of each fine or penalty, whichever is greater, shall be deemed filing costs. In the event no agreement is reached between a municipal corporation and the county providing the court service within ninety days of September 1, 1979, the municipal corporation and the county shall be deemed to have entered into an agreement to submit the issue to arbitration pursuant to chapter 7.04 RCW, and the municipal corporation and the county shall be entitled to the same rights and subject to the same duties as other parties who have agreed to submit to arbitration pursuant to chapter 7.04 RCW. In the event that such issue is submitted to arbitration, the arbitrator or arbitrators shall only consider those additional costs borne by the county in providing justice court services for such city.

Sec. 15. Section 112, chapter 54, Laws of 1975 1st ex. sess. and RCW 46.90.710 are each amended to read as follows:

Unless another penalty is expressly provided by law, any person (~~who is convicted of violating or failing to comply with any of~~) found to have committed an act designated a traffic infraction under the provisions of this chapter shall be punished by a (~~fine~~) penalty of not more than two hundred fifty dollars (~~or by imprisonment for not more than ninety days or by both such fine and imprisonment~~).

NEW SECTION. Sec. 16. There is added to chapter 13.40 RCW a new section to read as follows:

A traffic infraction case involving a juvenile under the age of sixteen may be diverted in accordance with the provisions of this chapter or filed in juvenile court.

(1) If a notice of traffic infraction is filed in juvenile court, the juvenile named in the notice shall be afforded the same due process afforded to adult defendants in traffic infraction cases.

(2) A monetary penalty imposed upon a juvenile under the age of sixteen who is found to have committed a traffic infraction may not exceed one hundred dollars. At the juvenile's request, the court may order performance of a number of hours of community service in lieu of a monetary penalty, at the rate of the prevailing state minimum wage per hour.

(3) A diversion agreement entered into by a juvenile referred pursuant to this section shall be limited to thirty hours of community service, or educational or informational sessions.

(4) If a case involving the commission of a traffic infraction or offense by a juvenile under the age of sixteen has been referred to a diversion unit, an abstract of the action taken by the diversion unit may be forwarded to the department of licensing in the manner provided for in RCW 46.20.270(2)."

Re-number the remaining sections consecutively. and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Newhouse, the House concurred in the Senate amendments to Engrossed House Bill No. 1418.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1418 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1418 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich,

Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Martinis, Wilson.

Engrossed House Bill No. 1418 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 26, 1980

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1453 with the following amendments:

On page 1, line 2 of the title after "RCW;" insert "making an appropriation;"

On page 2, line 18 after "." insert the following language: "The department of natural resources shall reimburse local governments for all expenses incurred in complying with requests made of them by the department of natural resources under the provisions of this act."

On page 2, line 20 after the period insert a new section 6 to read as follows and renumber the remaining section consecutively:

"NEW SECTION. Sec. 6. There is hereby appropriated to the department of natural resources from the general fund the sum of fifty thousand dollars, or so much thereof as may be necessary to carry out the provisions of this act."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTIONS

On motion of Mr. Schmitt, the House concurred in the Senate amendment to page 2, line 18.

On motion of Mr. Schmitt, the House refused to concur in the Senate amendments to page 2, line 20 and to page 1, line 2 of the title, and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

February 26, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3169, except for the amendment by Representative Tilly on page 3, line 6, and the title amendment on page 1, line 1, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Clayton moved that the House do recede from its amendments to page 3, line 6 and page 1, line 1 of Substitute Senate Bill No. 3169.

Representatives Clayton and Tilly spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF SENATE BILL  
WITHOUT HOUSE AMENDMENTS

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 3169 without certain House amendments.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3169 without certain House amendments, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers,

Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representative Wilson.

Substitute Senate Bill No. 3169 without certain House amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

February 26, 1980

Mr. Speaker:

The Senate refuses to concur in the House amendments to SENATE BILL NO. 3244, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Taller, the House receded from its amendments to Senate Bill No. 3244.

#### FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Senate Bill No. 3244 without the House amendments.

Representatives Taller and Thompson spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3244 without the House amendments, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinchart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representative Wilson.

Senate Bill No. 3244 without the House amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. Amen presiding) declared the House to be at ease.

Speaker Berentson called the House to order.

#### SECOND READING

HOUSE BILL NO. 1715, by Representatives Nisbet, King, Polk, Struthers, Whiteside, Hughes, Van Dyken, Schmitten, Smith (C), Erickson, Bauer, Taylor, Maxie, Williams, Brown, Salatino, Scott, Bender and Addison:

Authorizing the establishment of the Washington state veterans' memorial park and cemetery.

The bill was read the second time.

On motion of Mr. Taller, Substitute House Bill No. 1715 was substituted for House Bill No. 1715, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1715 was read the second time.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1715 was placed on final passage.

Mr. Nisbet spoke in favor of passage of the bill.



ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1715, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Clayton, Wilson.

Substitute House Bill No. 1715, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Speaker Berentson declared the House to be at ease until 1:30 p.m.

Speaker Berentson called the House to order.

HOUSE BILL NO. 1763, by Representatives O'Brien, Dunlap, North, Bender, Barnes, Nelson (D) and Wilson:

Establishing a fund to support the addition of works of art for the legislative building.

The bill was read the second time.

On motion of Mr. Dunlap, Substitute House Bill No. 1763 was substituted for House Bill No. 1763, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1763 was read the second time.

On motion of Mr. Dunlap, the following amendment by Representatives Dunlap and Ehlers was adopted:

On page 1, at the beginning of line 24 strike all material down to and including "legislature." on line 25 and insert "Members shall be subject to reappointment at the beginning of each session of the legislature which convenes in an even-numbered year. No member shall serve on the committee unless he or she retains membership in the legislature."

The bill was ordered engrossed.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1763 was placed on final passage.

Mr. O'Brien spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. O'Brien yielded to question by Speaker Bagnariol.

Speaker Bagnariol: "Representative O'Brien, some of the members of this House have been called cultural midgets at one time or another. Would you consider yourself a cultural god?"

Mr. O'Brien: "Speaker Bagnariol, today you talked about my humble beginnings which were similar to yours in the Rainier Valley area, and you wondered how I ever got involved in the art work. Italians have a great sense of architecture, great painters—Michelangelo did a great work, you know, in the Vatican in Rome and I know you're interested in art work. Maybe we'll have another Michelangelo for the state of Washington."

Mr. Dunlap spoke in favor of the bill.

POINT OF INQUIRY

Mr. Barnes: "Representative O'Brien, this bill is really just a start of the artwork, not a comprehensive thing. This seems to differ somewhat from the procedures that were recommended by the subcommittee. Could you describe the differences to me and detail the advantages this bill would give?"

Mr. O'Brien: "This centralizes the authority in the legislature. The legislature will have the final authority on the pieces of art that will be selected. That's a little different from the ad hoc committee. We're doing it, more or less, on the basis of representative legislation. This

more or less centralizes the authority on the works of art, and along with it, working with a jury and also the Department of General Administration, Washington State Art Commission and also the Capitol Museum, or any other interested people who might want to assist in this overall project. We're doing something now by statute that we were just doing, more or less, by the authority we had through the speakers."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1763, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charney, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Valle, Van Dyken, Vrooman, Walk, Warnke, Williams, Winsley, Zimmerman.

Not voting: Representatives Schmitt, Tupper, Whiteside, Wilson.

Engrossed Substitute House Bill No. 1763, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

Please record me as voting "Aye" on Engrossed Substitute House Bill No. 1763.

STEVE TUPPER, 44th District.

#### MOTION

On motion of Mr. Patterson, Engrossed Substitute House Bill No. 1763 was ordered transmitted immediately to the Senate.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3551, by Committee on Agriculture (originally sponsored by Senators Hansen, Day, Benitz and Wanamaker - by Committee on Agriculture request):

Establishing temporary tax incentives for alcohol fuels.

The bill was read the second time.

Committee on Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, 43rd Day, February 25, 1980.)

On motion of Ms. Galloway, the committee amendments were adopted.

Mr. Van Dyken moved adoption of the following amendment by Representatives Becker and Van Dyken:

On page 1, line 16 strike "the manufacturing facility" and insert "such property"

Mr. Van Dyken spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Van Dyken yielded to question by Mr. Struthers.

Mr. Struthers: "Representative Van Dyken, why would you not include the only producing plant in the state of Washington for the tax exemption?"

Mr. Van Dyken: "Representative Struthers, it would be my personal intent to include the Georgia-Pacific plant presently for a total property tax exemption; however, the amendment does not do that. This is a compromise amendment designed to achieve the best possible exemption under the current political circumstances. In other words, I don't think a total property tax exemption is achievable. I introduced such a measure in committee and it was not accepted."

Representatives Struthers and Sanders spoke against adoption of the amendment.

MOTION

On motion of Mr. Polk, further consideration of Engrossed Substitute Senate Bill No. 3551 was deferred, and the bill was ordered placed on the second reading calendar following Engrossed Substitute Senate Bill No. 3629.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3629, by Committee on Agriculture (originally sponsored by Senators Hansen, Benitz, Day, Wanamaker and Gaspard - by Agriculture Committee request):

Providing tax incentives for alcohol fuels.

The bill was read the second time.

Committee on Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, 43rd Day, February 25, 1980.)

On motion of Ms. Sommers, the committee amendments were not adopted.

On motion of Ms. Craswell, the following amendments by Representatives Craswell and Sommers were adopted:

On page 1, after line 28 strike all of section 5 and insert:

\*Sec. 5. Section 82.36.280, chapter 15, Laws of 1961 as last amended by section 1, chapter 138, Laws of 1972 ex. sess. and RCW 82.36.280 are each amended to read as follows:

Any person who uses any motor vehicle fuel for the purpose of operating any internal combustion engine not used on or in conjunction with any motor vehicle licensed to be operated over and along any of the public highways, and as the motive power thereof, upon which motor vehicle fuel excise tax has been paid, shall be entitled to and shall receive a refund of the amount of the motor vehicle fuel excise tax paid on each gallon of motor vehicle fuel so used, whether such motor vehicle excise tax has been paid either directly to the vendor from whom the motor vehicle fuel was purchased or indirectly by adding the amount of such excise tax to the price of such fuel. No refund shall be made for motor vehicle fuel consumed by any motor vehicle as herein defined that is required to be registered and licensed as provided in chapter 46.16 RCW; and is operated over and along any public highway except that a refund shall be allowed for motor vehicle fuel consumed:

(1) In a motor vehicle owned by the United States that is operated off the public highways for official use;

(2) By auxiliary equipment not used for motive power, provided such consumption is accurately measured by a metering device that has been specifically approved by the department or is established by either of the following formulae:

(a) For fuel used in pumping fuel or heating oils by a power take-off unit on a delivery truck, refund shall be allowed claimant for tax paid on fuel purchased at the rate of three-fourths of one gallon for each one thousand gallons of fuel delivered: PROVIDED, That claimant when presenting his claim to the department in accordance with the provisions of this chapter, shall provide to said claim, invoices of fuel oil delivered, or such other appropriate information as may be required by the department to substantiate his claim; or

(b) For fuel used in operating a power take-off unit on a cement mixer truck or load compactor on a garbage truck, claimant shall be allowed a refund of twenty-five percent of the tax paid on all fuel used in such a truck; and

(3) Before December 31, 1986, in a commercial vehicle as defined in RCW 46.04.140 or a farm vehicle as defined in RCW 46.04.181, if the motor vehicle fuel consumed contains nine and one-half percent or more by volume of alcohol and the commercial vehicle or farm vehicle is operated off the public highways of this state.\*

Renumber remaining section consecutively.

On page 2, on line 5, strike "5" and insert "4"

Mr. Nelson (D) moved adoption of the following amendment by Representatives Nelson (D) and Rinehart:

After the last line of the bill insert:

\*NEW SECTION. Sec. 7. There is added to chapter 82.01 RCW a new section to read as follows:

Prior to the start of the regular session each year, the director shall submit a tax expenditure report to the legislature estimating the revenue foregone as a result of the exemptions under sections 1 through 4 of this act.\*

Representatives Nelson (D), King, Rinehart, Ehlers and Sommers spoke in favor of the amendment, and Representatives Polk, Fancher, Tupper, Flanagan, Greengo and Nelson (G) spoke against it.

Mr. Nelson (D) spoke again in favor of the amendment.

Mr. Polk demanded the previous question, and the demand was sustained.

Mr. King demanded an electric roll call vote on the amendment, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Nelson (D) and Rinehart to Engrossed Substitute Senate Bill No. 3629, and the amendment was not adopted by the following vote: Yeas, 48; nays, 45; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., Nelson G. A., North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Scott, Smith R., Sommers, Stratton, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Austin, Barnes, Barr, Berentson, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Newhouse, Nisbet, Oliver, Patterson, Polk, Rosbach, Sanders, Schmitt, Sherman, Smith C. P., Sprague, Struthers, Tally, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Williams, Zimmerman.

Not voting: Representatives Chandler, Eng, Whiteside, Wilson, Winsley.

On motion of Ms. Craswell, the following amendment to the title by Representatives Craswell and Sommers was adopted:

On page 1, line 1 of the title after "fuels;" strike the remainder of the title and insert "amending section 82.36.280, chapter 15, Laws of 1961 as last amended by section 1, chapter 138, Laws of 1972 ex. sess. and RCW 82.36.280; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 82.36 RCW; adding a new section to chapter 82.38 RCW; and providing an expiration date."

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 3629 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3629 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Williams, Winsley, Zimmerman.

Voting nay: Representative Martinis.

Not voting: Representatives Eng, Whiteside, Wilson.

Engrossed Substitute Senate Bill No. 3629 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENT TO HOUSE BILL

February 19, 1980

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1813 with the following amendment:

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 3, chapter 10, Laws of 1972 ex. sess. as amended by section 108, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.58.100 are each amended to read as follows:

Every board of directors, unless otherwise specially provided by law, shall:

(1) Employ for not more than one year, and for sufficient cause discharge all certificated and noncertificated employees, and fix, alter, allow and order paid their salaries and compensation;

(2) Adopt written policies granting leaves to persons under contracts of employment with the school district(s) in positions requiring either certification or noncertification qualifications, including but not limited to leaves for attendance at official or private institutes and conferences and sabbatical leaves for employees in positions requiring certification qualification, and leaves for illness, injury, bereavement and emergencies for both certificated and noncertificated employees, and with such compensation as the board of directors prescribe: PROVIDED, That the board of directors shall adopt written policies granting to such persons annual leave with compensation for illness, injury and emergencies as follows:

- (a) For such persons under contract with the school district for a full year, at least ten days;
- (b) For such persons under contract with the school district as part time employees, at least that portion of ten days as the total number of days contracted for bears to one hundred eighty days;
- (c) Compensation for leave for illness or injury actually taken shall be the same as the compensation such person would have received had such person not taken the leave provided in this proviso;
- (d) Leave provided in this proviso not taken shall accumulate from year to year (~~up to a maximum of one hundred eighty days;~~) and such accumulated time may be taken at any time during the school year but for purposes of payments for unused sick leave shall not exceed twelve days per year;
- (e) Sick leave heretofore accumulated under section 1, chapter 195, Laws of 1959 (former RCW 28.58.430) and sick leave accumulated under administrative practice of school districts prior to the effective date of section 1, chapter 195, Laws of 1959 (former RCW 28.58.430) is hereby declared valid, and shall be added to leave for illness or injury accumulated under this proviso;
- (f) (~~Accumulated leave under this proviso not taken at the time such person retires or ceases to be employed in the public schools shall not be compensable except in the following manner:~~) Any leave for injury or illness accumulated up to a maximum of forty-five days shall be creditable as service rendered for the purpose of determining the time at which an employee is eligible to retire;
- (g) Accumulated leave under this proviso shall be transferred to and from one district to another, the office of superintendent of public instruction and offices of educational service district superintendents and boards, to and from such districts and such offices;
- (h) Leave accumulated by a person in a district prior to leaving said district may, under rules and regulations of the board, be granted to such person when he returns to the employment of the district.

When any teacher or other certificated employee leaves one school district within the state and commences employment with another school district within the state, he shall retain the same seniority, leave benefits and other benefits that he had in his previous position. If the school district to which the person transfers has a different system for computing seniority, leave benefits, and other benefits, then the employee shall be granted the same seniority, leave benefits and other benefits as a person in that district who has similar occupational status and total years of service.

**NEW SECTION.** Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

Every school district board of directors may establish an attendance incentive program for all certificated and noncertificated employees in the following manner. In January of the year following any year in which a minimum of sixty days of leave for illness or injury is accrued, and each January thereafter, any eligible employee may exercise an option to receive remuneration for unused leave for illness or injury accumulated in the previous year at a rate equal to one day's monetary compensation of the employee for each four full days of accrued leave for illness or injury in excess of sixty days. Leave for illness or injury for which compensation has been received shall be deducted from accrued leave for illness or injury at the rate of four days for every one day's monetary compensation: **PROVIDED,** That no employee may receive compensation under this section for any portion of leave for illness or injury accumulated at a rate in excess of one day per month.

At the time of separation from school district employment due to retirement or death an eligible employee or the employee's estate shall receive remuneration at a rate equal to one day's current monetary compensation of the employee for each four full days accrued leave for illness or injury: **PROVIDED,** That an employee of any school district that has established an incentive attendance program under the provisions of this section shall be entitled to all the benefits conferred by this section as of the effective date of this act, but the district may, in its discretion, delay payments due upon retirement or death, with interest at the rate specified in RCW 4.56.110, to an eligible employee or the employee's estate for up to twelve months but not beyond July 1, 1982.

Moneys received under this section shall not be included for the purposes of computing a retirement allowance under any public retirement system in this state.

The superintendent of public instruction in its administration hereof, shall promulgate uniform rules and regulations to carry out the purposes of this section.

Should the legislature revoke any benefits granted under this section, no affected employee shall be entitled thereafter to receive such benefits as a matter of contractual right.

**NEW SECTION.** Sec. 3. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.21 RCW a new section to read as follows:

Every educational service district board of directors shall establish an attendance incentive program for all certificated and noncertificated employees in the following manner. In January of the year following any year in which a minimum of sixty days of leave for illness or injury is accrued, and each January thereafter, any eligible employee may exercise an option to receive remuneration for unused leave for illness or injury accumulated in the previous year at a rate equal to one day's monetary compensation of the employee for each four full days of accrued leave for illness or injury in excess of sixty days. Leave for illness or injury for which compensation has been received shall be deducted from accrued leave for illness or injury at the rate of four days for every one day's monetary compensation: **PROVIDED,** That no employee may receive compensation under this section for any portion of leave for illness or injury accumulated at a rate in excess of one day per month.

At the time of separation from educational service district employment due to retirement or death an eligible employee or the employee's estate shall receive remuneration at a rate equal to one day's current monetary compensation of the employee for each four full days accrued leave for illness or injury.

Moneys received under this section shall not be included for the purposes of computing a retirement allowance under any public retirement system in this state.

The superintendent of public instruction in its administration hereof, shall promulgate uniform rules and regulations to carry out the purposes of this section.

Should the legislature revoke any benefits granted under this section, no affected employee shall be entitled thereafter to receive such benefits as a matter of contractual right.

**NEW SECTION, Sec. 4.** If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

Mr. Chandler moved that the House do not concur in the Senate amendment to House Bill No. 1813.

A division was called.

### ROLL CALL

The Clerk called the roll on the motion that the House do not concur in the Senate amendment to House Bill No. 1813, and the motion was lost by the following vote: Yeas, 45; nays, 51; not voting, 2.

Voting yea: Representatives Amen, Austin, Barnes, Barr, Becker, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Galloway, Greengo, Hastings, Heck, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rosbach, Schmitt, Smith C. P., Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Williams, Zimmerman.

Voting nay: Representatives Adams, Addison, Bagnariol, Bauer, Bender, Brekke, Brown, Burns, Charnley, Dunlap, Ehlers, Eng, Erak, Erickson, Gallagher, Garrett, Granlund, Grimm, Gruger, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Sanders, Scott, Sherman, Smith R., Sommers, Stratton, Taller, Thompson, Valle, Vrooman, Walk, Warnke, Winsley.

Not voting: Representatives Whiteside, Wilson.

### MOTION FOR RECONSIDERATION

Mr. Taller, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the motion to not concur in the Senate amendment to House Bill No. 1813 was lost.

A division was called.

### ROLL CALL

The Clerk called the roll on the motion for reconsideration of the motion to not concur in the Senate amendment to House Bill No. 1813, and the motion was lost by the following vote: Yeas, 48; nays, 48; not voting, 2.

Voting yea: Representatives Amen, Austin, Barnes, Barr, Becker, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Galloway, Greengo, Hastings, Heck, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Williams, Zimmerman.

Voting nay: Representatives Adams, Addison, Bagnariol, Bauer, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Garrett, Granlund, Grimm, Gruger, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Stratton, Thompson, Valle, Vrooman, Walk, Warnke, Winsley.

Not voting: Representatives Whiteside, Wilson.

### MOTION

On motion of Mr. Polk, the House adjourned until 9:30 a.m., Friday, February 29, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## FORTY-SEVENTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Friday, February 29, 1980

The House was called to order at 9:30 a.m. by Speaker Bagnariol. The Clerk called the roll and all members were present except Representatives Austin and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Patty Weitz, Dave Kosteka and Chris Powers. Prayer was offered by The Reverend James Blundell of St. John's Episcopal Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

### SIGNED BY THE SPEAKERS

Speaker Bagnariol announced the Speakers were signing:

SUBSTITUTE HOUSE BILL NO. 19,  
 HOUSE BILL NO. 209,  
 HOUSE BILL NO. 783,  
 HOUSE BILL NO. 1447,  
 HOUSE BILL NO. 1475,  
 SUBSTITUTE HOUSE BILL NO. 1480,  
 HOUSE BILL NO. 1495,  
 SUBSTITUTE HOUSE BILL NO. 1729,  
 HOUSE BILL NO. 1841,  
 SUBSTITUTE SENATE BILL NO. 3133,  
 SUBSTITUTE SENATE BILL NO. 3164,  
 SUBSTITUTE SENATE BILL NO. 3184,  
 SENATE BILL NO. 3190,  
 SENATE BILL NO. 3211,  
 SENATE BILL NO. 3214,  
 SENATE BILL NO. 3220,  
 SUBSTITUTE SENATE BILL NO. 3224,  
 SENATE BILL NO. 3236,  
 SENATE BILL NO. 3241,  
 SUBSTITUTE SENATE BILL NO. 3256,  
 SENATE BILL NO. 3282,  
 SUBSTITUTE SENATE BILL NO. 3297,  
 SUBSTITUTE SENATE BILL NO. 3309,  
 SENATE BILL NO. 3318,  
 SUBSTITUTE SENATE BILL NO. 3330,  
 SENATE BILL NO. 3331,  
 SENATE BILL NO. 3334,  
 SENATE BILL NO. 3362,  
 SENATE BILL NO. 3378,  
 SENATE BILL NO. 3415,  
 SENATE BILL NO. 3422,  
 SENATE BILL NO. 3474,  
 SENATE BILL NO. 3487,  
 SUBSTITUTE SENATE BILL NO. 3558,  
 SENATE BILL NO. 3565,  
 SUBSTITUTE SENATE BILL NO. 3581,  
 SENATE BILL NO. 3593.

Speaker Bagnariol stated the question before the House to be the final passage of House Bill No. 1813 as amended by the Senate.

## POINT OF ORDER

Mr. Polk: "Mr. Speaker, House Rule 74 states, 'The rules of parliamentary practice comprised in Reed's Parliamentary Rules shall govern all cases in which they are not inconsistent with the standing rules and orders of the House.' Reed's Rule 250 states, '...If the motion to non-concur is negatived, the announcement is that the House concurs.' The passage of the positive motion is assumed under Reed's Rules..."

## POINT OF ORDER

Mr. King: "Mr. Speaker, whether or not his point of order is in order depends upon whether the matter is before us. We have before us the final passage of the bill. His point of order on the reconsideration, should have been made at the time the decision which he is talking about was made."

## POINT OF ORDER

Mr. Polk: "Mr. Speaker, I am raising a point of order as to what is properly before us right now. Under House Rule A-5 it states, '...a constitutional majority of the members elected shall be required for adoption of any motion...' There is a clear conflict between Reed's Rule 250, which allows the adoption of the motion to concur without any vote for the motion, and House Rule A-5, which holds that no motion may be adopted without a constitutional majority. In the event of the inconsistency, as in House Rule 74, the House rules must control and no motion can be adopted without a constitutional majority in support of the motion. Therefore, the issue now before the House is whether or not the House will concur by a constitutional majority or not concur by a constitutional majority with the Senate amendment to House Bill No. 1813, as is consistent with House Rule A-5."

Speaker Bagnariol declared the House to be at ease.  
Speaker Bagnariol called the House to order.

## MESSAGES FROM THE SENATE

February 29, 1980

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3273,  
SUBSTITUTE SENATE BILL NO. 3366,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 3376,  
SUBSTITUTE SENATE BILL NO. 3389,  
ENGROSSED SENATE BILL NO. 3425,  
SUBSTITUTE SENATE BILL NO. 3519,  
SUBSTITUTE SENATE BILL NO. 3589,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 28, 1980

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3499,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 33, by Representatives Bagnariol, Berentson, Valle, Isaacson and Bond:

Creating a 1980 Joint Ad Hoc Committee on Science and Technology.

To Committee on Rules

ENGROSSED SENATE BILL NO. 3273, By Senators Bottiger and Woody:

Requiring use of renewable energy sources to heat new swimming pools.

To Committee on Energy and Utilities



**SUBSTITUTE SENATE BILL NO. 3366**, by Committee on Ways and Means (originally sponsored by Senators Wojahn, Rasmussen and Jones):

Establishing a two-year demonstration project on adoptive services for special need children.

To Committee on Appropriations

**ENGROSSED SUBSTITUTE SENATE BILL NO. 3376**, by Committee on State Government (originally sponsored by Senators Walgren, Van Hollebeke and Rasmussen):

Directing OFM to report to the legislature on permits, licenses, and inspection requirements by state agencies.

To Committee on State Government

**SUBSTITUTE SENATE BILL NO. 3389**, by Committee on Higher Education (originally sponsored by Senator Goltz):

Providing statewide Washington State Scholar program for high school students offering scholarships waiving tuition, operating and services and activities fees in state's institutions of higher education.

To Committee on Higher Education

**ENGROSSED SENATE BILL NO. 3425**, by Senators Hansen, Bottiger and Benitz:

Modifying provisions relating to fish protective devices on hydroelectric and water supply projects.

To Committee on Natural Resources

**SUBSTITUTE SENATE BILL NO. 3519**, by Committee on State Government (originally sponsored by Senator Rasmussen):

Revising the Public Disclosure Law.

To Committee on Constitution, Elections and Governmental Ethics

**SUBSTITUTE SENATE BILL NO. 3589**, by Committee on Energy and Utilities (originally sponsored by Senators Williams, Bottiger and Hansen):

Establishing a hydroelectric policy task force.

To Committee on Energy and Utilities

**REPORTS OF STANDING COMMITTEES**

February 27, 1980

**HOUSE BILL NO. 1413**, Prime Sponsor: Representative Isaacson, providing for a state energy fair in 1983. Reported by Committee on Energy and Utilities.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Bond, Co-Chairman; McCormick, Co-Chairwoman; Charnley, Dunlap, Grimm, Isaacson, Nelson (D), Scott, Tupper, Wilson.

Passed to Committee on Rules for second reading.

February 27, 1980

**HOUSE BILL NO. 1462**, Prime Sponsor: Representative Scott, authorizing municipal heating systems. Reported by Committee on Energy and Utilities.

**MAJORITY recommendation:** The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Bond, Co-Chairman; McCormick, Co-Chairwoman; Charnley, Dunlap, Grimm, Isaacson, Monohon, Nelson (D), Scott, Sherman, Sprague, Tupper, Williams.

Passed to Committee on Rules for second reading.

February 27, 1980

**HOUSE BILL NO. 1508**, Prime Sponsor: Representative Sherman, exempting ride-sharing vans from sales use and motor vehicle excise taxation. Reported by Committee on Energy and Utilities.

**MAJORITY recommendation:** Do pass. Signed by Representatives McCormick, Co-Chairwoman; Charnley, Grimm, Isaacson, Monohon, Nelson (D), Scott, Sherman, Tupper, Williams.

Passed to Committee on Rules for second reading.

February 27, 1980

**HOUSE BILL NO. 1688,** Prime Sponsor: Representative McCormick, providing for efficient energy use by state government. Reported by Committee on Energy and Utilities.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Bond, Co-Chairman; McCormick, Co-Chairwoman; Charnley, Dunlap, Grimm, Isaacson, Monohon, Nelson (D), Scott, Sherman, Sprague, Tupper, Williams, Wilson.

Passed to Committee on Rules for second reading.

February 27, 1980

**HOUSE BILL NO. 1689,** Prime Sponsor: Representative Sherman, adopting a solar energy building code. Reported by Committee on Energy and Utilities.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Bond, Co-Chairman; McCormick, Co-Chairwoman; Charnley, Dunlap, Grimm, Monohon, Nelson (D), Scott, Sherman, Tupper, Williams, Wilson.

Passed to Committee on Rules for second reading.

February 26, 1980

**HOUSE BILL NO. 1746,** Prime Sponsor: Representative Salatino, appropriating funds for the Treatment Alternatives to Street Crime Programs. Reported by Committee on Appropriations.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Becker, Ehlers, Fancher, Grimm, Gruger, Heck, Hughes, Keller, Maxie, Taller, Valle, Vrooman, Warnke, Zimmerman.

Passed to Committee on Rules for second reading.

February 27, 1980

**HOUSE BILL NO. 1930,** Prime Sponsor: Representative Sanders, permitting slant-drilling for oil and gas under Puget Sound. Reported by Committee on Energy and Utilities.

**MAJORITY recommendation:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Bond, Co-Chairman; McCormick, Co-Chairwoman; Dunlap, Grimm, Isaacson, Monohon, Nelson (D), Scott, Tupper and Wilson.

Passed to Committee on Rules for second reading.

February 28, 1980

**HOUSE BILL NO. 1992,** Prime Sponsor: Representative Hastings, providing for apprentice training facilities. Reported by Committee on Labor.

**MAJORITY recommendation:** Do pass. Signed by Representatives Clayton, Executive Chairman; Lux, Co-Chairman; Fancher, Flanagan, Jovanovich, King, Monohon, Scott, Smith (C).

#### MOTION

On motion of Mr. King, House Bill No. 1992 was rereferred to Committee on Appropriations.

February 27, 1980

**HOUSE JOINT MEMORIAL NO. 38,** Prime Sponsor: Representative Sanders, requesting total deregulation of natural gas in 1980. Reported by Committee on Energy and Utilities.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, line 15 after "presently" strike "three" and insert "four"

On page 1, line 15 after "forty-" strike "five" and insert "seven"

Signed by Representatives Bond, Co-Chairman; McCormick, Co-Chairwoman; Charnley, Dunlap, Grimm, Monohon, Sherman, Tupper, Williams, Wilson.

Passed to Committee on Rules for second reading.

February 27, 1980.

ENGROSSED SENATE BILL NO. 3181, Prime Sponsor: Senator Gaspard, modifying the solar energy system tax exemption. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

**"NEW SECTION.** Section 1. The legislature finds that certain residences have been subjected to excessive property taxes solely because the residences are utilizing energy saving systems. It is the intent of the legislature to prevent homeowners who install energy saving heat pumps, heating, cooling, domestic water heating and electrical systems from being subjected to unfair property tax burdens.

Sec. 2. Section 84.40.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 187, Laws of 1973 1st ex. sess. and by section 96, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.40.030 are each amended and reenacted to read as follows:

All property shall be valued at one hundred percent of its true and fair value in money and assessed on the same basis unless specifically provided otherwise by law.

Taxable leasehold estates shall be valued at such price as they would bring at a fair, voluntary sale for cash without any deductions for any indebtedness owed including rentals to be paid. Notwithstanding any other provisions of this section or of any other statute, when the value of any taxable leasehold estate created prior to January 1, 1971 is being determined for assessment years prior to the assessment year 1973, there shall be deducted from what would otherwise be the value thereof the present worth of the rentals and other consideration which may be required of the lessee by the lessor for the unexpired term thereof: PROVIDED, That the foregoing provisions of this sentence shall not apply to any extension or renewal, made after December 31, 1970 of the term of any such estate, or to any such estate after the date, if any, provided for in the agreement for rental renegotiation.

The true and fair value of real property for taxation purposes (including property upon which there is a coal or other mine, or stone or other quarry) shall be based upon the following criteria:

(1) ~~((+\*))~~ Any sales of the property being appraised or similar property with respect to sales made within the past five years. The appraisal shall take into consideration political restrictions such as zoning as well as physical and environmental influences. The appraisal shall also take into account, ~~((+))~~ (a) in the use of sales by real estate contract as similar sales, the extent, if any, to which the stated selling price has been increased by reason of the down payment, interest rate, or other financing terms; and ~~((+))~~ (b) the extent to which the sale of a similar property actually represents the general effective market demand for property of such type, in the geographical area in which such property is located. Sales involving deed releases or similar seller-developer financing arrangements shall not be used as sales of similar property.

~~((b))~~ (2) In addition to sales as defined in subsection ~~((+\*))~~ (1), consideration may be given to cost, cost less depreciation, reconstruction cost less depreciation, or capitalization of income that would be derived from prudent use of the property. In the case of property of a complex nature, or being used under terms of a franchise from a public agency, or operating as a public utility, or property not having a record of sale within five years and not having a significant number of sales of similar property in the general area, the provisions of this subsection ~~((+))~~ (2) shall be the dominant factors in valuation. When provisions of this subsection ~~((+))~~ (2) are relied upon for establishing values the property owner shall be advised upon request of the factors used in arriving at such value.

~~((c))~~ (3) In valuing any tract or parcel of real property, the value of the land, exclusive of structures thereon shall be determined; also the value of structures thereon, but the valuation shall not exceed the value of the total property as it exists. In valuing agricultural land, growing crops shall be excluded.

~~((PROVIDED, That the provisions of this subsection (1) shall be applicable to all values for use in computing property taxes for the assessment year 1972 for taxes payable in 1973 and subsequent years.))~~

(4) In valuing any building with an unconventional heating, cooling, domestic water heating or electrical system before December 31, 1987, the value placed on the building shall not exceed the value which would be placed on the building if it had a conventional system.

**NEW SECTION.** Sec. 3. There is added to chapter 84.40 RCW a new section to read as follows:

Notice of the assessment rule provided in section 2(4) of this 1980 act shall be included on or with all property tax statements and revaluation notices. This section shall expire December 31, 1987.

**NEW SECTION.** Sec. 4. Section 1, chapter 364, Laws of 1977 ex. sess. and RCW 84.36.410 are each repealed.

**NEW SECTION.** Sec. 5. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately and shall be effective for assessments made in 1980 and years thereafter.

On page 1, on line 1 of the title, after "Relating to" strike the remainder of the title and insert "revenue and taxation; amending and reenacting section 84.40.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 187, Laws of 1973 1st ex. sess. and by section 96, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.40.030; adding a new section to chapter 84.40 RCW; creating a new section; repealing section 1, chapter 364, Laws of 1977 ex. sess. and RCW 84.36.410; and declaring an emergency."

Signed by Representatives Craswell, Co-Chairwoman; Sommers, Co-Chairwoman; Addison, Brown, Erickson, Flanagan, Galloway, Granlund, Greengo, Hastings, O'Brien, Rinehart, Sanders, Winsley.

Passed to Committee on Rules for second reading.

### SENATE AMENDMENTS TO HOUSE BILL

February 19, 1980

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 829 with the following amendments:

On page 1, line 10 after "license" and before the period insert ": PROVIDED, That such fee shall not exceed eight dollars"

On page 2, line 1 after "deemed appropriate" insert ", but not to exceed one hundred fifty dollars"

On page 2, line 4 strike "1979" and insert "1980"

and the same is herewith transmitted.

Sidrey R. Snyder, Secretary.

### MOTION

On motion of Mr. Zimmerman, the House concurred in the Senate amendments to Engrossed House Bill No. 829.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of Engrossed House Bill No. 829 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 829 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 80; nays, 15; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Flanagan, Flint, Fuller, Gallagher, Galloway, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Hughes, Isaacson, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Tally, Taylor, Teutsch, Thompson, Tilly, Valle, Van Dyken, Vrooman, Walk, Warnke, Williams, Zimmerman.

Voting nay: Representatives Addison, Barnes, Barr, Bauer, Fancher, Garrett, Houchen, Jovanovich, Polk, Rosbach, Sanders, Schmitten, Struthers, Tupper, Winsley.

Not voting: Representatives Austin, Whiteside, Wilson.

Engrossed House Bill No. 829 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 32, by Representative Polk:

Providing for the international trade and business policy for the state of Washington.

The resolution was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Mr. Polk spoke in favor of passage of the resolution.

### ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 32, and the resolution was adopted by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton,

Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Not voting: Representatives Austin, May, Nelson D., Wilson.

House Concurrent Resolution No. 32, having received the constitutional majority, was declared adopted.

SENATE AMENDMENT TO HOUSE BILL

February 27, 1980

Mr. Speaker:

The Senate has passed REENGROSSED HOUSE BILL NO. 542 with the following amendment:

On page 3, line 2 after "senate" insert ": PROVIDED, That one member of the commission shall be from the commercial broadcasting sector"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Heck, the House concurred in the Senate amendment to Reengrossed House Bill No. 542.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of Reengrossed House Bill No. 542 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 542 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 72; nays, 24; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Deccio, Dunlap, Ehlers, Ellis, Eng, Erak, Erickson, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Patterson, Polk, Pruitt, Rinehart, Salatino, Schmitt, Scott, Sherman, Smith R., Sommers, Stratton, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Winsley.

Voting nay: Representatives Addison, Amen, Barr, Bond, Clayton, Craswell, Dawson, Eberle, Fancher, Flanagan, Hastings, Houchen, Isaacson, McDonald, Nelson G. A., Oliver, Owen, Rosbach, Sanders, Smith C. P., Sprague, Struthers, Williams, Zimmerman.

Not voting: Representatives Austin, Wilson.

Reengrossed House Bill No. 542 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE SENATE BILL NO. 3603, by Committee on Ways and Means (originally sponsored by Senators Donohue, Williams, Bluechel, Odegaard, Gould, Gallagher, Wojahn, Talley and McDermott - by Governor Ray request):

Authorizing a bond issue for pollution control facilities.

The bill was read the second time.

Committee on Appropriations recommendation: Majority, do pass as amended. (For amendments, see Journal, 40th Day, February 22, 1980.)

On motion of Mr. Zimmerman, the committee amendments to page 2, line 5; page 2, line 7; page 2, line 13; page 2, line 22 and to page 4, adding a new section, were adopted.

Mr. Zimmerman moved adoption of the committee amendment to page 1, line 15.

SENATE AMENDMENTS TO HOUSE BILL

February 19, 1980

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1685 with the following amendments:

In line 3 of the title after "RCW 35.86A.070" and before the period insert "; and amending section 12, chapter 204, Laws of 1969 ex. sess. as amended by section 4, chapter 221, Laws of 1975 1st ex. sess. and RCW 35.86A.120"

On page 1, line 27 after "fees," and before "make" insert "require that receipts be provided for parking fees,"

On page 3, following section 1 add a section to read as follows:

"Sec. 2. Section 12, chapter 204, Laws of 1969 ex. sess. as amended by section 4, chapter 221, Laws of 1975 1st ex. sess. and RCW 35.86A.120 are each amended to read as follows:

Except for off-street ((park and civic center)) parking facilities((as provided in RCW 35.86.010 and 35.86A.070; no city shall operate off-street parking facilities but shall call for sealed bids from)) situated on real property leased or rented to a city and not used for park and civic center parking, cities may operate off-street parking facilities with city forces. Leased or rented off-street parking facilities shall be operated by responsible, experienced private operators of such facilities ((for the operation thereof)). The call for bids shall specify the terms and conditions under which the facility will be leased for private operation. The call for bids shall specify the time and place at which the bids will be received and the time and when the same will be opened, and such call shall be advertised once a week for two successive weeks before the time fixed for the filing of bids in a newspaper of general circulation in the city. ((The competitive bid requirements of this section shall not apply in any case where such a city shall grant a long-term negotiated lease of any such facility to a private operator on the condition that the tenant-operator shall construct a substantial portion of the facility or the improvements thereto, which construction and/or improvements shall become the property of the city on expiration of the lease.)) If no bid is received for the operation of such an off-street parking facility, or if the bids received are not satisfactory, the legislative body of the city may reject such bids and shall readvertise the facility for lease. In the event that no bids or no satisfactory bids shall have been received following the second advertising, the city may negotiate with a private operator ((of) for the operation of the facility without competitive bidding. In the event the city shall be unable to negotiate for satisfactory private operation within a reasonable time, the city may operate the facility for a period not to exceed three years, at which time it shall readvertise as provided above in this section."  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTIONS

Mr. Zimmerman moved that the House do concur in the Senate amendments to House Bill No. 1685.

On motion of Mr. Taller, the question was divided.

Mr. Charnley moved that the House do concur in the Senate amendment to page 1, line 27.

Mr. Charnley spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Charnley, in this bill which has to do with the regulation of parking lots, the language in the amendment we are discussing would say receipts may be required. In the various types of parking lots that are operating around the state, some of which have no attendant, must receipts be required at all of those parking lots? Must operators of parking lots offer receipts to everyone who parks a car for any length of time?"

Mr. Charnley: "If this were to pass, Representative Newhouse, that would not be required. That would be up to the municipalities; each city making its own judgment as to whether they would require receipts or not. If they did require receipts, then the operators would have to provide some sort of device to provide receipts. I've been told you can rent such a device for \$20 per month, in which you would insert the money and you would get a receipt."

Mr. Newhouse: "Would the closest type of change device, in which you insert a dollar or two under a coded number for a parking spot, still be possible then if a receipt is required? Those types of operations would be invalid, would they not?"

Mr. Charnley: "Representative Newhouse, it depends on the device. American ingenuity, I think, would solve that very quickly. I can't answer your question because I am not that kind of a technician. My point is that this does not require anybody to have a receipt. It's up to the cities to make that decision and the question would have to be raised by them at that time."

Mr. Taller spoke against the motion, and Mr. Charnley spoke again in favor of it.

The motion was carried.

Mr. Charnley moved that the House concur in the Senate amendments to page 3 and line 3 of the title.

Representatives Charnley, Van Dyken and Becker spoke in favor of the motion to concur, and Representatives Tilly, Eberle and Deccio spoke against it.

Mr. Charnley spoke again in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to page 3 and line 3 of the title to House Bill No. 1685, and the motion was carried by the following vote: Yeas, 53; nays, 42; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Dunlap, Ehlers, Eng, Erak, Erickson, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, May, McCormick, Monohon, Nelson D., North, O'Brien, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Stratton, Taller, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Zimmerman.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Bond, Clayton, Craswell, Dawson, Deccio, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Gallagher, Greengo, Hastings, Houchen, Isaacson, Maxie, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Owen, Patterson, Polk, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taylor, Teutsch, Tilly, Whiteside, Williams.

Not voting: Representatives Austin, Wilson, Winsley.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of House Bill No. 1685 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1685 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 66; nays, 29; not voting, 3.

Voting yea: Representatives Adams, Addison, Bagnariol, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Dunlap, Ehlers, Ellis, Eng, Erak, Erickson, Flint, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., Newhouse, North, O'Brien, Pruitt, Rinehart, Rosbach, Salatino, Scott, Sherman, Smith C. P., Smith R., Sommers, Stratton, Taller, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barr, Bond, Clayton, Craswell, Deccio, Eberle, Fancher, Flanagan, Fuller, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Nisbet, Oliver, Owen, Patterson, Polk, Sanders, Schmitt, Sprague, Struthers, Taylor, Teutsch, Tilly.

Not voting: Representatives Austin, Barnes, Wilson.

House Bill No. 1685 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. King, the House adjourned until 10:30 a.m., Monday, March 3, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## FIFTIETH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Monday, March 3, 1980

The House was called to order at 10:30 a.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Cindy Hogan, Pauline Rivard and Kathryn Siebert. Prayer was offered by The Reverend Wallace Misterek of the Trinity Lutheran Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGES FROM THE GOVERNOR

February 29, 1980

To the Honorable,  
The House of Representatives  
of the State of Washington  
Ladies and Gentlemen:

I have the honor to advise that on February 28, 1980, Governor Ray approved the following House Bill, entitled:

HOUSE BILL NO. 1432: Relating to school districts.

Very truly yours,  
H. B. Hanna, Legal Counsel.

February 29, 1980

To The Honorable,  
The House of Representatives  
of the State of Washington  
Ladies and Gentlemen:

I have the honor to advise that on February 29, 1980, Governor Ray approved the following House Bills, entitled:

HOUSE BILL NO. 277: Relating to comic books;  
SUBSTITUTE HOUSE BILL NO. 1016: Relating to the recodification of existing excise tax exemptions and deductions;  
SUBSTITUTE HOUSE BILL NO. 1141: Relating to state parks;  
SUBSTITUTE HOUSE BILL NO. 1210: Relating to second class school districts;  
HOUSE BILL NO. 1371: Relating to county road projects;  
SUBSTITUTE HOUSE BILL NO. 1416: Relating to credit unions;  
HOUSE BILL NO. 1434: Relating to recall elections;  
HOUSE BILL NO. 1435: Relating to fire protection districts;  
HOUSE BILL NO. 1555: Relating to albino wildlife;  
SUBSTITUTE HOUSE BILL NO. 1575: Relating to primitive roads;  
HOUSE BILL NO. 1585: Relating to chiropractic disciplinary board;  
HOUSE BILL NO. 1586: Relating to education;  
HOUSE BILL NO. 1829: Relating to voter registration.

Very truly yours,  
H. B. Hanna, Legal Counsel.

### MESSAGES FROM THE SENATE

February 29, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 19,  
HOUSE BILL NO. 209,  
HOUSE BILL NO. 783,  
HOUSE BILL NO. 1447,  
HOUSE BILL NO. 1458,



HOUSE BILL NO. 1475,  
 SUBSTITUTE HOUSE BILL NO. 1480,  
 HOUSE BILL NO. 1486,  
 HOUSE BILL NO. 1495,  
 HOUSE BILL NO. 1521,  
 SUBSTITUTE HOUSE BILL NO. 1729,  
 HOUSE BILL NO. 1841,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

February 29, 1980

Mr. Speaker:

The Senate has receded from its amendments to SUBSTITUTE HOUSE BILL NO. 440, and has passed the bill without the Senate amendments, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

February 29, 1980

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1520,  
 HOUSE BILL NO. 1604,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

February 29, 1980

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3526,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 3526, by Committee on Parks and Recreation (originally sponsored by Senator von Reichbauer):

Appropriating funds for sewage disposal systems at marine state parks.

To Committee on Appropriations

#### REPORT OF STANDING COMMITTEE

February 29, 1980

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2494, Prime Sponsor: Senator Bottiger, granting the power of eminent domain to certain energy facilities. Reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 81.88.020, chapter 14, Laws of 1961 and RCW 81.88.020 are each amended to read as follows:

(1) All corporations having for one of their principal purposes the construction, maintenance and operation of pipe lines and appurtenances for the conveyance and transportation as common carriers of oils, gas, gasoline and other petroleum products shall be subject to control and regulation by the commission in the same manner and to the same extent as other public service corporations. The power of eminent domain is hereby conferred upon ((such)) corporations having for one of their principal purposes the construction, maintenance, and operation of pipe lines and appurtenances for the conveyance and transportation as common carriers of oils, gas, gasoline, and other petroleum products to be used for acquiring rights of way for common carrier pipe lines and they shall have the right to condemn and appropriate lands and property and interests therein for their use for rights of way for pipe lines under the same procedure as is provided for the condemnation and appropriation of private property by railway companies, but no private property shall be taken or damaged until the compensation to be made therefor shall have been ascertained and paid as provided in the case of condemnation and appropriation by railway companies. Any corporation which acquires any property or interest under the provisions of this section shall be strictly liable for damages sustained to property during construction or operation of pipelines and appurtenances for the conveyance and transportation as common carriers of oils, gas, gasoline, and other petroleum products except for damages caused by acts of war or by negligence on the part of the United States government or the state of Washington. Any property or interest therein acquired by any corporation under the provisions of this section by the exercise of the right of eminent domain shall be used exclusively for the purposes for which it was acquired. In all

actions brought under this section to enforce the right of eminent domain, courts wherein such actions are brought may give such actions preference over all other civil actions in the matter of setting the same for hearing or trial and in hearing the same.

(2) All corporations having for one of their principal purposes the construction, maintenance, and operation of pipe lines and appurtenances for the conveyance and transportation as common carriers of oils, gas, gasoline, and other petroleum products to which a certificate has been issued pursuant to RCW 80.50.100 shall have the power of eminent domain to acquire rights of way for common carrier pipe lines along or under any city, town, or county road or street if the right of way is specifically approved by the energy facility site evaluation council. Such rights of way shall be subject to the same restrictions as apply to franchises under RCW 36.55.060. Any corporation constructing such a facility is liable to the city, town, or county for all necessary expenses incurred in restoring the city, town, or county road or street to the same or a similar condition for travel and related uses in which the road or street existed before construction, or to an improved condition where reasonably feasible: PROVIDED, That the power of eminent domain granted in this section shall not preclude the ability of a county to require a fee of an amount equivalent to a franchise fee for the use of the county right of way as authorized pursuant to RCW 36.55.010: PROVIDED FURTHER, That such fee or portion thereof shall not be in compensation for the value of the right of way appropriated under this section. Upon restoration of the city, town or county road or street, any corporation constructing such a facility shall be liable for maintaining such road or street with respect to any damages reasonably attributable to the common carrier pipeline right of way. For purposes of insuring such restoration and maintenance, each city, town or county may require a bond of an amount equal to anticipated costs: PROVIDED, That if the parties cannot agree to the amount of the bond the matter shall be submitted to the superior court of the county.

(3) Any corporation granted the power of eminent domain under subsection (1) and/or (2) of this 1980 act shall, prior to the start of construction, file proof with the energy facility site evaluation council of having obtained liability insurance as assurance that damages to persons or property will be fully covered. The amount of liability insurance to be obtained shall be determined by the energy facility site evaluation council and shall be maintained throughout the period the right of way is used.\*

Signed by Representatives Newhouse, Executive Chairman; Smith (R), Co-Chairman; Austin, Ellis, Knowles.

Passed to Committee on Rules for second reading.

#### MESSAGE FROM THE SENATE

February 29, 1980

Mr. Speaker:

The Senate has receded from its amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1515 on page 14, line 33, and has passed the bill with all the remaining Senate amendments, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### FINAL PASSAGE OF HOUSE BILL WITHOUT CERTAIN SENATE AMENDMENT

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1515 without the Senate amendment to page 14, line 33.

Mr. Newhouse spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1515 without the Senate amendment to page 14, line 33, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Chandler, Houchen.

Engrossed Substitute House Bill No. 1515 without the Senate amendment to page 14, line 33, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE

February 29, 1980

Mr. Speaker:

The Senate has receded from its amendments to SUBSTITUTE HOUSE BILL NO. 1485 as follows: On page 1, after the enacting clause, inserting a new section 1; on page 1, line 1, the corresponding title amendment; and on page 15, line 23, and has passed the bill without the foregoing amendments, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## FINAL PASSAGE OF HOUSE BILL WITHOUT CERTAIN SENATE AMENDMENTS

The Speaker (Mr. Amen presiding) stated the question before the House to be final passage of Substitute House Bill No. 1485 without certain Senate amendments.

Mr. Newhouse spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1485 without certain Senate amendments, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Houchen.

Substitute House Bill No. 1485 without certain Senate amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

February 18, 1980

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1870 with the following amendments:

On page 2, line 30 after "color" insert "or shall have a red border. Red bills of lading, receipts or manifests or red bordered bills of lading, receipts or manifests shall only be used for the transportation of hazardous materials as defined in 49 CFR 172"

On page 3, after line 16 insert the following additional sections:

\*Sec. 2. Section 81.80.230, chapter 14, Laws of 1961 and RCW 81.80.230 are each amended to read as follows:

Any person, whether carrier subject to the provisions of this chapter, shipper, or consignee, or any officer, employee, agent, or representative thereof, who shall (~~knowingly~~) offer, grant, or give, or solicit, accept, or receive any rebate, concession, or discrimination in violation of any provision of this chapter, or who by means of any false statement or representation, or by the use of any false or fictitious bill, bill of lading, receipt, voucher, roll, account, claim, certificate, affidavit, deposition, lease, or bill of sale, or by any other means or device shall (~~knowingly and wilfully~~) assist, suffer or permit any person or persons, natural or artificial, to obtain transportation of property subject to this chapter for less than the applicable rate, fare, or charge, or who shall (~~knowingly and wilfully by any such means or otherwise~~) fraudulently seek to evade or defeat regulation as in this chapter provided for motor carriers shall be (~~deemed guilty of a gross misdemeanor~~) subject to a civil penalty of not more than one hundred dollars for each violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation every day's continuance shall be a separate and distinct violation. Every act of commission or omission which procures, aids, or abets in the violation shall be considered a violation under this section and subject to the penalty provided for in this section.

The penalty provided for in this section shall become due and payable when the person incurring the penalty receives a notice in writing from the commission describing the violation with reasonable particularity and advising the person that the penalty is due. The commission may, upon written application therefor, received within fifteen days, remit or mitigate any penalty provided for in this section or discontinue any prosecution to recover the penalty upon such terms as the commission in its discretion deems proper. The commission has authority to ascertain the facts upon all such applications in such manner and under such regulations as it may deem proper. If the penalty is not paid to the commission within fifteen days after

receipt of notice imposing the penalty or application for remission or mitigation has not been made within fifteen days after the violator has received notice of the disposition of the application, the attorney general shall bring an action in the name of the state of Washington in the superior court of Thurston county or of some other county in which the violator may do business, to recover the penalty. In all such actions, the procedure and rules of evidence shall be the same as in an ordinary civil action except as otherwise provided in this section. All penalties recovered under this section shall be paid into the state treasury and credited to the public service revolving fund.

Sec. 3. Section 81.80.330, chapter 14, Laws of 1961 and RCW 81.80.330 are each amended to read as follows:

The commission is hereby empowered to administer and enforce all provisions of this chapter and to inspect the vehicles, books and documents of all 'motor carriers' and the books, documents and records of those using the service of the carriers for the purpose of discovering all discriminations and rebates and other information pertaining to the enforcement of this chapter and shall prosecute violations thereof. The commission shall employ such auditors, inspectors, clerks and assistants as it may deem necessary for the enforcement of this chapter, and it shall be the duty of the Washington state patrol to assist in the enforcement of this chapter, and the duty of the attorney general to assign at least one assistant to the exclusive duty of assisting the commission in the enforcement of this chapter, and the prosecution of persons charged with the violation thereof. It shall be the duty of the Washington state patrol and the sheriffs of the counties to make arrests and the county attorneys to prosecute violations of this chapter."

Remember the section following consecutively.

In line 2 of the title, after "81.29.020," insert "amending section 81.80.230, chapter 14, Laws of 1961 and RCW 81.80.230; amending section 81.80.330, chapter 14, Laws of 1961 and RCW 81.80.330;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTIONS

Mr. Martinis moved that the House do concur in the Senate amendments to Engrossed House Bill No. 1870.

On motion of Mr. McDonald, the question was divided.

On motion of Mr. Martinis, the House concurred in the Senate amendment to page 2, line 30.

Mr. Martinis moved that the House do concur in the Senate amendments to page 3, line 16, and to the title amendment.

Representatives Martinis, Wilson, Ehlers, Scott and Sherman spoke in favor of the motion, and Representatives Dunlap and McDonald spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendment to page 3 and the title amendment, and the motion was carried by the following vote: Yeas, 76; nays, 18; not voting, 4.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barr, Becker, Bender, Brekke, Brown, Burns, Charnley, Clayton, Dawson, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rinehart, Rosbach, Salatino, Schmittens, Scott, Sherman, Smith C. P., Smith R., Sommers, Stratton, Struthers, Tallier, Taylor, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Austin, Barnes, Bond, Craswell, Deccio, Dunlap, Eberle, Flanagan, Greengo, Hastings, McDonald, Newhouse, Polk, Sanders, Sprague, Teutsch, Van Dyken, Whiteside.

Not voting: Representatives Bauer, Berentson, Chandler, Thompson.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1870 as amended by the Senate.

Mr. Barnes spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1870 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 76; nays, 20; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barr, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flint, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King,

Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rinehart, Salatino, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Stratton, Struthers, Taller, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Austin, Barnes, Bond, Clayton, Craswell, Deccio, Dunlap, Eberle, Flanagan, Fuller, Greengo, Hastings, McDonald, Newhouse, Polk, Rosbach, Sanders, Sprague, Teutsch, Whiteside.

Not voting: Representatives Berentson, Nelson G. A.

Engrossed House Bill No. 1870 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Ehlers, the House recessed until 1:30 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:30 p.m. by Speaker Berentson. The Clerk called the roll and all members were present except Representative Martinis, who was excused.

#### SIGNED BY THE SPEAKERS

Speaker Berentson announced the Speakers were signing:

SUBSTITUTE HOUSE BILL NO. 38,  
 SUBSTITUTE HOUSE BILL NO. 440,  
 HOUSE BILL NO. 542,  
 HOUSE BILL NO. 829,  
 SUBSTITUTE HOUSE BILL NO. 1492,  
 SUBSTITUTE HOUSE BILL NO. 1520,  
 HOUSE BILL NO. 1604,  
 HOUSE BILL NO. 1620,  
 HOUSE BILL NO. 1685,  
 SUBSTITUTE HOUSE BILL NO. 1778,  
 SUBSTITUTE HOUSE BILL NO. 1983,  
 SENATE BILL NO. 3499.

#### SECOND READING

HOUSE BILL NO. 1397, by Representatives May, Fuller, Gallagher, Sanders, Salatino, Owen, Scott, Bond, Brekke, Maxie, Stratton, McCormick, Knowles, Hughes, Heck and Burns:

Exempting motor vehicle fuel used by urban transportation systems from the sales and use tax.

The bill was read the second time.

On motion of Ms. Craswell, Substitute House Bill No. 1397 was substituted for House Bill No. 1397, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1397 was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1397 was placed on final passage.

Mr. May spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1397, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller,

Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Flanagan, McDonald.

Not voting: Representative Martinis.

Substitute House Bill No. 1397, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1465, by Representatives Pruitt, Fuller, Van Dyken, Erickson, Gallagher, Granlund, Gruger, Salatino, Sanders and Smith (R):

Specifying disciplinary action that may be taken by the legislative ethics boards.

The bill was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Oliver and Fuller spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1465, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, King, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinchart, Rosbach, Salatino, Sanders, Schmiten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Keller, Knowles, Martinis, Vrooman.

House Bill No. 1465, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

We were on the floor while House Bill No. 1465 was being voted on. However, we were in the wing and did not actually vote. We would like to be voted affirmative.

Jerry L. Vrooman, 40th District  
Ron Keller, 22nd District

HOUSE BILL NO. 1688, by Representatives McCormick, Nisbet, Williams, Charnley, Tupper, Scott, Sherman, Sprague, Monohon, Bond, Nelson (D), Erickson, Lux, Burns, Maxie, Salatino, Sanders, Brekke, Granlund, Addison, King, Galloway, Erak, Owen and Becker:

Providing for efficient energy use by state government.

The bill was read the second time.

On motion of Ms. McCormick, Substitute House Bill No. 1688 was substituted for House Bill No. 1688, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1688 was read the second time.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. McCormick spoke in favor of the bill, and Mr. Struthers spoke against it.

#### POINT OF INQUIRY

Ms. McCormick yielded to question by Mr. Tilly.

Mr. Tilly: "Representative McCormick, last fall I attended a meeting in my area where there was a school going on especially for training people who work for counties and school districts to do these energy audits. I assumed from that there was already an ongoing program. Is this going to be a program in addition to it? Is this bill going to authorize an additional program besides what's already being done?"

Ms. McCormick: "There is a program going on for schools right now. This requires the state to get their own buildings audited. There is money now from the federal government—I don't know the exact amount—the moneys are there and they will start the process almost immediately."

Representatives Tilly, Nelson (D), Williams and Bond spoke in favor of passage of the bill, and Mr. Struthers spoke again in opposition to it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1688, and the bill passed the House by the following vote: Yeas, 92; nays, 4; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kroidler, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Barr, Hastings, O'Brien, Struthers.

Not voting: Representatives Martinis, May.

Substitute House Bill No. 1688, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE SENATE BILL NO. 3603**, by Committee on Ways and Means (originally sponsored by Senators Donohue, Williams, Bluechel, Odegaard, Gould, Gallagher, Wojahn, Talley and McDermott – by Governor Ray request):

Authorizing a bond issue for pollution control facilities.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 47th Day, February 29, 1980.)

Speaker Berentson stated the question before the House to be adoption of the amendment by Committee on Appropriations to page 1, line 15.

On motion of Mr. Zimmerman, the following amendment by Representatives Zimmerman and Becker to the committee amendment was adopted:

On line 6 of the committee amendment to page 1, line 15 strike "speculative"

The committee amendment as amended was adopted.

On motion of Mr. Nelson (G), the committee amendment to page 1, line 26 was adopted.

Mr. Nelson (G) moved adoption of the committee amendment to page 1, line 29.

The Clerk read the following amendment by Representative Taller to the committee amendment:

On line 3 of the committee amendment to page 1, line 29, following "facilities" strike "with a design capacity to serve a population forecasted for a ten-year period from the date of grant award" and insert "by special purpose districts"

With the consent of the House, Mr. Taller withdrew the amendment to the committee amendment.

On motion of Ms. Becker, the following amendment by Representatives Becker and Taller to the committee amendment was adopted:

On line 2 of the committee amendment to page 1, line 29 strike everything after "(2)" and insert "the construction of municipal wastewater facilities unless said facilities have been approved by a general purpose unit of local government in accordance with chapter 36.94 RCW, chapter 35.67 RCW, or RCW 56.08.020"

The committee amendment as amended was adopted.

On motion of Mr. Nelson (G), the committee amendment to page 2, line 25 was adopted.

Mr. Van Dyken moved adoption of the following amendment:

On page 3, after line 34 insert the following subsection:

"(5) 'Department' means the department of ecology."

Representatives Van Dyken and Zimmerman spoke in favor of the amendment and it was adopted.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Nelson (G) spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Nelson (G) yielded to question by Mr. Oliver.

Mr. Oliver: "Representative Nelson, for the communities who are applying for funds or have applied and have had their time lines repeatedly dropped down because you've already had communities qualifying and are already getting their sewer facilities improved, what will be the allocation formula, so that, for example, my communities of Richland, Kennewick and West Richland will not be further dropped down for consideration of their own project that has been delayed now for some three, four, five years?"

Mr. Nelson (G): "Referendum 26 provides additional funds that up until this time were not available to the communities like the ones you are referring to. The Department of Ecology will continue to prioritize the allocation of these moneys based on need. Each individual community, the counties, the cities, will provide in the grant application their problem which will result in the rank of the priority array in the subsequent review of the money. I can only say that the individual local governments have upon their shoulders the responsibility for selling their program and getting it higher on the listing if they feel that they can safely bypass some of the other communities in the state."

Mr. Oliver: "But it is not the intent that their projects should be further delayed because someone else has additional cost overruns on an already approved project and has delayed further prioritization of their request?"

Mr. Nelson (G): "That is true. This is not intended to delay anybody else."

Mr. Zimmerman spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3603 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinchart, Rosbach, Salatino, Sanders, Schmittens, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Martinis.

Substitute Senate Bill No. 3603 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Speaker Berentson called on Mr. Amen to preside.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3551, by Committee on Agriculture (originally sponsored by Senators Hansen, Day, Benitz and Wanamaker - by Committee on Agriculture request):

Establishing temporary tax incentives for alcohol fuels.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 46th Day, February 28, 1980.)

On motion of Ms. Becker, the following amendments by Representatives Becker and Van Dyken were adopted:

On page 1, line 16 strike "the manufacturing facility" and insert "such property"

On page 1, line 19 after "crops" insert "which together comprise a new alcohol manufacturing facility or an addition to an existing alcohol manufacturing facility."



On page 1, line 21 before "becomes" insert "or the addition to the existing facility"

On page 2, beginning on line 17 strike "the manufacturing facility" and insert "such property"

On page 2, line 20 after "crops," insert "which together comprise a new alcohol manufacturing facility or an addition to an existing alcohol manufacturing facility."

On page 2, line 22 before "becomes" insert "or the addition to the existing facility"

Mr. Nelson (D) moved adoption of the following amendment by Representatives Nelson (D), Rinehart and Galloway:

After the last line of the bill insert:

\*NEW SECTION. Sec. 4. There is added to chapter 82.01 RCW a new section to read as follows:

Prior to the start of the regular session each year, the director shall submit a tax exemption impact report to the legislature estimating the revenue foregone as a result of the exemptions under RCW 82.04.325, section 1 of this act, and section 2 of this act."

Mr. Nelson (D) spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Nelson (D) yielded to question by Mr. Oliver.

Mr. Oliver: "Representative Nelson, previously we passed legislation, House Bill 1420, which granted somewhat of an exemption. At that time this particular reference to what kind of a tax loss there would be was not in that legislation. Would you tell us why not?"

Mr. Nelson (D): "I will repeat the answer I gave on the floor when we voted on the other bill. House Bill No. 1420 had a fiscal impact attached to it. It was known to the body then how much money we could expect, in effect, to be foregoing by passing that legislation. This bill, if you read the fiscal impact statement, says that it is not estimated in this bill. They say they can't estimate the property, the resource-hatched revenues, that are going to be foregone and they can only estimate the B&O tax loss on the basis of the existing facilities, not on any new facilities. So there is no fiscal impact attached to this bill on any taxes. House Bill 1420 had a definite fiscal impact, and, in fact, I thought it was too high after we added wood stoves, we added \$12 million. I thought that we made a mistake on that, but we know how much that bill is going to cost us and we don't know how much this is going to cost."

Representatives Oliver, Greengo, Sanders, Bond, Fuller and Isaacson spoke against the amendment, and Representatives Rinehart and Nelson (D) spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Nelson (D), Rinehart and Galloway, and the amendment was adopted by the following vote: Yeas, 50; nays, 47; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Stratton, Thompson, Valle, Vrooman, Walk, Warnke, Winsley.

Voting nay: Representatives Addison, Amen, Austin, Barnes, Barr, Berentson, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Teller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representative Martinis.

On motion of Mr. Nelson (D), the following amendment to the title was adopted:

On page 1, line 1 of the title after "fuels;" insert "adding a new section to chapter 82.01 RCW;"

Mr. Salatino moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Engrossed Substitute Senate Bill No. 3551 as amended by the House on final passage, and the motion received the required two-thirds majority by the following vote: Yeas, 82; nays, 12; not voting, 4.

Voting yea: Representatives Adams, Addison, Austin, Bagnariol, Barnes, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick,

McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rinehart, Rosbach, Salatino, Schmitten, Scott, Sherman, Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barr, Bond, Clayton, Craswell, Deccio, Dunlap, Ellis, Flint, Polk, Sanders, Smith C. P.

Not voting: Representatives Berentson, Martinis, McDonald, Taylor.

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 3551 as amended by the House.

Mr. Oliver spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3551 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Martinis.

Engrossed Substitute Senate Bill No. 3551 as amended by the House, have received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Polk, the House adjourned until 10:00 a.m., Tuesday, March 4, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## FIFTY-FIRST DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, March 4, 1980

The House was called to order at 10:00 a.m. by Speaker Bagnariol. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Tracey Roberts, Bob Leeper and Scott Anderson. Prayer was offered by Father Theodore Marmo of St. Michael's Catholic Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGES FROM THE SENATE

March 3, 1980

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 1643,  
HOUSE BILL NO. 1658,  
SUBSTITUTE HOUSE BILL NO. 1981,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 3, 1980

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2963,  
SUBSTITUTE SENATE BILL NO. 3457,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 3515,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 3, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 38,  
SUBSTITUTE HOUSE BILL NO. 1492,  
HOUSE BILL NO. 1620,  
SUBSTITUTE HOUSE BILL NO. 1778,  
SUBSTITUTE HOUSE BILL NO. 1983,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 3, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3169,  
SENATE BILL NO. 3244,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 3, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3629, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

## SENATE AMENDMENTS TO HOUSE BILL

February 28, 1980

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 646 with the following amendments:

On page 1, line 11 after "(a)" strike all of the material down to the colon on line 12 and insert "Establish a permit system for owners or operators of facilities which treat, store, dispose of or recover energy from dangerous wastes"

On page 1, line 17 after "(b)" strike all of the material down to the semicolon on line 19 and insert "Establish standards for the safe transport, treatment, storage, disposal of, and/or energy resource recovery from dangerous wastes as may be necessary to protect human health and the environment" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Ms. Valle, the House refused to concur in the Senate amendments to Engrossed House Bill No. 646, and asked the Senate to recede therefrom.

## SENATE AMENDMENTS TO HOUSE BILL

February 19, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 810 with the following amendments:

On page 1, line 9 after "RCW 84.34.100;" strike "and"

On page 1, line 11 of the title after "84.34.108" insert "; and adding a new section to chapter 84.33 RCW"

On page 13, following line 7 insert the following:

"NEW SECTION. Sec. 24. There is added to chapter 84.33 RCW a new section to read as follows:

The excise tax imposed by RCW 84.33.071 shall not apply to any timber harvested by a nonprofit organization, association, or corporation from forest lands owned by it, where such lands are exempt from property taxes under RCW 84.36.030, and where all of the income and receipts of the nonprofit organization, association, or corporation derived from such timber sales are used solely for the expense of promoting, operating, and maintaining youth programs which are equally available to all, regardless of race, color, national origin, ancestry, or religious belief.

In order to determine whether the harvesting of timber by a nonprofit organization, association, or corporation is exempt, the director of the department of revenue shall have access to its books.

For the purposes of this section, a 'nonprofit' organization, association, or corporation is one: (1) Which pays no part of its income directly or indirectly to its members, stockholders, officers, directors, or trustees except in the form of services rendered by the organization, association, or corporation in accordance with its purposes and bylaws; and (2) which pays salary or compensation to its officers only for actual services rendered, and at levels comparable to the salary or compensation of like positions within the public services of the state."

Renumber the remaining sections consecutively.  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Ms. Sommers, the House concurred in the Senate amendments to Substitute House Bill No. 810.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of Substitute House Bill No. 810 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 810 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dunlap, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Owen, Patterson, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R.,

Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Chandler, Dawson, Deccio, Eberle, Heck, Kreidler, McDonald, Nelson G. A., Oliver, Polk, Van Dyken.

Substitute House Bill No. 810 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

February 22, 1980

Mr. Speaker:

The Senate refuses to concur in the House amendments to SENATE BILL NO. 2566, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Struthers, the House refused to recede from its amendments to Senate Bill No. 2566, and again asked the Senate to concur therewith.

#### MESSAGE FROM THE GOVERNOR

March 4, 1980

To the Honorable,  
The House of Representatives  
of the State of Washington  
Ladies and Gentlemen:

I have the honor to advise that on March 3, 1980, Governor Ray approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 382: Relating to fire prevention;

SUBSTITUTE HOUSE BILL NO. 395: Relating to chiropractic;

HOUSE BILL NO. 427: Relating to searches and seizures;

SUBSTITUTE HOUSE BILL NO. 551: Relating to child pornography;

HOUSE BILL NO. 726: Relating to transactions accounts for savings and loan associations;

SUBSTITUTE HOUSE BILL NO. 1429: Relating to food fish and shell fish;

SUBSTITUTE HOUSE BILL NO. 1454: Relating to county treasurers;

SUBSTITUTE HOUSE BILL NO. 1457: Relating to combined city/county health departments;

HOUSE BILL NO. 1460: Relating to certain educational facilities programs;

HOUSE BILL NO. 1463: Relating to education;

HOUSE BILL NO. 1464: Relating to highways;

SUBSTITUTE HOUSE BILL NO. 1466: Relating to education;

SUBSTITUTE HOUSE BILL NO. 1481: Relating to tuition and fee waivers;

SUBSTITUTE HOUSE BILL NO. 1510: Relating to franchise investment protection act;

SUBSTITUTE HOUSE BILL NO. 1558: Relating to building codes;

HOUSE BILL NO. 1593: Relating to model traffic ordinance;

HOUSE BILL NO. 1598: Relating to salmon advisory council;

SUBSTITUTE HOUSE BILL NO. 1609: Relating to airports;

HOUSE BILL NO. 1663: Relating to registration of contractors;

HOUSE BILL NO. 1681: Relating to crime laboratory system.

Very truly yours,

H. B. Hanna, Legal Counsel.

#### SIGNED BY THE SPEAKERS

Speaker Bagnariol announced the Speakers were signing:

HOUSE BILL NO. 1418,

SUBSTITUTE SENATE BILL NO. 3169,

SENATE BILL NO. 3244.

## SENATE AMENDMENTS TO HOUSE BILL

March 3, 1980

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1483 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 8, chapter 221, Laws of 1979 ex. sess. and RCW 43.99C.045 (Referendum Bill 37) are each amended to read as follows:

Subject to legislative appropriation, all principal proceeds of the bonds and bond anticipation notes authorized in this chapter shall be administered by the state department of social and health services exclusively for the purposes specified in this chapter and for the payment of expenses incurred in connection with the sale and issuance of the bonds and bond anticipation notes.

In carrying out the purposes of this chapter all counties of the state shall be eligible to participate in the distribution of the bond proceeds. The share coming to each county shall be determined by a division among all counties according to the relation which the population of each county, as shown by the last federal or official state census, whichever is the later, bears to the total combined population of all counties, as shown by such census; except that, each sixth, seventh, or eighth class county shall receive an aggregate amount of up to seventy-five thousand dollars if, through a procedure established in rule, the department has determined there is a demonstrated need and the share determined for such county is less than seventy-five thousand dollars. No single project in a class AA county shall be eligible for more than fifteen percent of such county's total distribution of bond proceeds.

In carrying out the purposes specified in this chapter, the department may use or permit the use of the proceeds by direct expenditures, grants, or loans to any public body, including but not limited to grants to a public body as matching funds in any case where federal, local, or other funds are made available on a matching basis for purposes specified in this chapter.

**NEW SECTION.** Sec. 2. There is added to chapter 43.99C RCW a new section to read as follows:

(1) No expenditure of funds shall be allowed for facilities for the care, training, and rehabilitation of persons with sensory, physical, or mental handicaps which have not been submitted to the legislature in a budget document or schedule as specified in RCW 43.88.030(3), and have been approved through a capital appropriation; except that, the fiscal committees of the legislature may approve such facilities which have been, not later than December 1, 1980, verified by the department of social and health services as meeting the assessed need of a county and being ready to proceed.

(2) In order to assure compliance with RCW 43.99C.045, such document or schedule shall indicate the population of each county, all requests submitted from each county for participation in the distribution of the bond proceeds, the requests which are proposed to be accepted, and the basis for acceptance.

**NEW SECTION.** Sec. 3. There is hereby appropriated to the department of social and health services from the 1979 handicapped facilities construction account in the general fund the sum of twenty-five million dollars for the purposes of chapter 43.99C RCW. This appropriation shall be limited by the conditions contained in section 2 of this act.

**NEW SECTION.** Sec. 4. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 5. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "handicapped;" strike the remainder of the title and insert "amending section 8, chapter 221, Laws of 1979 ex. sess. and RCW 43.99C.045 (Referendum Bill 37); adding a new section to chapter 43.99C RCW; making an appropriation; and declaring an emergency."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Whiteside, the House concurred in the Senate amendments to Engrossed House Bill No. 1483.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of Engrossed House Bill No. 1483 as amended by the Senate.

Mr. Whiteside spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Whiteside yielded to question by Mr. Thompson.

Mr. Thompson: "Representative Whiteside, would you explain, for the benefit of the House and for the record, how the Legislature would be involved in this process of addressing these projects?"

Mr. Whiteside: "The role of the Legislature in revealing these projects that have been developed on a statewide basis will be an exclusive role, not an inclusive role. The difference being, as an example, in Referendum 29 funds that were distributed prior to this, the people tried to take in some programs that were not appropriate to that funding and our role will be simply to look at the list that has been approved by the counties, the regions and by the state, and see that the programs are appropriate to the needs of the sensory and mentally handicapped."

Mr. Thompson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill NO. 1483 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Deccio.

Engrossed House Bill No. 1483 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

February 28, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1630 with the following amendments:

On page 1, line 19 after section 1 beginning with "NEW SECTION, Sec. 2." strike the remainder of the act through page 8, line 1 and insert:

NEW SECTION, Sec. 2. There is added to chapter 66.12 RCW a new section to read as follows:

Nothing in this title shall apply to or prevent the sale, importation, purchase, production, or blending of alcohol used solely for fuel to be used in motor vehicles, farm implements, and machines or implements of husbandry or in combination with gasoline or other petroleum products for use as such fuel. Manufacturers and distillers of such alcohol fuel are not required to obtain a license under this title. Alcohol which is produced for use as fuel shall be denatured in accordance with a formula approved by the federal bureau of alcohol, tobacco and firearms prior to the removal of the alcohol from the premises as described in the approved federal permit application. The exemptions from the state liquor control laws provided by this section only apply to distillers and manufacturers of alcohol to be used solely for fuel as long as the manufacturers and distillers are the holders of an appropriate permit issued under federal law.

Sec. 3. Section 3, chapter 62, Laws of 1933 ex. sess. as last amended by section 13, chapter 21, Laws of 1969 ex. sess. and RCW 66.04.010 are each amended to read as follows:

In this title, unless the context otherwise requires:

(1) 'Alcohol' is that substance known as ethyl alcohol, hydrated oxide of ethyl, or spirit of wine, which is commonly produced by the fermentation or distillation of grain, starch, molasses, or sugar, or other substances including all dilutions and mixtures of this substance. The term 'alcohol' does not include alcohol in the possession of a manufacturer or distiller of alcohol fuel, as described in section 2 of this 1980 act, which is intended to be denatured and used as a fuel for use in motor vehicles, farm implements, and machines or implements of husbandry.

(2) 'Beer' means any beverage obtained by the alcoholic fermentation of an infusion or decoction of pure hops, or pure extract of hops and pure barley malt or other wholesome grain or cereal in pure water containing not more than four percent of alcohol by weight, and not less than one-half of one percent of alcohol by volume. For the purposes of this title any such beverage, including ale, stout and porter, containing more than four percent of alcohol by weight shall be referred to as 'strong beer.'

(3) 'Brewer' means any person engaged in the business of manufacturing beer and malt liquor.

(4) 'Board' means the liquor control board, constituted under this title.

(5) 'Club' means an organization of persons, incorporated or unincorporated, operated solely for fraternal, benevolent, educational, athletic or social purposes, and not for pecuniary gain.

(6) 'Consume' includes the putting of liquor to any use, whether by drinking or otherwise.

(7) 'Dentist' means a practitioner of dentistry duly and regularly licensed and engaged in the practice of his profession within the state pursuant to ((sections 10030-10038, Remington's Revised Statutes)) chapter 18.32 RCW.

(8) 'Distiller' means a person engaged in the business of distilling spirits.

(9) 'Druggist' means any person who holds a valid certificate and is a registered pharmacist and is duly and regularly engaged in carrying on the business of pharmaceutical chemistry pursuant to ((sections 10126-10146, Remington's Revised Statutes)) chapter 18.64 RCW.

(10) 'Drug store' means a place whose principal business is, the sale of drugs, medicines and pharmaceutical preparations and maintains a regular prescription department and employs a registered pharmacist during all hours the drug store is open.

(11) 'Employee' means any person employed by the board, including a vendor, as hereinafter in this section defined.

(12) 'Fund' means 'liquor revolving fund.'

(13) 'Hotel' means every building or other structure kept, used, maintained, advertised or held out to the public to be a place where food is served and sleeping accommodations are offered for pay to transient guests, in which twenty or more rooms are used for the sleeping accommodation of such transient guests and having one or more dining rooms where meals are served to such transient guests, such sleeping accommodations and dining rooms being conducted in the same building and buildings, in connection therewith, and such structure or structures being provided, in the judgment of the board, with adequate and sanitary kitchen and dining room equipment and capacity, for preparing, cooking and serving suitable food for its guests: PROVIDED FURTHER, That in cities and towns of less than five thousand population, the board shall have authority to waive the provisions requiring twenty or more rooms.

(14) 'Imprisonment' means confinement in the county jail.

(15) ('Interdicted person' means a person declared an habitual drunkard pursuant to sections 1708-1715, Remington's Revised Statutes, or a person to whom the sale of liquor is prohibited by an order of interdiction filed with the board pursuant to this title:

((16)) 'Liquor' includes the four varieties of liquor herein defined (alcohol, spirits, wine and beer), and all fermented, spirituous, vinous, or malt liquor, or combinations thereof, and mixed liquor, a part of which is fermented, spirituous, vinous or malt liquor, or otherwise intoxicating; and every liquid or solid or semi-solid or other substance, patented or not, containing alcohol, spirits, wine or beer, and all drinks or drinkable liquids and all preparations or mixtures capable of human consumption, and any liquid, semisolid, solid, or other substance, which contains more than one percent of alcohol by weight shall be conclusively deemed to be intoxicating.

((17)) (16) 'Manufacturer' means a person engaged in the preparation of liquor for sale, in any form whatsoever.

((18)) (17) 'Malt liquor' means beer, strong beer, ale, stout and porter.

((19)) (18) 'Package' means any container or receptacle used for holding liquor.

((20)) (19) 'Permit' means a permit for the purchase of liquor under this title.

((21)) (20) 'Person' means an individual, copartnership, association, or corporation.

((22)) (21) 'Physician' means a medical practitioner duly and regularly licensed and engaged in the practice of his profession within the state pursuant to ((sections 10008-10025, Remington's Revised Statutes)) chapter 18.71 RCW.

((23)) (22) 'Prescription' means a memorandum signed by a physician and given by him to a patient for the obtaining of liquor pursuant to this title for medicinal purposes.

((24)) (23) 'Public place' includes streets and alleys of incorporated cities and towns; state or county or township highways or roads; buildings and grounds used for school purposes; public dance halls and grounds adjacent thereto; those parts of establishments where beer may be sold under this title, soft drink establishments, public buildings, public meeting halls, lobbies, halls and dining rooms of hotels, restaurants, theatres, stores, garages and filling stations which are open to and are generally used by the public and to which the public is permitted to have unrestricted access; railroad trains, stages, and other public conveyances of all kinds and character, and the depots and waiting rooms used in conjunction therewith which are open to unrestricted use and access by the public; publicly owned bathing beaches, parks, and/or playgrounds; and all other places of like or similar nature to which the general public has unrestricted right of access, and which are generally used by the public.

((25)) (24) 'Regulations' means regulations made by the board under the powers conferred by this title.

((26)) (25) 'Restaurant' means any establishment provided with special space and accommodations where, in consideration of payment, food, without lodgings, is habitually furnished to the public, not including drug stores and soda fountains.

((27)) (26) 'Sale' and 'sell' include exchange, barter, and traffic; and also include the selling or supplying or distributing, by any means whatsoever, of liquor, or of any liquid known or described as beer or by any name whatever commonly used to describe malt or brewed liquor or of wine, by any person to any person; and also include a sale or selling within the state to a foreign consignee or his agent in the state.

((28)) (27) 'Soda fountain' means a place especially equipped with apparatus for the purpose of dispensing soft drinks, whether mixed or otherwise.

((29)) (28) 'Spirits' means any beverage which contains alcohol obtained by distillation, including wines exceeding seventeen percent of alcohol by weight.

((30)) (29) 'Store' means a state liquor store established under this title.



((31)) (30) 'Tavern' means any establishment with special space and accommodation for sale by the glass and for consumption on the premises, of beer, as herein defined.

((32)) (31) 'Vendor' means a person employed by the board as a store manager under this title.

((33)) (32) 'Winery' means a business conducted by any person for the manufacture of wine for sale, other than a domestic winery.

((34)) (33) 'Domestic winery' means a place where wines are manufactured or produced within the state of Washington.

((35)) (34) 'Wine' means any alcoholic beverage obtained by fermentation of fruits (grapes, berries, apples, et cetera) or other agricultural product containing sugar, to which any saccharine substances may have been added before, during or after fermentation, and containing not more than seventeen percent of alcohol by weight, including sweet wines fortified with wine spirits, such as port, sherry, muscatel and angelica, not exceeding seventeen percent of alcohol by weight.

((36)) (35) 'Beer wholesaler' means a person who buys beer from a brewer or brewery located either within or beyond the boundaries of the state for the purpose of selling the same pursuant to this title, or who represents such brewer or brewery as agent.

((37)) (36) 'Wine wholesaler' means a person who buys wine from a vintner or winery located either within or beyond the boundaries of the state for the purpose of selling the same not in violation of this title, or who represents such vintner or winery as agent.

Sec. 4. Section 4, chapter 289, Laws of 1955 and RCW 66.44.140 are each amended to read as follows:

Every person who shall sell or offer for sale, or transport in any manner, any spirituous liquor, without government stamp or seal attached thereto, or who shall operate ((or shall have in his possession)) without a license, any still or other device for the production of spirituous liquor, or shall have in his possession or under his control any mash capable of being distilled into spirituous liquor except as provided in section 2 of this 1980 act, shall be guilty of a gross misdemeanor and upon conviction thereof shall upon his first conviction be fined not less than five hundred dollars and confined in the county jail not less than six months, and upon second and subsequent conviction shall be fined not less than one thousand dollars and confined in the county jail not less than one year.

**NEW SECTION.** Sec. 7. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 5 of the title after "new" strike "chapter to Title 66 RCW" and insert "section to chapter 66.12 RCW"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Ms. Fancher, the House concurred in the Senate amendments to Substitute House Bill No. 1630.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of Substitute House Bill No. 1630 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1630 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Jovanovich, Keller, King, Knowles, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Williams, Wilson, Winsley, Zimmerman.

Nay: Representatives Becker, Kreidler.

Not voting: Representatives Dawson, Isaacson, Whiteside.

Substitute House Bill No. 1630 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. King, the House advanced to the sixth order of business.

## SECOND READING

SUBSTITUTE SENATE BILL NO. 2751, by Committee on Ecology (originally sponsored by Senators Rasmussen, Newschwander and Lysen):

Pertaining to pollution control facilities.

The bill was read the second time.

Mr. Barr moved adoption of the following amendment by Representatives Barr, Galloway, Newhouse, May and Knowles:

On page 3, after line 14 insert a new section as follows:

"Sec. 2. Section 4, chapter 232, Laws of 1957 as amended by section 3, chapter 238, Laws of 1967 and RCW 70.94.040 are each amended to read as follows:

Except where specified in a variance permit, as provided in RCW 70.94.181, it shall be unlawful for any person ((~~knowingly~~)) to cause air pollution or ((~~knowingly~~)) permit it to be caused in violation of this chapter, or of any ordinance, resolution, rule or regulation validly promulgated hereunder."

## POINT OF ORDER

Ms. Sommers: "Mr. Speaker, the amendment is out of the scope and object of the bill."

Speaker Bagnariol declared the House to be at ease.

Speaker Bagnariol called the House to order.

Speaker Bagnariol: "The Speakers are not able to agree at this point on the point of order, so we will go to the next bill on the calendar."

SENATE BILL NO. 3574, by Senators Odegaard, Sellar, Moore, Walgren, Conner, Donohue and Day:

Maintaining the delinquency prevention services program without significant changes.

The bill was read the second time.

On motion of Mr. Tilly, the following amendment by Representatives Tilly and Smith (R) was adopted:

On page 1, line 15 after "prevention" strike "~~((and crisis intervention intake))~~" and insert "and crisis intervention intake"

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Senate Bill No. 3574 as amended by the House was placed on final passage.

Representatives Tilly, Smith (R) and Whiteside spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3574 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmittens, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Berentson, Heck.

Senate Bill No. 3574 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Speaker Bagnariol called on Mr. O'Brien to preside.

ENGROSSED SENATE BILL NO. 3181, by Senators Gaspard, Rasmussen, Wojahn and Lee:

Modifying the solar energy system tax exemption.

The bill was read the second time.

Committee on Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, 47th Day, February 29, 1980.)

Ms. Sommers moved adoption of the committee amendment to page 1, striking everything and inserting new material.

On motion of Mr. Nelson (D), the following amendment to the committee amendment by Representatives Nelson (D) and Nisbet was adopted:

On page 1, line 11 of section 1, after "systems" insert ", including active and passive solar energy systems."

On motion of Mr. Williams, the following amendment to the committee amendment by Representatives Williams, Sherman, Nelson (D), Tupper and Nisbet was adopted:

At the end of section 1 add a new paragraph:

"The legislature further finds that the use of solar and other renewable energy resources can make a useful contribution to meeting future energy needs and that encouragement of the use of these energy resources is in the best interests of the people of the state."

The committee amendment as amended was adopted.

On motion of Ms. Sommers, the remainder of the committee amendments were adopted.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3181 as amended by the House was placed on final passage.

Representatives Nelson (D) and Craswell spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Nelson (D) yielded to question by Mr. Bond.

Mr. Bond: "Representative Nelson, I wondered if there is any language in this that contains a tax expenditure provision?"

Mr. Nelson (D): "No, Representative Bond, it does not."

Mr. Bond: "Should we have that, I wonder?"

Mr. Nelson (D): "You might consider that. I thought about adding that, but the difficulty I had is that this bill deals only with the property tax and speaks to the shift from one property owner to another, so there is no revenue. The amendment I added yesterday to the gasohol bill would not apply. I'm still thinking about how to draw up an amendment that deals with tax expenditures when there is simply shifts from one property owner to another."

#### POINT OF INQUIRY

Mr. Nelson (D) yielded to question by Ms. Teutsch.

Ms. Teutsch: "Representative Nelson, would you define 'passive solar system' for me?"

Mr. Nelson (D): "Passive solar space heating, and I would include water heating systems, means a system of equipment and/or structural components which are combined so as to provide for the collection, conversion and distribution of solar energy for space and water heat. Such equipment or structural components include generally south-facing glazing or attached greenhouses which are primarily unshaded during the months of November through March, solar collectors, movable insulation to reduce nighttime heat loss, reflective devices to enhance solar collection, water tanks, rock bins, walls and floors which also provide significant thermal energy; storage, ducting, piping and fans are also included."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3181 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers,

Sprague, Stratton, Struthers, Toller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Deccio, Keller, Vrooman.

Engrossed Senate Bill No. 3181 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE SENATE BILL NO. 3257**, by Committee on Social and Health Services (originally sponsored by Senators Day, Donohue and Haley):

Establishing a program of poison control and drug information service.

The bill was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Whiteside spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Whiteside yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Whiteside, you mentioned certain poison centers in the state, and I was wondering whether or not, through the establishment of this appropriation, this service might be available on some kind of a toll-free line to other parts of the state?"

Mr. Whiteside: "They will establish that toll-free line to Spokane, Yakima, Tacoma and Seattle. There will be toll-free lines and these numbers will be published on a statewide basis."

#### POINT OF INQUIRY

Mr. Whiteside yielded to question by Mr. Newhouse.

Mr. Newhouse: "To follow up on Representative Patterson's question, wouldn't it be more efficient to have it go into one location and just have one staff that could answer that from all the state?"

Mr. Whiteside: "That may be the case; however, at this time we do have pretty much of a pattern so people are calling in to Yakima to a hospital there and the same in the other areas. The figure we based on was 5,000 to 8,000 calls and one person to answer, so whether all those people are going to be in one area or whether they are going to be throughout the state, wouldn't make that much difference."

#### POINT OF INQUIRY

Mr. Whiteside yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Whiteside, I think the intent of this legislation is good, but I'm wondering why this responsibility isn't given over to each of the counties that have health departments, rather than giving it to a department which is more of an administrative program?"

Mr. Whiteside: "Now I'm in betwixt and between because Representative Newhouse wants one and Representative Tilly wants thirty-nine. I think from the standpoint of feasibility the regional ones would be more valuable. That would mean that each county would have to set up a program there and I'm concerned also that in mandating these programs within the counties, it would still take state funding."

Mr. Tilly spoke against the bill.

#### POINT OF INQUIRY

Mr. Whiteside yielded to question by Mr. Nelson (G).

Mr. Nelson (G): "Now that we have \$225,000 in this measure that has not been heard by the Appropriations Committee, and I see that you're continuing the programs in Seattle and Spokane, and possibly establishing Tacoma and Yakima as further locations, can you tell me what the fiscal analysis is of these four locations and exactly what we're getting for our money with the \$225,000 on Senator Day's other bill coming through this House?"

Mr. Whiteside: "I believe I do have quite a thorough fiscal note here that there would be a staff appropriation of around \$180,000, compensation for a physician-consultant, administrator

support; telephone lines would run somewhere around \$22,000; we have an ongoing public education program that would be funded for \$30,000, information service to the local communities and preventive programs; and also, we would be setting up on a computer a follow-up to these calls to see how successful it is."

Mr. Nelson (G) spoke against passage of the bill, and Mr. Mitchell spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3257, and the bill passed the House by the following vote: Yeas, 86; nays, 12; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Scott, Sherman, Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley.

Voting nay: Representatives Austin, Barr, Bond, Clayton, Fancher, Flanagan, Nelson G. A., Newhouse, Schmitt, Smith C. P., Tilly, Zimmerman.

Substitute Senate Bill No. 3257, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1746, by Representatives Salatino, Martinis, Winsley, Granlund, Walk, Grimm, Mitchell, Erickson, Ehlers, Thompson, Heck, Wilson, Adams, King, Gallagher and Brown:

Appropriating funds for the Treatment Alternatives to Street Crime Programs.

The bill was read the second time.

On motion of Mr. Thompson, Substitute House Bill No. 1746 was substituted for House Bill No. 1746, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1746 was read the second time.

On motion of Mr. Salatino, the following amendments were adopted:

On page 1, line 6 strike "two hundred seventy-nine" and insert "three hundred fifty-seven"

On page 1, line 13 strike "150,000" and insert "228,000"

The bill was ordered engrossed.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Salatino, Mitchell and Nelson (G) spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1746, and the bill passed the House by the following vote: Yeas, 86; nays, 12; not voting, 0.

Voting yea: Representatives Adams, Addison, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Charnley, Craswell, Dawson, Deccio, Dunlap, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Teutsch, Thompson, Tilly, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Austin, Barr, Chandler, Clayton, Eberle, Hastings, McDonald, Smith C. P., Taylor, Tupper, Williams.

Engrossed Substitute House Bill No. 1746, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Salatino, the House recessed until 1:30 p.m.

## AFTERNOON SESSION

The House was called to order at 1:30 p.m. by Speaker Bagnariol. The Clerk called the roll and all members were present except Representative McDonald.

## MOTION

On motion of Mr. Salatino, the House advanced to the eighth order of business.

## RESOLUTION

HOUSE RESOLUTION NO. 80-155, by Representatives Bagnariol and Berentson:

WHEREAS, Gabe McManus, a legend in the City of Seattle and throughout the State of Washington for his vast collection of black ethnic and root jazz, both rhythm and blues; and

WHEREAS, Gabe is fondly referred to by those who knew him, appreciated his infectious humor and all-around personality which generated a spectrum of fans; and

WHEREAS, Gabe spent his life entertaining people throughout the Puget Sound region, working diligently endeavoring to bring about state unified cultural entertainment through his musical collections in the 40's and 50's when these particular renditions were considered inappropriate for the listening audience and, thus, were banned from the airwaves. Gabe, in his tavern in Seattle called "Gabe's," gave his customers and friends the best music and entertainment from his vast collection and knowledge of rhythm and blues. He continued to feature the music until his untimely death. His fortitude and untiring dedication lent to the awakening and recognition of black composers and artists in this unique field of musical concentration who were, up until then, obscured or deceased; and

WHEREAS, Prior to Gabe's untimely death, his son, Mike, together with key individuals, most notably Robert E. Hardwick, Danny Niles, and Overton Berry, put together an anthology representing Gabe's lifelong dream. The anthology, compiled in a two record album entitled, "Gabe's Dirty Blues," has sold over 10,000 albums principally in the State of Washington and is considered a hit record by professionals in the musical field; and

WHEREAS, Though Gabe is now gone, his Archive of Sounds remains alive and in tact in well over 15,000 records carefully selected by him prior to his death. Through his vast collection of music, future anthologies will be developed and released; and

WHEREAS, Because of Gabe and his dream, many Washington State residents who savor these kinds of sound will be able to hear previously unavailable cuts, and some missing chapters of black awareness history will be chronicled; and

WHEREAS, Gabe is gone but his music and the memories of his life are ongoing. He will be remembered for the quality with which he entertained, his down-to-earth philosophy and for the utter simplicity with which he reduced problems and dilemmas. He was a man who was a professor, even though he barely entered college; a man who was acclaimed as one of the most knowledgeable in the field of alcoholism, being a reformed alcoholic and member in good standing of Alcoholics Anonymous for over thirty-two years; a man, who in death learned how to live, who brought his family together, and who was able to give them the love, affection and commitment which he was unable to do in life;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives hereby declares March 4, 1980 as "Gabe's Day," in memory of Gabe McManus, the man and his music.

Ms. Maxie moved adoption of the resolution and spoke in favor of it.

House Resolution No. 80-155 was adopted.

## MESSAGE FROM THE SENATE

March 4, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 440,  
HOUSE BILL NO. 542,  
HOUSE BILL NO. 829,  
SUBSTITUTE HOUSE BILL NO. 1520,  
HOUSE BILL NO. 1604,  
HOUSE BILL NO. 1685,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

Speaker Bagnariol called on Mr. O'Brien to preside.

SENATE AMENDMENT TO HOUSE BILL

March 3, 1980

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1516 with the following amendment:

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 1, chapter 51, Laws of 1973 1st ex. sess. and RCW 74.08.530 are each amended to read as follows:

The legislature finds that it is desirable to provide ~~((certain))~~ a coordinated and comprehensive program of in-home services for certain citizens in order that such persons may remain in their own homes, obtain employment if possible, and maintain a closer contact with the community. Such a program will seek to prevent mental and psychological deterioration which our citizens might otherwise experience. The legislature intends that the services will be provided in a fashion which promotes independent living.

Sec. 2. Section 3, chapter 51, Laws of 1973 1st ex. sess. and RCW 74.08.550 are each amended to read as follows:

(1) The department of social and health services is authorized to develop a program to provide for those services enumerated in RCW 74.08.540.

(2) The department shall endeavor to assure that, for each individual receiving in-home services, a single caseworker is responsible for coordinating the delivery of all necessary in-home services for which the recipient is eligible.

(3) The department may provide assistance in the recruiting of providers of the services enumerated in RCW 74.08.540 and seek to assure the timely provision of services in emergency situations.

(4) The department shall assure that all providers of the services enumerated in RCW 74.08.540 are compensated for the delivery of the services on a prompt and regular basis.

NEW SECTION, Sec. 3. There is added to chapter 74.08 RCW a new section to read as follows:

(1) An otherwise eligible disabled person shall not be deemed ineligible for chore services under this chapter if the person's gross income from employment, adjusted downward by the cost of the chore service to be provided and the disabled person's work expenses, does not exceed the maximum eligibility standard established by the department for such chore services. The department shall establish a sliding scale fee schedule for such disabled persons, taking into consideration the person's ability to pay and work expenses.

(2) If a disabled person arranges for chore services through an individual provider arrangement, the recipient's contribution shall be counted as first dollar toward the total amount owed to the provider for chore services rendered.

(3) As used in this section:

(a) 'Gross income' means total earned wages, commissions, salary, and any bonus;

(b) 'Work expenses' includes:

(i) Payroll deductions required by law or as a condition of employment, in amounts actually withheld;

(ii) The necessary cost of transportation to and from the place of employment by the most economical means, except rental cars; and

(iii) Expenses of employment necessary for continued employment, such as tools, materials, union dues, transportation to service customers if not furnished by the employer, and uniforms and clothing needed on the job and not suitable for wear away from the job;

(c) 'Employment' means any work activity for which a recipient receives monetary compensation;

(d) 'Disabled' means:

(i) Permanently and totally disabled as defined by the department and as such definition is approved by the federal security agency for federal matching funds;

(ii) Eighteen years of age or older;

(iii) A resident of the state of Washington; and

(iv) Willing to submit to such examinations as are deemed necessary by the department to establish the extent and nature of the disability.

NEW SECTION, Sec. 4. There is appropriated to the department of social and health services from the general fund for the biennium ending June 30, 1981, the sum of two hundred seventy thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act; except that, if federal funds

become available to carry out the purposes of this act, then state general fund moneys shall be conserved with federal funds."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Ms. Teutsch, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 1516.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1516 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1516 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmittens, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Barr, Ellis, McDonald, North, Warnke.

Engrossed Substitute House Bill No. 1516 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. King, the House reverted to the fourth order of business.

#### INTRODUCTIONS AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 34, by Representative Berentson:

Establishing a joint economic committee.

To Committee on Rules

SUBSTITUTE SENATE BILL NO. 2963, by Committee on Ways and Means (originally sponsored by Senator Donohue):

Providing funds for the common schools.

#### MOTIONS

On motion of Mr. King, the rules were suspended, and Substitute Senate Bill No. 2963 was advanced to second reading.

On motion of Mr. King, further consideration of the bill was deferred, and it was placed at the bottom of today's second reading calendar.

SUBSTITUTE SENATE BILL NO. 3457, by Committee on Ways and Means (originally sponsored by Senator Rasmussen):

Clarifying legislative intent as to the phrase "public or private insurance" as used in the victims of crime compensation act.

#### MOTIONS

On motion of Mr. King, the rules were suspended and Substitute Senate Bill No. 3457 was advanced to second reading.

On motion of Mr. King, further consideration of the bill was deferred, and it was placed at the bottom of today's second reading calendar.



ENGROSSED SUBSTITUTE SENATE BILL NO. 3515, by Committee on Agriculture (originally sponsored by Senator Morrison):

Regulating cloud-seeding.

To Committee on Appropriations.

#### REPORTS OF STANDING COMMITTEES

March 3, 1980

HOUSE BILL NO. 1953, Prime Sponsor: Representative Sanders, exempting coal extractors from the B&O tax. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 7 after "coal" insert "or as a processor of coal into a fuel form which is suitable for more widespread use"

Signed by Representatives Bond, Co-Chairman; McCormick, Co-Chairwoman; Grimm, Isaacson, Monohon, Nisbet, Scott, Sprague, Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Charnley, Nelson (D), Tupper.

Passed to Committee on Rules for second reading.

March 3, 1980

ENGROSSED SUBSTITUTE SENATE BILL NO. 2977, Prime Sponsor: Senator Bottiger, providing for renewable energy practices and devices. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 15 after "conservation" strike "and renewable energy"

On page 1, line 28 after "consumption." insert a new subsection as follows:

"(5) That the use of energy systems in these facilities which utilize renewable resources such as solar energy, wood or wood waste, or other nonconventional fuels should be considered in the design of all publicly owned or leased facilities."

On page 2, line 2 after "conservation" strike "and renewable energy"

On page 2, line 4 after "facilities" insert "and that at least one renewable energy resource is considered for use in these facilities"

On page 2, line 35 after "as" strike "forecast" and insert "projected"

On page 3, line 2 after "update the" strike "forecasts" and insert "projections"

On page 3, line 27 after "include" insert "one or more"

On page 3, line 27 after "energy" strike "practices or devices" and insert "systems or components"

On page 4, line 2 strike the entire subsection and insert a new subsection as follows:

"(11) 'Renewable energy systems and components' means methods of facility design and construction and types of equipment for the utilization of renewable energy sources including, but not limited to, active or passive solar space heating or cooling, domestic solar water heating, windmills, waste heat, biomass and/or refuse-derived fuels, cogenerated energy, photovoltaic devices, and geothermal energy."

On page 4, line 24 after "energy" strike "practices and devices" and insert "systems and components"

On page 4, line 26 insert a new section as follows:

"NEW SECTION. Sec. 5. There is added to chapter 177, Laws of 1975 1st ex. sess. and to chapter 39.35 RCW a new section to read as follows:

The state auditor, pursuant to the authority granted by RCW 43.09.260, shall include compliance with the provisions of this chapter in his regular financial examinations."

Renumber the remaining sections consecutively.

On page 4, line 34 after "by" strike "September 1" and insert "October 31"

Signed by Representatives Bond, Co-Chairman; McCormick, Co-Chairwoman; Charnley, Isaacson, Monohon, Nelson (D), Scott, Sherman, Sprague.

Passed to Committee on Rules for second reading.

March 3, 1980

ENGROSSED SENATE BILL NO. 3273, Prime Sponsor: Senator Bottiger, requiring use of renewable energy sources to heat new swimming pools. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass with the following amendment:

On page 1 strike all of lines 18 and 19.

Signed by Representatives McCormick, Co-Chairwoman; Charnley, Monohon, Nelson (D), Scott, Sherman, Sprague, Tupper, Williams.

Passed to Committee on Rules for second reading.

March 3, 1980

**SUBSTITUTE SENATE BILL NO. 3285.** Prime Sponsor: Senator Lysen, insuring that certain health and safety inspections will be performed at energy facilities. Reported by Committee on Energy and Utilities.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 2, line 25 after "18.106," insert "19.27,"

On page 2, line 25 after "19.29," insert "43.22,"

On page 3, line 26 after "18.106," insert "19.27,"

On page 3, line 26 after "19.29," insert "43.22,"

Signed by Representatives McCormick, Co-Chairwoman; Charnley, Monohon, Nelson (D), Scott, Sherman, Sprague, Tupper, Williams.

Passed to Committee on Rules for second reading.

March 4, 1980

**ENGROSSED SENATE BILL NO. 3371.** Prime Sponsor: Senator Peterson, establishing the Padilla Bay estuarine sanctuary in Skagit County. Reported by Committee on Ecology.

**MAJORITY recommendation:** Do pass with the following amendment:

On page 1, after line 23 insert "Legal activities conducted in Padilla Bay during 1979 shall be authorized on any properties acquired under this act or as a result of the passage of this act."

Signed by Representatives Valle, Executive Chairwoman; Brekke, Galloway, Isaacson, Nisbet, Pruitt, Rinehart, Sanders, Smith (C), Whiteside.

Passed to Committee on Rules for second reading.

March 3, 1980

**ENGROSSED SUBSTITUTE SENATE BILL NO. 3376.** Prime Sponsor: Senator Walgren, directing OFM to report to the legislature on permits, licenses, and inspection requirements by state agencies. Reported by Committee on State Government.

**MAJORITY recommendation:** Do pass with the following amendment:

On page 7, at the beginning of line 22 strike "sixty-four" and insert "forty-nine"

Signed by Representatives Ehlers, Co-Chairman; Taller, Co-Chairman; Addison, Burns, Flint, Greengo, Jovanovich, McGinnis, Walk.

Passed to Committee on Rules for second reading.

### MESSAGE FROM THE SENATE

February 29, 1980

Mr. Speaker:

The Senate adheres to its position on its amendment to **ENGROSSED SUBSTITUTE HOUSE BILL NO. 714**, on page 3, line 5, and once again asks the House to concur therewith, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Mr. Schmitt, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 714.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 714 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 714 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt,

Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Toller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative McDonald.

Engrossed Substitute House Bill No. 714 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Salatino, the House advanced to the eighth order of business.

#### RESOLUTIONS

HOUSE RESOLUTION NO. 80-145, by Representative Salatino:

WHEREAS, Junior high school athletics play an important role in developing the minds and bodies of our state's young citizens; and

WHEREAS, The Jason Lee Junior High School basketball team has shown themselves to be outstanding athletes and sportsmen; and

WHEREAS, The Jason Lee basketball team has won its first Tacoma city basketball championship in twenty years; and

WHEREAS, Each member of the team, under the dedicated guidance of the coach, has contributed to the victories since basketball is a true team sport;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That each member of the Jason Lee basketball team: Ron Donnelly, Nate Harper, Aquilla Jackson, Gary Irwin, Steve McIlvanna, Bill Riley, Jim Scanlon, Russell Sherrill, Laney Swift, Steve White and Mike Wilson; the captain, Don Mehegan; the coach, Mr. Schrader; the assistants, Mr. Edwin Gelven and Mr. Marc Roberts; and the team managers, Dwayne Folsom, Daveen Rogers, Jerry Rodgers and Tracy Wortham, be congratulated for their effort, dedication, and skills, and the families be commended for their support, help, enthusiasm and comfort; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to each member of the Jason Lee basketball team, the coach, assistants, and the team managers.

Mr. Salatino moved adoption of the resolution. Representatives Salatino, Charnley and Sprague spoke in favor of the resolution.

House Resolution No. 80-145 was adopted.

HOUSE RESOLUTION NO. 80-146, by Representative Salatino:

WHEREAS, Gymnastics, an increasingly popular sport, teaches our youth stamina, strength and grace; and

WHEREAS, During the three years of the gymnastics' program at Jason Lee Junior High School, the team has lost only two matches and this year the team has won the Tacoma championship; and

WHEREAS, Each member of the team, through many hours of practice after school under the guidance of coach James Neese, has helped make the season a success;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That each member of the Jason Lee gymnastics' team: Nancy Clang, Ann Nguyen, Jami Bell, Veronica Park, Kari Swenddal, Claire Thompson (co-captain), Nicki Whittaker (co-captain), Kim McDuffie, Melinda Davis, Melissa Blank, Sue Sautner, Colleen Clancy and Annalies Young, be congratulated for their fine performances, dedication and devotion, and that each member of the team be encouraged in her future endeavors; their coach, James Neese, be commended for his skill, patience and encouragement of the team; and the families be commended for their support, help, enthusiasm and comfort; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to each member of the Jason Lee Junior High School gymnastics' team and to their coach.

On motion of Mr. Salatino, the resolution was adopted.

HOUSE RESOLUTION NO. 80-158, by Representatives Houchen, Adams, Addison, Austin, Erickson, Flint, Granlund, Isaacson, Mitchell, Oliver, Sanders, Tilly and Walk:

WHEREAS, The State of Washington has made a commitment to adequately reimburse health-care providers who incur costs in serving those on public assistance and industrial insurance; and

WHEREAS, The rates of reimbursement to health-care providers have been established by the Departments of Social and Health Services and Labor and Industries; and

WHEREAS, The costs of health-care have risen dramatically in recent years, resulting in lack of parity for many health-care providers; and

WHEREAS, Cost reimbursement policies of the Departments of Social and Health Services and Labor and Industries are, in some instances, incurring higher than necessary expenditures for medical services; and

WHEREAS, Cost reimbursement to health-care providers is often delayed from 60 to 120 days following billing by providers to the state, thus causing health-care providers to incur additional, unreimbursed expense in serving those on public assistance and industrial insurance; and

WHEREAS, An increasing number of health-care providers are, because of lack of parity, of certain departmental policies and of delays in reimbursement, limiting the number of public assistance and industrial insurance patients who they serve or refuse to serve such patients; and

WHEREAS, Reduction in the number of health-care providers willing to provide care for public assistance and industrial insurance patients poses severe problems in many communities, wherein various health-care services are no longer available to such patients; and

WHEREAS, It seems appropriate that the legislature take steps to review cost reimbursement rates and policies for health-care services and the procedures by which health-care providers are reimbursed, including causes of delay experienced in such reimbursement;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That a select committee be established by the House to review health-care cost reimbursement programs of the State of Washington; and

BE IT FURTHER RESOLVED, That the House Select Committee on Health Care Cost Reimbursement report its findings and recommendations to the legislature no later than January 1, 1981.

Ms. Houchen moved adoption of the resolution. Representatives Houchen, Flint and Granlund spoke in favor of the resolution and Representatives Van Dyken and Valle spoke against it.

House Resolution No. 80-158 was adopted.

HOUSE RESOLUTION NO. 80-165, by Representatives Schmitten and Vrooman:

WHEREAS, There has been a rapid increase in the amount of commercial crab fishing gear in Puget Sound over the past several years; and

WHEREAS, The increase in commercial crab fishing gear in Puget Sound has created certain biological and management problems for the fishery; and

WHEREAS, The present amount of commercial crab fishing gear in Puget Sound may be double or triple that necessary to efficiently harvest the available amount of crab; and

WHEREAS, To stop the increase in gear, the Legislature has enacted Substitute House Bill No. 714, which places a moratorium on the issuance of new commercial crab licenses for Puget Sound; and

WHEREAS, The license moratorium by itself will not solve the biological and management problems in that it does not reduce the amount of gear in Puget Sound;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the House Committee on Natural Resources shall, in conjunction with the Department of Fisheries and the commercial crab fishing industry, devise a method whereby the amount of commercial crab fishing gear in Puget Sound can be reduced to biologically efficient levels in an equitable manner; and

BE IT FURTHER RESOLVED, That the Committee shall submit a report to the 1982 session of the Legislature.

On motion of Mr. Vrooman, the resolution was adopted.

HOUSE RESOLUTION NO. 80-169, by Representatives Taller and Thompson:

WHEREAS, The legislature is concerned about the soundness of the state retirement systems; and

WHEREAS, The legislature addressed major concerns with some of the retirement systems during the 1977 legislative session; and

WHEREAS, The Judicial Retirement System was not included in the pension reforms of 1977; and

WHEREAS, The Judicial Retirement System is not an actuarially funded system, but rather a "pay as you go" system; and

WHEREAS, The benefits and laws of the Judicial Retirement System have resulted in claims to the legislature of inequity and hardship by members or survivors of members of the system; and

WHEREAS, The trend toward increasing the size of the judiciary will dramatically increase the cost of supporting the Judicial Retirement System;

NOW, THEREFORE, BE IT RESOLVED, That the House Appropriations Committee shall review the Judicial Retirement System and its viability as a sound, equitable and efficient system for the provision of retirement benefits for future judges within the State of Washington. The Committee shall fully cooperate with the Washington State Bar Association, the judges and justices of the state, and all other interested parties in the conduct of this study.

Mr. Taller moved adoption of the resolution. Representatives Taller and Knowles spoke in favor of the resolution.

House Resolution No. 80-169 was adopted.

#### MOTIONS

On motion of Mr. King, HOUSE BILL NO. 1946 was rereferred from Committee on Commerce to Committee on Revenue.

On motion of Mr. King, HOUSE BILL NO. 1953 was rereferred from Committee on Rules to Committee on Revenue.

#### RESOLUTIONS

HOUSE RESOLUTION NO. 80-162, by Representatives Schmitt and Tilly:

WHEREAS, Two Cashmere High School athletic squads have captured the Class A tournament honors within the last two weeks by taking state titles in basketball and wrestling; and

WHEREAS, The Cashmere bulldog basketball squad is the first team in the state's history to have claimed the crown four times, in 1972, 1975, 1977 and 1980, this year coming into the tournament as the underdog and defeating the first and second ranked Class A teams; and

WHEREAS, Cashmere High School's starting center, Dave Doane, was named the Most Valuable Player of the basketball tournament; and

WHEREAS, The wrestling squad captured its second straight Class A championship, and third title in four years, with Bob Hardgrove and Joe Wilson capturing individual championships;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives officially recognizes the accomplishments of the Cashmere High School basketball and wrestling squads, and acknowledges the Class A titles won by the students involved; and

BE IT FURTHER RESOLVED, That commendation go to the students, teachers, administrators, families and friends of the team members involved, for their continued support and efforts to make the victories possible.

Mr. Schmitt moved adoption of the resolution. Representatives Schmitt, Tilly and Smith (C) spoke in favor of the resolution.

House Resolution No. 80-162 was adopted.

#### MOTIONS

On motion of Mr. King, ENGROSSED SENATE BILL NO. 3371 was rereferred from Committee on Rules to Committee on Appropriations.

On motion of Mr. King, the House reverted to the sixth order of business.

Speaker Bagnariol resumed the Chair.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 1073, by Committee on Energy and Utilities (originally sponsored by Representative McCormick):

Establishing an energy commission.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 44th Day, February 26, 1980.)

Speaker Bagnariol stated the question before the House to be the point of order raised by Ms. McCormick on the amendment offered by Mr. Isaacson.

With the consent of the House, Ms. McCormick withdrew the point of order.

With the consent of the House, Mr. Isaacson withdrew the amendment.

Hearing no objection, Speaker Bagnariol stated the House would immediately consider House Bill No. 1413.

HOUSE BILL NO. 1413, by Representatives Isaacson, Oliver, Nisbet, Hastings and Williams:

Providing for a state energy fair in 1983.

The bill was read the second time.

On motion of Mr. Bond, Substitute House Bill No. 1413 was substituted for House Bill No. 1413, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1413 was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Isaacson and Oliver spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1413, and the bill passed the House by the following vote: Yeas, 89; nays, 8; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Eng, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McGinnis, Mitchell, Nelson D., Nelson G. A., Newhouse, Nisbet, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Teller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Brekke, Ehlers, Erak, McCormick, Monohon, North, Rinehart, Walk.

Not voting: Representative McDonald.

Substitute House Bill No. 1413, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1508, by Representatives Sherman, Chandler, Sommers, Charnley, Craswell, Martinis, Smith (R), Rinehart, Heck, Granlund, Lux, Hughes, Salatino, Erak, Stratton, Pruitt, Monohon, Van Dyken, Maxie, Gallagher, Bauer, Brekke, Burns, Nisbet, Teutsch, Taylor and Williams:

Exempting ride-sharing vans from sales, use and motor vehicle excise taxation.

The bill was read the second time.

Mr. Patterson moved adoption of the following amendment by Representatives Patterson and Wilson:

On page 2, after line 2 insert a new section as follows:

\*NEW SECTION. Sec. 4. There is added to chapter 46.74 RCW a new section to read as follows:

At the time of obtaining the tax exemptions granted under this 1980 act and at the time of each subsequent license renewal, the registered owner shall certify on a form provided by the department of licensing that the exempted vehicle will be used as a ride-sharing vehicle for the period of the license. If the registered owner fails to comply with the terms of the certification, the director of the department of licensing shall proceed with the provisions of RCW 46.12.160. In addition, the registered owner shall be subject to a fine, the amount of which shall be determined by multiplying by two the sum of the sales or use tax exempted and the excise tax exempted for that year.\*

Re-number the remaining sections consecutively.

Representatives Patterson and Clayton spoke in favor of the amendment, and Representatives Sherman and King spoke against it.

## POINT OF INQUIRY

Mr. Patterson yielded to question by Mr. Martinis.

Mr. Martinis: "Representative Patterson, since you've been the champion against tax exemptions and the protector of the motor vehicle fund, I am wondering, the other day on tax exemptions on the alcohol in gasohol, were you the statesman who made sure that any violations on the gasohol exemption were subject to the same type of penalty that you're trying to impose here?"

Mr. Patterson: "Well, in response, Representative Martinis, you're trying to compare apples and oranges. We're talking about giving exemptions from taxation for a specific reason, apparently energy-related, and that's what is questionable. The alcohol bill you referred to made an exemption for that portion of the mix of the ten percent of the taxes that would be collected. I had major concerns about it, but I suppose that all of us should be concerned with the opportunity that we had in gasohol to reduce the requirements we have from the import of foreign oil. I guess you have to have some kind of a trade-off in some of these things."

Mr. Martinis spoke against the amendment.

## POINT OF ORDER

Mr. Polk: "Representative Martinis is being personal, Mr. Speaker. He said to stop him if we'd like to and I'd like to."

Speaker Bagnariol: "I haven't heard him mention anyone's name."

Mr. Polk: "Mr. Speaker, the point of order, if you'd like me to say it more succinctly, is that the gentleman from Everett is impugning motives of other members of the House and isn't speaking of other members of the House as decorously as Reed's Rules say he should. At least he could have said the gallant gentleman from Portland or something like that. Instead, he's talking about big feet or something like that and I think it's time you declare him out of order. Representative Berentson has just pointed out to me he's the only one in the House who wears size 16's anyway. I don't think we should put up with this kind of personal attack on the floor, Mr. Speaker."

Speaker Bagnariol: "Your point is well taken. Representative Martinis, please confine your remarks to the amendment."

Mr. Martinis continued his remarks against the amendment.

## POINT OF ORDER

Mr. Polk: "Mr. Speaker, to give history about this type of exemption or that type of exemption has absolutely no bearing on this amendment before us. I wish you would instruct the speaker to just refer to this amendment and this amendment only, and let's get on with it and be done with it."

Speaker Bagnariol: "Your point is well taken."

Mr. Martinis concluded his remarks in opposition to the amendment, and Mr. Wilson spoke in favor of it.

A division was called.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Patterson and Wilson to House Bill No. 1508, and the amendment was not adopted by the following vote: Yeas, 48; nays, 49; not voting, 1.

Voting yea: Representatives Addison, Amen, Austin, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Tally, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Stratton, Thompson, Valle, Vrooman, Walk, Warnke.

Not voting: Representative McDonald.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Sherman spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Ms. Sherman yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Sherman, I understand the purpose of the last amendment which failed, but since it did fail, how do you feel that the vans purchased under these incentives will be used for pooling?"

Ms. Sherman: "The language is in the bill itself. At the time the van is purchased there will be an affidavit and there will be a guarantee that they will use the van for three years. Each van requires that people subscribe to it, so if you subscribe to riding in a van pool and it doesn't show up, you're going to tell the Department of Revenue or the Department of Licensing or whoever, and they will immediately be brought under penalty of the law."

Representatives King, Charnley and Martinis spoke in favor of the bill, and Mr. Struthers spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1508, and the bill passed the House by the following vote: Yeas, 75; nays, 22; not voting, 1.

Voting yea: Representatives Adams, Addison, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Dunlap, Ehlers, Ellis, Eng, Erak, Erickson, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Hughes, Isaacson, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Pruitt, Rinehart, Salatino, Sanders, Scott, Sherman, Smith R., Sommers, Sprague, Stratton, Taller, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Williams, Winsley, Zimmerman.

Voting nay: Representatives Amen, Bond, Clayton, Dawson, Deccio, Eberle, Fancher, Flanagan, Hastings, Houchen, Jovanovich, Mitchell, Newhouse, Patterson, Polk, Rosbach, Schmitten, Smith C. P., Struthers, Tilly, Whiteside, Wilson.

Not voting: Representative McDonald.

House Bill No. 1508, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. King, the House reverted to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

March 3, 1980

HOUSE BILL NO. 1428, Prime Sponsor: Representative Scott, authorizing equine research and stallion awards. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Becker, Chandler, Deccio, Ehlers, Fancher, Grimm, Heck, Hughes, Keller, Maxie, Taller, Valle, Vrooman, Warnke, Zimmerman.

Passed to Committee on Rules for second reading.

March 3, 1980

HOUSE BILL NO. 1517, Prime Sponsor: Representative Warnke, facilitating Washington state participation in the Portopia '81 exhibition in Kobe, Japan. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Thompson, Co-Chairman; Amen, Barnes, Bauer, Chandler, Fancher, Grimm, Nisbet, Polk, Taller, Valle, Vrooman, Warnke, Zimmerman.

Passed to Committee on Rules for second reading.

March 3, 1980

HOUSE BILL NO. 1749, Prime Sponsor: Representative Salatino, modifying the regulation of automotive repairs. Reported by Committee on Appropriations.



MAJORITY recommendation: The substitute bill recommended by House Commerce Committee be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Barnes, Bauer, Ehlers, Grimm, Heck, Hughes, Keller, McDonald, Nisbet, Taylor, Vrooman, Warnke.

Passed to Committee on Rules for second reading.

March 3, 1980

HOUSE BILL NO. 1991, Prime Sponsor: Representative Thompson, creating the archaeological repository account. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Barnes, Bauer, Becker, Chandler, Ehlers, Fancher, Grimm, Gruger, Heck, Hughes, McDonald, Polk, Taller, Taylor, Valle, Vrooman, Warnke, Zimmerman.

Passed to Committee on Rules for second reading.

March 3, 1980

ENGROSSED SUBSTITUTE SENATE BILL NO. 3494, Prime Sponsor: Senator Walgren, revising laws relating to deferred compensation plans. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Bauer, Chandler, Ehlers, Fancher, Grimm, Gruger, Heck, Hughes, McDonald, Nisbet, Polk, Taylor, Valle, Vrooman, Warnke, Zimmerman.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. King, the House adjourned until 9:30 a.m., Wednesday, March 5, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## FIFTY-SECOND DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 5, 1980

The House was called to order at 9:30 a.m. by Speaker Berentson. The Clerk called the roll and all members were present except Representative Nelson (G), who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kent Hudson, Steve Malloy and Ross Hartwick. Prayer was offered by The Reverend Wallace Misterek of Trinity Lutheran Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGE FROM THE SENATE

March 4, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3629,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### SECOND READING

SUBSTITUTE HOUSE BILL NO. 1073, by Committee on Energy and Utilities (originally sponsored by Representative McCormick):

Relating to energy policy.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 44th Day, February 26, and 51st Day, March 4, 1980.)

Mr. Taller moved adoption of the following amendment:

On page 4, line 17 after "senate" strike ", who shall serve at the pleasure of the governor"

Mr. Taller spoke in favor of the amendment.

### POINT OF INQUIRY

Mr. Taller yielded to question by Mr. Ehlers.

Mr. Ehlers: "With this amendment, Representative Taller, would these people on the commission then be similar to other commissions that we've had some difficulty with in the past having some accountability and from the Governor and the Legislature? We've been addressing that particular problem and wouldn't this continue to cause some difficulty in that area if we adopt this amendment?"

Mr. Taller: "I don't believe so. I think we have other commissions that serve—the Transportation and Utilities Commission and a number of those that are appointed by the Governor—and then are only removed for cause, and I think what we'd be setting here would be the opposite precedent as far as the people serving directly at the pleasure of the Governor, which would make them, in my opinion, department heads, which with the situation now where people who are department heads can be removed at the pleasure of the Governor."

Mr. Van Dyken spoke against the amendment.

With the consent of the House, Mr. Taller withdrew the amendment.

On motion of Mr. Tupper, the following amendment by Representatives Tupper and McCormick was adopted:

On page 4, strike sections 5 and 6 and insert the following:

\*NEW SECTION. Sec. 5. There is hereby created the state energy commission. The commission shall be composed of three members, appointed by the governor with the consent of the senate. Of the initial members of the commission, who shall be appointed no later than July 1, 1980, one shall be appointed for a one-year term, one shall be appointed for a three-year term, and one shall be appointed for a five-year term. Thereafter, all terms shall be for five years. Vacancies shall be filled within ninety days for the

remainder of the unexpired term by appointment by the governor in the same manner as the original appointments. Each member of the commission shall continue in office until his successor is appointed. The members of the commission shall elect a chairman from among themselves and shall be paid travel and per diem expenses in accordance with RCW 43.03.050 and RCW 43.03.060. No person is eligible for appointment who holds any other state, county, or municipal elective or appointive office. Not more than two members of the commission may at the time of appointment or thereafter during their respective terms of office be members of the same major political party. Commissioners shall not be removed from office by the governor before the expiration of their terms except for cause based upon a determination of incapacity, incompetence, neglect of duty, or malfeasance in office by the superior court of the state of Washington in and for Thurston county upon petition and show cause proceedings duly brought therefor in said court and directed to the commissioner in question.

**NEW SECTION.** Sec. 6. The commission shall meet at such times as it deems advisable but at least once every month. It shall act collectively in harmony with recorded resolutions or motions adopted by majority vote of at least two members. The commission may appoint an administrative secretary, and shall elect one of its members chairman for a term of one year. The chairman shall be able to vote on all matters before the commission. All meetings and hearings of the commission shall be conducted in accordance with chapter 42.30 RCW. Each member of the commission shall receive compensation of sixty dollars per day for each day actually spent in the performance of duties, and actual necessary traveling and other expenses in going to, attending, and returning from meetings of the commission, and actual and necessary traveling and other expenses incurred in the discharge of such duties as may be requested by a majority vote of the commission, but in no event shall a commissioner be compensated in any year for more than one hundred twenty days, except the chairman of the commission who may be paid compensation for not more than one hundred fifty days. Service on the commission shall not be considered as service credit for the purposes of any public retirement system."

On motion of Mr. Taller, the following amendments were adopted:

On page 6, beginning on line 9 strike all of section 13 and renumber the remaining sections consecutively.

On page 7, beginning on line 4 after "state" strike all the material down to and including "refuse-derived fuels" on line 6

On page 7, line 8 strike "suppliers" and insert "distributors"

On page 8, line 5 after "To" strike "present" and insert "represent"

On page 8, beginning on line 21 after "state" strike all material down to and including "resources" on line 22

On motion of Mr. Nelson (D), the following amendment by Representatives Nelson (D) and Sherman was adopted:

On page 8, line 23 insert a new subsection as follows:

"(c) An analysis of the costs of available methods to supply and conserve energy."

Renumber the remaining subsections consecutively.

On motion of Mr. Tupper, the following amendment by Representatives Tupper and McCormick was adopted:

On page 8, line 27 after "evaluation" insert ", to include criteria,"

On motion of Mr. Nelson (D), the following amendment was adopted:

On page 9, line 12 strike "20" and insert "1"

On motion of Mr. Taller, the following amendment was adopted:

On page 11, line 14 strike "suppliers" and insert "distributors"

On motion of Mr. Tupper, the following amendment was adopted:

On page 11, line 26 after "proprietary." insert "Any person or entity providing information in accordance with this section may provide information consistent with accepted accounting principals, UTC requirements, Federal Power Commission requirements, and/or requirements of other regulatory agencies."

Mr. Dunlap moved adoption of the following amendment by Representatives Dunlap and Scott:

On page 13, after line 36 insert the following:

"**NEW SECTION.** Sec. 21. There is added to chapter 80.50 RCW a new section to read as follows:

(1) No thermal power plant using nuclear materials as fuel shall be located, sited or constructed outside of the United States Department of Energy's Hanford reservation unless approved by a majority of the electors voting in a special or general election in the county or counties where the proposed plant would be located.

(2) Upon petition by the applicant, the county legislative authority shall, pursuant to chapter 29.13 RCW, have placed upon the ballot a measure relating to approval of the proposed plant within the county or counties. The county or counties shall conduct the election within one year of receiving the petition by the applicant.

(3) The applicant shall pay the county all the costs in calling, advertising and conducting the election.

(4) The voters' approval of the proposed plant within the county or counties shall not be construed as a waiver of any applicable statutes or regulations governing the siting, construction, financing or operation of the facility.

(5) In all instances, prior to recommending a nuclear-fueled thermal power plant site, the energy facilities site evaluation council shall provide the appropriate authorities of affected local jurisdictions with the opportunity to be heard with the objective of minimizing adverse local impacts to the extent reasonably possible. Such hearings shall be held in compliance with chapter 34.04 RCW.

(6) This section does not apply to thermal power plants using nuclear fuels for which an application for site certification was filed prior to January 22, 1980."

Renumber the remaining sections consecutively.

Mr. Hastings moved adoption of the following amendment by Representatives Hastings and Isaacson to the Dunlap/Scott amendment:

Following subsection (4) of the amendment insert:

"(5) Any county which disapproves the siting within its borders of a thermal power plant using nuclear materials shall be viewed as taking a 'no growth' posture and shall not receive any additional electrical energy produced in Washington state. If there is not an adequate supply of electrical energy available in the state, any county which has rejected the siting of a thermal power plant using nuclear materials shall have its supply of electrical energy curtailed before any other county. The state energy commission shall determine the amount of the curtailment for such county. This moratorium restricting distribution of additional electrical energy shall be retained only until such time as siting of an energy plant is approved by a majority of persons voting in a county-wide election."

Renumber the remaining subsections consecutively.

Representatives Hastings, Isaacson and Oliver spoke in favor of the amendment to the amendment, and Representatives McCormick, Scott, Charnley and Nelson (D) spoke against it.

#### POINT OF INQUIRY

Mr. Hastings yielded to question by Mr. Erak.

Mr. Erak: "Representative Hastings, according to this amendment, it states, 'Any county which disapproves the siting within its borders of a thermal power plant using nuclear materials...' When we talked to counties we talked to county commissioners. Have you talked to any county commissioners within the state of Washington and asked them about this particular amendment?"

Mr. Hastings: "I haven't talked to any county commissioner specifically. I know the feeling, however, of the county commissioners in my area. My area likes growth; we're not afraid of growth and we know very well that electricity is what fuels it and we think this is something to continue progress. Therefore, I know the commissioners in my area are all in favor of this concept because we want electricity."

Mr. Erak spoke against the amendment to the amendment, and Mr. Nelson (D) spoke again in opposition to it.

#### POINT OF ORDER

Mr. Polk: "Mr. Speaker, I would ask you to invoke Rule 49. After the 50th Day a member may only speak once."

Speaker Berentson: "Your point is well taken."

Mr. Hastings closed debate, speaking again in favor of the amendment to the amendment.

The amendment to the amendment was not adopted.

Speaker Berentson stated the question before the House to be the Dunlap/Scott amendment to page 13.

Ms. Becker spoke against the amendment.

Mr. Patterson demanded an electric roll call vote on the amendment, and the demand was sustained.

Representatives Eberle, Scott, Greengo, Bond, Tupper, Taylor, Polk and Isaacson spoke in favor of the amendment and Representatives Amen, Nelson (D), Flanagan, Bagnariol, Sanders, Fuller and Rinehart spoke against it.

Mr. Hughes spoke against the amendment.

## POINT OF ORDER

Mr. Oliver: "Mr. Speaker, the speaker is addressing a potential initiative that may be on the ballot this fall and it's irrelevant to the issue before us."

Speaker Berentson: "Try to confine your remarks, Representative Hughes."

Mr. Hughes continued his remarks against the amendment, and Mr. Vrooman spoke in favor of it.

## POINT OF INQUIRY

Mr. Dunlap yielded to question by Mr. Barr.

Mr. Barr: "Could you relate to me as well as to the body, the relationship between this amendment and what we can do presently? I'm a little confused about what this amendment will do in relation to what we can do anyway. Can't we build plants at Hanford? Can't a county have a vote anyway?"

Mr. Dunlap: "This amendment does one thing: It puts one additional gate in the system. One gate that a company wishing to build a nuclear power plant would have to pass through and that gate is an affirmative vote by the county. This amendment assures that we're not going to ram a nuclear power plant down the throat of a county. It says nuclear power plants are going to go at Hanford except if a county asks for a nuclear power plant to be located in their area. It affects, in no way, the siting process that EFSC now goes through; it affects, in no way, the National Nuclear Regulatory Commission rules and regulations. It only says everything's going to Hanford except by a positive vote of a county."

Representatives Oliver, McGinnis and Erak spoke in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Dunlap and Scott to Substitute House Bill No. 1073, and the amendment was adopted by the following vote: Yeas, 64; nays, 31; not voting, 3.

Voting yea: Representatives Addison, Austin, Bauer, Bender, Berentson, Bond, Brown, Chandler, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flint, Fuller, Galloway, Greengo, Grimm, Hastings, Heck, Houchen, Isaacson, Jovanovich, Keller, Knowles, Martinis, McGinnis, Mitchell, Monohon, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rosbach, Salatino, Sanders, Schmitt, Scott, Smith C. P., Smith R., Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Vrooman, Walk, Warnke, Williams, Wilson, Winsley.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Barr, Becker, Brekke, Burns, Charnley, Clayton, Flanagan, Gallagher, Garrett, Granlund, Gruger, Hughes, King, Kreidler, Lux, Maxie, McCormick, McDonald, Nelson D., Newhouse, Rinehart, Sherman, Sommers, Valle, Van Dyken, Whiteside, Zimmerman.

Not voting: Representatives May, Nelson G. A., Thompson.

On motion of Mr. Dunlap, the following amendments by Representatives Dunlap and Scott were adopted:

On page 22, line 11 after "purposes" insert "of sections 1 through 15"

On page 22, line 18 strike "29" and insert "30"

Mr. Nelson (D) moved adoption of the following amendment by Representatives Isaacson and Nelson (D):

On page 11, after line 9 insert the following:

"**NEW SECTION, Sec. 16.**

(1) The energy commission shall obtain and disseminate information on alternate forms of energy sources and alternate systems of energy use in a manner that allows the consumer to compare the available choices in terms not only of the advantages and disadvantages of one over another but also in terms of a resulting cost per unit of energy consumed which considers the useful life of equipment and its life cycle cost. The office shall obtain information from any public or private entity to perform its duties under this section.

(2) As used in this section, the following terms have the meanings indicated:

(a) 'Alternative forms of energy sources' include but are not limited to natural gas, wood, hydroelectricity, coal, nuclear power, and oil.

(b) 'Alternative systems of energy use' include but are not limited to baseboard electric, heat pump, forced air electric, natural gas, and solar systems.

(c) 'Estimated useful life' of an item means the estimated time from the date of acquisition to the date of replacement or disposal, determined in any reasonable manner.

(d) 'Life cycle cost' means the total cost of an item over its estimated useful life, including costs of selection, acquisition, operation, maintenance, and where applicable, disposal, as far as these costs can reasonably be determined, minus the salvage value at the end of its estimated useful life."

Renumber the remaining sections consecutively.

Representatives Nelson (D) and Isaacson spoke in favor of the amendment, and it was adopted.

On motion of Mr. Nelson (D), the following amendments by Representatives Isaacson and Nelson (D) were adopted:

On page 13, line 30 after "RCW 43.21F.\_\_\_\_;" strike "and"

On page 13, beginning on line 32 after "RCW 43.21F.\_\_\_\_" insert "; and (16) section 16, chapter \_\_\_\_ (SHB 1073), Laws of 1980 and RCW 43.21F.\_\_\_\_"

On page 22, line 12 after "through" strike "15" and insert "16"

On motion of Mr. Taller, the following amendments were adopted:

On page 14, after line 7 insert the following:

"Sec. 22. Section 73, chapter 151, Laws of 1979 as amended by section 3, chapter 265, Laws of 1979 ex. sess. and RCW 42.17.240 are each amended to read as follows:

(1) Every elected official (except president, vice president, and precinct committeemen), every chief executive state officer as specified in RCW 43.17.020, as now or hereafter amended, the director of financial management, the director of personnel, the director of the planning and community affairs agency, the director of the state system of community colleges, the executive director of the data processing authority, the executive secretary of the forest practice appeals board, the director of the gambling commission, the director of the higher education personnel board, the secretary of transportation, the executive secretary of the horse racing commission, the executive secretary of the human rights commission, the administrator of the interagency committee for outdoor recreation, the director of parks and recreation, the executive secretary of the board of prison terms and paroles, the administrator of the public disclosure commission, the director of retirement systems, the secretary of the utilities and transportation commission, the executive secretary of the board of tax appeals, the secretary of the state finance committee, the director of the state energy commission, the president of each of the regional and state universities and the president of The Evergreen State College, each district and each campus president of each state community college, each professional staff member of the office of the governor, each professional staff member of the legislature, and each member of the state board for community college education, data processing authority, forest practices board, forest practices appeals board, gambling commission, game commission, higher education personnel board, transportation commission, horse racing commission, human rights commission, board of industrial insurance appeals, liquor control board, interagency committee for outdoor recreation, parks and recreation commission, personnel board, board of prison terms and paroles, public disclosure commission, state energy commission, public employees' retirement system board, public pension commission, University of Washington board of regents, Washington State University board of regents, board of tax appeals, teachers' retirement system board of trustees, Central Washington University board of trustees, Eastern Washington University board of trustees, The Evergreen State College board of trustees, Western Washington University board of trustees, board of trustees of each community college, and the utilities and transportation commission, shall after January 1st and before April 15th of each year for the preceding calendar year; and every candidate, and every person appointed to fill a vacancy in an elective office (except for the offices of president, vice president, and precinct committeeman) shall, within two weeks of becoming a candidate or being appointed to such elective office, and every person appointed to the appointive positions enumerated herein shall, within two weeks of being so appointed, for the preceding twelve months; file with the commission a written statement sworn as to its truth and accuracy stating for himself and all members of his immediate family: PROVIDED, That no individual shall be required to file more than once in any calendar year: PROVIDED HOWEVER, That a statement of a candidate or appointee filed during the period January 1st to April 15th shall cover the period from January 1st of the preceding calendar year to the time of candidacy or appointment if the filing of such statement would relieve the individual of a prior obligation to file a statement covering the entire preceding calendar year:

(a) Occupation, name of employer, and business address; and

(b) Each bank or savings account or insurance policy in which any such person or persons owned a direct financial interest which exceeded five thousand dollars at any time during such period; each other item of intangible personal property in which any such person or persons owned a direct financial interest; the value of which exceeded five hundred dollars during such period; and the name, address, nature of entity, nature and highest value of each such direct financial interest during the reporting period; and

(c) The name and address of each creditor to whom the value of five hundred dollars or more was owed; the original amount of each debt to each such creditor; the amount of each debt owed to each creditor as of the date of filing; the terms of repayment of each such debt; and the security given, if any, for each such debt: PROVIDED, That debts arising out of a 'retail installment transaction' as defined in chapter 63.14 RCW (Retail Installment Sales Act) need not be reported; and

(d) Every public or private office, directorship and position as trustee held; and

(e) All persons for whom any legislation, or any rule, rate, or standard has been prepared, promoted, or opposed for current or deferred compensation: PROVIDED, That for the purposes of this subsection, 'compensation' shall not include payments made to the person reporting by the governmental entity for which such person serves as an elected or appointed public officer or professional staff member for his service in office; the description of such actual or proposed legislation, rules, rates, or standards; and the amount of current or deferred compensation paid or promised to be paid; and

(f) The name and address of each governmental entity, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from whom compensation has been received in any form of a total value of five hundred dollars or more; the value of such compensation; and the consideration given or performed in exchange for such compensation; and

(g) The name of any corporation, partnership, joint venture, association, union, or other entity in which is held any office, directorship, or any general partnership interest, or an ownership interest of ten percent or more; the name or title of that office, directorship, or partnership; the nature of ownership interest; and with respect to each such entity: (i) With respect to a governmental unit in which the official holds any office or position, if such entity has received compensation in any form during the preceding twelve months from such governmental unit, the value of such compensation and the consideration given or performed in exchange for such compensation; (ii) The name of each governmental unit, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from which such entity has received compensation in any form in the amount of two thousand five hundred dollars or more during the preceding twelve months and the consideration given or performed in exchange for such compensation: PROVIDED, That the term 'compensation' for purposes of this subsection (1)(g)(ii) shall not include payment for water and other utility services at rates approved by the Washington state utilities and transportation commission or the legislative authority of the public entity providing such service: PROVIDED, FURTHER, That with respect to any bank or commercial lending institution in which is held any such office, directorship, partnership interest, or ownership interest, it shall only be necessary to report either the name, address, and occupation of every director and officer of such bank or commercial lending institution and the average monthly balance of each account held during the preceding twelve months by such bank or commercial lending institution from the governmental entity for which the individual is an official or candidate or professional staff member, or all interest paid by a borrower on loans from and all interest paid to a depositor by such bank or commercial lending institution if such interest exceeds six hundred dollars; and

(h) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds two thousand five hundred dollars in which any direct financial interest was acquired during the preceding calendar year, and a statement of the amount and nature of the financial interest and of the consideration given in exchange for such interest; and

(i) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds two thousand five hundred dollars in which any direct financial interest was divested during the preceding calendar year, and a statement of the amount and nature of the consideration received in exchange for such interest, and the name and address of the person furnishing such consideration; and

(j) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds two thousand five hundred dollars in which a direct financial interest was held: PROVIDED, That if a description of such property has been included in a report previously filed, such property may be listed, for purposes of this provision, by reference to such previously filed report; and

(k) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds five thousand dollars, in which a corporation, partnership, firm, enterprise, or other entity had a direct financial interest, in which corporation, partnership, firm or enterprise a ten percent or greater ownership interest was held; and

(l) Such other information as the commission may deem necessary in order to properly carry out the purposes and policies of this chapter, as the commission shall by rule prescribe.

(2) Where an amount is required to be reported under subsection (1), paragraphs (a) through (k) of this section, it shall be sufficient to comply with such requirement to report whether the amount is less than one thousand dollars, at least one thousand dollars but less than five thousand dollars, at least five thousand dollars but less than ten thousand dollars, at least ten thousand dollars but less than twenty-five thousand dollars, or twenty-five thousand dollars or more. An amount of stock may be reported by number of shares instead of by market value. No provision of this subsection shall be interpreted to prevent any person from filing more information or more detailed information than required."

Remember the remaining sections consecutively and correct internal references accordingly.

On page 4, line 33 after "party," insert "The members of the commission and the commission's director shall report their financial affairs to the public disclosure commission pursuant to RCW 42.17.240, as now or hereafter amended."

Mr. Nelson (D) moved adoption of the following amendment by Representatives Nelson (D), Monohon, Sherman, Charnley and Rinchart:

On page 21, after line 8 insert a section as follows:

"Sec. 29. Section 6, chapter 45, Laws of 1970 ex. sess. as last amended by section 5, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.060 are each amended to read as follows:

(1) The provisions of this chapter shall apply to the construction of energy facilities which includes the new construction of energy facilities and the reconstruction or enlargement of existing energy facilities where the net increase in physical capacity or dimensions resulting from such reconstruction or enlargement meets or exceeds those capacities or dimensions set forth in RCW 80.50.020 (7) and ((+7)) (14), as now or hereafter amended. No construction of such energy facilities may be undertaken, except as otherwise provided in this chapter, after July 15, 1977, without first obtaining certification in the manner provided in this chapter.

(2) The provisions of this chapter shall not apply to normal maintenance and repairs which do not increase the capacity or dimensions beyond those set forth in RCW 80.50.020 (7) and ((+7)) (14), as now or hereafter amended.

(3) Applications for certification of energy facilities made prior to July 15, 1977 shall continue to be governed by the applicable provisions of law in effect on the day immediately preceding July 15, 1977 with the exceptions of RCW 80.50.190 and 80.50.071 which shall apply to such prior applications and to site certifications prospectively from July 15, 1977.

(4) Applications for certification shall be upon forms prescribed by the council and shall be supported by such information and technical studies as the council may require.

(5) Applications for certification of thermal power plants shall be supported by information verifying that the applicant has analyzed alternative means of supplying or conserving electric energy, and among the factors used in selecting a thermal power plant to provide needed energy, has compared the cost-effectiveness of feasible alternatives. The council shall insure that the contested case hearing permits ratepayers to comment on the factors leading to the applicant's decision to construct a thermal power plant, including cost-effectiveness. The council shall review and consider the information and the record of hearings in its deliberations.

'Cost-effectiveness' means that the methods of supplying or conserving electric energy must be forecast to be available within the time they are needed based upon regional experience in undertaking similar ventures, when available, and forecast to meet or reduce the electric power demand of the consumer at an estimated incremental system cost no greater than that of the lowest cost similarly available alternative conservation measure or resource: PROVIDED, That such cost estimates shall include estimates of all direct systems costs of the resource or conservation measure over its effective life, including, if applicable, the cost of distribution and transmission to the consumer, and among other factors, waste disposal costs, end-of-cycle costs, and fuel costs based upon the typical performance of similar facilities operating in the United States, if available, and upon such environmental and social costs and benefits that are quantifiable and that the applicant determines are directly attributable to the resource or conservation measure.'

Renumber remaining sections consecutively and change internal references accordingly.

Mr. Nelson (D) spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Nelson (D) yielded to question by Mr. Oliver.

Mr. Oliver: "Representative Nelson, I think in terms of looking at some of the cost impact, it's very good. I'm concerned with regard to the bottom line of the regional power availability and need. Does this mean that someone in Oregon, for example, would be able to take a Washington state power company to court because there was not justification on a regional power basis that the power was necessary?"

Mr. Nelson (D): "Which line are you referring to?"

Mr. Oliver: "I'm referring to remarks you made."

Mr. Nelson (D): "What I said, and I'll rephrase it, is that when cost comparisons are made they must be based on reasonable experience. That simply means that if we're comparing the cost of nuclear plants to solar plants or to coal plants that we look at regional experience to make our comparisons. We find out how much those plants cost in our area, not anywhere else. It's only good economic sense to make comparisons on that basis. It's clear that we have differences here. It appears the cost of nuclear energy is higher here, perhaps because we pay higher wages in this state. It may be that the costs of solar energy are somewhat higher here just because solar systems have to operate on the margin of where there's more abundant sunshine. That's what I'm talking about, that we need regional experience to make our energy comparisons and not use somebody else's experience."

Representatives Oliver, McGinnis, Bond and Flanagan spoke against the amendment, and Representative Nelson (D) spoke again in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Nelson (D) and others to Substitute House Bill No. 1073 and the amendment was not adopted by the following vote: Yeas, 46; nays, 51; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, Monohon, Nelson D., Nisbet, North, Owen, Pruitt, Rinehart, Scott, Sherman, Sommers, Teutsch, Thompson, Tupper, Valle, Vrooman, Warnke, Williams, Winsley.

Voting nay: Representatives Addison, Amen, Austin, Barnes, Barr, Bender, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller,



Greengo, Grimm, Hastings, Houchen, Isaacson, McCormick, McDonald, McGinnis, Mitchell, Newhouse, O'Brien, Oliver, Patterson, Polk, Rosbach, Salatino, Sanders, Schmitt, Smith C. P., Smith R., Sprague, Stratton, Struthers, Toller, Taylor, Tilly, Van Dyken, Walk, Whiteside, Wilson, Zimmerman.

Not voting: Representative Nelson G. A.

On motion of Mr. Tupper, the following amendment by Representatives Tupper and McCormick was adopted:

On page 22, beginning on line 9 following "the sum of" strike "seven hundred fifty-nine thousand four hundred" and insert "three hundred twenty-one thousand"

Mr. Scott moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Section 1. The legislature finds and declares that it is the continuing purpose of state government, consistent with other essential considerations of state policy, to encourage the use of all reasonable, safe, and economical means of producing additional energy for the state of Washington. To that end, the state shall promote the development of reliable energy resources, support conservation as a means of reducing energy shortages, and encourage the development of alternative and renewable energy sources.

The legislature further finds and declares that recommendations for improved coordination of energy functions in state government are needed in order that the most efficient administration of energy responsibilities by the state is achieved.

**NEW SECTION.** Sec. 2. It is the purpose of this act to abolish the state energy office and to create a department of energy for the efficient management of the state energy policy defined in this chapter.

**NEW SECTION.** Sec. 3. It is the policy of the state of Washington that:

(1) The development and use of a diverse array of energy resources with emphasis on renewable energy resources and resources that minimize consumer cost shall be encouraged.

(2) The supply of energy shall be sufficient to ensure the social and economic welfare of its citizens.

(3) The development and use of energy resources shall be consistent with the statutory environmental policies of the state.

(4) Energy conservation and the elimination of wasteful and uneconomic uses of energy and materials shall be encouraged and promoted. This conservation shall include, but not be limited to, resource recovery, energy efficient thermal and lighting standards for buildings, materials reuse and recycling, waste heat utilization, and incentive programs to assist the state's citizens to utilize energy resources efficiently.

(5) In energy emergency shortage situations, energy requirements to maintain the public health, safety, and welfare shall be given priority in the allocation of energy resources, and citizens and industry shall be assisted in adjusting to the limited availability of energy in order to minimize adverse impacts on their physical, social, and economic well-being.

(6) State government shall serve as a model of efficient energy utilization by establishing programs and procedures which result or are expected to result in efficient energy use in state-owned or state-leased facilities, vehicles, and equipment.

(7) State government shall provide a source of impartial and objective information in order that this energy policy may be enhanced.

**NEW SECTION.** Sec. 4. As used in this chapter:

(1) 'Energy' means: Petroleum or other liquid fuels; natural or synthetic fuel gas; solid carbonaceous fuels; fissionable nuclear material; electricity; solar radiation; geothermal resources; organic waste products; wind; tidal activity; or any other substance or process used to produce heat, light, or motion;

(2) 'Person' means an individual, partnership, joint venture, private or public corporation, association, firm, public service company, political subdivision, municipal corporation, government agency, public utility district, joint operating agency, or any other entity, public or private, however organized;

(3) 'Department' means the department of energy;

(4) 'Director' means the director of energy; and

(5) 'Distributor' means any person, private corporation, partnership, individual proprietorship, utility, including investor-owned utilities, municipal utility, public utility district, joint operating agency, or cooperative, which engages in or is authorized to engage in the activity of generating, transmitting, or distributing energy in this state.

**NEW SECTION.** Sec. 5. The department of energy is hereby created as a department of state government, responsible to the governor and the legislature for carrying out the purposes of this chapter. The director shall be appointed by the governor with the consent of the senate, and shall serve at the pleasure of the governor. The salary of the director shall be determined pursuant to the provisions of RCW 43.03.040. The director shall employ such personnel as are necessary to carry out the provisions of this chapter. The employment of such personnel shall be in accordance with the provisions of chapter 41.06 RCW, except as provided in RCW 41.06.078.

**NEW SECTION.** Sec. 6. The department shall be under the supervision of the director who shall:

(1) Supervise the day-to-day functions of the department; and

(2) Hire, assign, reassign, and coordinate personnel of the department and prescribe their duties subject to chapter 41.06 RCW.

**NEW SECTION.** Sec. 7. As to any matter involving the federal government, its departments, or agencies, which is within the scope of the powers and duties of the department, the department may represent its interest, correspond, confer, and cooperate with the federal government and its departments and agencies.

**NEW SECTION.** Sec. 8. The department may participate as a party, to the extent that it shall determine, in any proceeding before any federal or state agency the subject of which is directly relevant to the duties of the department.

**NEW SECTION.** Sec. 9. The department may adopt, amend, or rescind suitable rules under chapter 34.04 RCW for the implementation of this chapter and the policies and practices of the department in connection with this chapter.

**NEW SECTION.** Sec. 10. The department is designated as the official state energy agency for the purposes of applying for, receiving, and expending funds available under federal energy grant or assistance programs. Other state agencies involved in energy related programs carried out as a part of their statutory duties and partially or wholly supported by federal funds are directed to coordinate their activities with the department.

**NEW SECTION.** Sec. 11. The attorney general shall represent and appear for the people of the state of Washington and the department in all actions and proceedings involving any question under this chapter, or under or in reference to any act or order of the department, and the attorney general shall generally see that all laws, the enforcement of which devolves upon the department, are enforced, and to that end the attorney general may institute, prosecute, and defend all necessary actions and proceedings.

**NEW SECTION.** Sec. 12. The department shall have the following powers and duties:

(1) To establish and maintain a central repository in state government for collection of data on energy resources, including but not limited to:

(a) Supply, demand, costs, utilization technology, projections, and forecasts; and

(b) Comparative costs of alternative energy sources, uses, and application; and

(c) Inventory data on energy research projects in the state conducted under public and/or private auspices, and the results thereof.

(2) Endeavor to utilize all public and private sources to inform and educate the public about energy problems and ways in which the public can conserve energy resources.

(3) To prepare analyses of such data, especially future trends in the implementation of energy conservation measures, future prospects for each significant energy resource, a comparison of publicly available supply and demand forecasts, and to develop recommendations with respect to the timing of construction of additional generating facilities.

(4) To promote widespread adoption of energy conservation practices and installation of materials and equipment to achieve greater efficiency in the use of current energy sources and to promote a balanced mix of all energy resources available to the state, including but not limited to coal, nuclear, solar, wind, geothermal, hydroelectricity, alcohol and other process fuels, wood, and refuse-derived fuels. Promotion efforts shall include identification of and coordination with current and prospective developers, suppliers, and users together with identification of barriers and constraints to greater use of these resources.

(5) To carry out energy related administrative and program functions and activities established by federal law, regulations, or guidelines which are determined to be suitable for implementation in the state of Washington by the governor, the legislature, or the department.

(6) To develop and disseminate guidelines for the development of conservation plans for use by government, industry, and individual citizens.

(7) To prepare contingency plans for implementation by state government in the event of energy shortages or emergencies. The plans shall conform to chapter 43.21G RCW and shall include procedures for determining when these shortages or emergencies exist, the state officers and agencies to participate in the determination, and actions to be taken by various agencies and officers of state government in order to reduce hardship and maintain the general welfare during these emergencies. The components of such plans that require legislation for their implementation shall be presented to the legislature in the form of proposed legislation at the earliest practicable date.

(8) To advise and support agencies of state government whose plans and programs involve the production, conversion, transmission, or end-use of significant amounts of energy, or which require knowledge of the present and projected supply and demand of energy, so that these agencies may evaluate the consequences of these actions with respect to state energy goals, and so that such agencies can reduce their consumption of energy.

(9) To advise and support the regulatory functions of state agencies through information, reports, and studies.

(10) To present state interests and concerns on energy matters to local governments, other states, regional interstate energy organizations, federal agencies, and private interests: **PROVIDED**, That nothing in this subsection shall be construed to abrogate or diminish the functions, powers, or duties of other state agencies established by law.

(11) To serve as the official state agency responsible for coordination of energy-related activities.

(12) No later than December 1, 1980, to prepare and transmit to the governor and the legislature a preliminary report and no later than December 1, 1981, a comprehensive report on all aspects of energy supply and demand, conservation, and other factors including but not limited to:

(a) An overview, looking twenty years ahead, of the anticipated energy situation of the state and the region;

(b) An assessment of the energy resources available to the state, including, among others, fossil fuels and nuclear, solar, geothermal, and other renewable energy resources;

(c) An inventory of ongoing research projects undertaken by persons and public institutions that may have an impact on the state of Washington relating to energy resources, particularly renewable energy resources;

(d) An analysis and evaluation of the means by which the projected annual rate of energy demand growth may be reduced, together with an estimate of the amount of the reduction to be obtained by each of the means analyzed and evaluated;

(e) A description of the department's energy conservation programs, including a description of any federally funded programs to promote energy conservation in which the department is or has been participating, or plans to participate;

(f) Recommendations to the governor and the legislature for any necessary administrative and legislative actions, based on the results of the department's studies and research, to implement the overall goals of this chapter;

(g) An analysis of the state's relative position in the Pacific northwest region with respect to regional energy resources and the availability of these resources to the state and to states outside the region; and

(h) An assessment of the capability of the state's energy programs and policies to meet national energy goals and whether there is any existing or potential conflict between state and national energy goals and policies.

On or before December 1 of each calendar year after 1981, the department shall prepare and transmit to the governor and the legislature a brief report updating the information contained in the first comprehensive report required by this subsection. The report shall include but not be limited to (c), (e), and (f) of this subsection.

(13) To review all energy-related functions now assigned to and performed by other agencies of state government and, no later than December 1, 1981, report to the governor and the legislature the department's recommendations as to which, if any, of these functions should be reassigned to the department in order to improve coordination and implementation of these functions by the state.

(14) To report to the governor and the legislature on existing and imminent energy shortages.

(15) To administer the state petroleum set-aside program authorized by the emergency petroleum allocation act of 1973 (Public Law 93-159) recognizing the growth impact in many areas of the state.

(16) To provide expertise within the department on all energy resources of importance to the state, energy conservation technology, the regional electrical system, knowledge of principal governmental and private energy institutions, and other matters as determined by the department.

(17) To fulfill the responsibilities of the state under the lease between the state of Washington and the federal government executed September 10, 1964, covering one thousand acres of land lying within the Hanford reservation near Richland, Washington. The department may sublease to private or public entities all or a portion of the land for specific purposes or activities which are determined, after public hearing, to be in the best interests of the health, safety, and welfare of the citizens of the state. Subleases executed under authority of this section shall be at fair market value on a competitive basis.

(18) To assume the responsibilities of the state under the perpetual care agreement between the state of Washington and the federal government executed July 29, 1965. In order to finance perpetual surveillance and maintenance under the agreement, the department shall impose and collect fees from parties holding radioactive materials for waste management purposes. The fees shall be established by rule adopted under chapter 34.04 RCW and shall be at a total charge of not less than the prevailing rates at similar sites in the nation or the amount determined by the state radiation control agency to be necessary to defray the estimated liability of the state, whichever is greater. All of these fees, when received by the department, shall be transmitted to the state treasurer, who shall act as custodian. The treasurer shall place the money in a special account which may be designated 'perpetual maintenance fund.' Appropriations shall be required to permit expenditures and payment of obligations from this fund, and the condition of the fund and its administration shall be reported biennially to the legislature by the department. Moneys in the perpetual maintenance fund shall be invested by the state finance committee in the same manner as other state moneys. Any interest accruing as a result of investment shall accrue to the perpetual maintenance fund.

Additional moneys specifically appropriated by the legislature or received from any public or private source may be placed in the perpetual maintenance fund. The perpetual maintenance fund shall be used exclusively for surveillance and maintenance costs, or for otherwise satisfying surveillance and maintenance obligations.

(19) To assure the maintenance of insurance coverage by state licensees, lessees, or sublessees that will adequately, in the opinion of the department and the state radiation control agency, protect the citizens of the state of Washington against nuclear accidents or incidents that may occur at any nuclear facility located in the state of Washington.

**NEW SECTION, Sec. 13.** In addition to the duties prescribed in section 12 of this act, the department shall have the authority to:

(1) Obtain all necessary information from energy producers, suppliers, and consumers, doing business within the state of Washington, from political subdivisions in this state, or any person as may be necessary to carry out the provisions of this chapter. Such information may include but not be limited to:

(a) Sales volume;

(b) Forecasts of energy requirements; and

(c) Inventory of energy.

Notwithstanding any other provision of law to the contrary, information furnished under this subsection shall be confidential and maintained as such, if so requested by the person providing the information, if the information is proprietary.

It shall be unlawful to disclose such information except as hereinafter provided. A violation shall be punishable, upon conviction, by a fine of not more than one thousand dollars for each offense. In addition, any person who wilfully or with criminal negligence, as defined in RCW 9A.08.010, discloses confidential information in violation of this subsection may be subject to removal from office or immediate dismissal from public employment notwithstanding any other provision of law to the contrary.

Nothing in this subsection prohibits the use of confidential information to prepare statistics or other general data for publication when it is so presented as to prevent identification of particular persons or sources of confidential information.

(2) Receive and expend funds obtained from the federal government or other sources by means of contracts, grants, awards, payments for services, and other devices in support of energy-related scientific and technical programs, studies, operations, and other activities beneficial to the state of Washington.

**NEW SECTION.** Sec. 14. (1) There is created the energy policy review committee. The committee shall be composed of nine members appointed in the following manner:

(a) The governor shall appoint three public members, except that the governor shall not appoint employees of the executive branch or members of the legislature.

(b) The president of the senate shall appoint three members of the senate, including at least one member recommended by the minority leader. If the president of the senate is a member, he may designate from time to time an alternate from among the members of the senate to exercise his powers as a member of the committee except that the alternate shall not preside if the president is chairman.

(c) The speaker of the house of representatives shall appoint three members of the house, including at least one member recommended by the minority leader. If the speaker of the house of representatives is a member, he may designate from time to time an alternate from among the members of the house to exercise his powers as a member of the committee except that the alternate shall not preside if the speaker is chairman.

(2) (a) Except as otherwise provided in (b) of this subsection, the term of office of each member is two years. Before the expiration of the term of any public member, the governor shall appoint a successor whose term begins on July 1 next following.

(b) The term of office of a legislative member expires upon the convening of the legislature in regular session next following the commencement of the member's term. Before the expiration of the term of any legislative member, the appointing authority shall appoint a successor.

(c) No member may serve more than two terms.

(d) A vacancy shall be filled by the appointing authority in the manner provided for the original appointment.

(3) The committee shall:

(a) Represent to the director public concerns on contingency or curtailment planning;

(b) Review for the director conservation programs and recommend public information policy thereon;

(c) Advise the director on areas of needed analysis and energy development;

(d) Comment upon the report prepared under section 12 of this act;

(e) Review statutes and rules of agencies for consistency with the policy set forth in section 3 of this act; and

(f) Before January 1 of each odd-numbered year, submit a report containing the results of its review, including any proposed legislation, and recommended policy changes to the legislature.

(4) Committee members shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060, as now or hereafter amended, for nonlegislative members and as provided in RCW 44.04.120, as now or hereafter amended, for legislative members.

(5) (a) The committee shall select one of its members as chairman and another member as vice chairman for such terms and with duties and powers necessary for the performance of the functions of such offices as the commission determines. The vice chairman of the committee shall act as the chairman of the committee in the absence of the chairman.

(b) The committee shall meet at least quarterly at the time and place determined by the chairman.

(6) The committee shall recommend to the legislature changes in the state's energy policy and other energy-related legislation.

**NEW SECTION.** Sec. 15. The state energy office shall prepare and transmit to the governor, the legislature, and the department no later than July 1, 1980, a report containing a description of its work products and a work plan showing the dates of completion for each phase of projects or programs underway in the office on the effective date of this act. The report shall include a detailed description of:

(1) Each federal program for which the office has responsibility as of such date;

(2) Each interagency agreement or other contract to which the office is a party as of such date;

(3) The status of all programs or projects underway or planned as of the effective date of this act to carry out the duties conferred upon the office by RCW 43.21F.050; and

(4) A description of any constraints or barriers to the accomplishment of the programs outlined.

**NEW SECTION.** Sec. 16. Nothing in this act shall be construed to modify or void any contract in existence on the effective date of this act.

**NEW SECTION.** Sec. 17. There is added to chapter 43.131 RCW a new section to read as follows:

The department of energy and its powers and duties shall be terminated on June 30, 1986, as provided in section 18 of this act.

NEW SECTION. Sec. 18. There is added to chapter 43.131 RCW a new section to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, 1987:

- (1) Section 1, chapter     (SHB 1073), Laws of 1980 and RCW 43.21F.     ;
- (2) Section 2, chapter     (SHB 1073), Laws of 1980 and RCW 43.21F.     ;
- (3) Section 3, chapter     (SHB 1073), Laws of 1980 and RCW 43.21F.     ;
- (4) Section 4, chapter     (SHB 1073), Laws of 1980 and RCW 43.21F.     ;
- (5) Section 5, chapter     (SHB 1073), Laws of 1980 and RCW 43.21F.     ;
- (6) Section 6, chapter     (SHB 1073), Laws of 1980 and RCW 43.21F.     ;
- (7) Section 7, chapter     (SHB 1073), Laws of 1980 and RCW 43.21F.     ;
- (8) Section 8, chapter     (SHB 1073), Laws of 1980 and RCW 43.21F.     ;
- (9) Section 9, chapter     (SHB 1073), Laws of 1980 and RCW 43.21F.     ;
- (10) Section 10, chapter     (SHB 1073), Laws of 1980 and RCW 43.21F.     ;
- (11) Section 11, chapter     (SHB 1073), Laws of 1980 and RCW 43.21F.     ;
- (12) Section 12, chapter     (SHB 1073), Laws of 1980 and RCW 43.21F.     ;
- (13) Section 13, chapter     (SHB 1073), Laws of 1980 and RCW 43.21F.     ; and
- (14) Section 14, chapter     (SHB 1073), Laws of 1980 and RCW 43.21F.     .

NEW SECTION. Sec. 19. All records, books, documents, supplies, funds, appropriations, and other property of the state energy office shall be transferred to the department of energy no later than July 1, 1980.

Sec. 20. Section 10, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 41.06.078 are each amended to read as follows:

In addition to the exemptions set forth in RCW 41.06.070, the provisions of this chapter shall not apply within the ((state)) department of energy ((office to the director;)) to the director's confidential secretary((; the director's deputy director;)) and to no more than ((two)) four assistant directors.

Sec. 21. Section 1, chapter 10, Laws of 1979 and RCW 43.17.010 are each amended to read as follows:

There shall be departments of the state government which shall be known as (1) the department of social and health services, (2) the department of ecology, (3) the department of labor and industries, (4) the department of agriculture, (5) the department of fisheries, (6) the department of game, (7) the department of transportation, (8) the department of licensing, (9) the department of general administration, (10) the department of commerce and economic development, (11) the department of veterans affairs, (12) the department of revenue, ((and)) (13) the department of retirement systems, and (14) the department of energy, which shall be charged with the execution, enforcement, and administration of such laws, and invested with such powers and required to perform such duties, as the legislature may provide.

Sec. 22. Section 2, chapter 10, Laws of 1979 and RCW 43.17.020 are each amended to read as follows:

There shall be a chief executive officer of each department to be known as: (1) The secretary of social and health services, (2) the director of ecology, (3) the director of labor and industries, (4) the director of agriculture, (5) the director of fisheries, (6) the director of game, (7) the secretary of transportation, (8) the director of licensing, (9) the director of general administration, (10) the director of commerce and economic development, (11) the director of veterans affairs, (12) the director of revenue, ((and)) (13) the director of retirement systems, and (14) the director of energy.

Such officers, except the secretary of transportation and the director of game, shall be appointed by the governor, with the consent of the senate, and hold office at the pleasure of the governor. If a vacancy occurs while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate. The secretary of transportation shall be appointed by the transportation commission as prescribed by RCW 47.01.041, and the director of game shall be appointed by the game commission.

Sec. 23. Section 15, chapter 108, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 328, Laws of 1977 ex. sess. and RCW 43.21G.010 are each amended to read as follows:

The legislature finds that energy in various forms is increasingly subject to possible shortages and supply disruptions, to the point that there may be foreseen an emergency situation, and that without the ability to institute appropriate emergency measures to regulate the production, distribution, and use of energy, a severe impact on the public health, safety, and general welfare of our state's citizens may occur. The prevention or mitigation of such energy shortages or disruptions and their effects is necessary for preservation of the public health, safety, and general welfare of the citizens of this state.

It is the intent of this chapter to:

(1) Establish necessary emergency powers for the governor and define the situations under which such powers are to be exercised; and

(2) Provide penalties for violations of this chapter.

It is further the intent of the legislature that in developing proposed orders under the powers granted in RCW 43.21G.040 as now or hereafter amended the governor may utilize, on a temporary or ad hoc basis, the knowledge and expertise of persons experienced in the technical aspects of energy supply, distribution, or use. Such utilization shall be in addition to support received by the governor from the ((state)) department of energy ((office under RCW 43.21F.050 and 43.21F.070)) and from other state agencies.

Sec. 24. Section 43.31.040, chapter 8, Laws of 1965 as last amended by section 6, chapter 70, Laws of 1977 ex. sess. and RCW 43.31.040 are each amended to read as follows:

The department of commerce and economic development shall be organized into divisions, including (1) the industrial development division, (2) the tourist promotion division, (3) the research division, (4) ~~((the nuclear energy development division, to be known as the "office of nuclear energy development," (5)))~~ the foreign trade division, to be known as the "office of foreign trade," ~~((6))~~ (5) the small business division, to be known as the "office of small business," and others as required.

The director of commerce and economic development may appoint such division supervisors, managers, or executive directors, and clerical supervisors and other assistants as may be necessary for the general administration of the department.

Sec. 25. Section 3, chapter 45, Laws of 1970 ex. sess. as last amended by section 3, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.030 are each amended to read as follows:

(1) There is hereby created and established the "energy facility site evaluation council".

(2) The chairman of the council shall be appointed by the governor with the advice and consent of the senate, shall have a vote on matters before the council, shall serve for a term coextensive with the term of the governor and shall be removable for cause. The chairman may designate a member of the council to serve as acting chairman in the event of the chairman's absence. The salary of the chairman shall be determined pursuant to the provisions of RCW 43.03.040. The chairman shall be deemed a "state employee" for the purposes of chapter 42.18 RCW.

(3) The council shall consist of the directors, administrators, or their designees, of the following departments, agencies, commissions and committees or their statutory successors:

- (a) Department of ecology
- (b) Department of fisheries
- (c) Department of game
- (d) Department of parks and recreation
- (e) Department of social and health services
- (f) ~~((State energy office))~~ Department of energy
- (g) Department of commerce and economic development
- (h) Utilities and transportation commission
- (i) Office of ~~((program planning and fiscal))~~ financial management
- (j) Department of natural resources
- (k) Planning and community affairs agency
- (l) Department of emergency services
- (m) Department of agriculture
- (n) Department of highways.

(4) The appropriate county legislative authority of every county wherein an application for a proposed site is filed shall appoint a member or designee as a voting member to the council. The member or designee so appointed shall sit with the council only at such times as the council considers the proposed site for the county which he represents and such member or designee shall serve until there has been a final acceptance or rejection of such proposed site;

(5) The city legislative authority of every city within whose corporate limits an energy plant is proposed to be located shall appoint a member or designee as a voting member to the council. The member or designee so appointed shall sit with the council only at such times as the council considers the proposed site for the city which he represents and such member or designee shall serve until there has been a final acceptance or rejection of such proposed site.

(6) For any port district wherein an application for a proposed port facility is filed subject to this chapter, the port district shall appoint a member or designee as a nonvoting member to the council. The member or designee so appointed shall sit with the council only at such times as the council considers the proposed site for the port district which he represents and such member or designee shall serve until there has been a final acceptance or rejection of such proposed site. The provisions of this subsection shall not apply if the port district is the applicant, either singly or in partnership or association with any other person.

Sec. 26. Section 2, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.020 are each amended to read as follows:

As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) 'Cogeneration' means the sequential generation of electrical or mechanical power and useful heat from the same primary energy source or fuel.

(2) 'Cogeneration facility' means any machinery, equipment, structure, process, or property, or any part thereof, installed or acquired for the primary purpose of cogeneration by a person or corporation other than an electric utility.

(3) 'Certificate' means a cogeneration tax credit certificate granted by the department.

(4) 'Cost' means only the cost of a cogeneration facility which is in addition to the cost that the applicant otherwise would incur to meet the applicant's demands for useful heat. 'Cost' does not include expenditures which are offset by cost savings, including but not limited to savings resulting from early retirement of existing equipment.

(5) 'Department' means the department of revenue.

(6) 'Electric utility' means any person, corporation, or governmental subdivision authorized and operating under the Constitution and laws of the state of Washington which is primarily engaged in the generation or sale of electric energy.

~~((7) "Office" means the state energy office.))~~

Sec. 27. Section 3, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.030 are each amended to read as follows:

(1) An application for a certificate shall be filed with the department. The application shall contain the estimated or actual cost, plans, and specifications of the cogeneration facility, including all materials incorporated or to be incorporated therein, and a list describing and showing all expenditures made by the applicant for the purpose of cogeneration, together with the operating procedure for the facility, and if the facility has not been constructed, a time schedule for the acquisition and installation or attachment of the cogeneration facility and the proposed operating procedure for the cogeneration facility.

(2) The department shall provide a copy of the application to the department of energy ((office)) within ten days after receipt thereof. Within sixty days after receipt of the application from the department, the ((office)) department of energy shall approve the application but only if it first determines that construction of the cogeneration facility began or will begin after September 1, 1979, that the cogeneration facility is designed and is operated or will be operated primarily for cogeneration, and that the cogeneration facility is suitable, reasonably adequate, and meets the intent and purposes of this chapter.

(3) Within ten days after approval of the application, the ((office)) department of energy shall provide a copy thereof to the department. Within thirty days after receipt thereof the department shall issue the certificate but only if it finds that the cost data in the application is accurate. If the application contains estimated cost data, the certificate shall be conditioned upon the applicant providing sufficient information for the department to determine the actual cost of the cogeneration facility on the date it becomes operational. Within sixty days after the cogeneration facility is operational the department shall review the certificate. If the actual cost of the cogeneration facility is less than the cost shown in the certificate, the department shall issue a modified certificate or a supplement to the original certificate, showing the actual cost of the cogeneration facility.

(4) The department, with the approval of the ((office)) department of energy, may adopt rules specifying the administrative procedures applicable to applications for certification, the form and manner in which the applications shall be filed and additional information to be contained therein. The rules shall apply to administrative procedures before both the ((office)) department of energy and the department. An applicant shall have the opportunity for a hearing before the ((office)) department of energy and the department in respect to their respective decisions granting or denying approval or certification.

This section shall expire on December 31, 1984.

Sec. 28. Section 8, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.080 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the department shall revoke any certificate issued under this chapter if it finds that any of the following have occurred with respect to the certificate:

- (a) The certificate was obtained by fraud or deliberate misrepresentation;
- (b) The certificate was obtained through the use of inaccurate data but without any intention to commit fraud or misrepresentation;
- (c) The facility was constructed or operated in violation of any provision of this chapter or provision imposed by the department as a condition of certification; or
- (d) The cogeneration facility is no longer capable of being operated for the primary purpose of cogeneration.

(2) If the department finds that there are few inaccuracies under subsection (1)(b) of this section and that cumulatively they are insignificant in terms of the cost or operation of the facility or that the inaccurate data is not attributable to carelessness or negligence and its inclusion was reasonable under the circumstances, then the department may provide for the continuance of the certificate and whatever modification it considers in the public interest.

(3) Any person, firm, corporation, or organization that obtains a certificate revoked under this section shall be liable for the total amount of money saved by claiming the credits and exemptions provided under this chapter and RCW 84.36.485. The total amount of the credits shall be collected as delinquent business and occupation taxes, and the total of the exemptions shall be collected and distributed as delinquent property taxes. Interest shall accrue on the amounts of the credits and exemptions from the date the taxes were otherwise due.

(4) The ((office)) department of energy shall provide technical assistance to the department in carrying out its responsibilities under this section.

Sec. 29. Section 1, chapter 166, Laws of 1979 ex. sess. and RCW 90.03.247 are each amended to read as follows:

Whenever an application for a permit to make beneficial use of public waters is approved relating to a stream or other water body for which minimum flows or levels have been adopted and are in effect at the time of approval, the permit shall be conditioned to protect the levels or flows. No agency may establish minimum flows and levels or similar water flow or level restrictions for any stream or lake of the state other than the department of ecology whose authority to establish is exclusive, as provided in chapter 90.03 RCW and RCW 90.22.010 and 90.54.040. The provisions of other statutes, including but not limited to RCW 75.20.100 and chapter 43.21C RCW, may not be interpreted in a manner that is inconsistent with this section. In establishing such minimum flows, levels, or similar restrictions, the department shall, during all stages of development by the department of ecology of minimum flow proposals, consult with, and carefully consider the recommendations of, the department of fisheries, the state game commission, the ((state)) department of energy ((office)), the department of agriculture, and representatives of the affected Indian tribes. Nothing herein shall preclude the department of fisheries, the game commission, the department of

energy ((office)), or the department of agriculture from presenting its views on minimum flow needs at any public hearing or to any person or agency, and the department of fisheries, the game commission, the department of energy ((office)), and the department of agriculture are each empowered to participate in proceedings of the federal energy regulatory commission and other agencies to present its views on minimum flow needs. The department of ecology shall file with the speaker of the house of representatives and the president of the senate on the first day of each regular session of the legislature a report as to the implementation of its minimum flow setting program.

**NEW SECTION.** Sec. 30. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.010;
- (2) Section 2, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.020;
- (3) Section 3, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.030;
- (4) Section 4, chapter 108, Laws of 1975-'76 2nd ex. sess., section 87, chapter 99, Laws of 1979 and RCW 43.21F.040;
- (5) Section 5, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.050;
- (6) Section 6, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.060;
- (7) Section 7, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.21F.070;
- (8) Section 1, chapter 10, Laws of 1965 and RCW 43.31.280;
- (9) Section 3, chapter 10, Laws of 1965 and RCW 43.31.290;
- (10) Section 5, chapter 10, Laws of 1965, section 11, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.300;
- (11) Section 8, chapter 10, Laws of 1965 and RCW 43.31.310;
- (12) Section 9, chapter 10, Laws of 1965 and RCW 43.31.320;
- (13) Section 7, chapter 10, Laws of 1965 and RCW 43.31.330;
- (14) Section 16, chapter 99, Laws of 1979 and RCW 43.131.179;
- (15) Section 58, chapter 99, Laws of 1979 and RCW 43.131.180; and
- (16) Section 4, chapter 207, Laws of 1961, section 4, chapter 10, Laws of 1965 and RCW 70.98.040.

**NEW SECTION.** Sec. 31. There is appropriated to the department of energy from the general fund for the biennium ending June 30, 1981, the sum of four hundred seventy-eight thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

**NEW SECTION.** Sec. 32. Sections 1 through 14 of this act are each added to chapter 43.21F RCW.

**NEW SECTION.** Sec. 33. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except for section 30 of this act, which shall take effect June 30, 1980."

On motion of Mr. Dunlap, the following amendment by Representatives Dunlap and Scott to the Scott amendment was adopted:

On page 20 of the amendment after line 26 insert the following:

\***NEW SECTION.** Sec. 21. There is added to chapter 80.50 RCW a new section to read as follows:

(1) No thermal power plant using nuclear materials as fuel shall be located, sited or constructed outside of the United States Department of Energy's Hanford reservation unless approved by a majority of the electors voting in a special or general election in the county or counties where the proposed plant would be located.

(2) Upon petition by the applicant, the county legislative authority shall, pursuant to chapter 29.13 RCW, have placed upon the ballot a measure relating to approval of the proposed plant within the county or counties. The county or counties shall conduct the election within one year of receiving the petition by the applicant.

(3) The applicant shall pay the county all the costs in calling, advertising and conducting the election.

(4) The voters' approval of the proposed plant within the county or counties shall not be construed as a waiver of any applicable statutes or regulations governing the siting, construction, financing or operation of the facility.

(5) In all instances, prior to recommending a nuclear-fueled thermal power plant site, the energy facilities site evaluation council shall provide the appropriate authorities of affected local jurisdictions with the opportunity to be heard with the objective of minimizing adverse local impacts to the extent reasonably possible. Such hearings shall be held in compliance with chapter 34.04 RCW.

(6) This section does not apply to thermal power plants, using nuclear fuels for which an application for site certification was filed prior to January 22, 1980."

Re-number the remaining sections consecutively.

#### SIGNED BY THE SPEAKERS

Speaker Berentson announced the Speakers were signing:

SUBSTITUTE HOUSE BILL NO. 810,  
HOUSE BILL NO. 1483,  
SUBSTITUTE HOUSE BILL NO. 1485,  
SUBSTITUTE HOUSE BILL NO. 1515,  
SUBSTITUTE HOUSE BILL NO. 1630,  
HOUSE BILL NO. 1643,  
HOUSE BILL NO. 1658,



HOUSE BILL NO. 1870,  
 SUBSTITUTE HOUSE BILL NO. 1981,  
 SUBSTITUTE SENATE BILL NO. 3629.

MOTION

On motion of Mr. Polk, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by Speaker Berentson. The Clerk called the roll and all members were present except Representative Nelson (G), who was excused.

Speaker Berentson stated the question before the House to be the amendment by Representative Scott as amended to Substitute House Bill No. 1073.

On motion of Mr. Nelson (D), the following amendment to the amendment was adopted:

On page 9, line 37 insert a new subsection to read as follows:

"(c) An analysis of the costs of available methods to supply and conserve energy;"  
 ReNUMBER the remaining subsections accordingly.

On motion of Mr. Isaacson, the following amendment by Representatives Isaacson and Nelson (D) to the Scott amendment was adopted:

On page 18, after line 14 of the amendment insert the following:

"NEW SECTION. Sec. 15.

(1) The energy department shall obtain and disseminate information on alternate forms of energy sources and alternate systems of energy use in a manner that allows the consumer to compare the available choices in terms not only of the advantages and disadvantages of one over another but also in terms of a resulting cost per unit of energy consumed which considers the useful life of equipment and its life cycle cost. The office shall obtain information from any public or private entity to perform its duties under this section.

(2) As used in this section, the following terms have the meanings indicated:

(a) 'Alternative forms of energy sources' include but are not limited to natural gas, wood, hydroelectricity, coal, nuclear power, and oil.

(b) 'Alternative systems of energy use' include but are not limited to baseboard electric, heat pump, forced air electric, natural gas, and solar systems.

(c) 'Estimated useful life' of an item means the estimated time from the date of acquisition to the date of replacement or disposal, determined in any reasonable manner.

(d) 'Life cycle cost' means the total cost of an item over its estimated useful life, including costs of selection, acquisition, operation, maintenance, and where applicable, disposal, as far as these costs can reasonably be determined, minus the salvage value at the end of its estimated useful life."

ReNUMBER the remaining sections consecutively.

Mr. Nisbet moved adoption of the following amendment by Representatives Nisbet and Owen to the Scott amendment:

On page 27, after line 15 insert the following subsection:

"(7) The council shall prepare an energy supply analysis which is specific as to each applicant's proposed energy plant or transmission facility. The energy supply analysis shall consider the need for any proposed energy plant or transmission facility based upon publicly available forecasts of future energy demand, population projections, other growth-factor projections, and a comparative analysis of the costs and availability of alternative means for providing adequate energy including, but not limited to, measures to reduce future energy demand through conservation and the use of renewable energy resources. In deciding whether to recommend approval or rejection of an energy plant or transmission facility, the council shall consider, based upon its energy supply analysis, the state's need for energy in the areas to be served by the proposed energy plant or transmission facility. Provisions of this 1980 act shall apply to all applications for certification now pending before the council."

Mr. Nisbet spoke in favor of the amendment to the amendment.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Nisbet and Owen to the Scott amendment to Substitute House Bill No. 1073, and the amendment to the amendment was not adopted by the following vote: Yeas, 42; nays, 46; not voting, 10.

Voting yea: Representatives Austin, Bagnariol, Bauer, Becker, Brekke, Burns, Chandler, Charnley, Dawson, Dunlap, Ehlers, Erak, Erickson, Galloway, Garrett, Granlund, Gruger, Heck, Houchen, Jovanovich, King, Kridler, Lux, Martinis, Mitchell, Monohon, Nelson D., Nisbet, North, Owen, Pruitt,

Rosbach, Schmitt, Scott, Sherman, Stratton, Struthers, Thompson, Tilly, Van Dyken, Wilson, Zimmerman.

Voting nay: Representatives Adams, Addison, Amen, Barnes, Barr, Bender, Bond, Brown, Craswell, Deccio, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Gallagher, Greengo, Grimm, Hastings, Hughes, Isaacson, Keller, Knowles, Maxie, May, McCormick, McDonald, McGinnis, Newhouse, O'Brien, Oliver, Patterson, Salatino, Sanders, Smith R., Sommers, Sprague, Taylor, Teutsch, Tupper, Vrooman, Walk, Whiteside, Williams, Winsley.

Not voting: Representatives Berentson, Clayton, Eng, Nelson G. A., Polk, Rinehart, Smith C. P., Taller, Valle, Warnke.

Speaker Berentson stated the question before the House to be the amendment by Representative Scott as amended.

Representatives Scott, Bagnariol, King and Owen spoke in favor of the amendment, and Representatives Polk, Bond, Tupper and Williams spoke against it.

#### POINT OF INQUIRY

Mr. King asked Mr. Polk to yield to question, and Mr. Polk refused to yield.

Representatives Ehlers and Bender spoke in favor of the amendment as amended, and Representatives McGinnis and Nelson (D) spoke against it.

Mr. Scott closed debate, speaking again in favor of the amendment as amended.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Scott as amended to Substitute House Bill No. 1073, and the amendment was not adopted by the following vote: Yeas, 40; nays, 55; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brown, Burns, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, North, O'Brien, Owen, Pruitt, Rinehart, Scott, Sommers, Stratton, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Austin, Barnes, Barr, Berentson, Bond, Brekke, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Hughes, Isaacson, Jovanovich, McDonald, McGinnis, Mitchell, Nelson D., Newhouse, Nisbet, Oliver, Patterson, Polk, Rosbach, Salatino, Sanders, Schmitt, Sherman, Smith C. P., Smith R., Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Nelson G. A., Taller, Thompson.

On motion of Mr. Taller, the following amendment to the title was adopted:

On page 1, line 2 of the title after "41.06.078;" insert "amending section 73, chapter 151, Laws of 1979 as amended by section 3, chapter 265, Laws of 1979 ex. sess. and RCW 42.17.240;"

On motion of Mr. Scott, the following amendment to the title was adopted:

On page 1, line 17 after "43.131 RCW;" insert "adding a new section to chapter 80.50 RCW;"

The bill was ordered engrossed.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1073 was placed on final passage.

Representatives Scott and Williams spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Isaacson yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Isaacson, you advised me that Hanford could handle thirty-six nuclear power plants and this morning during testimony, Representative Oliver said twenty nuclear power plants. Could you explain the difference between the two figures?"

Mr. Isaacson: "Actually, the reference Representative Oliver was making was to a Batell study which arbitrarily set a number of plants at twenty for the purposes of that study. Based on other studies, it would appear that we could probably handle about thirty-six on the site and if we included the land area on the western slope of the Columbia River on the Walrick Slope, that could probably handle as many as forty-nine. The study Representative Oliver addressed was numbered to just a figure of twenty to look at how that would lay out on the site."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1073, and the bill passed the House by the following vote: Yeas, 80; nays, 15; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Dawson, Deccio, Dunlap, Eberle, Ellis, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Galloway, Garrett, Granlund, Greengo, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, Oliver, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Smith C. P., Sommers, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vrooman, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Bender, Craswell, Ehlers, Eng, Gallagher, Grimm, McDonald, O'Brien, Owen, Sherman, Smith R., Stratton, Valle, Walk, Wilson.

Not voting: Representatives Gruger, Nelson G. A., Taller.

Engrossed Substitute House Bill No. 1073, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

February 18, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1471 with the following amendments:

In line 5 of the title after "RCW 48.09.090;" strike the material down to and including "RCW 48.10.070;"

On page 1, line 17 after "mutual," strike all the material down to and including "reciprocal" on line 18 and insert "((or a reciprocal))"

On page 1, line 21 after "mutual insurer" strike "or ((foreign)) reciprocal insurer" and insert "((or foreign-reciprocal insurer))"

On page 3, beginning on line 35 strike section 3 in its entirety.

Re-number the remaining section consecutively.  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Keller, the House concurred in the Senate amendments to Substitute House Bill No. 1471.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be final passage of Substitute House Bill No. 1471 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1471 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Adams, Nelson G. A., Taller.

Substitute House Bill No. 1471 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTIONS

On motion of Mr. Polk, the House advanced to the eighth order of business.

On motion of Mr. Polk, HOUSE BILL NO. 825 was rereferred from Committee on Rules to Committee on Local Government.

On motion of Mr. Polk, the House reverted to the fifth order of business.

## REPORTS OF STANDING COMMITTEES

February 13, 1980

HOUSE BILL NO. 1424, Prime Sponsor: Representative Taller, authorizing bonds to provide matching funds for the Seattle center resident theater facility. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Bauer, Becker, Chandler, Deccio, Fancher, Grimm, Gruger, Heck, Hughes, Maxie, Taller, Taylor, Valle, Vrooman, Warnke, Zimmerman.

Passed to Committee on Rules for second reading.

March 3, 1980

HOUSE BILL NO. 1918, Prime Sponsor: Representative Becker, appropriating funds for cost-of-living increases in public assistance grants. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Amen, Barnes, Becker, Chandler, Ehlers, Fancher, Grimm, Gruger, Heck, Hughes, Keller, Maxie, Polk, Taller, Taylor, Valle, Vrooman, Warnke, Zimmerman.

Passed to Committee on Rules for second reading.

March 5, 1980

ENGROSSED SENATE BILL NO. 3425, Prime Sponsor: Senator Hansen, modifying provisions relating to fish protective devices on hydroelectric and water supply projects. Reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Schmitt, Executive Chairman; Vrooman, Co-Chairman; Adams, Dawson, Ellis, Flint, McDonald, Mitchell, Owen.

Passed to Committee on Rules for second reading.

## MOTION

On motion of Mr. Polk, the House adjourned until 10:00 a.m., Thursday, March 6, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

**FIFTY-THIRD DAY****MORNING SESSION**

House Chamber, Olympia, Wash., Thursday, March 6, 1980

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Cathy Kusaka, John Smith and Lillian Stuart. Prayer was offered by The Reverend David Dilworth of Bellevue Presbyterian Church of Bellevue.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

**MESSAGES FROM THE SENATE**

March 5, 1980

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1418,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 5, 1980

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3385,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
Speaker Bagnariol called the House to order.

**MOTION**

On motion of Mr. King, the House recessed until 1:30 p.m.

**AFTERNOON SESSION**

The House was called to order at 1:30 p.m. by Speaker Bagnariol. The Clerk called the roll and all members were present.

**INTRODUCTION AND FIRST READING**

SUBSTITUTE SENATE BILL NO. 3385, by Committee on Judiciary (originally sponsored by Senators Walgren and Donohue):

Revising laws relating to the reporting of fires to the state fire marshal.

To Committee on Appropriations.

**SECOND READING**

HOUSE BILL NO. 1424, by Representatives Taller, Sommers and Charnley:

Authorizing bonds to provide matching funds for the Seattle center resident theater facility.

The bill was read the second time.

On motion of Mr. Taller, Substitute House Bill No. 1424 was substituted for House Bill No. 1424, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1424 was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Taller and Sommers spoke in favor of passage of the bill, and Mr. McDonald spoke against it.

#### POINT OF INQUIRY

Mr. Taller yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Taller, on this we were looking at the Energy Fair and I would point out that the City of Richland was planning a performing arts center out on Columbia Point to have something like 12,000 capacity. If we pass this, can we come back next year and pass a similar bill for the City of Richland?"

Mr. Taller: "There is nothing that would preclude the City of Richland from coming back next year and passing a bill. This is not going to take all of the cultural funds that were ever cut up. There is nothing that would preclude any area from coming back and having a bill passed."

Mr. Taller spoke in favor of the bill, and Mr. Oliver spoke against it.

#### POINT OF ORDER

Mr. Taller: "The speaker is describing this project as a pork barrel. I don't think any cultural project of this nature warrants that type of description, and I would ask the Speaker to have him speak to the merits of the issue before us and not use derogatory terms."

Speaker Bagnariol: "Keep your remarks to the merits of the bill, Representative Oliver."

Mr. Oliver continued his remarks in opposition to the bill, and Representatives Rinehart and Greengo spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1424, and the bill passed the House by the following vote: Yeas, 71; nays, 26; not voting, 1.

Voting yea: Representatives Adams, Addison, Austin, Bagnariol, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Deccio, Dunlap, Eberle, Eng, Erak, Erickson, Fancher, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., North, O'Brien, Owen, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Scott, Sherman, Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Teutsch, Thompson, Tupper, Valle, Vrooman, Walk, Warnke, Wilson, Winsley.

Voting nay: Representatives Amen, Barnes, Barr, Bauer, Becker, Bond, Clayton, Craswell, Dawson, Ehlers, Flanagan, Hastings, Heck, McDonald, Newhouse, Nisbet, Oliver, Patterson, Schmitt, Smith C. P., Taylor, Tilly, Van Dyken, Whiteside, Williams, Zimmerman.

Not voting: Representative Ellis.

Substitute House Bill No. 1424, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

Please indicate my approval of this measure in the Journal.

WILLIAM H. ELLIS, 46th District.

#### SIGNED BY THE SPEAKERS

Speaker Bagnariol announced the Speakers were signing:

SUBSTITUTE HOUSE BILL NO. 714,  
SUBSTITUTE HOUSE BILL NO. 1471,  
SUBSTITUTE HOUSE BILL NO. 1516.

HOUSE BILL NO. 1428, by Representatives Scott, Newhouse, King, Patterson, Keller, Bauer, Thompson, Adams, Williams, Lux, Warnke, Grimm, Fancher, Erak, Clayton, Martinis, May, Deccio, Zimmerman, Bender, Sherman, Wilson, Heck, Amen, Granlund, Salatino and Stratton:

Authorizing equine research and stallion awards.

The bill was read the second time.

On motion of Mr. Warnke, Substitute House Bill No. 1428 was substituted for House Bill No. 1428, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1428 was read the second time.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Scott spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1428, and the bill passed the House by the following vote: Yeas, 84; nays, 12; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Becker, Bender, Bond, Brekke, Brown, Burns, Charnley, Craswell, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Rinehart, Rosbach, Salatino, Sanders, Schmittner, Scott, Sherman, Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Addison, Austin, Barr, Chandler, Clayton, Dawson, Flanagan, Gruger, McDonald, Pruitt, Smith C. P., Teutsch.

Not voting: Representatives Berentson, Polk.

Substitute House Bill No. 1428, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Speaker Bagnariol called on Mr. O'Brien to preside.

#### MOTION

On motion of Mr. Salatino, the House advanced to the eighth order of business.

#### RESOLUTIONS

HOUSE RESOLUTION NO. 80-148, by Representatives Ehlers, Charnley, Zimmerman and Taller:

WHEREAS, State building codes, comprised of the uniform fire, plumbing, mechanical and building codes, set forth minimum standards for safety which local governments must implement and enforce; and

WHEREAS, These building codes were adopted by reference in 1974 by the legislature, and future revisions will require thorough and comprehensive evaluation of the provisions and standards therein; and

WHEREAS, The fifteen-member state building code advisory council, consisting of appointed representatives from the Department of Labor and Industries, the State Insurance Commissioner's Office, the general public, local governments and building professions and industries, determined in their 1979 annual report to the governor and the legislature that there exists a lack of uniform understanding, application and enforcement of state building codes; and

WHEREAS, This state's process of building code evaluation, adoption, implementation and enforcement has been determined in State Government and Local Government Committee hearings to be significantly lacking in resolving building code issues confronting the state and local governments;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives directs its Committee on State Government and its Committee on Local Government to conduct a joint interim study of building codes evaluation, adoption, implementation and enforcement; and

BE IT FURTHER RESOLVED, That the committees shall report their findings, together with appropriate recommendations, to the 1981 session of the 47th Legislature.

On motion of Mr. Ehlers, the resolution was adopted.

HOUSE RESOLUTION NO. 80-156, by Representatives Winsley, Salatino, Flint and Adams:

WHEREAS, The Snake Lake Nature Center is a unique marsh remnant from the last glacial period of some 12,000 years ago; and

WHEREAS, The 53.9 acre site located in the center of Metropolitan Tacoma has been preserved in its natural state through the efforts of community groups in cooperation with local and state government agencies; and

WHEREAS, The upland marsh-type habitat serves as the home to many vanishing species of native vegetation and wildlife, and the area's use as an urban park permits individuals and families to observe and enjoy the natural environment; and

WHEREAS, The center serves as a valuable learning resource through the development of public school education programs; and

WHEREAS, The construction of a learning laboratory would increase public benefit from this natural environment; and

WHEREAS, The construction of the learning facility is threatened unless private funds can be obtained to supplement a community development grant;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognizes the Snake Lake Nature Center as a valuable community and state resource and commends the efforts of community groups and public agencies to realize the full potential for public education and enjoyment which the area offers.

On motion of Ms. Winsley, the resolution was adopted.

HOUSE RESOLUTION NO. 80-166, by Representatives Martinis, Houchen, King, Mitchell, Nelson (G), Scott, Sprague and Wilson:

WHEREAS, It is only recently that the appearance of women in radio and television broadcasting has been commonplace; and

WHEREAS, In Everett there is a lady who pestered the new owner of a radio station thirty-seven years ago until he gave her a job, and when the owner, Bill Taft, said to that eager young woman back in 1943, "Okay, you can be the news director," little did he know he was starting a legend at a time when women in broadcasting were only allowed to talk about cooking, gardening, household hints and maybe sing a song; and

WHEREAS, The voice of that young woman, Shirley Bartholomew, was certainly the first woman's voice ever heard on a regular news broadcast in Washington State and possibly in the United States; and

WHEREAS, Over the years Shirley Bartholomew has won so many awards for her work as news director of KRKO in Everett, the state's oldest radio station, that they say her awards from Associated Press alone are holding up the walls; and

WHEREAS, Shirley Bartholomew not only has covered the news in Snohomish County and Northwest Washington, but has also generously shared her work, especially her coverage of mountain rescues, flood disasters and prison riots, with others; and

WHEREAS, Shirley Bartholomew has been a friend and trusted confidante of community and state leaders, regardless of political persuasion, down through the years and is counted by hundreds as a trusted and honored friend; and

WHEREAS, Shirley Bartholomew, like many women who blazed the trails and have passed a torch to the career women of today, had no idea of her role as a pathfinder and would be the last to claim it simply because she clearly loved her job with a commitment and dedication that has endeared her to virtually every citizen of Snohomish County, for whom Shirley's credibility as a newscaster has always been unimpeachable; and

WHEREAS, Shirley Bartholomew has earned singular honor and respect as a newswoman who has learned her craft by doing it and has become an outstanding artisan in her field; and

WHEREAS, Shirley Bartholomew, after thirty-seven years at the microphone and wherever news is happening in Snohomish County, is retiring from a distinguished career as news director of KRKO to join the corporate structure as a consultant;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the members of the House recognize the many years of selfless dedication which has made Shirley Bartholomew a legend in the field of broadcast journalism in our state and our nation, and a person that has been honored and toasted but has never lost the common touch that has made the name Shirley Bartholomew an affectionate household word in Snohomish County, one that stands for "you can believe it"; and

BE IT FURTHER RESOLVED, That the members of the House join the citizens of Snohomish County and the State of Washington in saluting a grand lady and a pioneer in Washington State's broadcast industry in honor of her retirement after thirty-seven years as the twenty-four hour news director of KRKO; and



BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to Shirley Bartholomew.

Mr. Martinis moved adoption of the resolution. Representatives Martinis, Mitchell, Wilson, Chandler, Houchen and Scott spoke in favor of the resolution.

House Resolution No. 80-166 was adopted.

#### MOTION

On motion of Mr. Salatino, the House reverted to the sixth order of business.

#### SECOND READING

HOUSE BILL NO. 1749, by Representatives Salatino, Warnke, King, Scott, May, Greengo, Flint, Winsley, Valle, Gallagher and Granlund:

Modifying the regulation of automotive repairs.

The bill was read the second time.

On motion of Mr. Zimmerman, Substitute House Bill No. 1749 was substituted for House Bill No. 1749, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1749 was read the second time.

The Clerk read the following amendment by Representative Newhouse:

On page 6, after line 29 insert the following:

"NEW SECTION. Sec. 12. There is added to chapter 46.29 RCW a new section to read as follows:

(1) No person required to have a Washington state driver's license under chapter 46.20 RCW may drive a motor vehicle upon a highway in this state unless the person is insured against liability imposed by law for injury to or destruction of property of others and for bodily injury and death arising out of the ownership, maintenance, or use of the vehicle by an insurance carrier duly authorized to transact business in this state or by self-insurance under RCW 46.29.630 in the limits set forth in RCW 46.29.090. Violation of this subsection is a misdemeanor.

(2) No insurance carrier may issue a policy required by subsection (1) of this section for a term of less than six months.

(3) Any insurance carrier who issues a policy required by subsection (1) of this section shall also issue to the purchaser of the policy a card or cards indicating at least the carrier's name, the policy number, the insured's name, and the effective dates of the policy.

(4) A person operating a motor vehicle shall produce for inspection, upon demand of any police officer who has stopped the vehicle for a valid reason, evidence of insurance under subsection (1) of this section. Failure to produce this evidence is a traffic infraction under chapter 46.63 RCW. Production of a card issued under subsection (3) of this section indicating that the owner or operator of the motor vehicle is insured or production of a certificate of self-insurance issued under RCW 46.29.630 which includes all coverage required under subsection (1) of this section shall be prima facie evidence of insurance under subsection (1) of this section.

NEW SECTION. Sec. 13. There is added to chapter 46.29 RCW a new section to read as follows:

(1) No application for an original motor vehicle license, or for the renewal of a license, under RCW 46.16.040 may be approved unless the applicant presents evidence of insurance coverage for that motor vehicle in the amounts and of the type required by section 12 of this 1980 act.

(2) The willful falsification of information presented as evidence under subsection (1) of this section is a misdemeanor.

NEW SECTION. Sec. 14. There is added to chapter 46.29 RCW a new section to read as follows:

Each accident report as provided in RCW 46.52.030 shall identify with respect to any driver involved in the accident, the current insurer and policy number of a policy issued, or the bonding company and surety bond number for any self-insurance obtained, under section 12 of this 1980 act.

NEW SECTION. Sec. 15. Sections 12 through 14 of this 1980 act shall take effect on January 1, 1981."

Renumber the remaining sections consecutively.

#### POINT OF ORDER

Mr. Salatino: "Mr. Speaker, the amendment before us is clearly out of scope and object. It deals with insurance and the bill deals with automotive repair, regulations and distribution of funds by the Department of Licensing for notification. It's totally out of the scope and object."

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

## MOTION

Mr. King moved that the House immediately consider House Concurrent Resolution No. 33, and the motion was carried.

HOUSE CONCURRENT RESOLUTION NO. 33, by Representatives Bagnariol, Berentson, Valle, Isaacson and Bond:

Creating a 1980 Joint Ad Hoc Committee on Science and Technology.

The resolution was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Speaker Bagnariol spoke in favor of the resolution.

## ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 33, and the resolution was adopted by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Newhouse.

House Concurrent Resolution No. 33, having received the constitutional majority, was declared adopted.

HOUSE CONCURRENT RESOLUTION NO. 34, by Representative Berentson:

Establishing a joint economic committee.

The resolution was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 34 was placed on final passage.

Representatives Berentson, Polk, Flanagan, Nelson (G), Craswell, Williams and Taller spoke in favor of the resolution, and Representatives Bagnariol, Thompson, Sommers and Warnke spoke against it.

Speaker Berentson spoke again in favor of the resolution.

## POINT OF INQUIRY

Mr. Warnke yielded to question by Mr. Scott.

Mr. Scott: "Representative Warnke, I understand the basics of what you're trying to do here, but what is the cost of it? Do you have any idea of the fiscal note on this?"

Mr. Warnke: "No, I see no fiscal note on this. I would imagine six people—I guess they are going to be less political-minded than the Revenue Committee is now. I suppose we're talking about more staff, but I don't know about that or the shifting of staff, which means you'll have to look at something on the Revenue Committee staff now. Whether or not you shift some of the responsibility from LBC and their charges into this committee, whether or not the Department of Revenue, all of OFM, those people involved in the entire process of economic forecasting would be, I suppose, a coalition of all those resources."

## ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 34, and the resolution was adopted by the following vote: Yeas, 51; nays, 47; not voting, 0.

Voting yea: Representatives Addison, Amen, Austin, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Erak, Fancher, Flanagan, Flint, Fuller, Gallagher, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erickson, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Stratton, Thompson, Valle, Vrooman, Walk, Warnke.

House Concurrent Resolution No. 34, having received the constitutional majority, was declared adopted.

### MESSAGE FROM THE SENATE

February 22, 1980

Mr. Speaker:

The Senate has concurred in the House amendment to REENGROSSED SENATE BILL NO. 2433 on page 2, line 7, and refuses to concur in the House amendment to page 6, line 24, striking section 2 and inserting a new section 2, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

On motion of Mr. Whiteside, the rules were suspended, and Reengrossed Senate Bill No. 2433 was returned to second reading for the purpose of amendment.

### MOTION FOR RECONSIDERATION

Mr. Gallagher, having voted on the prevailing side, moved that the House reconsider the vote by which House Concurrent Resolution No. 34 was adopted.

### POINT OF ORDER

Mr. Polk: "Mr. Speaker, there's been intervening business and the motion is not timely."

### SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "It's been held by pretty good authority that the motion for reconsideration can be made at any time a body sits."

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

With the consent of the House, Mr. Polk withdrew his Point of Order.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion that the House reconsider the motion by which House Concurrent Resolution No. 34 was adopted.

### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which House Concurrent Resolution No. 34 was adopted, and the motion failed to receive the required two-thirds majority by the following vote: Yeas, 49; nays, 49; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Stratton, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Austin, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be Reengrossed Senate Bill No. 2433 on second reading.

On motion of Mr. Whiteside, the following amendments by Representatives Whiteside and Adams were adopted.

On page 6, line 9 of section 2 following "senate for review" strike "and approval"

On page 6, line 10 of section 2 following "shall be" strike "approved" and insert "reviewed"

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and Reengrossed Senate Bill No. 2433 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Senate Bill No. 2433 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 8; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Wins!y, Zimmerman.

Voting nay: Representatives Barr, Bond, Clayton, Craswell, Flanagan, Flint, Smith C. P., Taylor.

Reengrossed Senate Bill No. 2433 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

Speaker Bagnariol called the House to order.

#### MOTION

On motion of Mr. Salatino, the House reverted to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

March 5, 1980

HOUSE BILL NO. 1500, Prime Sponsor: Representative North, providing for a preservation study of the Mt. Peak area. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Thompson, Co-Chairman; Barnes, Bauer, Becker, Ehlers, Grimm, Gruger, Heck, Keller, Maxie, McDonald, Nisbet, Taylor, Valle, Vrooman, Warnke, Zimmerman.

Passed to Committee on Rules for second reading.

March 5, 1980

HOUSE BILL NO. 1758, Prime Sponsor: Representative King, establishing a model reemployment and assistance project for injured workers. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill recommended by the House Labor Committee be substituted therefor and the substitute bill do pass. Signed by Representatives Thompson, Co-Chairman; Barnes, Bauer, Becker, Ehlers, Fancher, Grimm, Gruger, Heck, Keller, Maxie, McDonald, Nisbet, Taylor, Valle, Vrooman, Warnke, Zimmerman.

Passed to Committee on Rules for second reading.

March 5, 1980

SUBSTITUTE SENATE BILL NO. 3366, Prime Sponsor: Senator Wojahn, establishing a two-year demonstration project on adoptive services for special need children. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert:

\*NEW SECTION, Section 1. The legislature of the state of Washington recognizes the right of the special need child to a permanent home. The special need child's chance at permanence and the opportunity to be part of a family through adoption should be encouraged and supported by the state of Washington.

(1) The department of social and health services shall conduct a two-year demonstration project that will focus on providing special need children with adoptive services.

(2) For the purposes of this section, a special need child is a child available for adoption who, because of physical or mental handicap, age, or race, has been deprived of the opportunity to an adoptive home.

(3) The demonstration project shall contract with licensed child-placing agencies to provide services of recruitment, homestudy, preplacement, and postplacement and finalization. The demonstration project shall include outside evaluation of the services.

The payment for services for each special need child's adoption may not exceed the payment that would be made to a licensed child-placing agency for six months of foster care.

The demonstration project shall be conducted for the two-year period beginning on the effective date of this act.

**NEW SECTION.** Sec. 2. There is appropriated to the department of social and health services from the general fund the sum of one hundred seven thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

**NEW SECTION.** Sec. 3. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.\*

On page 1, line 1 of the title, after "section;" strike "and"  
 On page 1, line 2 of the title, after "appropriation" and before the period, insert "; and declaring an emergency"

Signed by Representatives Thompson, Co-Chairman; Barnes, Bauer, Becker, Ehlers, Fancher, Grimm, Gruger, Heck, Keller, Maxie, McDonald, Valle, Vrooman, Warnke, Zimmerman.

Passed to Committee on Rules for second reading.

March 5, 1980

**SUBSTITUTE SENATE BILL NO. 3447,** Prime Sponsor: Senator Odegaard, appropriating money to replace state forest lands at Seaquest. Reported by Committee on Appropriations.

**MAJORITY recommendation:** Do pass. Signed by Representatives Thompson, Co-Chairman; Barnes, Bauer, Becker, Ehlers, Fancher, Grimm, Gruger, Heck, Keller, Maxie, Nisbet, Valle, Vrooman, Warnke, Zimmerman.

Passed to Committee on Rules for second reading.

**SENATE AMENDMENTS TO HOUSE BILL**

March 5, 1980

Mr. Speaker:

The Senate has passed **HOUSE BILL NO. 1526** with the following amendments:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION.** Section 1. A supplemental budget as set forth in this 1980 act is hereby adopted and, subject to the provisions set forth in this 1980 act, the several amounts specified in this 1980 act, or so much thereof as may be necessary to accomplish the purposes designated, are hereby appropriated to the state treasurer for disbursement to the designated agencies and offices of the state for salaries, wages, expenses, and other specified purposes, including operations and capital improvements, for the fiscal biennium beginning July 1, 1979, and ending June 30, 1981, except as otherwise provided, out of the several specified funds of the state treasury.

**NEW SECTION.** Sec. 2. **FOR THE ADMINISTRATOR FOR THE COURTS**

|                                                         |    |         |
|---------------------------------------------------------|----|---------|
| General Fund Appropriation .....                        | \$ | 309,000 |
| Judicial Information System Account Appropriation ..... | \$ | 220,000 |
| Total Appropriation .....                               | \$ | 529,000 |

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$309,000 shall be expended for the purpose of funding salaries and fringe benefits for nine superior court judges authorized in chapter 202, Laws of 1979 ex. sess.: **PROVIDED,** That employer contributions for judges' social security shall be paid by the state, and local governments shall reimburse the state for fifty percent of such costs.

(2) The \$220,000 judicial information system account appropriation is contingent upon chapter ... (2nd SSB 2381), Laws of 1980 becoming law. This appropriation reflects maximum anticipated revenues and further assumes that no expenditures shall be made above actual accrued revenues. In recognition of the cost-sharing provisions of the judicial information system authorized in chapter ... (2nd SSB 2381), Laws of 1980, the administrator for the courts shall report on actual and estimated long term receipt and expenditure activity of the judicial information system account to the senate ways and means committee and the house appropriations committee by January 1, 1981.

**NEW SECTION.** Sec. 3. **FOR THE STATE TREASURER**

|                                                    |    |        |
|----------------------------------------------------|----|--------|
| State Treasurer's Service Fund Appropriation ..... | \$ | 96,000 |
|----------------------------------------------------|----|--------|

The appropriation contained in this section shall be subject to the following condition or limitation: The funds appropriated in this section shall be used to complete the acquisition and installation of a new computer system; proceeds from the sale of the old equipment will be deposited in the state treasurer's service fund.

**NEW SECTION.** Sec. 4. **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

|                                                          |    |         |
|----------------------------------------------------------|----|---------|
| General Fund—Motor Transport Account Appropriation ..... | \$ | 610,000 |
|----------------------------------------------------------|----|---------|

**NEW SECTION. Sec. 5. FOR THE INSURANCE COMMISSIONER**

|                                  |           |
|----------------------------------|-----------|
| General Fund Appropriation ..... | \$ 79,000 |
|----------------------------------|-----------|

The appropriation contained in this section shall be subject to the following condition or limitation: This appropriation shall be used for implementation of the continuing education program for insurance agents and brokers (chapter 269, Laws of 1979 ex. sess.).

**NEW SECTION. Sec. 6. FOR THE MILITARY DEPARTMENT**

|                                  |           |
|----------------------------------|-----------|
| General Fund Appropriation ..... | \$ 36,000 |
|----------------------------------|-----------|

The appropriation contained in this section shall be subject to the following condition or limitation: The military department is authorized to employ one FTE staff year for the purpose of coordinating and managing the Washington state guard.

**NEW SECTION. Sec. 7. FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY**

|                                  |           |
|----------------------------------|-----------|
| General Fund Appropriation ..... | \$ 15,000 |
|----------------------------------|-----------|

The appropriation contained in this section shall be subject to the following condition or limitation: The funds shall be expended solely for the boundary review boards.

**NEW SECTION. Sec. 8. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

|                                            |            |
|--------------------------------------------|------------|
| Accident Fund Appropriation—State .....    | \$ 145,812 |
| Medical Aid Fund Appropriation—State ..... | \$ 145,812 |
| Total Appropriation .....                  | \$ 291,624 |

The appropriations contained in this section shall be subject to the following conditions and limitations: (1) Not more than \$271,624 (of which \$135,812 shall be from each of the two appropriations contained in this section) shall be used for the necessary permanent and temporary positions needed to handle the growing backlog and the significant workload growth in the self-insurance division of the industrial insurance program: PROVIDED, That the director shall insure that the administrative charges collected from self-insurers are adequate to cover the additional claims handling and audit authorization included in this appropriation to the extent that those additional charges are attributable to self-insurers.

(2) \$20,000 (of which \$10,000 shall be from each of the two appropriations contained in this section), or so much thereof as may be necessary, shall be expended to carry out the purposes of section 4, chapter ... (SSB 3169), Laws of 1980.

**NEW SECTION. Sec. 9. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS**

|                                      |            |
|--------------------------------------|------------|
| Accident Fund Appropriation .....    | \$ 144,000 |
| Medical Aid Fund Appropriation ..... | \$ 116,000 |
| Total Appropriation .....            | \$ 260,000 |

**NEW SECTION. Sec. 10. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

|                                                                    |              |
|--------------------------------------------------------------------|--------------|
| General Fund—Criminal Justice Training Account Appropriation ..... | \$ 1,181,000 |
|--------------------------------------------------------------------|--------------|

**NEW SECTION. Sec. 11. FOR THE STATE ENERGY OFFICE**

|                                  |            |
|----------------------------------|------------|
| General Fund Appropriation ..... | \$ 142,000 |
|----------------------------------|------------|

The appropriation contained in this section shall be subject to the following conditions and limitations: (1) This appropriation shall be used to meet increased state set-aside caseloads in the state fuel allocation program.

(2) If chapter ... (SB 3503), Laws of 1980 or chapter ... (HB 1675), Laws of 1980 becomes law, the appropriation contained in this section shall be placed in reserve and lapsed at the end of the biennium.

**Sec. 12. Section 2, chapter 158, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:**

There is hereby appropriated to the state energy office from the general fund, the sum of two hundred fifty-one thousand dollars or so much thereof as shall be necessary for the biennium ending June 30, 1981. The appropriation provided for in this section shall be expended exclusively for the additional staff which may be needed to handle fuel allocation requirements. ((If federal funds are received for this purpose an equal amount of this appropriation shall be placed in reserve.))

**NEW SECTION. Sec. 13. FOR THE DEPARTMENT OF ECOLOGY**

|                                                                                                                                                                           |              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| General Fund Appropriation—Federal .....                                                                                                                                  | \$ 2,381,000 |
| General Fund Appropriation—State .....                                                                                                                                    | \$ 70,000    |
| General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26) ..... | \$ 106,000   |
| Total Appropriation .....                                                                                                                                                 | \$ 2,557,000 |

The appropriations contained in this section shall be subject to the following conditions and limitations: (1) The general fund appropriation—federal shall be expended exclusively to meet increased workloads associated with the receipt of federal waste and water management grants.

(2) The general fund appropriation—state shall be expended exclusively for the purpose of establishing an estuarine sanctuary in Padilla Bay, Skagit county. The department of ecology may use such funds for the acquisition of tidelands within Padilla Bay, Skagit county, either through direct expenditures or through grants to a federal, state, or local agency. No moneys appropriated under this section may be expended by the department of ecology for acquisition of tidelands unless made in combination with an equal match of moneys from other public or private sources. Prior to acquiring any tidelands, the department of ecology

shall determine that the use of the property to be acquired will be consistent with chapter 90.58 RCW, the shoreline management act, and guideline and master programs adopted thereunder.

(3) The general fund—state and local improvements revolving account appropriation shall be allocated to the parks and recreation commission to construct sewage disposal systems at several marine state parks located in the San Juan archipelago: PROVIDED, That the appropriation shall be null and void and of no effect if chapter ... (SSB 3526), Laws of 1980 becomes law.

(4) If chapter ... (SB 3371), Laws of 1980 becomes law, the \$70,000 general fund appropriation—state contained in this section shall be null and void and of no effect.

Sec. 14. Section 85, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:  
**FOR THE STATE PARKS AND RECREATION COMMISSION**

|                                                                    |    |            |
|--------------------------------------------------------------------|----|------------|
| General Fund Appropriation—State .....                             | \$ | 24,749,000 |
| General Fund Appropriation—Federal .....                           | \$ | 100,000    |
| General Fund Appropriation—Private/Local .....                     | \$ | 258,000    |
| General Fund—Trust Land Purchase Account Appropriation .....       | \$ | 2,522,000  |
| General Fund—Winter Recreation Parking Account Appropriation ..... | \$ | 64,000     |
| General Fund—Outdoor Recreation Account Appropriation .....        | \$ | 70,000     |
| Motor Vehicle Fund Appropriation .....                             | \$ | 800,000    |
| Total Appropriation .....                                          | \$ | 28,563,000 |

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) No currently operating state park will be closed due to budgetary constraints.
- (3) \$155,000 shall be expended within the park operation program for continuation of contractual agreements with Grays Harbor and Pacific counties for beach patrol and law enforcement on North Beach, South Beach, and Long Beach.
- (4) Not more than \$900,000 of the trust land purchase account appropriation shall be expended to purchase the state-owned Heart Lake property located in section 36, township 35 north, range 1 east W.M. located in Skagit county if such amount is equal to or more than the fair market value of the property.
- (5) Not more than \$15,000 shall be expended for the purpose of making a grant to the port of Skagit county for the operation of the historical railway from Sedro Woolley to Concrete. Any portion of the grant not spent ending June 30, 1981, shall be returned to the general fund of the state of Washington. Any net profit, up to the amount expended in the grant to the port of Skagit county for the operation of the historical railway, but not to exceed \$15,000, earned by the railway ending June 30, 1981, shall be reimbursed to the general fund of the state of Washington.

(6) Not more than \$228,000 shall be expended for an experimental campsite reservation system ((for Washington residents)).

(7) Not more than \$80,000 shall be expended for operation of the Goldendale observatory.

(8) The commission shall include the acquisition of the property commonly known as the Auburn game farm as a project in the commission's 1981-83 biennium capital budget request. This project shall be prioritized among other projects of the commission and shall be subject to the interagency committee for outdoor recreation capital budget analysis process.

**NEW SECTION, Sec. 15.** There is appropriated to the parks and recreation commission from the general fund—outdoor recreation account (HJR 52), the sum of one hundred thousand dollars, or so much thereof as may be necessary, for the purpose of transfer to the department of natural resources to acquire replacement forest lands in Cowlitz county. These lands shall replace approximately ninety acres of state forest lands, including timber, adjacent to Sequest state park which shall be transferred to the commission.

**NEW SECTION, Sec. 16. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT**

|                                  |    |         |
|----------------------------------|----|---------|
| General Fund Appropriation ..... | \$ | 425,000 |
|----------------------------------|----|---------|

The appropriation contained in this section shall be subject to the following condition or limitation: \$425,000, or so much thereof as may be necessary, may be expended for the design, planning, and development of a new theater for the performing arts to be located on the grounds of the Seattle Center.

**NEW SECTION, Sec. 17. FOR THE DEPARTMENT OF NATURAL RESOURCES**

|                                                                   |    |           |
|-------------------------------------------------------------------|----|-----------|
| General Fund Appropriation .....                                  | \$ | 1,930,000 |
| General Fund—Resource Management Cost Account Appropriation ..... | \$ | 1,350,000 |
| Total Appropriation .....                                         | \$ | 3,280,000 |

The appropriations contained in this section shall be subject to the following conditions or limitations:

(1) \$1,350,000 of the general fund—resource management cost account appropriation shall be expended for reforestation of state-owned lands.

(2) \$1,530,000 of the general fund appropriation shall be expended for the emergency forest fire suppression program.

(3) \$400,000 of the general fund appropriation shall be expended for a forest tree seedlings program. The department shall reimburse the state general fund \$400,000 from proceeds of the sale of forest tree seedlings. Repayment shall take place before June 30, 1983.

**NEW SECTION, Sec. 18. FOR THE DEPARTMENT OF AGRICULTURE**

|                                                   |    |           |
|---------------------------------------------------|----|-----------|
| General Fund Appropriation .....                  | \$ | 161,000   |
| Grain and Hay Inspection Fund Appropriation ..... | \$ | 5,788,000 |
| Total Appropriation .....                         | \$ | 5,949,000 |

The appropriations contained in this section shall be subject to the following condition or limitation: \$100,000 of the general fund appropriation shall be expended solely for grasshopper control. These funds shall be used for purposes of matching federal and landowner contributions on a ratio of one-third state general fund moneys, one-third landowner funds, and one-third federal government grant funds. Before any grasshopper control program commences, the responsible or cooperating agency or agencies must receive approval from the directors of the departments of ecology, fisheries, and game.

**NEW SECTION. Sec. 19. FOR THE STATE PATROL**

|                                        |    |           |
|----------------------------------------|----|-----------|
| General Fund Appropriation .....       | \$ | 1,147,000 |
| Motor Vehicle Fund Appropriation ..... | \$ | 1,068,000 |
| Total Appropriation .....              | \$ | 2,215,000 |

**NEW SECTION. Sec. 20. FOR THE DEPARTMENT OF LICENSING**

|                                                                        |    |           |
|------------------------------------------------------------------------|----|-----------|
| General Fund Appropriation .....                                       | \$ | 893,000   |
| Motor Vehicle Fund Appropriation .....                                 | \$ | 352,000   |
| Motor Vehicle Fund—Vehicle Title Guarantee Account Appropriation ..... | \$ | 25,000    |
| Highway Safety Fund Appropriation .....                                | \$ | 671,000   |
| Total Appropriation .....                                              | \$ | 1,941,000 |

The appropriations contained in this section shall be subject to the following condition or limitation: If chapter ... (SHB 1778), Laws of 1980 becomes law, \$351,000 of the highway safety fund appropriation shall be placed in reserve and lapsed at the end of the biennium.

**NEW SECTION. Sec. 21. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

|                                  |    |           |
|----------------------------------|----|-----------|
| General Fund Appropriation ..... | \$ | 1,800,000 |
|----------------------------------|----|-----------|

**NEW SECTION. Sec. 22. FOR THE UNIVERSITY OF WASHINGTON—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

|                                  |    |        |
|----------------------------------|----|--------|
| General Fund Appropriation ..... | \$ | 57,000 |
|----------------------------------|----|--------|

The appropriation contained in this section shall be subject to the following condition or limitation: This appropriation shall be expended solely to develop an international trade data bank, in cooperation with the department of commerce and economic development, containing statistical information on Washington imports and exports.

**NEW SECTION. Sec. 23. FOR WASHINGTON STATE UNIVERSITY—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

|                                  |    |         |
|----------------------------------|----|---------|
| General Fund Appropriation ..... | \$ | 300,000 |
|----------------------------------|----|---------|

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$100,000 shall be expended solely to research the protection and growing of wine grapes and wine production.
- (2) \$125,000 shall be expended solely to research health-related problems, including chronic pharyngitis, of racing and performing horses.
- (3) \$75,000 shall be expended for research, collection and dissemination of data, design curriculum, and conduct seminars to promote the technology of farm fuel production.

**NEW SECTION. Sec. 24. FOR THE EVERGREEN STATE COLLEGE—FOR THE INSTRUCTIONAL SERVICES PROGRAM**

|                                  |    |         |
|----------------------------------|----|---------|
| General Fund Appropriation ..... | \$ | 108,000 |
|----------------------------------|----|---------|

The appropriation contained in this section shall be subject to the following condition or limitation: The appropriation shall be held in allotment reserve pending review of enrollments by the office of financial management and such review shall be completed by April 25, 1980: PROVIDED, That reversion of these funds shall be required if the enrollment is less than the revised 1980-81 contract enrollment level.

**NEW SECTION. Sec. 25. FOR THE COUNCIL FOR POSTSECONDARY EDUCATION**

|                                  |    |       |
|----------------------------------|----|-------|
| General Fund Appropriation ..... | \$ | 5,000 |
|----------------------------------|----|-------|

The appropriation contained in this section shall be subject to the following condition or limitation: The council shall conduct a study evaluating the contract enrollment methodology and analyzing enrollment trends in the community college system and shall report back to the senate ways and means and house appropriations committees not later than November 1, 1980.

**NEW SECTION. Sec. 26. FOR THE STATE LIBRARY**

|                                  |    |         |
|----------------------------------|----|---------|
| General Fund Appropriation ..... | \$ | 266,000 |
|----------------------------------|----|---------|

The appropriation contained in this section shall be subject to the following condition or limitation: This appropriation shall be used to replace federal funds, to the extent such funding is not available, in order to maintain current service levels in the Washington regional library for the blind and physically handicapped, for the radio reading service, and for the braille and taping programs.

**NEW SECTION. Sec. 27. FOR THE MUNICIPAL RESEARCH COUNCIL**

|                                  |    |        |
|----------------------------------|----|--------|
| General Fund Appropriation ..... | \$ | 85,000 |
|----------------------------------|----|--------|

**NEW SECTION. Sec. 28. FOR BELATED CLAIMS**

The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated and authorized to be expended out of the several funds indicated for the period from the effective date of this 1980 act to June 30, 1981, except as otherwise indicated.



To reimburse the general fund for expenditures from belated claims appropriations to be disbursed on vouchers approved by the office of financial management:

|                                                                                                   |    |            |
|---------------------------------------------------------------------------------------------------|----|------------|
| General Fund—Criminal Justice Training Account .....                                              | \$ | 7,310.53   |
| General Fund—Hospital Commission Account .....                                                    | \$ | 43.69      |
| General Fund—Forest Development Account .....                                                     | \$ | 14,410.27  |
| General Fund—Investment Reserve Account .....                                                     | \$ | 35.00      |
| General Fund—State Timber Tax Reserve Account .....                                               | \$ | 25,715.09  |
| General Fund—Professional Engineers Account .....                                                 | \$ | 37.81      |
| General Fund—Real Estate Commission Account .....                                                 | \$ | 3,683.00   |
| General Fund—Sanitarians' Licensing Account .....                                                 | \$ | 150.00     |
| General Fund—Motor Transport Account .....                                                        | \$ | 6,150.74   |
| General Fund—Resource Management Cost Account .....                                               | \$ | 14,524.96  |
| General Fund—Litter Control Account .....                                                         | \$ | 7,954.20   |
| General Fund—State Board of Psychological Examiners Account .....                                 | \$ | 1,200.00   |
| General Fund—State Higher Education Construction Account .....                                    | \$ | 5,470.46   |
| General Fund—Outdoor Recreation Account .....                                                     | \$ | 13,161.55  |
| General Fund—State and Local Improvements Revolving Account Public<br>Recreation Facilities ..... | \$ | 1,449.48   |
| Fertilizer, Agriculture, Mineral and Lime Fund .....                                              | \$ | 421.00     |
| Commercial Feed Fund .....                                                                        | \$ | 37.00      |
| Seed Fund .....                                                                                   | \$ | 4,198.00   |
| Electrical License Fund .....                                                                     | \$ | 1,058.16   |
| State Game Fund .....                                                                             | \$ | 39,250.72  |
| Grain and Hay Inspection Fund .....                                                               | \$ | 6,605.00   |
| Highway Safety Fund .....                                                                         | \$ | 6,150.28   |
| Motor Vehicle Fund .....                                                                          | \$ | 39,055.02  |
| Public Service Revolving Fund .....                                                               | \$ | 3,101.89   |
| Unemployment Compensation Administration Fund .....                                               | \$ | 1,029.21   |
| State Treasurer's Service Fund .....                                                              | \$ | 2,724.06   |
| Legal Services Revolving Fund .....                                                               | \$ | 789.22     |
| General Administration Facilities and Services Revolving Fund .....                               | \$ | 7,060.79   |
| Department of Personnel Service Fund .....                                                        | \$ | 2,201.75   |
| Higher Education Personnel Board Service Fund .....                                               | \$ | 420.00     |
| Liquor Revolving Fund .....                                                                       | \$ | 4,552.70   |
| Department of Retirement Systems Expense Fund .....                                               | \$ | 320.25     |
| Accident Fund .....                                                                               | \$ | 19,030.14  |
| Medical Aid Fund .....                                                                            | \$ | 900.71     |
| Plumbing Certificate Fund .....                                                                   | \$ | 2.85       |
| Washington Library Network Computer System Revolving Fund .....                                   | \$ | 56.09      |
| Total Appropriation .....                                                                         | \$ | 240,261.62 |

Sec. 29. Section 173, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated and authorized to be expended out of the several funds indicated, for the period July 1, 1979, to June 30, 1981.

#### SUNDRY CLAIMS

General Fund Appropriations, except as otherwise provided, for relief of various individuals, firms, and corporations for sundry claims and for the reason that the state of Washington recognizes a moral obligation to these claimants. These appropriations are to be disbursed on vouchers approved by the chief fiscal officer of the executive branch, except as otherwise provided, as follows:

- (1) HAROLD GIVENS, CARL KASZYCKI, Judgment against the state in Residents for a Planned Peninsula et al. vs. DSHS. .... \$ 15,770.00
- (2) ARCHITECTURAL WOODS, INC., Judgment against the state in Architectural Woods vs. the State: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher, such voucher to be presigned by Architectural Woods, Inc. or by its directors prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof, and their agents, from any further claims((- except that the state may become liable for interest payment accruing from October 27, 1977, if, and only if, it is so ordered by the Supreme Court of Washington)).' .... \$ ((36,615.23))  
57,371.08
- (3) DAVID PARKER AND DENTON P. ANDREWS, Payment of writ of mandate for costs assessed against the state in State vs. David C. Parker ..... \$ 616.23
- (4) EVERGREEN PLAZA INVESTORS AND EVERGREEN DEVELOPMENT CORP., Judgment against the state in Evergreen Plaza Investors vs. Washington State Higher Education Assistance Authority, et al., for breach

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |    |                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|--------------------------|
| of contract .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$ | 7,937.70                 |
| (5) LLOYD STEWART AND JOE McADAMS, Payment of costs assessed against the state in State vs. Lloyd Paul Stewart .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ | 24.74                    |
| (6) THOMAS M. WRIGHT, Payment of costs assessed against the state in State ex rel. Seeze vs. Thomas Marion Wright .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | \$ | 92.00                    |
| (7) MOE BIRNBAUM, Payment of guardian ad litem services performed for the state: PROVIDED, That the state shall have subrogation rights to payment of such services against the defendant in State ex rel. Evon vs. David S. F. Fijalka .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | \$ | 200.00                   |
| (8) GRACIE BROCK AND JOHN A. BARLOW, Payment of costs assessed against the state in dismissal of murder charge .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ | 774.70                   |
| (9) CHRISTIANSEN BROTHERS, INC., Judgment on settlement agreement, together with accrual of interest at 8% per annum from June 6, 1977: PROVIDED, That payment come from the State Higher Education Construction Account .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | \$ | 204,120.00               |
| (10) STEVE TROUTMAN, Payment of cost bill and remittitur No. 44748 from Washington Supreme Court in State vs. Troutman .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | \$ | 522.94                   |
| (11) UNION PACIFIC RAILROAD, Payment of settled amount for demurrage charges .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | \$ | 33,940.00                |
| (12) PHYLLIS ALM, Payment of retirement contributions: PROVIDED, That payment shall come from the Retirement Systems Fund .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | \$ | 211.27                   |
| (13) EUGENIA STOWE, Payment of retirement contributions: PROVIDED, That payment shall come from the Retirement Systems Fund .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$ | 90.39                    |
| (14) NARAMORE, BAIN, BRADY AND JOHANSON, ARCHITECTS, Final payment due on contract: PROVIDED, That payment shall come from the State Higher Education Construction Account: PROVIDED FURTHER, That the chief fiscal officer of the executive branch is directed and authorized to draw up a separate voucher, such voucher to be presigned by Naramore, et al., or its directors, prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to the contract for services upon the physical sciences building at WSU.' ..... | \$ | 44,771.68                |
| (15) DAVID WEBB, Payment for unjust imprisonment: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher to be presigned by David Webb prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned releases the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to payment of relief for unjust imprisonment.' .....                                                                                                                                                                                                    | \$ | 20,000.00                |
| (16) DAVID ABRAHAM BLOCH, Judgment for costs of dismissal of felony charge in State vs. Bloch .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | \$ | 110.00                   |
| (17) RUTH PALMER, Payment pursuant to order of mandamus for costs assessed against the state in Palmer et al. vs. State Personnel Board .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | \$ | 107.00                   |
| (18) BURRELL FINDLAY, Payment of claim for damage to certain heavy machinery incurred while performing voluntary emergency services for the highway department: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher to be presigned by Mr. Burrell Findlay prior to the release of the warrant, which voucher shall state: 'By the receipt of this amount, the undersigned releases the state of Washington and all political subdivisions thereof, and their agents, from any further claim with regard to property damage incurred while performing volunteer services for the highway department' .....                                   | \$ | 13,000.00                |
| (19) DEPARTMENT OF SOCIAL AND HEALTH SERVICES, Payment for claims outstanding submitted to the department after the 60-day statutory limit: PROVIDED, That such claims shall be paid at fifty percent of their approved value: PROVIDED FURTHER, That \$90,000 shall be from federal sources .....                                                                                                                                                                                                                                                                                                                                                                                                                | \$ | <del>(+100,000.00)</del> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |    | <u>1,700,000.00</u>      |
| (20) EDMOND WARD, Payment for loss of personal tools while such were under security protection of department of transportation .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ | 167.84                   |
| (21) RUSSELL E. JOHNSON, Payment for loss of personal tools while such were under security protection of department of transportation .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | \$ | 421.77                   |
| (22) ((MRS. HARRY FOSTER, Payment of balance of deceased husband's retirement contributions: PROVIDED, That such payment shall represent full and complete satisfaction of this obligation by the state: PROVIDED FURTHER, That payment shall come from the Judges' Retirement Systems Fund .....                                                                                                                                                                                                                                                                                                                                                                                                                 | \$ | 1,488.99                 |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |    |              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|--------------|
| (23) MRS. DEL CARY SMITH, Payment in full of deceased husband's retirement contributions, such payment to come from the Judges' Retirement Systems Fund .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | \$ | 15,836.36    |
| (24)) WILLIAM VAN KLAVEREN, Payment of retirement contributions: PROVIDED, That payment shall come from the Retirement Systems Fund .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$ | 550.72       |
| ((25)) (23) FLORENCE R. STANDING, Payment for relief, plus interest, for death of the husband of Florence Standing in the amount which would have been payable under the Victims of Crimes Act if section 8, chapter 302, Laws of 1977 ex. sess. had been made retroactive to apply to Florence Standing's claim: PROVIDED, That this retroactive payment of relief measured by the Victims of Crimes Act does not preclude the claimant from seeking additional judicial relief .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | \$ | 10,290.00    |
| ((26)) (24) VIRGIL PRICE, Payment for watch stolen during holdup of state liquor store: PROVIDED, That payment shall come from the Liquor Revolving Fund—State .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | \$ | 150.00       |
| ((27)) (25) GRACE AND GEORGE BURTON, For relief of the death of their daughter, payment of the amount provided for under the Victims of Crimes Act: PROVIDED, That this retroactive payment of relief does not preclude the claimant from seeking additional judicial relief .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | \$ | 1,182.00     |
| ((28)) (26) UNITED NURSING HOMES, ET AL., Plaintiffs in Thurston County Superior Court cases 55007 and 55613, to be disbursed by the court upon recommendation of the settlement reviewer pursuant to agreed judgment entered on December 28, 1978: PROVIDED, That the department shall seek reimbursement of not less than \$4,100,000 from federal matching funds .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$ | 8,200,000.00 |
| (27) GERALD B. COBURN, Payment for crop damage by game during 1978: PROVIDED, That the chief fiscal officer of the executive branch shall draw up a separate voucher, such voucher to be presigned by Gerald B. Coburn prior to the release of the voucher, which voucher shall state: 'By acceptance of this amount, the undersigned releases the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to payment for crop damage by game during 1978': PROVIDED FURTHER, That payment shall be made from the game fund .....                                                                                                                                                                                                                                                                                                                                                                                                               | \$ | 1,000.00     |
| (28) RUDOLFO GUTIERRIZ, Payment of expenses in State v. Gutierrez, pursuant to RCW 9.01.200 .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | \$ | 1,230.00     |
| (29) FOSTER, PEPPER AND RIVIERA TRUST ACCOUNT, Payment of costs in Seattle School District v. State .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$ | 5,346.71     |
| (30) RUTH HAMMOND, Reimbursement for advance payment of motor vehicle license fee on automobile rendered unusable prior to the effective date of the license .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | \$ | 39.58        |
| (31) DON G. HENDRICKSON, Payment for crop damage by game during 1978: PROVIDED, That payment shall be made from the game fund .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | \$ | 1,739.20     |
| (32) LINDA LOGAN, VERNA SUTTON, and DELORES WOLFF, Payment pursuant to stipulation, agreement, and covenant in United States District Court, Western District of Washington, cause No. C78-424V: PROVIDED, That the chief fiscal officer of the executive branch shall draw up a separate voucher, such voucher presigned by each of the claimants prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned release the State of Washington and all political subdivisions thereof, and their agents, from any further claims in connection with this lawsuit; except that payment not to exceed an additional \$21,000 shall be made in full settlement of attorneys fees and costs in connection with this case,' said payment to be made from the tort claims revolving fund: PROVIDED FURTHER, That the state general fund shall be reimbursed from the state printing plant revolving fund in the amount of \$75,000 by June 30, 1981 ..... | \$ | 75,000.00    |

NEW SECTION. Sec. 30. FOR THE UNIVERSITY OF WASHINGTON

To complete the biological sciences facility as set forth in section 189(15), chapter 270, Laws of 1979 ex. sess.

|              | Reappropriation | Appropriation |
|--------------|-----------------|---------------|
| UW Bldg Acct | -0-             | 1,855,000     |

NEW SECTION. Sec. 31. FOR WASHINGTON STATE UNIVERSITY

To renovate and equip Fulmer Hall, Phase II.

|               | Reappropriation | Appropriation |
|---------------|-----------------|---------------|
| WSU Bldg Acct | -0-             | 1,691,000     |

**NEW SECTION. Sec. 32. FOR CENTRAL WASHINGTON UNIVERSITY**

For abatement of hazardous asbestos.

|                   | Reappropriation | Appropriation |
|-------------------|-----------------|---------------|
| CWU Cap Proj Acct | -0-             | 191,000       |

**NEW SECTION. Sec. 33. FOR THE EVERGREEN STATE COLLEGE**

For replacement of roofs on the library and seminar buildings.

|                     | Reappropriation | Appropriation |
|---------------------|-----------------|---------------|
| St H Ed Constr Acct | -0-             | 416,000       |

**NEW SECTION. Sec. 34.** As used in this act, the following phrases have the following meanings:

- (1) 'WSU Bldg Acct' means Washington State University Building Account;
- (2) 'St H Ed Constr Acct' means State Higher Education Construction Account;
- (3) 'CWU Cap Proj Acct' means Central Washington University Capital Projects Account; and
- (4) 'UW Bldg Acct' means University of Washington Building Account.

**NEW SECTION. Sec. 35.** There is appropriated from the general fund, for the biennium ending June 30, 1981, to the department of commerce and economic development the sum of one hundred eighty-eight thousand three hundred thirty-six dollars, or so much thereof as may be necessary, to provide for the participation by the state of Washington in international expositions, including the Portopia '81 exhibition in Kobe, Japan.

**NEW SECTION. Sec. 36.** Pursuant to RCW 43.31.832, the director of commerce and economic development, with the advice of the state treasurer, shall transfer from the state trade fair fund established by RCW 67.16.100 to the general fund the sum of two hundred thousand dollars.

**NEW SECTION. Sec. 37.** In addition to the amount appropriated by chapter ... (HB 1658), Laws of 1980, there is hereby appropriated to the department of employment security the sum of \$111,000 from the administrative contingency fund and the sum of \$400,000 from the general fund to continue the work orientation program.

**NEW SECTION. Sec. 38. FOR THE ARTS COMMISSION—ART WORK ALLOWANCE**

In accordance with RCW 43.17.200, all state agencies or departments shall expend, as a nondeductible item, out of any moneys appropriated for the original construction of any state building, an amount of one-half of one percent of the appropriation for the acquisition of works of art which may be an integral part of the structure, attached to the structure, detached within or outside of the structure, or can be exhibited by the agency in other public facilities. In case the amount shall not be required in toto or in part for any project, such unrequired amounts may be accumulated and expended for art in other projects of the agency. For the purpose of this section, 'building' does not include highway construction sheds, warehouses, or other buildings of a temporary nature.

**NEW SECTION. Sec. 39.** The word 'agency' used herein means and includes every state government office, officer, each institution, whether educational, correctional, or other, and every department, division, board, and commission, except as otherwise provided in this act.

The phrase 'agencies headed by elective officials' used herein means those executive offices or departments of the state which are directly supervised, administered, or controlled by the governor, lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, commissioner of public lands, or insurance commissioner, but it does not include those boards, commissions, or committees on which one or more of the above-mentioned officials serve.

**NEW SECTION. Sec. 40.** The appropriations contained in this act, or so much thereof as may be necessary, are for the salaries, wages, expenses, operations, and other specified purposes of the designated agencies for the biennium ending June 30, 1981. In order to carry out the provisions of these appropriations and the state budget, the director of the office of financial management, with the approval of the governor, may:

(1) Allot all or any portion of the funds herein appropriated or included in the state budget, to the various agencies by such periods as he shall determine and may place any funds not so allotted in reserve available for subsequent allotment: **PROVIDED**, That the director of the office of financial management shall not alter allotment requests filed with him, nor shall he place in reserve any funds, for the following: Any agricultural commodity commission created under chapter 15.66 RCW; the legislative branch of state government including the statute law committee and any legislative committee; or the judicial branch of state government: **PROVIDED FURTHER**, That the aggregate of allotments for any agency shall not exceed the total of applicable appropriations and local funds available to the agency concerned. It shall be unlawful for any officer or employee to incur obligations in excess of approved appropriations or to incur a deficiency and any obligations so made shall be deemed invalid. Nothing in this section or in chapter 328, Laws of 1959, shall prevent revisions of any allotment when necessary to prevent the making of expenditures under appropriations in this act in excess of available revenues;

(2) Issue rules and regulations to establish uniform standards and business practices throughout the state service, including regulation of travel by officers and employees and the conditions under which per diem shall be paid, so as to improve efficiency and conserve funds; and

(3) Prescribe procedures and forms to carry out the above.

**NEW SECTION. Sec. 41.** There is appropriated, or so much thereof as may be necessary, for the biennium ending June 30, 1981, to the office of financial management, to be used for payment of claims submitted for supplies and services furnished in the previous biennia:

|                                                                                                      |    |                |
|------------------------------------------------------------------------------------------------------|----|----------------|
| General Fund Appropriation .....                                                                     | \$ | 530,000        |
| Sec. 42. Section 90, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows: |    |                |
| FOR THE DEPARTMENT OF GAME                                                                           |    |                |
| General Fund Appropriation—State .....                                                               | \$ | ((29,000))     |
|                                                                                                      |    | 79,000         |
| General Fund—ORV (Off-Road Vehicle) Account Appropriation .....                                      | \$ | 101,000        |
| Game Fund Appropriation—State .....                                                                  | \$ | 27,151,000     |
| Game Fund Appropriation—Federal .....                                                                | \$ | 6,483,000      |
| Game Fund Appropriation—Private/Local .....                                                          | \$ | 686,000        |
| Game Special Wildlife Account Appropriation .....                                                    | \$ | 163,000        |
| Total Appropriation .....                                                                            | \$ | ((34,613,000)) |
|                                                                                                      |    | 34,663,000     |

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$42,000 of the state game fund—state appropriation shall be transferred to the Silver Lake flood control district in Cowlitz county to defray legal costs associated with construction and operation of a regulating structure stabilizing the level of water in Silver Lake.

(2) Not more than \$5,180,000 of this appropriation shall be expended in the administration program.

(3) The department shall not sell, lease, or in any other manner relinquish ownership of the Auburn game farm property before June 30, 1981, unless such action transfers the property to the parks and recreation commission.

(4) Not more than \$50,000 of the state general fund appropriation shall be expended to establish, through purchase, lease, or otherwise, a game preserve for the species canis lupus nubilus.

NEW SECTION. Sec. 43. In the event that receipts are less than those appropriated in the budget from any source, expenditures shall be limited to the amount received and allotments made as provided in section 40 of this act. Receipts for purposes of this section include amounts realized within one calendar month following the close of a fiscal period and applicable to expenditures of that period. The amount of such payment shall be credited to and shall be treated for all purposes as having been collected during the fiscal period.

NEW SECTION. Sec. 44. State funds appropriated for the specific purpose of matching federal funds and which are not required wholly or in part to qualify for such federal funds shall be placed in reserve and shall revert to the fund from which appropriated at the end of the respective fiscal year.

NEW SECTION. Sec. 45. Unless otherwise provided for by this act with respect to any specific agency, program, or revenue source, any receipts from federal or other sources, or from gifts or grants, in excess of estimates for the budget expenditures as approved by the legislature and which are not otherwise available for general governmental purposes, may be received and allotted by the governor in accordance with RCW 43.79.260 through 43.79.282.

NEW SECTION. Sec. 46. If a scheduled program or project funded by the appropriations contained in this act has not been fully implemented during any quarter of the respective fiscal year, then the office of financial management shall withhold the equivalent amount of the appropriation and full time equivalent staff years from such program or project and shall place the same in reserve.

NEW SECTION. Sec. 47. Agencies are authorized to make refunds of erroneous or excessive payments and in the case of other refunds, which may be provided by law, without express appropriation therefor.

NEW SECTION. Sec. 48. Amounts received by an agency as reimbursements pursuant to RCW 39.34.130 shall be considered as returned loans of materials supplied or services rendered. Such amounts may be expended as a part of the original appropriation of the fund to which it belongs, without further or additional appropriation, subject to conditions and procedures prescribed by the director of the office of financial management, which shall provide for determination of full costs, disclosure of such reimbursements in the governor's budget, maximum interagency usage of data processing equipment and services, and such restrictions as will promote more economical operations of state government without incurring continuing costs beyond those reimbursed.

NEW SECTION. Sec. 49. If any part of this act shall be found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, such conflicting part of this act is hereby declared to be inoperative solely to the extent of such conflict, and such finding or determination shall not affect the operation of the remainder of this act; the rules and regulations under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 50. In addition to the amounts appropriated in this act for revenue for distribution, bond retirement and interest, and interest on registered warrants, there is also appropriated such further amounts as may be required or available for these purposes under any statutory formula or under any proper bond covenant made in accordance with law.

NEW SECTION. Sec. 51. Any rate increases proposed for the legal services revolving fund or the general administration facilities and services revolving fund, or any change in the method of calculating changes from those funds, shall be subject to approval by the director of the office of financial management prior to implementation.

NEW SECTION. Sec. 52. To effectively carry out the provisions of this act, the governor may assign responsibility for planning, engineering, construction, and other related activities to any appropriate agency.

NEW SECTION. Sec. 53. The governor, through the director of the office of financial management, may authorize a transfer of appropriation authority provided for a capital project which is in excess of the

amount required for the completion of such project to another capital project for which the appropriation is insufficient. No such transfer shall be used to expand the capacity of any facility beyond that intended by the legislature in making the appropriation. Such transfers may be effected only between capital appropriations to a specific department, commission, agency, or institution of higher education and only between capital projects which are funded from the same fund or account.

A report of any transfer effected under this section shall be filed with the legislative auditor by the director of the office of financial management within thirty days of the date the transfer is effected. The legislative auditor shall review and compile these filings and periodically report thereon to the legislative budget committee and the appropriate standing committees of the house and senate.

**NEW SECTION.** Sec. 54. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 55. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "treasurer," strike the remainder of the title and insert "making appropriations from the state treasury for the fiscal biennium beginning July 1, 1979, and ending June 30, 1981; authorizing expenditures for salaries, wages, expenses, and other specified purposes of state agencies; amending section 2, chapter 158, Laws of 1979 ex. sess. (uncodified); amending section 85, chapter 270, Laws of 1979 ex. sess. (uncodified); amending section 90, chapter 270, Laws of 1979 ex. sess. (uncodified); amending section 173, chapter 270, Laws of 1979 ex. sess. (uncodified); making other appropriations; and declaring an emergency."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Thompson, the House refused to concur in the Senate amendments to House Bill No. 1526, and asked the Senate for a conference thereon.

#### SENATE AMENDMENTS TO HOUSE BILL

March 5, 1980

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1533 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 52, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

#### FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

|                                    |    |                   |
|------------------------------------|----|-------------------|
| State Funding Sources .....        | \$ | ((1,239,677,000)) |
|                                    |    | 1,239,227,000     |
| Federal Funding Sources .....      | \$ | 848,298,000       |
| Other Funding Sources .....        | \$ | 13,433,000        |
| Total of all Funding Sources ..... | \$ | ((2,101,408,000)) |
|                                    |    | 2,100,958,000     |
| Total FTE Staff Years .....        |    | 28,435            |

The appropriations contained in sections 53 through 65 of this act shall be subject to the following conditions and limitations:

(1) The department shall not initiate any new services beyond those authorized by appropriation in this act without approval of the office of financial management. The senate ways and means committee and the house appropriations committee of the legislature shall be advised of any approvals.

(2) Funds appropriated to programs in sections 53 through 65 of this act shall be initially allotted reflecting the fiscal assumptions and legislative intent of this act. Transfers between programs may occur ((only)) to the extent required to meet obligations deriving from federal matching requirements and legislative intent regarding federal programs as expressed in this appropriations act. However, after the initial allotment, funds may be shifted from one fiscal year to the other fiscal year within the adult corrections program; except that the shift shall not exceed eight percent, in the aggregate, of the biennial appropriation for the program. Analysis of the programmatic impacts and justification of approved amendments to this plan will be conveyed by the office of financial management to the senate ways and means committee and the house appropriations committee of the legislature.

(3) The department of social and health services will cooperate with the state energy office and participate in the programs established by Title III of the National Energy Conservation Policy Act.

(4) During the 1979-1981 biennium, the delinquency prevention services program shall be maintained without any significant changes.

(5) Funds appropriated to programs during the 1979-81 biennium may be expended to operate the Cedar Creek facility as an adult correctional facility.

Sec. 2. Section 72.05.010, chapter 28, Laws of 1959 as last amended by section 7, chapter 217, Laws of 1979 ex. sess. and RCW 72.05.010 are each amended to read as follows:

The purposes of RCW 72.05.010 through 72.05.210 are: To provide for every child with behavior problems, mentally and physically handicapped persons, and deaf and blind children, within the purview of RCW 72.05.010 through 72.05.210, as now or hereafter amended, such care, guidance and instruction, control and treatment as will best serve the welfare of the child or person and society; to insure nonpolitical and qualified operation, supervision, management, and control of the Green Hill school, the Maple Lane school, the Naselle Youth Camp, ~~((the Cedar Creek Youth Camp,))~~ the Mission Creek Youth Camp, Echo Glen, the Cascadia Diagnostic Center, Lakeland Village, Rainier school, the Yakima Valley school, Interlake school, Fircrest school, the Francis Haddon Morgan Center, the Child Study and Treatment Center and Secondary School of Western State Hospital, the state school for the blind, the state school for the deaf, and like residential state schools, camps and centers hereafter established, and to place them under the department of care and health services; and to provide for the persons committed or admitted to those schools that type of care, instruction, and treatment most likely to accomplish their rehabilitation and restoration to normal citizenship.

Sec. 3. Section 53, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADULT CORRECTIONS PROGRAM**

|                                  |                   |
|----------------------------------|-------------------|
| General Fund Appropriation ..... | \$ ((+4,004,000)) |
|                                  | 113,554,000       |
| Total FTE Staff Years .....      | 4,299             |

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) Not more than \$1,702,000 from the general fund shall be expended for community services.
- (2) Not more than \$1,716,000 from the general fund and 76.0 FTE's shall be expended for intensive parole.
- (3) Not more than \$15,679,000 from the general fund and 731 FTE's shall be expended for probation and parole.
- (4) Not more than \$7,002,000 from the general fund and 152 FTE's shall be expended for work/training release.
- (5) Not more than \$81,663,000 from the general fund and 3,259 FTE's shall be expended for institutional staffing.

(6) ~~((920,000))~~ \$123,000 from the general fund shall be expended to contract with a nonprofit corporation to provide a diversionary program for convicted felons with prior conviction records and prior incarcerations. No felon may participate in the program if: (a) he or she has a prior conviction for any violent or inherently dangerous felony, or (b) the crime for which he or she is being diverted into the program is a violent or inherently dangerous felony. For the purposes of this section, "violent or inherently dangerous felony" means rape in the first or second degree, robbery in the first or second degree, kidnapping in the first or second degree, assault in the first or second degree, or arson in the first or second degree. Prior to entering into the contract, the secretary of the department of social and health services must have assurance of the cooperation of the superior court bench of the county in which the program will be implemented. The program shall include the following:

(a) A contractual agreement between such nonprofit corporation and the felon with approval of the sentencing judge. Such agreement will describe work performance and restitution expectations, and judicial conditions and review;

- (b) A fully controlled residential component;
- (c) Supervision by a probation officer of the department of social and health services;
- (d) Coordination of all activities by a case manager employed by such nonprofit corporation;
- (e) Job development and placement services which will guarantee each participant regular employment;
- (f) Specialized alcohol, drug, and counseling services; and
- (g) Participation of community and corporate entities which will provide \$1,212,000 in direct and in-kind support.

(7) Not more than \$25,000 from the general fund will be expended for a program evaluation by an independent third party of the diversionary program set forth in subsection (6) of this section. Such evaluation will commence with the initiation of the contract and shall include the following:

- (a) Evaluation of the intake procedures, including initial screening, final screening, the contract between the nonprofit organization and the convicted felon, and the participant selection process;
- (b) Evaluation of the program elements;
- (c) Evaluation of the program impact on recidivism using the measures of rearrest, type of rearrest offense, reconviction, revocation and recommitment;
- (d) Evaluation of the control group;
- (e) Data collection and analysis; and
- (f) A cost benefit analysis.

(8) In the event chapter ... (Substitute House Bill No. 144), Laws of 1979 1st ex. sess. fails to pass, \$100,000 will be reverted to the general fund.

(9) \$347,000 shall be expended for the funding of private nonprofit diversion programs for persons convicted of alcohol and substance abuse related crimes and who are placed on probation, parole, or work training release.

Sec. 4. Section 58, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—NURSING HOMES PROGRAM**

|                                          |                       |
|------------------------------------------|-----------------------|
| General Fund Appropriation—State .....   | \$ 122,273,000        |
| General Fund Appropriation—Federal ..... | \$ 121,595,000        |
| <b>Total Appropriation .....</b>         | <b>\$ 243,868,000</b> |

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The wages for nursing service personnel shall be the sum of the product of ninety percent of the prevailing wages for the categories of nursing assistants, licensed practical nurses, registered nurses, and noncontractual therapists and related restorative employees, expressed as an hourly rate, based upon the state-wide salary survey as conducted pursuant to RCW 41.06.160, multiplied by the standard hours determined by the department of social and health services.

(2) The wages for all employees, other than those specified in subsection (1) of this section and administrators and assistant administrators, shall be the sum of the product of ninety percent of the prevailing wages, expressed as an hourly rate, based upon the state-wide salary survey as conducted pursuant to RCW 41.06.160, multiplied by the standard hours for such employees developed by the department of social and health services.

(3) Food reimbursement shall be one hundred fifteen percent of the average of all costs for bulk and raw foods and beverages purchased for dietary needs, expressed as a per patient per day amount.

(4) Reimbursement for administration and operations will include all items not specified in subsections (1), (2), (3), (5), and (6) of this section and shall not exceed the eighty-fifth percentile of all reporting facilities, except that the nursing home facilities may be grouped by factors, other than ownership or legal organizational characteristics, which could reasonably influence cost requirements for administration and operations.

(5) Property reimbursement for both leased and owner-operated facilities shall not exceed the predicted cost plus one standard deviation of the necessary and ordinary costs of depreciation, and interest, of owner-operated facilities utilizing a multiple regression formula developed by the department of social and health services, recognizing factors which may be significant, including location, age, and type of facility. For July 1980 rate setting, rental costs of leased facilities other than those operating as intermediate care facilities for the mentally retarded, and depreciation and interest costs of owner-operated facilities, for leases or mortgages entered into prior to July 1, 1979, shall be reimbursed to the extent they do not exceed the ((upper limit of the multiple regression formula for comparable owner-operated facilities)) reimbursement rate payable for the property cost center as of June 30, 1979, adjusted to meet any discrepancies as determined by the federal government between the reimbursements made and the approved state Medicaid plan, and adjusted for any approved capitalized additions or replacements; except that, any leased facility which has operated as an intermediate care facility for the mentally retarded prior to July 1, 1979, shall be reimbursed to the extent that the property costs exceed the upper limit of the multiple regression formula.

(6) The return of net invested equity for each facility will be determined by utilizing Medicare rules and regulations.

(7) Patient personal needs allowance limitation will be extended to \$32.50 per month.

(8) \$500,000, or so much thereof as may be necessary, shall be expended by the department of social and health services for purposes of retaining special private counsel, subject to the concurrence of the governor, to defend the department against law suits challenging the cost reimbursement system of the department of social and health services.

(9) \$810,000, of which \$404,000 shall be from federal funds, shall be used to implement a program which will enable short-term placement in nursing homes.

(10) \$1,800,000 (of which \$900,000 shall be from federal funds) may be used for reimbursement of costs incurred from the training of nurses' assistants.

~~((++)) The funds contained in this section shall revert immediately to the general fund if ESSB 2335 is enacted.))~~

Sec. 5. Section 177, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE ADULT CORRECTIONS PROGRAM**

(1) To construct and equip one 100-bed honor camp: PROVIDED, That any moneys appropriated under this section of this 1980 act to the department of social and health services shall be expended only to develop at least one hundred minimum security beds to be distributed at one or more of the existing minimum security adult correctional facilities within the State of Washington.

|                  |            | Reappropriation | Appropriation |
|------------------|------------|-----------------|---------------|
| DSHS Constr Acct |            | 3,260,000       | —0—           |
| Project          | Estimated  | Estimated       | Estimated     |
| Costs            | Costs      | Total           | Completion    |
| Through          | 7/1/81 and | Costs           | Date          |
| 6/30/79          | Thereafter |                 |               |
| 40,000           | —0—        | 3,300,000       | 7/80          |

(2) To renovate and repair roofs, Washington Corrections Center.

|                  | Reappropriation | Appropriation |
|------------------|-----------------|---------------|
| DSHS Constr Acct | 255,000         | —0—           |



| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| 521,000                       | -0-                                   | 776,000               | 10/79                     |

(3) To remodel food service area and replace obsolete equipment, Washington State Penitentiary; except that, if construction has not begun by 3/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

| DSHS Constr Acct | Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Reappropriation Estimated Total Costs | Appropriation Estimated Completion Date |
|------------------|-------------------------------|---------------------------------------|---------------------------------------|-----------------------------------------|
|                  | -0-                           | -0-                                   | 1,993,000                             | -0-                                     |
|                  |                               |                                       | 1,993,000                             | 1/81                                    |

(4) For remodeling of dental areas, Washington State Penitentiary; except that, if construction has not begun by 2/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

| CEP & RI Acct | Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Reappropriation Estimated Total Costs | Appropriation Estimated Completion Date |
|---------------|-------------------------------|---------------------------------------|---------------------------------------|-----------------------------------------|
|               | -0-                           | -0-                                   | 145,000                               | -0-                                     |
|               |                               |                                       | 145,000                               | 6/80                                    |

(5) To improve security, facilities, and utilities, Washington State Penitentiary; except that, if construction has not begun by 9/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

| DSHS Constr Acct | Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Reappropriation Estimated Total Costs | Appropriation Estimated Completion Date |
|------------------|-------------------------------|---------------------------------------|---------------------------------------|-----------------------------------------|
|                  | 101,000                       | 6,966,000                             | -0-                                   | 5,924,000                               |
|                  |                               |                                       | 12,991,000                            | 6/84                                    |

(6) To construct and equip 120-bed medium security unit, Washington Corrections Center; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

| DSHS Constr Acct | Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Reappropriation Estimated Total Costs | Appropriation Estimated Completion Date |
|------------------|-------------------------------|---------------------------------------|---------------------------------------|-----------------------------------------|
|                  | 25,000                        | -0-                                   | 42,000                                | 3,361,000                               |
|                  |                               |                                       | 3,427,000                             | 9/81                                    |

(7) To convert 300-bed minimum security building at Walla Walla to medium security facility; except that, if construction has not begun by 8/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

| DSHS Constr Acct | Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Reappropriation Estimated Total Costs | Appropriation Estimated Completion Date |
|------------------|-------------------------------|---------------------------------------|---------------------------------------|-----------------------------------------|
|                  | 53,000                        | 1,690,000                             | 100,000                               | 5,275,000                               |
|                  |                               |                                       | 7,118,000                             | 6/83                                    |

(8) To convert former women's quarters to 100-bed minimum custody unit, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 321,000               | 1,073,000                 |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 19,000                        | -0-                                   | 1,412,000             | 3/81                      |

(9) To construct and equip maximum security facility, Washington State Reformatory.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 8,342,000             | 1,654,000                 |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 2,058,000                     | -0-                                   | 12,054,000            | 7/81                      |

(10) To provide fire and safety improvements, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| General Fund—State            |                                       | 23,000                | -0-                       |
| DSHS Constr Acct              |                                       | -0-                   | 749,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 128,000                       | -0-                                   | 900,000               | 1/81                      |

(11) To provide fire and safety improvements, Washington State Reformatory; except that, if construction has not begun by 11/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 1,304,000                 |
| CEP & RI Acct                 |                                       | 350,000               | -0-                       |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 27,000                        | -0-                                   | 1,681,000             | 9/81                      |

(12) To renovate and expand visiting/dining/recreation facilities, Washington State Reformatory; except that, if construction has not begun by 12/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 1,524,000                 |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 1,524,000             | 2/82                      |

(13) To renovate and convert gang showers to individual showers, Washington State Penitentiary; except that, if construction has not begun by 6/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                  |  | Reappropriation | Appropriation |
|------------------|--|-----------------|---------------|
| DSHS Constr Acct |  | -0-             | 402,000       |

| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| -0-                           | -0-                                   | 402,000               | 3/81                      |

(14) To provide three prefabricated steel buildings, Washington State Reformatory; except that, if construction has not begun by 3/15/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 386,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 386,000               | 8/80                      |

(15) To construct and equip multipurpose building, Pine Lodge Correction Center; except that, if construction has not begun by 9/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 248,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 248,000               | 4/81                      |

(16) To renovate and expand Industries Building, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| ((General Fund — Federal      |                                       | -0-                   | 414,000))                 |
| DSHS Constr Acct              |                                       | -0-                   | ((305,000))               |
|                               |                                       |                       | <u>719,000</u>            |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 719,000               | 11/80                     |

(17) To renovate and repair roofs, Washington Corrections Center; except that, if construction has not begun by 11/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 273,000               | 346,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 503,000                       | -0-                                   | 1,122,000             | 8/80                      |

(18) To repair perimeter walls, Washington State Reformatory; except that, if construction has not begun by 7/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 617,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 617,000               | 11/80                     |

(19) To purchase and install an electronic perimeter security system, Washington Corrections Center.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 300,000               | -0-                       |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 76,000                        | -0-                                   | 376,000               | 7/79                      |

(20) To renovate and open work training release facility, Geiger Field.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 600,000               | -0-                       |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 20,000                        | -0-                                   | 620,000               | 1/80                      |

(21) To renovate and repair roofs, Women's Treatment Center; except that, if construction has not begun by 6/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 112,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 112,000               | 10/80                     |

(22) To provide preliminary design, site preparation, and steam plant for new 500-bed medium security facility: PROVIDED, That such facility shall be located on public lands as hereinafter provided:

(a) On the site of an existing state adult correction facility; or

(b) On the site of an existing federal adult correction facility acquired by the state after the effective date of this 1980 act.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 5,429,000                 |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | 27,126,000                            | 32,555,000            | 6/83                      |

**NEW SECTION. Sec. 6. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—NURSING HOME PROGRAM**

There is appropriated to the department of social and health services for the nursing home program for the biennium ending June 30, 1981, the following amounts, or so much thereof as may be necessary, from the following funds:

|                                    |               |
|------------------------------------|---------------|
| General Fund Appropriation—State   | \$ 6,029,000  |
| General Fund Appropriation—Federal | \$ 6,029,000  |
| Total Appropriation                | \$ 12,058,000 |

The appropriations contained in this section shall be expended for the reasonable cost-related reimbursement of patient care and property costs.

**NEW SECTION. Sec. 7. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME MAINTENANCE PROGRAM**

There is appropriated to the department of social and health services for the income maintenance program for the purpose of implementing a 1% grant increase for all public assistance recipients effective July 1, 1980, the following amount from the following funds:

|                                    |              |
|------------------------------------|--------------|
| General Fund Appropriation—State   | \$ 2,471,000 |
| General Fund Appropriation—Federal | \$ 1,218,000 |
| Total Appropriation                | \$ 3,689,000 |

**NEW SECTION. Sec. 8. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PUBLIC HEALTH PROGRAM**

There is appropriated to the department of social and health services for the public health program for the biennium ending June 30, 1981, the following amount, or so much thereof as may be necessary, from the following fund:

General Fund Appropriation . . . . . \$ 200,000

The appropriation contained in this section shall be expended for crippled children's services.

**NEW SECTION. Sec. 9. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM**

There is appropriated to the department of social and health services for the vocational rehabilitation program for the biennium ending June 30, 1981, the following amount, or so much thereof as may be necessary, from the following fund:

General Fund Appropriation . . . . . \$ 250,000

The appropriation contained in this section shall be expended for additional funding of the extended sheltered employment program.

**NEW SECTION. Sec. 10. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORT SERVICES**

There is appropriated, or so much thereof as may be necessary, for the biennium ending June 30, 1981, to the department of social and health services, for the purpose of funding adult corrections and juvenile rehabilitation programs:

General Fund Appropriation . . . . . \$ 500,000

The appropriation contained in this section shall be subject to the following condition or limitation: Such funds shall be expended for reimbursement through the institutional impact account pursuant to chapter 72.72 RCW.

**NEW SECTION. Sec. 11. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SERVICES ADMINISTRATION PROGRAM**

General Fund Appropriation . . . . . \$ 120,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) The funds appropriated in this section, or so much as may be necessary, shall be expended to conduct a two-year demonstration project to provide special needs children with adoptive services through contract with licensed child-placing agencies.

(2) If chapter ... (SB 3366), Laws of 1980 is enacted, the appropriation contained in this section shall revert to the general fund.

**NEW SECTION. Sec. 12.** This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "services;" strike the remainder of the title and insert "amending section 72.05.010, chapter 28, Laws of 1959 as last amended by section 7, chapter 217, Laws of 1979 ex. sess. and RCW 72.05.010; amending section 52, chapter 270, Laws of 1979 ex. sess. (uncodified); amending section 53, chapter 270, Laws of 1979 ex. sess. (uncodified); amending section 58, chapter 270, Laws of 1979 ex. sess. (uncodified); amending section 177, chapter 270, Laws of 1979 ex. sess. (uncodified); making appropriations; and declaring an emergency." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

**MOTION**

On motion of Mr. Nelson (G), the House refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 1533, and asked the Senate for a conference thereon.

**MOTION**

On motion of Mr. Salatino, the House adjourned until 9:30 a.m., Friday, March 7, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## FIFTY-FOURTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Friday, March 7, 1980

The House was called to order at 9:30 a.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present except Representative Smith (R), who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Reuven Carlyle, Keith Deyoe and Maddy O'Brien. Prayer was offered by The Reverend Wallace Misterek of the Trinity Lutheran Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGES FROM THE SENATE

March 6, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 714,  
 SUBSTITUTE HOUSE BILL NO. 810,  
 SUBSTITUTE HOUSE BILL NO. 1471,  
                   HOUSE BILL NO. 1483,  
 SUBSTITUTE HOUSE BILL NO. 1485,  
 SUBSTITUTE HOUSE BILL NO. 1515,  
 SUBSTITUTE HOUSE BILL NO. 1516,  
 SUBSTITUTE HOUSE BILL NO. 1630,  
                   HOUSE BILL NO. 1643,  
                   HOUSE BILL NO. 1658,  
                   HOUSE BILL NO. 1870,  
 SUBSTITUTE HOUSE BILL NO. 1981,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 6, 1980

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3537,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

### MOTION

On motion of Mr. Polk, the House advanced to the sixth order of business.

### SECOND READING

SUBSTITUTE SENATE BILL NO. 2963, by Committee on Ways and Means (originally sponsored by Senator Donohue):

Providing funds for the common schools.

The bill was read the second time.

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sommers and Taylor spoke in favor of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2963, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Dunlap,

Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley.

Voting nay: Representative Zimmerman.

Not voting: Representatives Deccio, Nelson D., Smith R.

Substitute Senate Bill No. 2963, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SUBSTITUTE SENATE BILL NO. 3457**, by Committee on Ways and Means (originally sponsored by Senator Rasmussen):

Clarifying legislative intent as to the phrase 'public or private insurance' as used in the victims of crime compensation act.

The bill was read the second time.

On motion of Mr. Newhouse, the following amendment by Representatives Newhouse and King was adopted:

On page 4, after line 35 insert the following:

"The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Of the total appropriation, an amount necessary to implement the provisions of section 4, chapter \_\_\_ (SSB 3169), Laws of 1980 shall be used for such implementation.

(2) The department shall report to the appropriate committees of the legislature on the status of the employer group rating structure, as provided in chapter \_\_\_ (SSB 3169), Laws of 1980, no later than October 1, 1980."

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3457 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Smith R.

Substitute Senate Bill No. 3457 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 2977**, by Committee on Energy and Utilities (originally sponsored by Senator Bottiger):

Providing for renewable energy practices and devices.

The bill was read the second time.

Committee on Energy and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 51st Day, March 4, 1980.)

On motion of Mr. Bond, the committee amendments were adopted.

On motion of Mr. Williams, the following amendment by Representatives Williams, and Nelson (D) was adopted:

On page 2, line 29 strike all of subsection (7) and insert the following:

"(7) 'Life cycle cost' of acquisition and operation of a major facility (~~including its initial cost, the~~) over its economic life. This shall be calculated as the acquisition cost plus the operation, maintenance, and

~~((cost of the))~~ energy consumed cost over its economic life, reflecting anticipated increases in such costs discounted to present value at the current rate for borrowing public funds, as determined by the state finance committee. The energy costs used shall be those projected by the state energy office. The office shall update the projection of energy costs at least every two years ((and the energy consumption-related cost of its operation and maintenance))."

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Bond spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2977 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kroidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Smith R.

Engrossed Substitute Senate Bill No. 2977 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

March 6, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1610 with the following amendments:

On page 4, line 7 after "member" insert "who is a retired member of a state retirement system"

On page 4, beginning on line 8 after "senate" strike ", to represent the public at large"

On page 4, after line 16 strike all material down to and including line 27 and insert the following:

"The legislative members shall serve terms of two years. The initial legislative members appointed to the board shall be appointed no sooner than January 12, 1981. The position of a legislative member on the board shall become vacant at the end of that member's term on the board or whenever the member ceases to be a member of the senate or house of representatives from which the member was appointed.

After the initial term of appointment, all other members of the state investment board, except ex officio members, shall serve terms of three years and shall hold office until successors are appointed. Members' terms, except for ex officio members, shall commence on January 1 of the year in which the appointments are made.

Members may be reappointed for additional terms. Appointments for vacancies shall be made for the unexpired terms in the same manner as the original appointments. Any member may be removed from the board for cause by the member's respective appointing authority."

On page 5, line 6 after "annually" and before the period insert ": PROVIDED, That the legislative members are not eligible to serve as chairperson or vice chairperson"

On page 6, section 10, line 16 after "41.06 RCW" insert:

"Employment of the executive director by the board shall be for a term of three years, and such employment shall be subject to confirmation of the state finance committee: PROVIDED, That nothing shall prevent the board from dismissing the director for cause before the expiration of the term nor shall anything prohibit the board, with the confirmation of the state finance committee, from employing the same individual as director in succeeding terms."

On page 16, line 8 strike "in the duties of" and insert "for" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Taller, the House concurred in the Senate amendments to Substitute House Bill No. 1610.



## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1610 as amended by the Senate.

Mr. McDonald spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. McDonald yielded to question by Ms. Teutsch.

Ms. Teutsch: "I see that this deals with the formation of our new investment committee, and I'd like to know what type of background and experience the new members who would be appointed would have regarding investments and finance? This does involve a great deal of money."

Mr. McDonald: "Representative Teutsch, there are nine members who are going to be appointed. One of them is the director of the highway systems, one is the Director of Labor & Industries, one is a state representative, one is a senator, one is a retired member. There are members from the PERS board, LEOFF and from the teachers' retirement system. Obviously, the ones who are directors are ex officio members and they are just on there. The Senate member is selected by the President of Senate; the representative is selected by the Speakers of the House, and the PERS and CREFF and TRS members are selected from a list of three submitted to the Governor and she picks one of those members. On that board, as well, are five nonvoting members who are experts in the field. There would be people from the insurance industry, from various groups that are expert in the investment field and ones who will lend expertise to this area along with the director and the staff. I think it's been well thought out, and I think the people who will be selected will represent the investment committee well, and we'll get good decisions."

Ms. Teutsch: "Any member from a private investment company of the state does not have a voting membership?"

Mr. McDonald: "That's correct. One of the problems we find with that was that if you have somebody, because of the PDC requirements, they would have to disclose—for instance, if you had Rainier Bank, then the bank would have to disclose—their entire investment portfolio, and that's a problem."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1610 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Gallagher.

Not voting: Representative Smith R.

Substitute House Bill No. 1610 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Smith (R) appeared at the bar of the House.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2494, by Committee on Energy and Utilities (originally sponsored by Senator Bottiger):

Granting the power of eminent domain to certain energy facilities.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, 50th Day, March 3, 1980.)

Mr. Newhouse moved adoption of the committee amendment.

Mr. Nisbet moved adoption of the following amendments to the committee amendment:

On page 1, line 16 after "carriers of" insert "exclusively domestic"

On page 1, line 29 after "carriers of" insert "exclusively domestic"

Representatives Nisbet and Owen spoke in favor of the amendments, and Mr. Newhouse spoke against them.

#### POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. McGinnis.

Mr. McGinnis: "Representative Newhouse, I really feel that both amendments making this exclusively domestic oil are violating interstate commerce laws which are under federal jurisdiction, and it might also get us in trouble with the federal import/export regulations. Do we have the jurisdiction to accomplish and carry out in the courts something of this nature?"

Mr. Newhouse: "I'm not sure I can answer that with any authority. My understanding is that common carriers are of two types: Those that would be intrastate and those that are interstate and those interstate would be regulated by the Interstate Commerce Commission and those intrastate, by the Utilities and Transportation Commission, usually. The play of getting this amendment into the bill, I suppose would, in effect, try to limit on what basis EFSC could issue a permit. I feel rather strongly that, yes, you are right, if the common carrier is established to transport across state lines, it would be regulated by the Interstate Commerce Commission and be beyond the scope of our authority."

Representatives McGinnis and Flanagan spoke against the amendment to the amendment, and Mr. Jovanovich spoke in favor of it.

#### POINT OF INQUIRY

Mr. Nisbet yielded to question by Mr. Isaacson.

Mr. Isaacson: "As I understand this amendment, Representative Nisbet, it is to exclude the importation of oil through the pipeline that are not of origin in the United States?"

Mr. Nisbet: "Representative Isaacson, I think there's been a definite mistake. I can see Representative Newhouse's pride of authorship; he and Northern Tier wrote the original bill, but I'm trying to point out here that what this is—"

#### POINT OF ORDER

Mr. Newhouse: "Mr. Speaker, a couple of speakers have made some rather personal comments and I want to say that the last statement about me authoring the original bill is entirely in error. The bill came from the Senate and I understand it was authored by Senator Ted Bottiger. I resent implications that are untrue."

The Speaker (Mr. Amen presiding): "Would you please keep your remarks to the amendment?"

Mr. Nisbet: "I stand corrected. The original bill was authored by Northern Tier and was committed to both Houses. The amendment now before us was very thoroughly worked over by the Judiciary Committee. What we have here is an amendment that is not trying to do anything other than just this: What this amendment would do, Representative Isaacson, quite simply, is saying that if the people of the State of Washington are going to grant special privilege to exclude what we have had in our laws, to exempt one organization from that, that we, the people of the State of Washington, are saying that if they want that special privilege, that special rule that will apply to this particular organization; then we're saying to limit it to exclusively domestic oil. If any oil company wants to go ahead and build a thousand-inch pipeline across anywhere, be my guest, but I'm saying that if we're going to give up what we have had in our existing laws dealing with eminent domain, then we, the people of the State of Washington, have the right to put restrictions on it. This does not in any way restrict any oil company from doing anything under existing law. This amendment says that if you want to take advantage of the special treatment set forth in this bill, then you would be limited to domestic oil. Anybody else wants to go ahead and play by existing law, be my guest, but if you want this special treatment, we, the people of the State of Washington, before you put this huge ditch throughout our state, across our waters, we're saying limit it to what is needed, Alaskan oil."

Mr. Isaacson: "You still haven't answered the question, Representative Nisbet. I asked whether or not this would exclude the shipment of foreign oil through that pipeline? Is that your intention?"

Mr. Nisbet: "From a pipeline that takes advantage of special legislation, yes."

Mr. Isaacson: "We would have to build a second pipeline then if we were going to handle foreign oil?"

Mr. Nisbet: "Definitely, if they don't want to take advantage of this, a second pipeline could be built, but if they want to take advantage of a change in the Washington state law, then they would be able to bring the Alaskan oil to eastern Washington and to the northern tier states."

Mr. Isaacson spoke against the amendment to the amendment.

#### POINT OF ORDER

Mr. Nisbet: "I feel that Representative Isaacson, by his remarks that I want to build another pipeline, is impugning my motives."

The Speaker (Mr. Amen presiding): "Would all members please confine their remarks to the amendment before us and not make any referral to any other member."

Mr. Isaacson continued his remarks against the amendment to the amendment, and Mr. Garrett spoke in favor of it.

Mr. Nisbet spoke again in favor of the amendment to the amendment, and Mr. Smith (R) spoke against it.

#### POINT OF INQUIRY

Mr. Smith (R) yielded to question by Mr. Nelson (D).

Mr. Nelson (D): "It's been stated, Representative Smith, that the oil company, the pipeline company, could route the pipeline in a strip two miles wide in any fashion they want without any local input. Could you speak to that?"

Mr. Smith (R): "The two-mile wide right-of-way that EFSC would approve is designed to allow some variation within the two miles to avoid a sensitive environmental area or a project or a building or what have you, but the route itself must be approved by EFSC and the specific road that would be crossed of necessity must be approved by EFSC in advance."

Mr. Nelson (D): "Do local governments along the route of the pipeline have input into the selection of the actual siting of that pipeline? Can they suggest, or even say, that it must cross this ravine rather than another ravine, or under this road rather than another road?"

Mr. Smith (R): "They certainly could suggest that and, for two reasons, I think local governments will have some substantial input into the specific route. One is that each of the affected jurisdictions are represented on EFSC and truly their concerns are going to be considered by EFSC. These are responsible public officials from all levels of government who are making these decisions. Perhaps more importantly, from a practical point of view, and I've been involved in some eminent domain proceedings as an attorney, any state agency or local agency that may have to use eminent domain to acquire a necessary piece of property, or in this case, only an easement, is going to, first of all, negotiate with the private landowner or the local government to try to reach an amiable, satisfactory solution. The place they cross and the design of the crossing and all of these things are of legitimate concern to local governments. It's very, very expensive for the acquiring agency, or in this case, utility, to go to eminent domain and they are going to do everything they can to have an agreeable, negotiated solution for that."

Mr. Hughes spoke against the amendment to the committee amendment.

#### POINT OF INQUIRY

Ms. Houchen: "After listening to Representative Smith, I'm confused about the EFSC and the county authority, and so forth. Could you clear that for me?"

Mr. Nisbet: "The existing law now says that if you are exercising a right of eminent domain that Representative Smith spoke about, that you will go before—you have that right. You are granted in existing law—a pipeline company, a railroad or whatever, has the right of eminent domain—that's granted in current law. Where they exercise that right in current law

calls for them to go the local authorities and say that they are exercising their right in this area; then there are public hearings held and the approval is granted by the local element of government. The way this law would read, this change, this special right that's being granted in this particular legislation, is that instead of the local authorities having that right, instead of the counties, the cities, the state, the people having that right, EFSC, which is an organization made up of sixteen appointed people—even the director of EFSC is a state employee—now when EFSC is considering under this bill what's to happen in our Island County or Snohomish or Grant, or wherever that pipeline is going to wander across our state, one representative of that county at that time sits on that EFSC board, but he has one vote as compared to the sixteen other people. Now if he's a really persuasive person, if he's really dynamic and he can really pound, yes, perhaps the concerns, the rights, the people of his area will get their day in court, but remember he's outnumbered sixteen to one by your staff in Olympia, or their representatives, and he has only one chance in that particular area. I hardly think that under this particular amendment we have any real public input. EFSC is holding hearings now, for instance, in Olympia about what's going to happen to your county. Do you know what they are deciding? I don't think that's the way our state government should work. What I'm saying then, is that if we have to give up this very definite right, that people have a say in what happens to those counties, cities in their state, then limit it to domestic oil."

#### POINT OF ORDER

Mr. Chandler: "Mr. Speaker, I believe the amendment before us deals with the issue of whether this pipeline should carry domestic or foreign crude oil and the discussion may lead members to think we're voting on something else."

The Speaker (Mr. Amen presiding): "The amendment is on limiting it to exclusively domestic oil, and let's keep our remarks to that."

#### POINT OF INQUIRY

Mr. Smith (R) yielded to question by Mr. Nelson (D).

Mr. Nelson (D): "Representative Smith, as I read the amendment, and as I understand the right of eminent domain, it would seem that a company that now carries exclusively domestic oil or petroleum products, could construct a pipeline having the right of eminent domain and then, in the future, change to carry foreign oil. Is that possible under this amendment?"

Mr. Smith (R): "That's a difficult question involving a complex area of the law, but I can see this bill as authorizing certain eminent domain powers to allow a company to acquire the right, being limited to domestic oil initially, and then later on change to foreign oil once they have acquired the rights. On the other hand, even if they are sometimes restricted to a particular purpose, it's not completely clear. Perhaps one of the other attorneys on the floor would want to look at that."

Mr. Nisbet demanded an electric roll call vote on the amendment to the amendment, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Nisbet to the committee amendment to Engrossed Second Substitute Senate Bill No. 2494, and the amendments to the amendment were not adopted by the following vote: Yeas, 22; nays, 76; not voting, 0.

Voting yea: Representatives Bagnariol, Becker, Brekke, Burns, Dawson, Eng, Garrett, Granlund, Gruger, Houchen, Jovanovich, Keller, Nisbet, North, Owen, Rinehart, Sherman, Thompson, Valle, Vrooman, Warnke, Wilson.

Voting nay: Representatives Adams, Addison, Amen, Austin, Barnes, Barr, Bauer, Bender, Berentson, Bond, Brown, Chandler, Charnley, Clayton, Craswell, Deccio, Dunlap, Eberle, Ehlers, Ellis, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Greengo, Grimm, Hastings, Heck, Hughes, Isaacson, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, O'Brien, Oliver, Patterson, Polk, Pruitt, Rosbach, Salatino, Sanders, Schmitten, Scott, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Walk, Whiteside, Williams, Winsley, Zimmerman.

Mr. Martinis moved adoption of the following amendment by Representatives Martinis and Wilson to the committee amendment:

On page 1, line 24 after "upon" strike "((such))" and insert "such"

Representatives Martinis, Wilson and Nisbet spoke in favor of the amendment, and Representatives Newhouse and Smith (R) spoke against it.

Mr. Martinis spoke again in favor of the amendment.

#### POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Bond.

Mr. Bond: "Representative Newhouse, I feel sure that the Judiciary Committee, when they had a long, hard look at the language in the committee amendment, certainly must have considered what is being proposed here. I think there still remains a little confusion as to what replacing the word 'such' back into the language does and I'd appreciate clarification on that."

Mr. Newhouse: "Representative Bond, we took out 'such' because it would seem to infer that you were referring to the previous sentence and this is not the intent of the English language in this usage. If we were to say 'to the same extent that other public service corporations,' and then use the word 'such,' we would be referring to those corporations and that was not the intent of the language."

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Martinis and Wilson to the committee amendment to Engrossed Second Substitute Senate Bill No. 2494, and the amendment was not adopted by the following vote: Yeas, 47; nays, 49; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Becker, Bender, Berentson, Brekke, Burns, Dawson, Ehlers, Eng, Erak, Flint, Garrett, Granlund, Grimm, Gruger, Houchen, Hughes, Jovanovich, Keller, King, Lux, Martinis, Mitchell, Monohon, Nelson G. A., Nisbet, North, Owen, Rinehart, Salatino, Sanders, Scott, Sherman, Sommers, Sprague, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Addison, Amen, Austin, Barnes, Barr, Bauer, Bond, Brown, Chandler, Charnley, Clayton, Craswell, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Fuller, Gallagher, Galloway, Greengo, Hastings, Heck, Isaacson, Knowles, Kreidler, May, McCormick, McDonald, McGinnis, Nelson D., Newhouse, O'Brien, Oliver, Patterson, Polk, Pruitt, Rosbach, Schmitt, Smith C. P., Smith R., Stratton, Struthers, Teller, Taylor, Teutsch, Whiteside, Williams.

Not voting: Representatives Erickson, Maxie.

#### STATEMENT FOR THE JOURNAL

I wish to be recorded as "No" on the Martinis/Wilson amendment to Engrossed Second Substitute Senate Bill No. 2494.

ROGER L. VAN DYKEN, 42nd District.

#### MOTION

On motion of Mr. Polk, the House recessed until 1:30 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present except Representatives Knowles, Oliver and Thompson, who were excused.

Mr. Owen moved adoption of the following amendment to the Judiciary Committee amendment to Engrossed Second Substitute Senate Bill No. 2494:

On page 2, beginning on line 22 after "acts of war" strike "or by negligence on the part of the United States government or the state of Washington"

Representatives Owen and Jovanovich spoke in favor of the amendment to the committee amendment, and Mr. Newhouse spoke against it.

Mr. Owen spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Owen to the committee amendment to Engrossed Second Substitute Senate Bill No. 2494, and the amendment was not adopted by the following vote: Yeas, 42; nays, 47; not voting, 9.

Voting yea: Representatives Bagnariol, Bauer, Becker, Bender, Brekke, Burns, Chandler, Charnley, Ehlers, Eng, Erak, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Houchen, Hughes, Jovanovich, Keller, King, Lux, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Rinehart, Salatino, Sanders, Scott, Sherman, Thompson, Valle, Vrooman, Walk, Warnke, Winsley.

Voting nay: Representatives Addison, Amen, Austin, Barnes, Barr, Berentson, Bond, Brown, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Greengo, Hastings, Isaacson, Maxie, May, McCormick, McDonald, McGinnis, Newhouse, Polk, Pruitt, Rosbach, Schmittens, Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Tupper, Van Dyken, Whiteside, Williams, Zimmerman.

Not voting: Representatives Adams, Knowles, Kreidler, Martinis, Oliver, Patterson, Smith C. P., Tilly, Wilson.

Mr. Jovanovich moved adoption of the following amendment to the committee amendment:

On page 1, add a new section to read as follows:

\*NEW SECTION. Section 1. There is added to chapter 81.88 RCW a new section to read as follows:

The legislature finds that the location, construction and operation of crude or refined petroleum or liquid petroleum process transmission pipelines within the state of Washington will present a potentially serious risk to water resources of the state. It is the purpose and intent of this act to protect and preserve the health, safety and welfare of the people of the state of Washington.

NEW SECTION. Sec. 2. There is added to chapter 81.88 RCW a new section to read as follows:

Notwithstanding the provisions of chapter 80.50 RCW the council may not report to the governor any recommendation as to the approval of an application for certification, nor may the governor approve such an application or execute a draft certification agreement for any crude or refined petroleum or liquid petroleum process transmission pipeline or any portion thereof which crosses any portion of Admiralty Inlet or any part of Puget Sound.\*

Renumber the following sections consecutively.

Representatives Jovanovich and Owen spoke in favor of the amendment, and Representatives Newhouse and Charnley spoke against it.

Mr. Jovanovich spoke again in favor of the amendment.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Jovanovich to the committee amendment to Engrossed Second Substitute Senate Bill No. 2494, and the amendment was not adopted by the following vote: Yeas, 25; nays, 68; not voting, 5.

Voting yea: Representatives Bagnariol, Brekke, Burns, Eng, Erak, Galloway, Garrett, Granlund, Houchen, Jovanovich, Keller, King, Kreidler, Lux, Martinis, Monohon, Nelson D., Nisbet, Owen, Rinehart, Teutsch, Valle, Vrooman, Wilson, Winsley.

Voting nay: Representatives Addison, Amen, Austin, Barnes, Barr, Becker, Bender, Berentson, Bond, Brown, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Greengo, Grimm, Gruger, Hastings, Heck, Hughes, Isaacson, Maxie, May, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, North, O'Brien, Patterson, Polk, Pruitt, Rosbach, Salatino, Sanders, Schmittens, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Thompson, Tilly, Tupper, Van Dyken, Walk, Warnke, Whiteside, Williams, Zimmerman.

Not voting: Representatives Adams, Bauer, Knowles, McCormick, Oliver.

Mr. Jovanovich moved adoption of the following amendment to the committee amendment:

On page 2, line 24 after "Washington" insert ": PROVIDED, That such strict liability shall be continuous and unending and not bound by any statute of limitation and shall apply to natural and public resources as well as public and private property"

Mr. Jovanovich spoke in favor of the amendment to the amendment, and Mr. Newhouse spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Jovanovich to the committee amendment to Engrossed Second Substitute Senate Bill No. 2494, and the amendment was not adopted by the following vote: Yeas, 33; nays, 60; not voting, 5.

Voting yea: Representatives Bagnariol, Becker, Brekke, Burns, Charnley, Ehlers, Eng, Erak, Garrett, Granlund, Grimm, Heck, Houchen, Jovanovich, Keller, King, Kreidler, Lux, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, Owen, Rinehart, Salatino, Sherman, Thompson, Vrooman, Walk, Wilson, Winsley.

Voting nay: Representatives Addison, Amen, Austin, Barnes, Barr, Bauer, Bender, Berentson, Bond, Brown, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Greengo, Gruger, Hastings, Hughes, Isaacson, Martinis, Maxie, May, McDonald, McGinnis, Newhouse, O'Brien, Patterson, Polk, Pruitt, Rosbach, Sanders, Schmitt, Scott, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Warnke, Whiteside, Williams, Zimmerman.

Not voting: Representatives Adams, Chandler, Knowles, McCormick, Oliver.

Mr. Martinis moved adoption of the following amendment by Representatives Martinis, Wilson and Smith (R) to the committee amendment:

On page 2, line 38 after "same." insert "Nothing in this act shall be construed to affect the power of the commission to regulate corporations having for one of their principle purposes the construction, maintenance, and operation of pipelines and appurtenances for the conveyance and transportation as common carriers of oils, gas, gasoline, and other petroleum products."

Representatives Martinis, Newhouse, Smith (R) and Galloway spoke in favor of the amendment to the committee amendment.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Ms. Stratton.

Ms. Stratton: "Representative Martinis, is it not true that a pipeline would answer to the Federal Regulatory Commission and would that not supersede a state regulatory commission?"

Mr. Martinis: "Yes."

Mr. Wilson spoke in favor of the amendment to the committee amendment and it was adopted.

Mr. Vrooman moved adoption of the following amendment by Representatives Vrooman and Tupper to the committee amendment:

On page 2, line 39 strike all of subsection (2) and renumber the remaining subsections consecutively.

Representatives Vrooman, Nisbet, Owen and Jovanovich spoke in favor of the amendment to the amendment, and Representatives Wilson, Newhouse, Smith (R) and Hughes spoke against it.

#### POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Bond.

Mr. Bond: "Representative Newhouse, it seems to me there's been an awful lot of misinformation put out in the last few speeches regarding this eminent domain question and even to the extent of saying that this isn't an eminent domain bill, and I can't understand that kind of an approach. I wonder if you'd clear that up for me?"

#### POINT OF ORDER

Mr. Owen: "Mr. Speaker, you ruled earlier that someone couldn't ask a question just to give another person an opportunity to speak and it's evident that's what Representative Bond is doing with Representative Newhouse."

Mr. Bond withdrew his question.

Mr. Vrooman closed debate, speaking in favor of the amendment to the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Vrooman and Tupper to the committee amendment to Engrossed Second Substitute Senate Bill No. 2494, and the amendment was not adopted by the following vote: Yeas, 41; nays, 53; not voting, 4.

Voting yea: Representatives Bagnariol, Bauer, Becker, Brekke, Burns, Chandler, Craswell, Ehlers, Eng, Erak, Granlund, Gruger, Heck, Houchen, Jovanovich, Keller, King, Kreidler, Lux, Martinis, Maxie, Mitchell, Nelson G. A., Nisbet, North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Sanders, Sommers, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Warnke, Wilson, Winsley.

Voting nay: Representatives Addison, Amen, Austin, Barnes, Barr, Bender, Berentson, Bond, Brown, Charnley, Clayton, Dawson, Deccio, Dunlap, Eberle, Ellis, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Greengo, Grimm, Hastings, Hughes, Isaacson, May, McDonald, McGinnis, Monohon, Nelson D., Newhouse, Patterson, Polk, Rosbach, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sprague, Stratton, Struthers, Taller, Taylor, Van Dyken, Walk, Whiteside, Williams, Zimmerman.

Not voting: Representatives Adams, Knowles, McCormick, Oliver.

Mr. Nisbet moved adoption of the following amendment to the committee amendment:  
On page 3, line 5 after "carriers of" insert "exclusively domestic"

Representatives Nisbet and Owen spoke in favor of the amendment to the committee amendment, and Representatives Newhouse, Smith (R), Greengo and McGinnis spoke against it.

Mr. Nisbet spoke again in favor of the amendment to the amendment.

The amendment to the committee amendment was not adopted.

The Clerk read the following amendment by Representatives Martinis and Wilson to the committee amendment:

On page 3, line 9 after "RCW 80.50.100" insert "and is subject to regulation by the commission pursuant to chapter 81.88 RCW"

With the consent of the House, Mr. Martinis withdrew the amendment.

Ms. Houchen moved adoption of the following amendment to the committee amendment:

On page 3, beginning on line 14 after "approved by" strike "the energy facility site evaluation council" and insert "the affected government authority"

Representatives Houchen, Wilson, Jovanovich and North spoke in favor of the amendment to the amendment, and Mr. Newhouse spoke against it.

#### POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Greengo.

Mr. Greengo: "Mr. Newhouse, how does this amendment affect local governments in their ability to handle the problem?"

Mr. Newhouse: "This amendment would say that the exact routes, and so forth, would have to be approved by local governments rather than EFSC and it would, in effect, dispute the authority. As a matter of fact, if it ever did get to a condemnation proceeding, it is a local authority that decides, the superior court of that county, and, if necessary, a jury and a judge locally, and there is plenty of opportunity for the local community always to interject any demands, requests for going one way or the other or requirements as to how the local community is to be affected, not just to EFSC, but if it does get down to the negotiation and then finally to the condemnation proceedings, it is decided by the judge and the jury of the local county."

Mr. Barnes spoke against the amendment to the amendment, and Representatives Owen and Houchen spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Houchen to the committee amendment to Engrossed Second Substitute Senate Bill No. 2494, and the amendment was adopted by the following vote: Yeas, 50; nays, 42; not voting, 6.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Brekke, Burns, Chandler, Craswell, Dawson, Ehlers, Eng, Erak, Erickson, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Houchen, Jovanovich, Keller, King, Kreidler, Lux, Martinis, Maxie, Mitchell, Monohon, Nelson G. A., Nisbet, North, O'Brien, Owen, Rinehart, Sanders, Schmittens, Sherman, Sommers, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Addison, Amen, Austin, Barnes, Barr, Bender, Bond, Brown, Charnley, Clayton, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Gallagher, Greengo, Hastings, Hughes, Isaacson, May, McDonald, McGinnis, Nelson D., Newhouse, Patterson, Polk, Pruitt, Rosbach, Salatino, Scott, Smith C. P., Sprague, Stratton, Struthers, Taller, Taylor, Van Dyken, Williams.

Not voting: Representatives Berentson, Knowles, McCormick, Oliver, Smith R., Whiteside.

Mr. Wilson moved adoption of the following amendment to the committee amendment:

On page 4, following subsection (3) insert a new subsection as follows:

"(4) All powers granted under this act shall be null and void after a period of one year from the date approval of a project is granted pursuant to RCW 80.50.100."

Mr. Wilson spoke in favor of the amendment to the amendment, and Representatives Stratton and Newhouse spoke against it.

Mr. Wilson spoke again in favor of the amendment.

With the consent of the House, Mr. Wilson withdrew the amendment to the amendment.

Mr. Nisbet moved adoption of the following amendment to the committee amendment:



On page 4, following subsection (3) insert a new subsection as follows:

"(4) All powers granted under this act shall be null and void after a period of eighteen months from the date approval of a project is granted pursuant to RCW 80.50.100."

Mr. Nisbet spoke in favor of the amendment to the amendment, and Mr. Newhouse spoke against it.

Mr. Nisbet again spoke in favor of the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Nisbet to the committee amendment to Engrossed Second Substitute Senate Bill No. 2494, and the amendment to the amendment was not adopted by the following vote: Yeas, 32; nays, 58; not voting, 8.

Voting yea: Representatives Bagnariol, Becker, Brekke, Burns, Craswell, Eng, Erak, Fuller, Garrett, Granlund, Houchen, Jovanovich, Keller, King, Kreidler, Lux, Maxie, Mitchell, Monohon, Nelson G. A., Nisbet, Owen, Pruitt, Rinehart, Rosbach, Salatino, Teutsch, Thompson, Valle, Vrooman, Wilson, Winsley.

Voting nay: Representatives Adams, Addison, Amen, Austin, Barnes, Barr, Bender, Berentson, Bond, Brown, Chandler, Charnley, Clayton, Deccio, Dunlap, Eberle, Ehlers, Ellis, Erickson, Fancher, Flanagan, Flint, Gallagher, Galloway, Greengo, Grimm, Gruger, Hastings, Heck, Hughes, Isaacson, Martinis, May, McDonald, McGinnis, Nelson D., Newhouse, North, O'Brien, Patterson, Polk, Sanders, Schmitt, Scott, Sherman, Smith C. P., Sprague, Stratton, Struthers, Taller, Taylor, Tilly, Tupper, Van Dyken, Walk, Warnke, Williams, Zimmerman.

Not voting: Representatives Bauer, Dawson, Knowles, McCormick, Oliver, Smith R., Sommers, Whiteside.

Ms. Rinehart moved adoption of the following amendment by Representatives Rinehart, Teutsch and Vrooman to the committee amendment:

On page 4, following line 32 add a new subsection to read as follows:

"(4) Any power granted or confirmed by this act shall not be interpreted to apply to those sections of pipe lines or appurtenances prohibited by or inconsistent with zoning ordinances, land use plans, or master programs adopted pursuant to chapters 35.63, 35A.63, 36.70, or 90.58 RCW, or Article XI of the Washington Constitution."

Representatives Rinehart and Teutsch spoke in favor of the amendment to the amendment, and Representatives Newhouse and Wilson spoke against it.

#### POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. McGinnis.

Mr. McGinnis: "Representative Newhouse, are there any counties or cities that, if we pass this, will they not, in fact, have the right to basically stop the eminent domain process which this law intends to create?"

Mr. Newhouse: "I would interpret this amendment as giving the power to local governments to establish a zoning ordinance not inconsistent with state law to override the entire pipeline process."

Representatives McGinnis, Barnes, Austin and Greengo spoke against adoption of the amendment to the committee amendment, and Representatives Nisbet, Jovanovich and Owen spoke in favor of it.

Mr. Patterson demanded the previous question and the demand was sustained.

The amendment to the committee amendment was not adopted.

Mr. Jovanovich moved adoption of the following amendment to the committee amendment:

On page 4, line 12 after "county" strike "may" and insert "shall"

Representatives Jovanovich and Wilson spoke in favor of the amendment to the amendment, and Representative Newhouse spoke against it.

The amendment to the committee amendment was not adopted.

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Mr. Adams moved that the House now reconsider the vote by which the Houchen amendment to the committee amendment was adopted.

## POINT OF ORDER

Mr. Owen: "Mr. Speaker, it's my opinion that the motion to reconsider is not timely."

The Speaker (Mr. Amen presiding): "Your point is not well taken, Representative Owen."

## MOTION

Mr. Newhouse moved that the House adjourned until 10:30 a.m., Monday, March 10, 1980.

A division was called.

## ROLL CALL

The Clerk called the roll on the motion that the House adjourn until 10:30 a.m., Monday, March 10, 1980, and the motion was carried by the following vote: Yeas, 52; nays, 39; not voting, 7.

Voting yea: Representatives Adams, Addison, Amen, Austin, Barnes, Barr, Bauer, Bender, Bond, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Galloway, Greengo, Hastings, Hughes, Isaacson, Maxie, May, McDonald, McGinnis, Monohon, Nelson, G., Newhouse, Patterson, Polk, Rosbach, Salatino, Schmitten, Scott, Smith, C., Sprague, Stratton, Taller, Taylor, Thompson, Tilly, Van Dyken, Zimmerman.

Voting nay: Representatives Bagnariol, Becker, Brekke, Chandler, Ehlers, Eng, Gallagher, Garrett, Granlund, Grimm, Gruger, Heck, Houchen, Jovanovich, Keller, King, Kreidler, Lux, Martinis, Mitchell, Nelson, D., Nisbet, North, O'Brien, Owen, Pruitt, Rinehart, Sanders, Sherman, Struthers, Teutsch, Tupper, Valle, Vrooman, Walk, Warnke, Williams, Wilson, Winsley.

Not voting: Representatives Berentson, Knowles, McCormick, Oliver, Smith, R., Sommers, Whiteside.

The Speaker (Mr. Amen presiding) declared the House adjourned until 10:30 a.m., Monday, March 10, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO F. CHIECHI, Chief Clerk

## FIFTY-SEVENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, March 10, 1980

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Tracey Roberts, Bob Leeper and Scott Anderson. Prayer was offered by Father Theodore Marmo of St. Michael's Catholic Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

## MESSAGES FROM THE GOVERNOR

March 6, 1980

To the Honorable,  
The House of Representatives  
Of the State of Washington  
Ladies and Gentlemen:

I have the honor to advise that on March 6, 1980, Governor Ray approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 799: Relating to social and health services;

SUBSTITUTE HOUSE BILL NO. 1952: Relating to unemployment compensation.

Very truly yours,  
H. B. Hanna, Legal Counsel.

March 7, 1980

To the Honorable,  
The House of Representatives  
Of the State of Washington  
Ladies and Gentlemen:

I have the honor to advise that on March 7, 1980, Governor Ray approved the following House Bills, entitled:

HOUSE BILL NO. 19: Relating to the restoration of civil rights;

HOUSE BILL NO. 209: Relating to judicial review of administrative agencies;

HOUSE BILL NO. 783: Relating to the state patrol;

HOUSE BILL NO. 1447: Relating to wildlife;

HOUSE BILL NO. 1458: Relating to public assistance;

SUBSTITUTE HOUSE BILL NO. 1480: Relating to institutions of higher education;

HOUSE BILL NO. 1486: Relating to razor clams;

HOUSE BILL NO. 1495: Relating to educational services registration;

SUBSTITUTE HOUSE BILL NO. 1511: Relating to legend drugs;

HOUSE BILL NO. 1521: Relating to public assistance;

SUBSTITUTE HOUSE BILL NO. 1729: Relating to children;

HOUSE BILL NO. 1841: Relating to sales and use taxation.

Very truly yours,  
H. B. Hanna, Legal Counsel.

## MESSAGES FROM THE SENATE

March 7, 1980

Mr. Speaker:

The Senate has passed:

HOUSE JOINT MEMORIAL NO. 25,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

March 7, 1980

Mr. Speaker:

The Senate has receded from its amendments to ENGROSSED HOUSE BILL NO. 646, and has passed the bill without the Senate amendments, and the same is herewith transmitted.  
Bill Gleason, Assistant Secretary.

March 7, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to REENGROSSED SENATE BILL NO. 2433, and has passed the bill as amended by the House.  
Bill Gleason, Assistant Secretary.

March 7, 1980

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 3574, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

March 6, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3257,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 7, 1980

Mr. Speaker:

The Senate has receded from its amendments to ENGROSSED HOUSE BILL NO. 1453 on page 1, line 2 and page 2, line 20, and has passed the bill with the amendment to page 2, line 18, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### FINAL PASSAGE OF HOUSE BILL WITHOUT CERTAIN SENATE AMENDMENTS

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1453 without certain Senate amendments.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1453 without certain Senate amendments, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Bond, Sprague.

Engrossed House Bill No. 1453 without certain Senate amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

I wish the record to show that I voted "Yes" on Engrossed House Bill No. 1453.

WALT SPRAGUE, 21st District.

#### SENATE AMENDMENTS TO HOUSE BILL

February 18, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1422 with the following amendments:

In line 14 of the title after ".030;" insert "amending section 31, chapter 299, Laws of 1961 and RCW 3.42.010; amending section 126, chapter 299, Laws of 1961 and RCW 3.70.040;"

In line 14 of the title after "Title 3 RCW;" insert "repealing section 72, page 235, Laws of 1854, section 1772, Code of 1881, section 3, page 119, Laws of 1888, section 11, chapter 135, Laws of 1979 1st ex. sess. and RCW 12.12.050;"

On page 2, line 13 after "court)," insert "In courts of limited jurisdiction, juries shall be selected and impaneled in the same manner as in the superior courts, except that a court of limited jurisdiction shall use the jury list developed by the superior court judge or judges to select a jury panel."

On page 2, beginning on line 14 strike all the material down to and including "clerk." on page 5, line 19 and renumber the remaining sections consecutively.

On page 5, after line 19 insert:

"Sec. 7. Section 31, chapter 299, Laws of 1961 and RCW 3.42.010 are each amended to read as follows:

When so authorized by the justice court districting plan, one or more justice court commissioners may be appointed in any justice court district by the justices of the peace of such district. Each commissioner shall be a registered voter of the county in which the justice court district or a portion thereof is located, and shall hold office during the pleasure of the justices of the peace appointing him: PROVIDED, That any commissioner authorized to hear or dispose of cases shall be a lawyer who is admitted to the practice of law in the state of Washington or who has passed the qualifying examination for lay justices of the peace as provided under RCW 3.34.060."

Renumber the remaining sections consecutively.

On page 5, line 26 after "(1980))" strike "eighty-five" and insert "ninety"

On page 6, after line 21 insert:

"Sec. 10. Section 126, chapter 299, Laws of 1961 and RCW 3.70.040 are each amended to read as follows:

The Washington state magistrates' association shall:

(1) Continuously survey and study the operation of the courts served by its membership, the volume and condition of business of such courts, the methods of procedure therein, the work accomplished, and the character of the results;

(2) Promulgate suggested rules for the administration of the justice courts not inconsistent with the law or rules of the supreme court relating to such courts;

(3) Report annually to the supreme court as well as the governor and the legislature on the condition of business in the courts of limited jurisdiction, including the association's recommendations as to needed changes in the organization, operation, judicial procedure, and laws of statutes implemented or enforced in these courts."

Renumber the remaining sections consecutively.

On page 7, line 11 strike all the material down through "1980" and insert "Sections 8 and 9 of this 1980 act shall take effect on May 1, 1980"

On page 7, after line 11 insert a new section to read as follows:

"NEW SECTION. Sec. 14. Section 72, page 235, Laws of 1854, section 1772, Code of 1881, section 3, page 119, Laws of 1888, section 11, chapter 135, Laws of 1979 1st ex. sess. and RCW 12.12.050 are each repealed."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Newhouse moved that the House do concur in the Senate amendments to Substitute House Bill No. 1422.

Mr. Newhouse spoke against the motion, and Representatives Charnley and Ellis spoke in favor of it.

The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1422 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1422 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Sommers, Sprague,

Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Ehlers, Smith R.

Not voting: Representative Addison.

Substitute House Bill No. 1422 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

March 6, 1980

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1763 with the following amendments:

On page 3, line 2 after "committee" insert "and the legislature"

On page 3, line 9 after "committee" and before "appropriate" strike "deems" and insert "and legislature deem"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Ehlers moved that the House do concur in the Senate amendment to page 3, line 9 of Engrossed Substitute House Bill No. 1763, and do not concur in the Senate amendment to page 3, line 2, and ask the Senate to recede therefrom.

Representatives Ehlers and Dunlap spoke in favor of the motion, and it was carried.

#### MOTION

On motion of Mr. Salatino, the House advanced to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

March 7, 1980

HOUSE BILL NO. 825, Prime Sponsor: Representative Schmitt, authorizing a security force for operating agencies. Reported by Committee on Local Government.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Charnley, Co-Chairman; Zimmerman, Co-Chairman; Barr, Brown, Garrett, North, Rosbach, Stratton, Teutsch, Van Dyken, Whiteside.

Passed to Committee on Rules for second reading.

March 6, 1980

HOUSE BILL NO. 1491, Prime Sponsor: Representative Pruitt, establishing a program for health promotion. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill as recommended by the House Committee on Social and Health Services be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Barnes, Bauer, Becker, Ehlers, Gruger, Heck, Hughes, Keller, Maxie, Nisbet, Taller, Taylor, Valle, Warnke, Zimmerman.

Passed to Committee on Rules for second reading.

March 6, 1980

HOUSE BILL NO. 1566, Prime Sponsor: Representative Teutsch, establishing pilot programs for health care accessibility. Reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass, which bill includes all amendments proposed by the House Committee on Social and Health Services. Signed by Representatives Thompson, Co-Chairman; Bauer, Becker, Ehlers, Grimm, Gruger, Heck, Hughes, Keller, Maxie, Valle, Vrooman, Warnke, Zimmerman.

Passed to Committee on Rules for second reading.

March 6, 1980

HOUSE BILL NO. 1809, Prime Sponsor: Representative Clayton, enacting the agricultural migrant labor act of 1980. Reported by Committee on Appropriations.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Thompson, Co-Chairman; Barnes, Bauer, Becker, Deccio, Ehlers, Gruger, Heck, Hughes, Keller, Maxie, Taylor, Valle, Vrooman, Warnke.

Passed to Committee on Rules for second reading.

March 6, 1980

ENGROSSED SENATE BILL NO. 3371, Prime Sponsor: Senator Peterson, establishing the Padilla Bay estuarine sanctuary in Skagit County. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendment and the amendment by the House Ecology Committee not be adopted:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION.** Section 1. For the purpose of establishing an estuarine sanctuary in Padilla Bay, Skagit county, there is appropriated from the general fund to the department of ecology for the biennium ending June 30, 1981, the sum of seventy thousand dollars, or so much thereof as may be necessary. The department of ecology may use such funds for the acquisition of tidelands within Padilla Bay, Skagit county, either through direct expenditures or through grants to a federal, state, or local agency and for administering the establishment of an estuarine sanctuary in Padilla Bay, Skagit County.

No moneys appropriated under this section may be used by the department of ecology for acquisition of tidelands unless made in combination with an equal match of moneys from other public or private sources.

Prior to acquiring any tidelands, the department of ecology shall determine that the use of the property to be acquired will be consistent with chapter 90.58 RCW, the shoreline management act, and guideline and master programs adopted thereunder.

Hunting, fishing, boating and noncommercial taking of shellfish shall be authorized but shall be regulated on properties acquired under this section or as a result of the passage of this section."

Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Bauer, Becker, Chandler, Deccio, Ehlers, Fancher, Grimm, Gruger, Heck, Hughes, Keller, Nisbet, Taller, Taylor, Valle, Vrooman, Warnke.

Passed to Committee on Rules for second reading.

March 6, 1980

ENGROSSED SUBSTITUTE SENATE BILL NO. 3515, Prime Sponsor: Senator Morrison, regulating cloud-seeding. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION.** Section 1. The legislature finds and declares that when prolonged lack of precipitation in the state causes severe hardships affecting the health, safety, and welfare of the people of the state, a program to increase precipitation is occasionally needed to alleviate hardships created by shortages of water for agriculture, the threat of forest fires, for the generation of hydroelectric power, and for domestic purposes. Cloud seeding has been demonstrated to be such a program of weather modification with increasing scientific certainty.

**NEW SECTION.** Sec. 2. Notwithstanding any other provision of law to the contrary, sections 2 through 4 of this act shall supersede all existing statutes inconsistent herewith. In addition, chapter 43.21C RCW shall not apply to individual weather modification activities undertaken pursuant to sections 3 and 4 of this act: **PROVIDED,** That an environmental impact statement shall be required in relation to regulations adopted pursuant to the formulation of a general program of emergency cloud seeding promulgated pursuant to section 3 of this 1980 act.

**NEW SECTION.** Sec. 3. The director shall establish and promulgate by rule, pursuant to chapter 34.04 RCW, a program of emergency cloud seeding. The director shall include in such rules standards and guidelines for determining the situations which warrant cloud seeding, the means to be used for cloud seeding, and contractual obligations to be specified for each approved project: **PROVIDED,** That such standards and guidelines for determining the situations which warrant cloud seeding shall require a proclamation of a state of emergency pursuant to chapter 43.06 RCW: **PROVIDED, FURTHER,** That no clouds shall be seeded unless the voters of each county where the rain from such clouds will fall approves a proposition authorizing such seeding. The guidelines shall include criteria for forecasting water shortages and for determining when such shortages are of an emergency nature. The department shall report to the legislature annually its water supply forecast for the ensuing year. In the report, the department shall compare the previous year's forecast with data actually recorded for that year and shall identify any changes in data collection or forecasting methodology deemed necessary.

NEW SECTION. Sec. 4. The director is authorized to receive and expend funds from whatever source in carrying out the provisions of sections 2 through 4 of this act. Such funds may be used in lieu of or to replace state funds expended for emergency cloud seeding operations.

NEW SECTION. Sec. 5. There is appropriated to the department of ecology from the general fund the sum of one hundred thousand dollars, or so much thereof as may be necessary, for the purpose of carrying out the provisions of this act.

NEW SECTION. Sec. 6. Sections 2 through 4 of this act shall be added to chapter 43.37 RCW.

NEW SECTION. Sec. 7. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.\*

Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Barnes, Bauer, Deccio, Fancher, Heck, Maxie, Taller, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

March 6, 1980

SUBSTITUTE SENATE BILL NO. 3526, Prime Sponsor: Senator von Reichbauer, appropriating funds for sewage disposal systems at marine state parks. Reported by Committee on Appropriations.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 6 strike "state and local improvements revolving account (waste disposal facilities)" and insert "Outdoor Recreation Account (Initiative 215)"

Signed by Representatives Nelson (G), Co-Chairman; Thompson, Co-Chairman; Barnes, Bauer, Chandler, Deccio, Ehlers, Fancher, Gruger, Heck, Hughes, Keller, Taylor, Valle, Vrooman, Warnke, Williams, Zimmerman.

Passed to Committee on Rules for second reading.

March 7, 1980

SUBSTITUTE SENATE BILL NO. 3571, Prime Sponsor: Senator Goltz, providing study for institute of applied technology. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Executive Chairman; Barnes, Co-Chairman; Burns, Erickson, McGinnis, Patterson, Teutsch.

Passed to Committee on Rules for second reading.

#### SECOND READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2494, by Committee on Energy and Utilities (originally sponsored by Senator Bottiger):

Granting the power of eminent domain to certain energy facilities.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 54th Day, March 7, 1980.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion to reconsider the vote by which the amendment to page 3, line 14 by Representative Houchen was adopted.

#### POINT OF ORDER

Mr. Owen: "Mr. Speaker, my point of order is that Rule 68 says that a motion to reconsider after the 50th day must be considered on the day the motion is made."

#### SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "Rule 68 doesn't apply in this case. Reed's Rule 205 sets out rather clearly that the motion to reconsider can be made at any time the bill is pending before the House, so the motion to reconsider is in order."

#### POINT OF PARLIAMENTARY INQUIRY

Ms. Rinchart: "I thought the House Rules superseded Reed's Rules or is it the other way around?"

The Speaker (Mr. O'Brien presiding): "There isn't any conflict between the House Rules and Reed's Rules in this particular instance. The rule he cited is the rule on final passage of a



bill on a motion for reconsideration and this is a different situation. This is a motion to reconsider an amendment and Reed's Rules are rather clear on a motion to reconsider an amendment."

Speaker Bagnariol assumed the Chair.

Mr. Nisbet demanded an oral roll call vote on the motion, and the demand was sustained.

Representatives Houchen, Wilson, Owen, Nisbet, Jovanovich and Vrooman spoke against the motion for reconsideration, and Representatives Newhouse, Hughes, Bond and Taylor spoke in favor of it.

#### POINT OF ORDER

Mr. Jovanovich: "Mr. Speaker, my point of order is that people are saying that these are delaying tactics and I resent this. This is not a delaying tactic. These amendments that are being offered are good amendments. We're speaking for the people in our districts and in a manner which we feel they would want us to speak. I resent the implication or the suggestion that we are trying to delay this bill for no particular reason."

Speaker Bagnariol: "Your point is well taken, Representative Jovanovich. Please confine your remarks, Representative Taylor, to the motion to reconsider the vote by which the amendment by Representative Houchen passed on Friday."

Mr. Taylor continued his remarks in favor of the motion, and Ms. Rinehart spoke against the motion.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the amendment by Representative Houchen to page 3, line 14 of Engrossed Second Substitute Senate Bill No. 2494 was adopted, and the motion was carried by the following vote: Yeas, 57; nays, 40; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Barnes, Barr, Bender, Berentson, Bond, Brown, Charnley, Clayton, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Granlund, Greengo, Hastings, Hughes, Isaacson, Knowles, Lux, May, McCormick, McDonald, McGinnis, Newhouse, Oliver, Patterson, Polk, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sprague, Stratton, Struthers, Taller, Taylor, Van Dyken, Walk, Whiteside, Williams.

Voting nay: Representatives Bagnariol, Bauer, Becker, Brekke, Burns, Chandler, Craswell, Eng, Erak, Garrett, Grimm, Gruger, Heck, Houchen, Jovanovich, Keller, Kreidler, Martinis, Maxie, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Pruitt, Rinehart, Sommers, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Warnke, Wilson, Winsley, Zimmerman.

Not voting: Representative King.

Speaker Bagnariol stated the question before the House to be the reconsideration of adoption of the amendment by Representative Houchen.

Representatives Houchen, Owen, Wilson, Jovanovich, Taylor and Nisbet spoke in favor of the amendment, and Representatives Newhouse and Bond spoke against it.

Mr. Knowles demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Houchen to page 3, line 14 of Engrossed Second Substitute Senate Bill No. 1494, and the amendment was not adopted by the following vote: Yeas, 43; nays, 55; not voting, 0.

Voting yea: Representatives Bagnariol, Bauer, Becker, Brekke, Burns, Chandler, Craswell, Eng, Erak, Galloway, Garrett, Grimm, Gruger, Heck, Houchen, Jovanovich, Keller, King, Kreidler, Lux, Martinis, Maxie, Mitchell, Monohon, Nelson G. A., Nisbet, North, Owen, Pruitt, Rinehart, Sherman, Sommers, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Addison, Amen, Austin, Barnes, Barr, Bender, Berentson, Bond, Brown, Charnley, Clayton, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Granlund, Greengo, Hastings, Hughes, Isaacson, Knowles, May, McCormick, McDonald, McGinnis, Nelson D., Newhouse, O'Brien, Oliver, Patterson, Polk, Rosbach, Salatino, Sanders, Schmitten, Scott, Smith C. P., Smith R., Sprague, Stratton, Struthers, Taller, Taylor, Van Dyken, Whiteside, Williams.

## MOTION

On motion of Mr. King, the House recessed until 1:30 p.m.

## AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

Mr. Jovanovich moved adoption of the following amendment to the committee amendment:

On page 4, line 32 following "use" insert "and periodically be adjusted to reflect inflation, increased property values, and such other factors as may be deemed appropriate by the council"

Mr. Jovanovich spoke in favor of the amendment to the committee amendment, and Mr. Newhouse spoke against it.

Mr. Jovanovich spoke again in favor of the amendment, and it was not adopted.

Mr. Wilson moved adoption of the following amendment to the committee amendment:

On page 3, line 36 after "RCW 36.55.010:" insert "PROVIDED FURTHER, That the fee for the use of the right of way shall be in an amount based upon the annual average volume of the product transported over the right of way:"

Representatives Wilson, Nisbet and Dunlap spoke in favor of the amendment to the amendment, and Representatives Newhouse, Eberle and Bond spoke against it.

Mr. Wilson spoke again in favor of the amendment to the amendment, and it was not adopted.

Mr. Jovanovich moved adoption of the following amendment to the committee amendment:

On page 4, add a new section as follows:

"NEW SECTION. Sec. 2. Any private property taken by the power of eminent domain granted under this 1980 act which later becomes surplus or is unused as a pipeline for a consecutive one-year period, shall be sold by bid to the highest bidder with the original owner having first right of refusal."

Representatives Jovanovich, Nisbet and Oliver spoke in favor of the amendment, and Representatives Newhouse and Flanagan spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Jovanovich to page 4 of the committee amendment to Engrossed Second Substitute Senate Bill No. 2494, and the amendment was not adopted by the following vote: Yeas, 47; nays, 48; not voting, 3.

Voting yea: Representatives Bagnariol, Bauer, Becker, Brekke, Burns, Chandler, Craswell, Dawson, Dunlap, Ehlers, Eng, Erak, Flint, Galloway, Garrett, Grimm, Gruger, Heck, Houchen, Jovanovich, Keller, King, Kreidler, Lux, Martinis, Maxie, Mitchell, Monohon, Nelson D., Nisbet, North, O'Brien, Oliver, Owen, Rinehart, Schmittens, Sherman, Sommers, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Wilson, Winsley.

Voting nay: Representatives Adams, Addison, Amen, Austin, Barnes, Barr, Bender, Berentson, Bond, Brown, Charnley, Clayton, Deccio, Eberle, Ellis, Erickson, Fancher, Flanagan, Fuller, Gallagher, Granlund, Greengo, Hastings, Hughes, Knowles, May, McCormick, McGinnis, Newhouse, Patterson, Polk, Pruitt, Rosbach, Salatino, Sanders, Scott, Smith C. P., Smith R., Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Van Dyken, Whiteside, Williams, Zimmerman.

Not voting: Representatives Isaacson, McDonald, Nelson G. A.

Mr. Jovanovich moved adoption of the following amendment to the committee amendment:

On page 4, following line 32 add a new section to read as follows:

"NEW SECTION. Sec. 2. Any corporation constructing, maintaining or operating a pipeline or appurtenance or conveyance in the transportation of oils, gas, gasoline and other petroleum process shall consider and make allowance for the aesthetic effects of such construction. In the construction of such pipelines and appurtenances to the pipeline no portion of the pipeline or appurtenances other than the transmission facility itself, shall remain exposed to public view. In any place where the pipeline or an appurtenance remains above the ground, it shall be fully shielded from public view by landscaping, planting of trees or other shrubbery. The corporation shall bear the full cost of such shielding, including any loss of view, air or light suffered by any person whose rights are impaired by the screening."

Representatives Jovanovich, Nisbet and Owen spoke in favor of the amendment to the committee amendment, and Representatives Newhouse and Bond spoke against it.

Mr. Nisbet spoke again in favor of the amendment.

The amendment to the committee amendment was not adopted.

Mr. Schmitten moved adoption of the following amendment by Representatives Schmitten and Jovanovich to the committee amendment:

On page 4, after subsection (3) add a new section to read as follows:

**\*NEW SECTION.** Sec. 2. Any pipeline which carries oils, gas, gasoline or other petroleum products in, over, under, or through this state shall immediately shut down all necessary segments of such pipeline upon discovery or notice of any leak of any size or magnitude whatever and shall not resume use of any such pipeline until this state has certified that the leak has been completely repaired."

Representatives Schmitten, Jovanovich and Wilson spoke in favor of the amendment to the committee amendment, and Representatives Bond and Newhouse spoke against it.

Mr. Schmitten spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Schmitten and Jovanovich to the committee amendment to Engrossed Second Substitute Senate Bill No. 2494, and the amendment to the amendment was adopted by the following vote: Yeas, 68; nays, 29; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Bauer, Becker, Bender, Berentson, Brekke, Burns, Chandler, Craswell, Dawson, Deccio, Dunlap, Ellis, Eng, Erak, Erickson, Flint, Galloway, Garrett, Granlund, Gruger, Heck, Houchen, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, Owen, Patterson, Polk, Pruitt, Rinehart, Salatino, Schmitten, Scott, Sherman, Sommers, Sprague, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Barnes, Barr, Bond, Brown, Charnley, Clayton, Eberle, Fancher, Flanagan, Fuller, Gallagher, Greengo, Grimm, Hastings, Isaacson, May, McCormick, McGinnis, Newhouse, O'Brien, Oliver, Rosbach, Sanders, Smith C. P., Smith R., Stratton, Struthers, Walk, Williams.

Not voting: Representative Ehlers.

Mr. Owen moved adoption of the following amendment to the committee amendment:

On page 4, following line 32 add a new section as follows:

**\*NEW SECTION.** Sec. 2. Nothing in this act shall be construed to relieve any person or corporation of the requirements to obtain development permits under chapter 90.58 RCW."

Representatives Owen, Nisbet, Wilson, Becker and Houchen spoke in favor of the amendment to the committee amendment, and Representatives Newhouse and Barr spoke against it.

Mr. Owen spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Owen to the committee amendment to Engrossed Second Substitute Senate Bill No. 2494, and the amendment to the amendment was not adopted by the following vote: Yeas, 48; nays, 46; not voting, 4.

Voting yea: Representatives Bagnariol, Barnes, Bauer, Becker, Brekke, Burns, Chandler, Craswell, Dawson, Ehlers, Eng, Erak, Garrett, Granlund, Grimm, Gruger, Heck, Houchen, Jovanovich, Keller, King, Kreidler, Lux, Martinis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Schmitten, Scott, Sherman, Sommers, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Warnke, Wilson, Winsley.

Voting nay: Representatives Adams, Addison, Amen, Austin, Barr, Bond, Brown, Charnley, Clayton, Deccio, Dunlap, Eberle, Ellis, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Greengo, Hastings, Hughes, Isaacson, Knowles, May, McDonald, McGinnis, Newhouse, Oliver, Patterson, Polk, Rosbach, Sanders, Smith C. P., Smith R., Sprague, Stratton, Struthers, Taller, Taylor, Van Dyken, Walk, Whiteside, Williams, Zimmerman.

Not voting: Representatives Bender, Berentson, Maxie, McCormick.

Mr. Smith (R) moved adoption of the following amendment by Representatives Smith (R) and McDonald to the committee amendment:

On page 4, after line 32 insert the following subsection to read as follows:

"(4) The powers of eminent domain granted under this section shall not apply to any corporation with respect to any pipeline which is designed to carry crude oil from the Washington coast to the northern mid-west part of the United States and for which such powers are sought, unless such corporation or its assigns

or agents shall construct lines capable of carrying crude oil from such pipeline to each oil refinery existing at the effective date of this 1980 act in Skagit and Whatcom counties."

Mr. Smith (R) spoke in favor of the amendment to the amendment.

#### POINT OF INQUIRY

Mr. Smith (R) yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Smith, I'm aware that the President, in his dictating that Northern Tier would be approved, said a branch line would also have to be approved for this purpose. I'm concerned about the implications of putting this into state law on a one-sided proposition. As you said, one of those refineries up there can use Alaskan crude, the other three cannot, so it would be tremendously expensive to convert them and you are, in here, putting in a mandate for any pipeline company—not just Northern Tier, mind you, but any other that builds a pipeline—to also be branched up to those four refineries and any others which may be built, and not telling those refineries that they have to hook up to this pipeline. Do you think this is a fair arrangement? Would it be economically feasible on that basis?"

Mr. Smith (R): "It's my understanding, Representative Newhouse, and I have discussed this with the industry people, that these existing refineries can utilize this pipeline in part, so there isn't any reason why they all wouldn't utilize it in part even though some of them have a higher mix of Alaskan crude versus the other."

Mr. Newhouse: "You didn't answer the question about whether or not this is fair to the pipeline company to say you've got to build it there, but you're not saying to the people at the other end that they have to use that pipeline."

Mr. Smith (R): "I understand your question now. I was the prime sponsor of the tug escort bill, and it was legislation that limited the size of tankers on Puget Sound. I found that, although it was a good idea, it was unconstitutional. At that time we thought it might be but we thought it was worth a try. I believe it would be unconstitutional to mandate that these people hook up to it. It would perhaps be an infringement of interstate commerce and they already have their site, and I don't see that we could do that. I really feel that if the pipelines are built they will be utilized to the extent capable within their existing operation."

Representatives Newhouse, Nisbet and Van Dyken spoke against the amendment to the amendment, and Representatives McDonald, Charnley, Ehlers and Addison spoke in favor of it.

#### POINT OF INQUIRY

Mr. Smith (R) yielded to question by Mr. Jovanovich.

Mr. Jovanovich: "Representative Smith, in requiring that Northern Tier would have to build lines up to the existing refineries, would this be done totally at their cost or would they pass this cost on to the refineries involved?"

Mr. Smith (R): "Any time a utility of this nature is built, the costs of it are amortized over a long period of time and the rate, the tariff, for utilization of the line pays the company back for their cost plus a reasonable profit. This is regulated by the appropriate regulatory commission. It was suggested earlier that the cost to our refineries would be \$65 million and I believe that those figures are based on suggestions of what it would have cost to provide the oil from the Port Angeles area across Puget Sound and to the refineries, disregarding the other users on the pipeline to the midwest. I believe the reasonable way to establish the tariff for the existing refineries would be only to establish a tariff sufficient to pay for the trunkline and not the entire project since this is the condition of having the project in the state of Washington and the cost would be far lower in that case than if it were just one of the users."

Mr. Jovanovich: "Is it your intention that these oil refineries would be mandated to hook up to the lines if they brought them up there?"

Mr. Smith (R): "No, the amendment does not mandate a hook up, but I do anticipate as a practical matter, private industry would negotiate the tariff, would testify before the regulatory commission and the appropriate tariff would be established, and they would indeed hook up."

Mr. Jovanovich spoke in favor of the amendment to the amendment, and Mr. Bond spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Smith (R) and McDonald to the committee amendment to Engrossed Second Substitute Senate Bill No. 2494, and the amendment to the amendment was not adopted by the following vote: Yeas, 41; nays, 55; not voting, 2.

Voting yea: Representatives Addison, Bagnariol, Becker, Bender, Brekke, Burns, Chandler, Charnley, Dunlap, Ehlers, Eng, Erak, Erickson, Flint, Fuller, Garrett, Granlund, Gruger, Hughes, Jovanovich, King, Knowles, Lux, Martinis, Maxie, McDonald, Monohon, Nelson G. A., North, Pruitt, Rinehart, Salatino, Schmitt, Sherman, Smith R., Sommers, Thompson, Tilly, Valle, Warnke, Zimmerman.

Voting nay: Representatives Adams, Amen, Austin, Barnes, Barr, Bauer, Bond, Brown, Clayton, Craswell, Dawson, Deccio, Eberle, Ellis, Fancher, Flanagan, Gallagher, Galloway, Greengo, Grimm, Hastings, Heck, Houchen, Isaacson, Keller, Kreidler, May, McCormick, McGinnis, Mitchell, Nelson D., Newhouse, Nisbet, O'Brien, Oliver, Owen, Patterson, Rosbach, Sanders, Scott, Smith C. P., Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Tupper, Van Dyken, Vrooman, Walk, Whiteside, Williams, Wilson, Winsley.

Not voting: Representatives Berentson, Polk.

Mr. Owen moved adoption of the following amendment to the committee amendment:

On page 4, following subsection (3) insert a new subsection as follows:

"(4) Nothing in this act shall be construed as granting the power of eminent domain to those corporations as defined in subsection (1) and (2) of this act over any properties lying within officially designated municipal watersheds which are sources of municipal or regional potable water systems either in present or planned use."

Representatives Owen and Newhouse spoke in favor of the amendment to the committee amendment, and it was adopted.

Mr. Erak moved adoption of the following amendment to the committee amendment:

On page 4 of the amendment following subsection (3) add a new subsection as follows:

"(4) The council shall prepare an energy supply/need analysis which is specific to each applicant's proposed pipeline. The energy/need analysis shall consider the need for any proposed pipeline based upon publicly available forecasts of future energy demand, the amount of energy to be consumed in the construction and operation of the pipeline including transporting of the oil to the pipeline facility, population projections, other growth-factor projections, and a comparative analysis of the costs and availability of alternative means for providing adequate energy including, but not limited to, measures to reduce future energy demand through conservation and the use of renewable energy resources. In deciding whether to recommend approval or rejection of a pipeline, the council shall consider, based upon its energy supply analysis, the state's need for energy in the areas to be served by the proposed pipeline. Provisions of this 1980 act shall apply to all applications for certification now pending before the council."

Mr. Erak spoke in favor of the amendment to the amendment.

## POINT OF ORDER

Mr. Newhouse: "Mr. Speaker, it appears that this amendment is the subject matter of another bill before the House."

## SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "Representative Newhouse, the amendment by Representative Erak is somewhat different from the pending bill you mentioned. The Speaker rules that the amendment is germane."

Mr. Erak continued his remarks in favor of the amendment to the amendment, and Representatives Barnes and Newhouse spoke against it.

Mr. Wilson spoke in favor of the amendment to the amendment, and Mr. Erak spoke again in favor of it.

## MOTION

Mr. Nelson (D) moved that Engrossed Second Substitute Senate Bill No. 2494 be rereferred to Committee on Energy and Utilities.

Representatives Nelson (D), Jovanovich, Lux, Nisbet and Owen spoke in favor of the motion, and Representatives Newhouse, Polk and Amen spoke against it.

The motion was lost.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Erak to the committee amendment.

The amendment was not adopted.

Mr. Jovanovich moved adoption of the following amendment to the committee amendment:

On page 4, following subsection (3) add a new section to read as follows:

"NEW SECTION. Sec. 2. The state of Washington through the council reserves the right to require improvements, alterations, rerouting and other changes as may be deemed appropriate at any time during the use of a right-of-way granted pursuant to this 1980 act.

Cost of such improvements, alterations and rerouting or other changes shall be fully borne by the corporation."

Mr. Jovanovich spoke in favor of the amendment to the amendment.

#### MOTION TO TABLE

On motion of Mr. Owen, the amendment by Representative Jovanovich to the committee amendment was tabled.

#### MOTION

Mr. King moved that the House adjourn until 10:00 a.m., Tuesday, March 11, 1980.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion that the House adjourn, and the motion was lost by the following vote: Yeas, 43; nays, 52; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Brekke, Brown, Burns, Craswell, Dawson, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Gruger, Heck, Houchen, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, Mitchell, Monohon, Nelson, D., Nisbet, North, O'Brien, Owen, Rinehart, Sherman, Smith, R., Sommers, Teutsch, Valle, Vrooman, Warnke, Wilson, Winsley.

Voting nay: Representatives Addison, Amen, Austin, Barnes, Barr, Bender, Berentson, Bond, Chandler, Charnley, Clayton, Deccio, Dunlap, Eberle, Ehlers, Ellis, Erickson, Fancher, Flanagan, Flint, Fuller, Greengo, Grimm, Hastings, Hughes, Isaacson, May, McCormick, McDonald, McGinnis, Nelson, G. A., Newhouse, Oliver, Patterson, Polk, Pruitt, Rosbach, Salatino, Sanders, Schmitt, Smith, C. P., Stratton, Struthers, Taller, Taylor, Thompson, Tilly, Van Dyken, Walk, Whiteside, Williams, Zimmerman.

Not voting: Representatives Scott, Sprague, Tupper.

#### MOTION

Mr. Polk moved that Engrossed Second Substitute Senate Bill No. 2494 be removed from the table and placed before the House on second reading.

#### ROLL CALL

The Clerk called the roll on the motion to remove Engrossed Second Substitute Senate Bill No. 2494 from the table and place before the body, and the motion was carried by the following vote: Yeas, 63; nays, 34; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Barnes, Barr, Bender, Berentson, Bond, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Granlund, Greengo, Grimm, Hastings, Hughes, Isaacson, Knowles, May, McCormick, McDonald, McGinnis, Nelson G. A., Newhouse, O'Brien, Oliver, Patterson, Polk, Pruitt, Rosbach, Salatino, Sanders, Schmitt, Scott, Smith C. P., Smith R., Sprague, Stratton, Struthers, Taller, Taylor, Thompson, Tilly, Van Dyken, Walk, Warnke, Whiteside, Williams, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Becker, Brekke, Brown, Burns, Eng, Erak, Galloway, Garrett, Gruger, Heck, Houchen, Jovanovich, Keller, King, Kreidler, Lux, Martinis, Maxie, Mitchell, Monohon, Nelson D., Nisbet, North, Owen, Rinehart, Sherman, Sommers, Teutsch, Valle, Vrooman, Wilson, Winsley.

Not voting: Representative Tupper.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Jovanovich to the committee amendment.

The amendment was not adopted.

#### POINT OF ORDER

Mr. Newhouse: "Mr. Speaker, in view of the ruling you made a little while ago, I want to point out to you that a motion to lay an amendment on the table shall not carry the main question with it unless specified in the motion to table."

The Speaker (Mr. O'Brien presiding): "There's nothing before us right now, Representative Newhouse."

Mr. Nisbet moved adoption of the following amendment to the committee amendment:

On page 4 of the amendment following subsection (3) add a new subsection as follows:

"(4) Any corporation authorized to exercise the power of eminent domain pursuant to this act shall restore those highways, streets, roads, and rights of way through which the power is exercised to the maximum standards for such highways, streets, roads and rights of way as established by the department of transportation."

Mr. Nisbet spoke in favor of the amendment, and Mr. Patterson spoke against it.

Mr. Deccio demanded the previous question and the demand was sustained.

The amendment to the committee amendment was not adopted.

Mr. Owen moved adoption of the following amendment by Representatives Lux and Owen to the committee amendment:

On page 4, following subsection (3) add a new subsection to read as follows:

"(4) All powers granted under this 1980 act shall apply only to those corporations employing exclusively labor of Washington residents in the construction, operation, and maintenance of pipelines and appurtenances within Washington state."

Mr. Owen spoke in favor of the amendment to the amendment.

#### POINT OF INQUIRY

Mr. Owen yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Owen, so I can vote intelligently on this amendment, I'd like to know what your definition of a Washington resident is? There's some concern as to the length of time or other qualifications."

Mr. Owen: "I should have included that in the amendment, but I would think it would be pretty easy to define: A registered voter; a person who owns property in the state of Washington. I really don't think it's that difficult."

Representatives Tilly and Taller spoke against the amendment to the committee amendment.

Mr. Deccio demanded the previous question, and the demand was sustained.

The amendment to the committee amendment was not adopted.

Mr. Nisbet moved adoption of the following amendment to the committee amendment:

On page 2, line 11 of the amendment after "companies" insert ": PROVIDED, That the owner or owners of private property that is taken by said corporation shall have a right to an administrative hearing before the energy facility site evaluation council under RCW 80.50.030 in order to protest the amount of compensation that has been offered by said corporation. The energy facility site evaluation council shall give the said corporation and the petitioning landowner thirty days' notice of the date and time of the administrative hearing provided that the petition for administrative hearing shall be filed with the energy facility site evaluation council no later than thirty days after the landowner received a written offer of purchase from the said corporation"

Mr. Nisbet spoke in favor of the amendment to the amendment, and Mr. Newhouse spoke against it.

Mr. Deccio demanded the previous question, and the demand was sustained.

The amendment to the amendment was not adopted.

Mr. Jovanovich moved adoption of the following amendment to the committee amendment:

On page 4 of the amendment, after line 33 add a new section as follows:

"NEW SECTION, Sec. 2. This act shall be submitted to the people for their adoption and ratification, or rejection, at the next succeeding general election to be held in this state, in accordance with the provisions of Article II, section 1 of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof."

Representatives Jovanovich and Nisbet spoke in favor of the amendment to the amendment, and Representatives Newhouse and Smith (R) spoke against it.

The amendment was not adopted.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Jovanovich: "I'm just wondering, as I look at the state Constitution, whether or not this bill will even be legal? Article II, section 28, would prohibit the legislative body from

passing such a law for granting corporate powers or privileges. I just wonder if you might clarify this for me?"

#### SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "Representative Jovanovich, I think that would be beyond the duties of the Speaker to rule on constitutionality. As a matter of fact, Reed's Rules state that matters of constitutionality shall be determined by the body and not by the presiding officer."

Mr. Wilson moved adoption of the following amendment to the committee amendment:

On page 4, after section 1 add a new section to read as follows:

"NEW SECTION. Sec. 2. No power of eminent domain authorized pursuant to the act shall be exercisable until all aspects of an application made under chapter 80.50 RCW have been reviewed and finally decided, including, where applicable, by courts on appeal."

Mr. Wilson spoke in favor of the amendment to the amendment, and Mr. Newhouse spoke against it.

The amendment was not adopted.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be adoption of the committee amendment as amended.

The amendment as amended was adopted.

#### MOTIONS

Mr. Deccio moved that the rules be suspended, the second reading considered the third, and Engrossed Second Substitute Senate Bill No. 2494 as amended by the House be placed on final passage.

Mr. Nisbet moved that the House adjourn.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to adjourn, and the motion was lost by the following vote: Yeas, 37; nays, 60; not voting, 1.

Voting yea: Representatives Bagnariol, Bauer, Brekke, Brown, Burns, Chandler, Dunlap, Eng, Erak, Gallagher, Garrett, Heck, Houchen, Jovanovich, Keller, King, Kreidler, Lux, Martinis, Maxie, May, Mitchell, Monohon, Nisbet, North, O'Brien, Owen, Rinehart, Sherman, Sommers, Sprague, Teutsch, Valle, Vrooman, Warnke, Wilson, Winsley.

Voting nay: Representatives Adams, Addison, Amen, Austin, Barnes, Barr, Becker, Bender, Bond, Charnley, Clayton, Craswell, Dawson, Deccio, Eberle, Ehlers, Ellis, Erickson, Fancher, Flanagan, Flint, Fuller, Galloway, Granlund, Greengo, Grimm, Gruger, Hastings, Hughes, Isaacson, Knowles, McCormick, McDonald, McGinnis, Nelson, D., Nelson, G. A., Newhouse, Oliver, Patterson, Polk, Pruitt, Rosbach, Salatino, Sanders, Schmitt, Scott, Smith, C. P., Smith, R., Stratton, Struthers, Taller, Taylor, Thompson, Tilly, Tupper, Van Dyken, Walk, Whiteside, Williams, Zimmerman.

Not voting: Representative Berentson.

Mr. King demanded an electric roll call vote on the motion to suspend the rules and place Engrossed Second Substitute Senate Bill No. 2494 as amended by the House on final passage, and the demand was sustained.

Ms. Houchen spoke against the motion.

#### POINT OF ORDER

Mr. Newhouse: "On a motion to suspend the rules, one member may speak on each side and then only to the motion to suspend the rules, not on the issue."

#### SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "Representative Houchen has the right to speak against the motion to suspend the rules to advance the bill to third reading and final passage and someone can also speak in favor of the motion. Our rules provide one on the pro side and one on the con side. Representative Houchen, hold your remarks to why the rules should not be suspended to advance the bill to third reading and final passage."

Ms. Houchen concluded her remarks in opposition to the motion.



## ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed Second Substitute Senate Bill No. 2494 as amended by the House to final passage, and the motion failed to receive the required two-thirds majority by the following vote: Yeas, 57; nays, 40; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Barnes, Barr, Bender, Bond, Clayton, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Granlund, Greengo, Grimm, Hastings, Hughes, Isaacson, Knowles, Maxie, May, McCormick, McDonald, McGinnis, Nelson D., Nelson G. A., Newhouse, Oliver, Patterson, Polk, Rosbach, Salatino, Sanders, Schmitt, Scott, Smith C. P., Sprague, Stratton, Struthers, Taller, Taylor, Van Dyken, Walk, Warnke, Whiteside, Williams, Zimmerman.

Voting nay: Representatives Bagnariol, Bauer, Becker, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Eng, Erak, Garrett, Gruger, Heck, Houchen, Jovanovich, Keller, King, Kreidler, Lux, Martinis, Mitchell, Monohon, Nisbet, North, O'Brien, Owen, Pruitt, Rinehart, Sherman, Smith R., Sommers, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Wilson, Winsley.

Not voting: Representative Berentson.

Engrossed Second Substitute Senate Bill No. 2494 as amended by the House was passed to Committee on Rules for third reading.

## MOTION

On motion of Mr. King, the House adjourned until 9:30 a.m., Tuesday, March 11, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## FIFTY-EIGHTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, March 11, 1980

The House was called to order at 9:30 a.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Dave Temple, Karen Brooks and Dawn Murphy. Prayer was offered by Father Theodore Marmo of St. Michael's Catholic Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

#### SIGNED BY THE SPEAKERS

The Speaker (Mr. Amen presiding) announced the Speakers were signing:  
HOUSE BILL NO. 646,  
SUBSTITUTE HOUSE BILL NO. 1610,  
HOUSE JOINT MEMORIAL NO. 25,  
SUBSTITUTE SENATE BILL NO. 3257.

#### MESSAGES FROM THE GOVERNOR

March 10, 1980

To the Honorable,  
The House of Representatives  
of the State of Washington  
Ladies and Gentlemen:

I have the honor to advise that on March 10, 1980, Governor Ray approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 38: Relating to civil service;  
SUBSTITUTE HOUSE BILL NO. 1492: Relating to insurance for public employees;  
HOUSE BILL NO. 1620: Relating to transportation;  
SUBSTITUTE HOUSE BILL NO. 1778: Relating to driver licensing;  
SUBSTITUTE HOUSE BILL NO. 1983: Relating to insurance.

Very truly yours,  
H. B. Hanna, Legal Counsel.

March 10, 1980

To the Honorable,  
The House of Representatives  
of the State of Washington  
Ladies and Gentlemen:

I have signed SUBSTITUTE HOUSE BILL NO. 1778 because I support the concept of the bill to provide additional drivers' license examination stations.

While I agree that the state should provide prompt and convenient service to its citizens, I do not agree that the legislature should require that the specific locations be listed in statute. Specific and permanent locations being required by the statute is an unnecessary precedent which could lead to a very inefficient operation in the future.

Existing plans by the Department of Licensing do indeed call for new stations. The 1979 session of the legislature appropriated funding for the Driver Licensing program, which includes four additional DLE stations. My supplemental budget presented to the 1980 legislative session includes \$356,000 for DLE station operations.

Legislation of this type should be subject to review and analysis during the normal budget development process to ensure that need, rather than want, is paramount.

Therefore I approve, with reluctance, Substitute House Bill No. 1778.

Respectfully submitted,  
DIXY LEE RAY, Governor.

MESSAGES FROM THE SENATE

March 10, 1980

Mr. Speaker:

The Senate has passed:

HOUSE CONCURRENT RESOLUTION NO. 33,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

March 10, 1980

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3290,

ENGROSSED SUBSTITUTE SENATE BILL NO. 3636,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

March 10, 1980

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2433,

SUBSTITUTE SENATE BILL NO. 2963,

SENATE BILL NO. 3574,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

The Speaker (Mr. Amen presiding) declared the House to be at ease.

Speaker Berentson called the House to order.

SENATE AMENDMENTS TO HOUSE BILL

March 6, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1988 with the following amendments:

On page 3, after line 13 insert the following:

\*Sec. 3. Section 3, chapter 279, Laws of 1977 ex. sess. as amended by section 1, chapter 186, Laws of 1979 ex. sess. and RCW 59.20.030 are each amended to read as follows:

For purposes of this chapter:

(1) 'Landlord' means the owner of a mobile home park and includes the agents of a landlord;

(2) 'Mobile home lot' means a portion of a mobile home park designated as the location of one mobile home and its accessory buildings, and intended for the exclusive use as a primary residence by the occupants of that mobile home;

(3) 'Mobile home park' means any real property which is rented or held out for rent to others for the placement of two or more mobile homes for the primary purpose of production of income, except where such real property is rented or held out for rent for seasonal recreational purpose only and is not intended for year-round occupancy;

(4) 'Tenant' means any person, except a transient, who rents a mobile home lot;

(5) 'Transient' means a person who rents a mobile home lot for a period of less than one month for purposes other than as a primary residence.

Sec. 4. Section 5, chapter 279, Laws of 1977 ex. sess. as amended by section 3, chapter 186, Laws of 1979 ex. sess. and RCW 59.20.050 are each amended to read as follows:

(1) ~~((On and after September 21, 1977;))~~ No landlord may offer a mobile home lot for rent to anyone without offering ~~((to a prospective tenant))~~ a written rental agreement for a term of one year or more. No landlord may offer to ~~((a tenant or prospective tenant))~~ anyone any rental agreement for a term of one year or more for which the monthly rental is greater, or the terms of payment or other material conditions more burdensome to the tenant, than any month-to-month rental agreement also offered to such tenant or prospective tenant. ~~((A prospective tenant))~~ Anyone who desires to occupy a mobile home lot for other than a term of one year or more may have the option to be on a month-to-month basis but must waive, in writing, the right to such one year or more term: PROVIDED, That no waiver shall be valid for a period of more than one year and upon the expiration of any waiver the landlord shall again offer the tenant a term of one year or more. ((Except pursuant to such waiver;)) No landlord shall allow a mobile home to be moved into a mobile home park in this state until a written rental agreement has been signed by ~~((the landlord and the tenant and a copy provided for the tenant))~~ and is in the possession of the parties: PROVIDED, That if the

landlord allows the tenant to move a mobile home into a mobile home park without obtaining a written rental agreement for a term of one year or more, or a written waiver of the right to a one-year term or more, the term of the tenancy shall be deemed to be for one year from the date of occupancy of the mobile home lot;

(2) The requirements of subsection (1) of this section shall not apply if:

(a) The mobile home park or part thereof has been acquired or is under imminent threat of condemnation for a public works project, or

(b) An employer-employee relationship exists between a landlord and tenant;

(3) The provisions of this section shall apply to any tenancy (~~in existence prior to September 21, 1977;~~) upon expiration of the term of any oral or written rental agreement governing such tenancy.

Sec. 5. Section 7, chapter 279, Laws of 1977 ex. sess. as amended by section 5, chapter 186, Laws of 1979 ex. sess. and RCW 59.20.070 are each amended to read as follows:

A landlord shall not:

(1) Deny any tenant the right to sell such tenant's mobile home within a park or require the removal of the mobile home from the park solely because of the sale thereof: PROVIDED, That:

(a) ~~((★))~~ Any rental agreement (~~for a fixed term~~) shall be assignable by the tenant to any person to whom he sells or transfers title to the mobile home, subject to the approval of the landlord after fifteen days' written notice of such intended assignment;

(b) The assignee of the rental agreement shall assume all the duties and obligations of his assignor for the remainder of the term of the rental agreement unless, by mutual agreement, a new rental agreement is entered into with the landlord; and

(c) The landlord shall approve or disapprove of the assignment of a rental agreement on the same basis that the landlord approves or disapproves of any new tenancy;

(2) Restrict the tenant's freedom of choice in purchasing goods or services but may reserve the right to approve or disapprove any exterior structural improvements on a mobile home lot: PROVIDED, That door-to-door solicitation in the mobile home park may be restricted in the rental agreement;

(3) Prohibit meetings by tenants of the mobile home park to discuss mobile home living and affairs, conducted at reasonable times and in an orderly manner on the premises, nor penalize any tenant for participation in such activities;

(4) ~~((★))~~ Evict a tenant, terminate a rental agreement, decline to renew a rental agreement, increase rental or other tenant obligations, decrease services, or modify park rules in retaliation for any of the following actions on the part of a tenant taken in good faith:

~~((#))~~ (a) Filing a complaint with any state, county, or municipal governmental authority relating to any alleged violation by the landlord of an applicable statute, regulation, or ordinance;

~~((#))~~ (b) Requesting the landlord to comply with the provision of this chapter or other applicable statute, regulation, or ordinance of the state, county, or municipality;

~~((#))~~ (c) Filing suit against the landlord for any reason;

~~((#))~~ (d) Participation or membership in any homeowners association or group;

~~((#))~~ In determining whether an action by a landlord is retaliatory, the presumptions set forth in RCW 59.18-250 shall apply; or

(5) Charge to any tenant a utility fee in excess of actual utility costs.

**NEW SECTION.** Sec. 6. There is added to chapter 59.20 RCW a new section to read as follows:

Initiation by the landlord of any action listed in RCW 59.20.070(4) within one hundred twenty days after a good faith and lawful act by the tenant or within one hundred twenty days after any inspection or proceeding of a governmental agency resulting from such act, shall create a rebuttable presumption affecting the burden of proof, that the action is a reprisal or retaliatory action against the tenant: PROVIDED, That if the court finds that the tenant made a complaint or report to a governmental authority within one hundred twenty days after notice of a proposed increase in rent or other action in good faith by the landlord, there is a rebuttable presumption that the complaint or report was not made in good faith: PROVIDED FURTHER, That no presumption against the landlord shall arise under this section, with respect to an increase in rent, if the landlord, in a notice to the tenant of increase in rent, specifies reasonable grounds for said increase, which grounds may include a substantial increase in market value due to remedial action under this chapter. In any action or eviction proceeding where the tenant prevails upon his claim or defense that the landlord has violated this section, the tenant shall be entitled to recover his costs of suit, including a reasonable attorney's fee, and where the landlord prevails upon his claim he shall be entitled to recover his costs of suit, including a reasonable attorney's fee: PROVIDED FURTHER, That neither party may recover attorney's fees to the extent that their legal services are provided at no cost to them.

**NEW SECTION.** Sec. 7. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.\*

Renumber the remaining section consecutively.

On page 1, line 5 of the title, after "59.20.090;" strike the remainder of the title and insert "amending section 3, chapter 279, Laws of 1977 ex. sess. as amended by section 1, chapter 186, Laws of 1979 ex. sess. and RCW 59.20.030; amending section 5, chapter 279, Laws of 1977 ex. sess. as amended by section 3, chapter 186, Laws of 1979 ex. sess. and RCW 59.20.050; amending section 7, chapter 279, Laws of 1977 ex. sess. as amended by section 5, chapter 186, Laws of 1979 ex. sess. and RCW 59.20.070; adding a new section to chapter 59.20 RCW; making an appropriation; and declaring an emergency."

On page 3, line 15 strike "licensing" and insert "transportation"

On page 3, line 16 strike "fifty" and insert "five" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Newhouse moved that the House do concur in the Senate amendments to Substitute House Bill No. 1988.

Representatives Newhouse and May spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Substitute House Bill No. 1988 as amended by the Senate.

Representatives King and Nisbet spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1988 as amended by the Senate, and the bill passed the House with the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinchart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Substitute House Bill No. 1988 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Polk, the House recessed until 1:30 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:30 p.m. by Speaker Berentson. The Clerk called the roll and all members were present except Representatives Martinis and Thompson.

#### SENATE AMENDMENTS TO HOUSE BILL

March 7, 1980

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1444 with the following amendments:

On page 1, line 2 after "RCW" insert "and chapter 36.94 RCW"

On page 1, after line 14 add a new section to read as follows:

\*NEW SECTION: Sec. 2. There is added to chapter 36.94 RCW a new section to read as follows:

Whenever a county waives or delays collection of tap-in charges, connection fees or hookup fees for low income persons, or class of low income persons, to connect to a system of sewerage or a system of water, the waiver or delay shall be pursuant to a program established by ordinance.\* and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Patterson moved that the House do concur in the Senate amendments to House Bill No. 1444.

Representatives Patterson and Charnley spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of House Bill No. 1444 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1444 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

House Bill No. 1444 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENT TO HOUSE BILL

March 7, 1980

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1843 with the following amendment:

On page 1, line 20 after "needs" insert ": PROVIDED, That for purposes of the energy efficiency and safety audits, the state board of education shall utilize existing local organizations which are qualified to provide a comprehensive and consistent, statewide, computerized inventory and energy audit system suitable for state acquisition and management to the extent that local organizations are available" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Heck, the House concurred in the Senate amendment to House Bill No. 1843.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of House Bill No. 1843 as amended by the Senate.

Representatives Struthers and Taylor spoke against passage of the bill.

## POINT OF INQUIRY

Mr. Heck yielded to question by Mr. Oliver.

Mr. Oliver: "Representative Heck, who will perform the audits in terms of the various efficiencies and safety audits of the school facilities?"

Mr. Heck: "It will be put out to bid to any firm who has the capability to perform such an audit."

Mr. Oliver: "Are schools now doing that or are they just letting their buildings go in disrepair?"

Mr. Heck: "It's not being done because school districts need the financial assistance to perform the kind of high-level sophisticated audit that this bill will enable them to do. It's not a question of disrepair; it's a question of energy efficiency. The difference there between proper maintenance of a building and the retrofitting of a building for pointing out to the school districts what could be done to a building to make it more energy efficient."

Representatives Oliver, Bond and Williams spoke against passage of the bill, and Mr. Heck spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1843 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 56; nays, 42; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, Mitchell, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Sanders, Schmitten, Scott,

Sherman, Smith R., Sommers, Stratton, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Winsley.

Voting nay: Representatives Addison, Amen, Austin, Barnes, Barr, Berentson, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, Jovanovich, McDonald, McGinnis, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rosbach, Smith C. P., Sprague, Struthers, Taller, Taylor, Tilly, Whiteside, Williams, Wilson, Zimmerman.

House Bill No. 1843 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

My opposition to House Bill No. 1843 is because of these reasons: (1) It is too all-inclusive to have SPI spend \$1,200,000 for the cost of an audit for all 8,000 school buildings in the state; (2) The task should be done locally without state involvement; (3) Some have already completed their audits; (4) A centralized audit review is not the best way to do it. If each building required \$100,000 to make it energy-efficient, we add up an \$800,000,000 price tag. Local school boards should make their decisions on these issues.

HAL ZIMMERMAN, 17th District.

#### SENATE AMENDMENT TO HOUSE BILL

February 18, 1980

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1570 with the following amendment:

On page 1, beginning on line 7 strike all of section 1.

Renumber the remaining sections consecutively.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Dunlap moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 1570.

Representatives Lux and Smith (R) spoke in favor of the motion, and Representatives Winsley, Struthers, Dunlap, Sommers, Deccio and Oliver spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 1570, and the motion was lost by the following vote: Yeas, 10; nays, 85; not voting, 3.

Voting yea: Representatives Adams, Becker, Bender, Gruger, Lux, Maxie, May, Sherman, Smith R., Valle.

Voting nay: Representatives Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmiten, Scott, Smith C. P., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Dawson, Martinis, Thompson.

#### POINT OF PARLIAMENTARY INQUIRY

Speaker Bagnariol: "If I understand correctly, by our vote on that last motion, Engrossed Substitute House Bill No. 1570 is now back in the Senate. Is that correct?"

Speaker Berentson: "Well, it hasn't been transmitted to the Senate yet."

Speaker Bagnariol: "We had a similar motion on House Bill No. 1813 several days ago to not concur with the Senate amendments and when we went to put that bill on final passage you indicated it was just the opposite of what you—"

Speaker Berentson: "Speaker Bagnariol, would you like to raise a Point of Order?"

Speaker Bagnariol: "No, just a Point of Parliamentary Inquiry, Mr. Speaker. I was questioning why you ruled differently on two similar motions on two separate bills?"

Speaker Berentson: "Speaker Bagnariol, on an issue of this magnitude and in the spirit of cooperation, I cannot give you an opinion unless you state it as a Point of Order."

Speaker Bagnariol: "I'm not raising a Point of Order, I'm just asking a question, Mr. Speaker."

Speaker Berentson: "I'm sure you would have to concur with any reply that I might give to you."

Speaker Bagnariol: "I agree with the position you've taken on this bill; I'm questioning why it was different on House Bill 1813?"

Speaker Berentson: "I'd probably have to confer with you to arrive at that answer."

#### SENATE AMENDMENT TO HOUSE BILL

March 7, 1980

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1597 with the following amendment:

On page 1, line 27 after "(5)" insert "For major and minor structural changes and structural additions to buildings, structures, facilities and sites necessary or proper to carrying out the functions of the school district; or

(6)"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Bond, the House concurred in the Senate amendment to House Bill No. 1597.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of House Bill No. 1597 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1597 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Becker, Lux, Martinis.

House Bill No. 1597 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

March 7, 1980

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1420 with the following amendments:

On page 1, line 19 after "pumps" strike "(10) wood burning stoves, fireplace and furnace inserts, and (11)" and insert "and (10)"

On page 2, line 30 after "affect" strike "immediately" and insert "July 1, 1980" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.



## MOTION

Mr. Nelson (D) moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 1420 on page 1, line 19.

Mr. Nelson (D) spoke in favor of the motion, and Representatives Eberle, Addison and Isaacson spoke against it.

## POINT OF ORDER

Mr. Nelson (D): "Mr. Speaker, I believe the speaker is not addressing the issue before us, concurrence or nonconcurrence with the Senate amendment, which does not address the issue of solar systems."

Speaker Berentson: "Will you be a little careful, Representative Isaacson."

Mr. Isaacson concluded his remarks against the motion to concur, and Mr. Lux spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 1420 on page 1, line 19, and the motion was lost by the following vote: Yeas, 38; nays, 57; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Bauer, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Granlund, Grimm, Gruger, Heck, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, McCormick, Monohon, Nelson D., Nisbet, O'Brien, Pruitt, Rinehart, Scott, Sherman, Smith R., Sommers, Valle, Vrooman, Walk.

Voting nay: Representatives Addison, Amen, Austin, Barnes, Barr, Becker, Bender, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Garrett, Greengo, Hastings, Houchen, Hughes, Isaacson, May, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, North, Oliver, Owen, Patterson, Polk, Rosbach, Salatino, Sanders, Schmitten, Smith C. P., Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Dunlap, Martinis, Thompson.

## MOTION

Mr. Nelson (D) moved that the House do concur in the Senate amendment to Engrossed Second Substitute House Bill No. 1420 on page 2, line 30.

Representatives Nelson (D) and Taller spoke in favor of the motion, and it was carried.

## MESSAGES FROM THE SENATE

March 11, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2977, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

March 11, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3240, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

March 11, 1980

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE JOINT MEMORIAL NO. 31,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

March 11, 1980

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 646,  
 SUBSTITUTE HOUSE BILL NO. 1610,  
 HOUSE JOINT MEMORIAL NO. 25,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 11, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3181, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

March 10, 1980

Mr. Speaker:

The Senate insists on its position on ENGROSSED HOUSE BILL NO. 1568, and once again asks the House to concur in the Senate amendment to page 1, line 25, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. McCormick, the House concurred in the Senate amendment to Engrossed House Bill No. 1568.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Engrossed House Bill No. 1568 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1568 as amended by the Senate and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representative Barnes.

Not voting: Representative Martinis.

Engrossed House Bill No. 1568 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

February 22, 1980

Mr. Speaker:

The Senate refuses to concur in the House amendments to REENGROSSED SENATE BILL NO. 2204, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Schmitt, the House refused to recede from its amendments to Reengrossed Senate Bill No. 2204, and again asked the Senate to concur therein.

POINT OF PERSONAL PRIVILEGE

Mr. Newhouse: "Mr. Speaker, I am presenting for the record and would like to enter into the Journal, a remonstrance to the Senate—"

**POINT OF ORDER**

Speaker Bagnariol: "I don't consider a remonstrance to the Senate a point of personal privilege."

Speaker Berentson declared the House to be at ease.

Speaker Berentson called the House to order.

**MOTION**

On motion of Mr. Polk, the House adjourned until 10:00 a.m., Wednesday, March 12, 1980.

**JOHN BAGNARIOL, Speaker**  
**DUANE BERENTSON, Speaker**

**DEAN R. FOSTER, Chief Clerk**  
**VITO T. CHIECHI, Chief Clerk**

## FIFTY-NINTH DAY

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### MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 12, 1980

The House was called to order at 10:00 a.m. by Speaker Bagnariol. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Cindy Baxter, Gaye McClenden and Alison Jaeger. Prayer was offered by Father Theodore Marmo of St. Michael's Catholic Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

#### MESSAGE FROM THE GOVERNOR

March 12, 1980

To the Honorable,  
The House of Representatives  
Of the State of Washington  
Ladies and Gentlemen:

I have the honor to advise that on March 11, 1980, Governor Ray approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 440: An act relating to education;  
HOUSE BILL NO. 829: An act relating to family court;  
SUBSTITUTE HOUSE BILL NO. 1520: An act relating to social and health services;  
HOUSE BILL NO. 1604: An act relating to retirement systems;  
HOUSE BILL NO. 1685: An act relating to cities.

Sincerely,  
H. B. Hanna, Legal Counsel.

#### MESSAGES FROM THE SENATE

March 12, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2977,  
SENATE BILL NO. 3181,  
SENATE BILL NO. 3240,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.  
March 12, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3321, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Salatino, the House advanced to the ninth order of business.

#### REMONSTRANCE TO THE LEGISLATURE REMONSTRANCE TO THE SENATE

WHEREAS, Any bicameral Legislature needs a procedure to resolve differences between the Houses; and

WHEREAS, The usual and customary method of resolving such conflicts is by a conference procedure outlined in joint rules adopted by both Houses; and

WHEREAS, The traditional joint rules of the Washington Legislature also includes standards of ethical conduct for members; and

WHEREAS, The Senate had failed to adopt joint rules or proposed any alternatives for the 46th Legislature; and

WHEREAS, Such failure has resulted in imperfect legislation and in long and cumbersome concurrence procedures to achieve acceptable compromises with obvious attempts by the Senate arbitrarily to dictate such policies as the level of budget expenditures on an ultimatum basis; and

WHEREAS, The House of Representatives has proposed alternative fair methods of resolving the representation problems posed by the unique deadlock situation in the House so that each House would have a fair voice in conference procedures. The Senate Majority Leader has, however, refused to allow the Senate to consider adoption of joint rules, thereby delaying the operation and adjournment of the Legislature;

THEREFORE, This remonstrance is addressed to the Senate and its Majority Leader to encourage the Senate to adopt joint rules so that we can expeditiously and fairly resolve differences between the Houses and have ethical standards established for our members and employees.

IRV NEWHOUSE, 15th District.

### MOTION

On motion of Mr. Salatino, the House reverted to the sixth order of business.

### SECOND READING

SUBSTITUTE HOUSE BILL NO. 1749, by Committee on Commerce (originally sponsored by Representatives Salatino, Warnke, King, Scott, May, Greengo, Flint, Winsley, Valle, Gallagher and Granlund):

Modifying the regulation of automotive repairs.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 53rd Day, March 6, 1980.)

Speaker Bagnariol stated the question before the House to be the Point of Order raised by Representative Salatino on the amendment by Representative Newhouse.

With the consent of the House, Mr. Salatino withdrew the Point of Order.

With the consent of the House, Mr. Newhouse withdrew the amendment.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Salatino and Greengo spoke in favor of passage of the bill.

### POINT OF INQUIRY

Mr. Warnke yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Warnke, you are a chairman of the Commerce Committee that heard this bill and the previous bill, I'd like to ask you a question regarding its application to farm machinery. In the bill, does the definition of motor vehicle repair include or exclude repair of farm industrial equipment or is the definition limited to motor vehicles used on public highways?"

Mr. Warnke: "It's limited to motor vehicles used on public highways."

Mr. Tilly spoke in favor of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1749, and the bill passed the House by the following vote: Yeas, 90; nays, 4; not voting, 4.

Voting yea: Representatives Adams, Addison, Austin, Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Bond, Craswell, Hastings.

Not voting: Representatives Barnes, Clayton, Martinis, Oliver.

Substitute House Bill No. 1749, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. King, Substitute House Bill No. 1749 was ordered immediately transmitted to the Senate.

#### MESSAGE FROM THE SENATE

March 5, 1980

Mr. Speaker:

The Senate has receded from its amendment to REENGROSSED SUBSTITUTE HOUSE BILL NO. 1676 on page 1, line 26, and again asks the House to concur with the Senate amendments to line 5 of the title, and on page 2, adding a new section 3, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Bauer moved that the House do concur in the Senate amendments to page 2 and to line 5 of the title.

Representatives Bauer and Galloway spoke in favor of the motion, and Representatives Chandler and Taylor spoke against it.

#### POINT OF INQUIRY

Mr. Bauer yielded to question by Ms. Maxie.

Ms. Maxie: "Representative Bauer, it appears to me that in the discussion of this concurrence with the Senate amendments, speaking specifically to the \$68,000 in section 3, that we didn't have the involvement of parents and students developed in this bill. I understand this is an agreed-upon bill among some of the leaders in education. My concern is that in the development of this bill, did you involve blacks and other minorities either as parents or students? And coupled with that, do you anticipate the \$68,000, which speaks to—'The objective of the program shall be to effectuate parental involvement and the general purpose of sections 1 and 2 of this amendatory act by fostering cooperation and an understanding on the part of the parents, school personnel, respecting academic achievement and the causes and remedies for student discipline problems.' Do you mean to include all parents, specifically, do you mean to include blacks and other minorities? This is a two-part question. Would you answer the first part please?"

Mr. Bauer: "To answer the first part, Representative Maxie, we did not have blacks or other minorities involved in the development of the bill; however, the bill came as a consequence of a number of years of observation, study and concern on the part of parents throughout the State of Washington, and several polls that were taken indicated parents felt, by a large majority, and students that were polled felt, that the teacher in the classroom had to have more authority. It was with that kind of an expression and consensus of attitude among parents, students and leaders in education in the state, that they felt this bill had merit and we should adopt it as a policy. On your second question, we were in discussion on this earlier, and you had these concerns. The Superintendent of Public Instruction, by letter I have, dated February 18, assures me that in the make-up of deciding and putting together those committees, that the minorities definitely will be represented in deciding how that \$68,000 will be spent in setting up those work shops."

Ms. Maxie spoke against the motion to concur, and Representatives Zimmerman, Ehlers and Heck spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to page 2 and to line 5 of the title to Reengrossed Substitute House Bill No. 1676, and the motion was carried by the following vote: Yeas, 62; nays, 34; not voting, 2.

Voting yea: Representatives Adams, Addison, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, Mitchell, Monohon, Nelson D., North, O'Brien, Owen, Rinehart, Salatino, Sanders, Schmitt,

Scott, Sherman, Smith R., Sommers, Sprague, Stratton, Taller, Teutsch, Thompson, Tupper, Valle, Vrooman, Walk, Warnke, Williams, Winsley, Zimmerman.

Voting nay: Representatives Amen, Austin, Barnes, Barr, Berentson, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Fancher, Flanagan, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Pruitt, Rosbach, Smith C. P., Struthers, Taylor, Tilly, Van Dyken, Whiteside, Wilson.

Not voting: Representatives Bond, Martinis.

#### FINAL PASSAGE OF HOUSE BILL WITH CERTAIN SENATE AMENDMENTS

Speaker Bagnariol stated the question before the House to be the final passage of Reengrossed Substitute House Bill No. 1676 with certain Senate amendments.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute House Bill No. 1676 with certain Senate amendments, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Barnes, Barr, Struthers.

Not voting: Representatives Martinis, Maxie.

Reengrossed Substitute House Bill No. 1676 with certain Senate amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. King, the House recessed until 1:45 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:45 p.m. by Speaker Bagnariol. The Clerk called the roll and all members were present except Representative Martinis.

#### SECOND READING

HOUSE BILL NO. 1689, by Representatives Sherman, Bond, McCormick, Salatino, Maxie, Lux, Greengo and Gallagher:

Adopting a solar energy building code.

The bill was read the second time.

On motion of Mr. King, Substitute House Bill No. 1689 was substituted for House Bill No. 1689, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1689 was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sherman and Nisbet spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1689, and the bill passed the House by the following vote: Yeas, 92; nays, 3; not voting, 3.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Dawson, Deccio, Dunlap, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A.,

Newhouse, Nisbet, North, O'Brien, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Bond, Craswell, Eberle.

Not voting: Representatives Martinis, McGinnis, Oliver.

Substitute House Bill No. 1689, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE BILL NO. 1758**, by Representatives King, Clayton, Scott, Mitchell, Lux and Martinis:

Establishing a model reemployment and assistance project for injured workers.

The bill was read the second time.

On motion of Mr. King, Substitute House Bill No. 1758 was substituted for House Bill No. 1758, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1758 was read the second time.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1758 was placed on final passage.

Representatives King and Tilly spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1758, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charney, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Martinis.

Substitute House Bill No. 1758, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. King, Substitute House Bill No. 1689 and Substitute House Bill No. 1758 were ordered immediately transmitted to the Senate.

**SUBSTITUTE SENATE BILL NO. 3207**, by Committee on Judiciary (originally sponsored by Senators Talmadge, Clarke, Marsh, McDermott and Van Hollebeke):

Adding five judges to the King County superior court.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, 36th Day, February 18, 1989.)

Mr. Newhouse moved adoption of the committee amendment.

#### MOTION

On motion of Mr. Newhouse, further consideration of Substitute Senate Bill No. 3207 was deferred, and the bill was ordered placed on the second reading calendar following Substitute Senate Bill No. 3285.

**SUBSTITUTE SENATE BILL NO. 3285**, by Committee on Labor (originally sponsored by Senators Lysen, Morrison and McDermott):

Insuring that certain health and safety inspections will be performed at energy facilities.

The bill was read the second time.



Committee on Energy and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 51st Day, March 4, 1980.)

On motion of Ms. McCormick, the committee amendments were adopted.

On motion of Mr. Scott, the following amendments were adopted:

On page 3, beginning on line 33 strike all material down to and including line 17 on page 4 and insert the following:

**NEW SECTION.** Sec. 3. There is hereby appropriated to the department of labor and industries for inspections of the nuclear facilities at Satsop and Hanford from the following funds so much of the following amounts as are necessary to conduct electrical, boiler, elevator, factory assembled structure, mobile home, journeyman certification, contractor registration, and apprenticeship training inspections for the remainder of the current biennium:

|                             |           |
|-----------------------------|-----------|
| Electrical license fund     | \$181,629 |
| General fund                | \$139,130 |
| Pressure vessel             | \$ 90,815 |
| Plumbers certification fund | \$ 15,135 |

In addition to making all inspections required after the effective date of this act, the department of labor and industries shall make retroactively all inspections required but not made prior to the effective date of this act. The department may hire the number of employees necessary to conduct the inspections and required support activities within the limits of the above appropriation.

The department of labor and industries shall establish inspection charges that are adequate to reimburse it for the costs of the inspections for the remainder of the current biennium. The inspection charges shall be paid to the department by the holder of the energy facility site certification. All inspection charges collected shall be deposited in the state treasury to the credit of the appropriate fund or account from which the above appropriations were made.

**NEW SECTION.** Sec. 4. There is added to chapter 80.50 RCW a new section to read as follows:

For department of labor and industries inspections required by this chapter and undertaken on or after July 1, 1981, the department of labor and industries is authorized to levy and collect fees to cover the costs incurred by the department in conducting the inspections. Before July 1, 1981, the department shall establish procedures for collection and a schedule of fees for the inspections required by this chapter."

Renumber the remaining section consecutively.

On page 1, line 6 of the title after "80.50.210;" insert "adding a new section to chapter 80.50 RCW;"

#### MOTION

Mr. King moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Substitute Senate Bill No. 3285 as amended by the House to final passage, and the motion failed to receive the necessary two-thirds majority by the following vote: Yeas, 47; nays, 49; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Stratton, Thompson, Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Austin, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Hughes, Martinis.

Substitute Senate Bill No. 3285 as amended by the House was passed to Committee on Rules for third reading.

#### SIGNED BY THE SPEAKERS

Speaker Bagnariol announced the Speakers were signing:

SUBSTITUTE HOUSE BILL NO. 1422,  
 HOUSE BILL NO. 1444,  
 HOUSE BILL NO. 1453,  
 HOUSE BILL NO. 1597,  
 HOUSE BILL NO. 1843,  
 SUBSTITUTE HOUSE BILL NO. 1988,  
 SUBSTITUTE HOUSE JOINT MEMORIAL NO. 31,

HOUSE CONCURRENT RESOLUTION NO. 33,  
 SENATE BILL NO. 2433,  
 SUBSTITUTE SENATE BILL NO. 2963,  
 SUBSTITUTE SENATE BILL NO. 2977,  
 SENATE BILL NO. 3181,  
 SENATE BILL NO. 3240,  
 SENATE BILL NO. 3574.

SUBSTITUTE SENATE BILL NO. 3207:

The House resumed consideration of the bill on second reading.

Ms. Sommers moved adoption of the following amendment to the committee amendment: On page 1, following "~~((thirty-four))~~" add "no more than"

Representatives Sommers and Newhouse spoke in favor of the amendment to the committee amendment, and it was adopted.

Mr. Taller moved adoption of the following amendment to the committee amendment:

On page 1, after line 20 insert the following new section:

"NEW SECTION. Sec. 2. There is added to chapter 267, Laws of 1971 ex. sess. and to chapter 2.10 RCW a new section to read as follows:

All judges first appointed or elected to the courts covered by chapter 2.08 RCW after June 30, 1980, shall be members of the Washington public employees' retirement system under chapter 41.40 RCW."

POINT OF ORDER

Mr. Knowles: "I challenge this amendment on scope and object under Rule 31."

With the consent of the House, Mr. Taller withdrew the amendment to the committee amendment.

The committee amendment as amended was adopted.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Newhouse spoke in favor of passage of the bill, and Mr. Taller spoke against it.

POINT OF ORDER

Mr. Knowles: "This bill has nothing to do with pension systems. I think the speaker is way beyond the scope of this bill."

SPEAKER'S RULING

Speaker Bagnariol: "Judges do enter a retirement system and, even though the bill pertains to the establishment of five new positions, those new positions would be under a retirement system. If you will confine your remarks to stay within the three minutes, Representative Taller, we'll let you continue."

Mr. Taller concluded his remarks against passage of the bill, and Representatives O'Brien and Austin spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3207 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 4; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Eng, Erak, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kridler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinchart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley.

Voting nay: Representatives Ehlers, Erickson, Taller, Zimmerman.

Not voting: Representative Martinis.

Substitute Senate Bill No. 3207 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Ehlers, the Committee on Appropriations was relieved of Substitute Senate Bill No. 3385, and the bill was placed on the second reading calendar.

SUBSTITUTE SENATE BILL NO. 3228, by Committee on Ecology (originally sponsored by Senator Williams):

Modifying the motor vehicle emission control law.

The bill was read the second time.

Committee on Ecology recommendation: Majority, do pass as amended. (For amendments, see Journal, 37th Day, February 19, 1980.)

On motion of Ms. Valle, the committee amendments were adopted.

Mr. Bond moved adoption of the following amendment by Representatives Bond and Eberle:

Beginning on page 1, strike everything after the enacting clause and insert:

\*NEW SECTION. Section 1. The Washington state legislature recognizes that our nation's system of government is dependent upon state sovereignty and that the states of Colorado and California have had the courage to assert their sovereign rights in the area of auto emission control. The legislature further recognizes that any problem that this state may have with auto emission will have been corrected by 1984 and therefore no federal guidelines are necessary or desired.

NEW SECTION. Sec. 2. There is added to section 11, chapter 163, Laws of 1979 ex. sess. and RCW 46.16.015 a new section to read as follows:

No action pursuant to the requirement of RCW 46.16.015 shall be taken until such time as the Washington state attorney general has failed in an appropriate court action to establish the right of Washington state to resist the arbitrary standard set forth by the federal government."

Representatives Bond, Hughes, Barr, Nisbet, Eberle and Taylor spoke in favor of the amendment, and Representatives Valle, Sanders, Galloway, Brekke and Zimmerman spoke against it.

Ms. Valle spoke again in opposition to the amendment.

## POINT OF ORDER

Mr. Bond: "This speaker has already spoken to the issue."

Speaker Bagnariol: "Your point is well taken."

Mr. Isaacson spoke in favor of the amendment, and Mr. Bond spoke again in favor of it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Bond and Eberle to Substitute Senate Bill No. 3228, and the amendment was not adopted by the following vote: Yeas, 47; nays, 50; not voting, 1.

Voting yea: Representatives Addison, Amen, Austin, Barnes, Barr, Bender, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Hughes, Isaacson, Knowles, May, McCormick, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Owen, Patterson, Rosbach, Schmitt, Smith C. P., Sprague, Stratton, Struthers, Taller, Taylor, Tilly, Tupper, Whiteside, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Brekke, Brown, Burns, Charnley, Dunlap, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Jovanovich, Keller, King, Kreidler, Lux, Maxie, McDonald, Monohon, Nelson D., North, O'Brien, Polk, Pruitt, Rinehart, Salatino, Sanders, Scott, Sherman, Smith R., Sommers, Teutsch, Thompson, Valle, Van Dyken, Vrooman, Walk, Warnke, Williams, Winsley, Zimmerman.

Not voting: Representative Martinis.

On motion of Mr. Knowles, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3228 as amended by the House was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3228 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 7; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett,

Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Teller, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Bond, Craswell, Hughes, Owen, Stratton, Taylor, Wilson.  
Not voting: Representative Martinis.

Substitute Senate Bill No. 3228 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE, BILL NO. 3376, by Committee on State Government (originally sponsored by Senators Walgren, Van Hollebeke and Rasmussen):

Directing OFM to report to the legislature on permits, licenses, and inspection requirements by state agencies.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 51st Day, March 4, 1980.)

On motion of Mr. Ehlers, the committee amendment was adopted.

Mr. King moved adoption of the following amendment by Representatives King, Nelson (D), Rinehart and Sommers:

On page 1, following the enacting clause insert a new section to read as follows:

**NEW SECTION.** Section 1. There is appropriated from the general fund to the office of financial management for the biennium ending June 30, 1981, the sum of fifty thousand dollars, or so much thereof as may be necessary, to study the direct or indirect fiscal loss to the state or its political subdivisions created by each tax exemption, credit, or deferral granted to entities which are established for the purpose of profiting from the sale of goods or services as opposed to nonprofit entities which are established for charitable, educational, or other purposes designed to genuinely benefit the public welfare. The office of financial management shall report the results of this study to the legislature by the beginning of the 1981 legislative session."

Renumber the remaining sections consecutively.

Representatives King, Sommers, Rinehart and Nelson (D) spoke in favor of the amendment, and Representatives Flanagan, Craswell and Greengo spoke against it.

Mr. Eberle moved adoption of the following amendment to the amendment by Representative King and others:

On line 9 after "indirect" strike "fiscal loss to" and insert "commerce, industry and jobs available to the people of"

#### POINT OF ORDER

Mr. King: "Mr. Speaker, the amendment to the amendment is beyond the scope and object. In fact, it completely changes the object of the amendment before us."

Speaker Bagnariol declared the House to be at ease.

Speaker Bagnariol called the House to order.

Mr. King demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeants at Arms were instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Erak and Martinis.

On motion of Mr. King, the absent members were excused and the House proceeded with business under the Call of the House.

With the consent of the House, Mr. Eberle withdrew the amendment to the King amendment.

The Clerk read the following amendment by Representative Barnes to the King amendment:

On line 9 after "indirect" strike "fiscal loss to" and insert "effect on the tax revenue and on the general economy of"

With the consent of the House, Mr. Barnes withdrew the amendment to the amendment.

Speaker Bagnariol declared the question before the House to be the amendment by Representative King and others.

Representatives Zimmerman, Dawson, Barnes and Bond spoke against the amendment, and Mr. Pruitt spoke in favor of it.

Mr. Polk demanded the previous question, and the demand was sustained.

Mr. King demanded an electric roll call vote on the amendment, and it was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative King and others to Engrossed Substitute Senate Bill No. 3376, and the amendment was not adopted by the following vote: Yeas, 49; nays, 47; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Stratton, Teutsch, Thompson, Valle, Vrooman, Walk, Warnke, Winsley.

Voting nay: Representatives Addison, Amen, Austin, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rosbach, Sanders, Schmitt, Smith C. P., Sprague, Struthers, Taller, Taylor, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Erak, Martinis.

Mr. Polk moved adoption of the following amendment:

On page 2, after section 4 insert a new section as follows:

"NEW SECTION. Sec. 5. The office of financial management shall place in reserve status 1-1/2% of the general fund—state appropriations made by the forty-sixth legislature. Such moneys shall remain in reserve status and shall not be authorized for expenditure through the allotment process except by direction of the legislature: PROVIDED, That when general fund—state appropriations are held in reserve under section 213, chapter 270, Laws of 1979 ex. sess. (uncodified), then the reserve created by this section shall be reduced accordingly. In no event shall the total amount of general fund—state appropriations held in reserve by this section or through section 213, chapter 270, Laws of 1979 ex. sess. (uncodified) be less than 1-1/2% of the general fund—state appropriation. The provisions of this section shall not apply to sections 34, 38, or 100 of chapter 270, Laws of 1979 ex. sess. (uncodified)."

Renumber the remaining sections consecutively.

#### POINT OF ORDER

Mr. King: "I believe the amendment is beyond the scope and object of the bill. The bill directs the Office of Financial Management to make a report to the Legislature and the amendment has to do with withholding funds from governmental agencies. They are entirely different."

Mr. Polk: "Mr. Speaker, I think if you'll examine the amendment you'll find that it directs the Office of Financial Management to withhold certain funds that have been appropriated in another bill. The bill before us is asking for certain reports, as Representative King has said, and this amendment that has been offered is merely doing the same thing as the report in that it is giving direction to the Office of Financial Management, similar to asking for a report. It gives them direction on how they should set money aside because—"

Speaker Bagnariol: "Representative Polk, the amendment offered by Representative King very possibly would have been out of order if a point of order had been raised, but it was not raised and that amendment is not the issue."

Speaker Bagnariol declared the House to be at ease.

Speaker Bagnariol called the House to order.

#### SENATE AMENDMENTS TO HOUSE BILL

March 11, 1980

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1465 with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Section 1. Section 6, chapter 150, Laws of 1967 ex. sess. as amended by section 5, chapter 218, Laws of 1977 ex. sess. and RCW 44.60.070 are each amended to read as follows:

The joint board shall have the following powers, duties, and functions:

(1) Propose joint rules relating to legislative ethics and revisions or amendments thereto, which when adopted shall be referred to as the legislative code of ethics.

The code, and revisions or amendments thereto, shall be prepared in the form of joint rules of the senate and the house of representatives and shall be submitted in the form of a concurrent resolution at the next session of the legislature following its preparation. Such code, or revision or amendment thereof, when adopted, shall become effective as standards of conduct for the members and employees of the legislature and shall continue in effect except to the extent revised by subsequent joint rules.

The code submitted to the legislature for adoption shall be approved by a majority of the members of the joint board.

(2) To recommend other legislation and other action relating to legislative ethics.

(3) To develop advisory opinions to systematically establish criteria on which subsequent decisions can be based.

(4) Investigate possible unethical conduct of employees of legislative interim committees in the same manner as hereafter specified for employees of one house.

Sec. 2. Section 8, chapter 218, Laws of 1977 ex. sess. and RCW 44.60.110 are each amended to read as follows:

Each board shall have the following powers, duties, and functions:

(1) Issue advisory opinions pursuant to RCW 44.60.100.

(2) To provide a continuing program of education, assistance, and information to legislators with regard to legislative ethics.

(3) To make such rules for its own functioning and exercise such powers as may be appropriate for the discharge of the responsibilities of the board not in conflict with this chapter or the joint rules of the legislature.

(4) Investigate possible unethical conduct by legislators or legislative employees of its own house. Any such investigation shall be conducted in accordance with the following procedures:

(a) A complaint may be filed by a legislator, legislative employee, member of the public, a board, or member of a board. Complaints must be written, signed under oath, and directed to the chairman of the appropriate board. The board shall determine if the complaint is within its jurisdiction and whether there are sufficient facts alleged which if true may support a finding of unethical conduct.

(b) If the board finds that the complaint is not within its jurisdiction, or is frivolous, or is made for the purpose of harassment, or that there are insufficient facts alleged which if true may support a finding of unethical conduct, it shall dismiss the complaint, so notify the complainant, the person charged, and the public with a copy of the complaint and the board's reasons for dismissal.

(c) If the board finds that a complaint is within its jurisdiction and there are sufficient facts alleged which if true may support a finding of unethical conduct, such board shall hold an investigative hearing and send a notice to the complainant and the person charged which shall include a copy of the complaint. The person charged shall receive at least thirty days' written notice of such hearing. The notice shall provide that the person charged shall be entitled to request the board to set an earlier hearing date, present evidence, cross-examine witnesses, be represented by counsel, and file an affidavit of prejudice within ten days of receipt of the notice as provided in subsection (4)(f) of this section.

(d) Investigative hearings shall be closed to the public unless, at least seventy-two hours prior to the hearing, the chairman receives from the person charged a written request that the hearing be open to the public.

(e) A board may designate a subcommittee composed of at least two members of the board, at least half of whom shall be lay members, to conduct investigative hearings. The board, or if designated thereby, any member or subcommittee of the board, may issue subpoenas for the attendance and testimony of witnesses and the production of documentary evidence relating to any matter under examination by the board or involved in any hearing, administer oaths or affirmations, examine witnesses, and receive evidence. In case of disobedience to a subpoena, the board may invoke the aid of any superior court of the state. Such court may, in case of refusal to obey a subpoena issued to such person, issue an order requiring such person to appear before the board, to produce documentary evidence, and/or to give evidence, and any failure to obey such order may be punished by that court as contempt. Notwithstanding any other provision of law, every public official, state agency, and local governmental unit shall furnish to the board any documents, records, data, statements, or information which the board designates as being necessary for the exercise of its functions, powers or duties.

(f) Members of a board shall be disqualified in any case: (i) involving persons whom such members cannot judge impartially, in which cases they shall disqualify themselves; or (ii) where the person charged files an affidavit of prejudice against a member or members whom he believes is unable to make an impartial judgment, in which case the disqualification shall be automatic: PROVIDED, That only one such affidavit may be filed in a single investigation. Whenever a member of the board is disqualified, the appropriate caucus chairman shall appoint pro tem, a replacement legislator or lay member as appropriate. Such appointment shall be subject to the consent of the caucus wherein the appointment is made.

(g) At the conclusion of the investigative hearings, a statement of findings of fact shall be prepared based upon evidence presented at the hearings. A copy of this statement shall be sent to the person charged who shall have at least ten days to offer a written rebuttal to the board. The board, on the basis of the findings of fact, any written rebuttal, and applicable standards of ethical conduct shall make a preliminary report which shall be subject to review and the rendering of a decision at the final hearing. Copies of the findings of fact, preliminary report, and notice of the date for a final hearing shall be sent by registered mail

to the person charged. Such person may rebut the report not later than one week prior to the final hearing date, but shall in any event have a period of not less than two weeks in which to respond.

(h) The final hearing shall be open to the public. There shall be available at the hearing copies of the board's findings of fact, preliminary report, and any written rebuttal received by the board from the person charged. The board shall, on the basis of these documents and any final statement made by the person charged, render a final decision as to whether the facts justify a finding of unethical conduct. A final decision must be agreed upon by at least six members of the board. The board shall notify the appropriate law enforcement agency directly if the board makes a finding that it has reasonable grounds to believe that a criminal violation has occurred.

(i) If the board in its final decision determines that the facts support a finding of unethical conduct, it shall include in its decision a specific recommendation for disciplinary action which may include but is not necessarily limited to: (i) In the case of a legislator, reprimand, censure, or expulsion, and when applicable, restitution; and (ii) in the case of a legislative employee, reprimand, suspension, or dismissal, and when applicable, restitution. Such decision shall be transmitted to the chief clerk of the house or the secretary of the senate as appropriate. Such officer shall deliver the report to his house at such time as that house is in session, for such action as that house deems appropriate.

(j) Upon receipt, complaints shall be assigned a reference number. Each board shall maintain and keep current for public inspection a status sheet which shall contain with respect to each complaint: Its reference number, the date received by the board, and its present status, including the date of any hearings scheduled. The name of the complainant and the person charged shall be entered on the status sheet following the notification provided for in subsection (4)(c) of this section.

The secretary of the senate and the chief clerk of the house of representatives shall make available to the public copies of the status sheets, findings of fact, written rebuttals, preliminary reports, and final decisions issued by their respective boards."

In line 1 of the title, after "ethics;" insert "amending section 6, chapter 150, Laws of 1967 ex. sess. as amended by section 5, chapter 218, Laws of 1977 ex. sess. and RCW 44.60.070;" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Pruitt moved that the House do concur in the Senate amendments to House Bill No. 1465.

Representatives Pruitt, Van Dyken and Fuller spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of House Bill No. 1465 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1465 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Erak, Martinis.

House Bill No. 1465 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

I fully support the passage of House Bill No. 1465 as amended by the Senate, and find it an excellent piece of legislation.

JOHN ERAK, 19th District.

## SENATE AMENDMENTS TO HOUSE BILL

March 6, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1901 with the following amendments:

On page 1, beginning on line 8 strike everything after the enacting clause and insert the following:

"Section 1. Section 1, chapter 182, Laws of 1974 ex. sess. as last amended by section 1, chapter 214, Laws of 1979 ex. sess. and RCW 84.36.381 are each amended to read as follows:

A person shall be exempt from any legal obligation to pay all or a portion of the amount of excess and regular real property taxes due and payable in the year following the year in which a claim is filed in accordance with the following:

(1) The property taxes must have been imposed upon a residence which was occupied by the person claiming the exemption as a principal place of residence as of January 1st of the year for which the claim is filed: PROVIDED, That any person who sells, transfers, or is displaced from his or her residence may transfer his or her exemption status to a replacement residence, but no claimant shall receive an exemption on more than one residence in any year: PROVIDED FURTHER, That confinement of the person to a hospital or nursing home shall not disqualify the claim of exemption if the residence is temporarily unoccupied or if the residence is occupied by a spouse and/or a person financially dependent on the claimant for support;

(2) The person claiming the exemption must have owned, at the time of filing, in fee, as a life estate, or by contract purchase, the residence on which the property taxes have been imposed or if the person claiming the exemption lives in a cooperative housing association, corporation, or partnership, such person must own a share therein representing the unit or portion of the structure in which he or she resides. For purposes of this subsection, a residence owned by a marital community or owned by cotenants shall be deemed to be owned by each spouse or cotenant, and any lease for life shall be deemed a life estate;

(3) The person claiming the exemption must have been sixty-one years of age or older on January 1st of the year in which the exemption claim is filed, or must have been, at the time of filing, retired from regular gainful employment by reason of physical disability: PROVIDED, That any surviving spouse of a person who was receiving an exemption at the time of the person's death shall qualify if the surviving spouse is fifty-seven years of age or older and otherwise meets the requirements of this section;

(4) The amount that the person shall be exempt from an obligation to pay shall be calculated, on the basis of the combined income, from all sources whatsoever, of the person claiming the exemption, his or her spouse, and any cotenant occupying the residence for the preceding calendar year. If the person claiming the exemption was retired for two months or more of the preceding year, the combined income of such person, his or her spouse, and any cotenant occupying the residence shall be calculated by multiplying the average monthly income of such person, his or her spouse, and any cotenant occupying the residence during the months such person was retired by twelve. Only two-thirds of any social security benefits, federal civil service retirement, or railroad retirement pension shall be considered as income for the purposes of this section. The gain realized by any person from the sale, transfer, or upon being displaced from his or her residence shall not be considered as income for the purposes of this section if reinvested in a replacement residence within eighteen months of its realization.

(5) (a) A person who otherwise qualifies under this section and is within the income range of eleven thousand dollars or less shall be exempt from all excess property taxes (~~(; and in addition)~~) and shall be exempt from regular property taxes on up to ten thousand dollars of valuation of the residence.

(b) A person who otherwise qualifies under this section and is within the income range of seven thousand dollars or less shall be exempt from all excess property taxes and shall be exempt from all regular property taxes on up to ~~((fifteen))~~ twenty thousand dollars of valuation of his or her residence.

(6) For the purposes of this section, cotenants mean two or more individuals who reside together, who jointly own the residence, and who otherwise meet the requirements of this section.

Sec. 2. Section 4, chapter 182, Laws of 1974 ex. sess. as amended by section 16, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.387 are each amended to read as follows:

(1) All claims for exemption shall be made and signed by the person entitled to the exemption, by his or her attorney in fact or in the event the residence of such person is under mortgage or purchase contract requiring accumulation of reserves out of which the holder of the mortgage or contract is required to pay real estate taxes, by such holder or by the owner, either before two witnesses or the county assessor or his deputy in the county where the real property is located: PROVIDED, That if a claim for exemption is made by a person living in a cooperative housing association, corporation, or partnership, such claim shall be made and signed by the person entitled to the exemption and by the authorized agent of such cooperative.

(2) If the taxpayer is unable to submit his own claim, the claim shall be submitted by a duly authorized agent or by a guardian or other person charged with the care of the person or property of such taxpayer.

(3) Any person signing a false claim with the intent to defraud or evade the payment of any tax shall be guilty of the offense of perjury.

(4) The tax liability of a cooperative housing association, corporation, or partnership shall be reduced by the amount of tax exemption to which a claimant residing therein is entitled and such cooperative shall reduce any amount owed by the claimant to the cooperative by such exact amount of tax exemption or, if no amount be owed, the cooperative shall make payment to the claimant of such exact amount of exemption.



(5) A remainderman or other person who would have otherwise paid the tax on real property that is the subject of an exemption granted under RCW 84.36.381 for an estate for life shall reduce the amount which would have been payable by the life tenant to the remainderman or other person to the extent of the exemption. If no amount is owed or separately stated as an obligation between these persons, the remainderman or other person shall make payment to the life tenant in the exact amount of the exemption.

NEW SECTION. Sec. 3. There is added to chapter 84.36 RCW a new section to read as follows:

The legislature finds that the property tax exemption authorized by Article VII, section 10 of the state Constitution should be made available on the basis of a retired person's ability to pay property taxes. The legislature further finds that the best measure of a retired person's ability to pay taxes is that person's disposable income as defined in RCW 84.36.383(6).

Sec. 4. Section 1, chapter 182, Laws of 1974 ex. sess. as last amended by section 1, chapter ... (SHB 1901), Laws of 1980 and RCW 84.36.381 are each amended to read as follows:

A person shall be exempt from any legal obligation to pay all or a portion of the amount of excess and regular real property taxes due and payable in the year following the year in which a claim is filed in accordance with the following:

(1) The property taxes must have been imposed upon a residence which was occupied by the person claiming the exemption as a principal place of residence as of January 1st of the year for which the claim is filed: PROVIDED, That any person who sells, transfers, or is displaced from his or her residence may transfer his or her exemption status to a replacement residence, but no claimant shall receive an exemption on more than one residence in any year: PROVIDED FURTHER, That confinement of the person to a hospital or nursing home shall not disqualify the claim of exemption if the residence is temporarily unoccupied or if the residence is occupied by a spouse and/or a person financially dependent on the claimant for support;

(2) The person claiming the exemption must have owned, at the time of filing, in fee, as a life estate, or by contract purchase, the residence on which the property taxes have been imposed or if the person claiming the exemption lives in a cooperative housing association, corporation, or partnership, such person must own a share therein representing the unit or portion of the structure in which he or she resides. For purposes of this subsection, a residence owned by a marital community or owned by cotenants shall be deemed to be owned by each spouse or cotenant, and any lease for life shall be deemed a life estate;

(3) The person claiming the exemption must have been sixty-one years of age or older on January 1st of the year in which the exemption claim is filed, or must have been, at the time of filing, retired from regular gainful employment by reason of physical disability: PROVIDED, That any surviving spouse of a person who was receiving an exemption at the time of the person's death shall qualify if the surviving spouse is fifty-seven years of age or older and otherwise meets the requirements of this section;

(4) The amount that the person shall be exempt from an obligation to pay shall be calculated(;) on the basis of ((the) combined disposable income, ((from all sources whatsoever, of the person claiming the exemption, his or her spouse, and any cotenant occupying the residence for the preceding calendar year)) as defined in RCW 84.36.383. If the person claiming the exemption was retired for two months or more of the preceding year, the combined disposable income of such person((-his or her spouse, and any cotenant occupying the residence)) shall be calculated by multiplying the average monthly combined disposable income of such person((-his or her spouse, and any cotenant occupying the residence)) during the months such person was retired by twelve. ((Only two-thirds of any social security benefits, federal civil service retirement, or railroad retirement pension shall be considered as income for the purposes of this section. The gain realized by any person from the sale, transfer, or upon being displaced from his or her residence shall not be considered as income for the purposes of this section if reinvested in a replacement residence within eighteen months of its realization:))

(5) (a) A person who otherwise qualifies under this section and ((is within the income range)) has a combined disposable income of ((eleven)) fourteen thousand dollars or less shall be exempt from all excess property taxes and shall be exempt from regular property taxes on up to ten thousand dollars of valuation of the residence.

(b) In addition, a person who otherwise qualifies under this section and ((is within the income range)) has a combined disposable income of ((seven)) ten thousand dollars or less shall be exempt from all regular property taxes on up to twenty thousand dollars of valuation of his or her residence.

((((6) For the purposes of this section, cotenants mean two or more individuals who reside together, who jointly own the residence, and who otherwise meet the requirements of this section:))

Sec. 5. Section 2, chapter 182, Laws of 1974 ex. sess. as last amended by section 2, chapter 214, Laws of 1979 ex. sess. and RCW 84.36.383 are each amended to read as follows:

As used in RCW 84.36.381 through 84.36.389, except where the context clearly indicates a different meaning:

(1) The term 'residence' shall mean a single family dwelling unit whether such unit be separate or part of a multiunit dwelling, including the land on which such dwelling stands not to exceed one acre. The term shall also include a share ownership in a cooperative housing association, corporation, or partnership if the person claiming exemption can establish that his or her share represents the specific unit or portion of such structure in which he or she resides. The term shall also include a single family dwelling situated upon lands the fee of which is vested in the United States or any instrumentality thereof including an Indian tribe or in the state of Washington, and notwithstanding the provisions of RCW 84.04.080, 84.04.090 or 84.40.250, such a residence shall be deemed real property.

(2) The term 'real property' except for the purposes of chapters 84.56 and 84.60 RCW, shall also include a mobile home which has substantially lost its identity as a mobile unit by virtue of its being fixed in location upon land owned or leased by the owner of the mobile home and placed on a foundation (posts or blocks) with fixed pipe, connections with sewer, water, or other utilities.

(3) The term 'preceding calendar year' shall mean the calendar year preceding the year in which the claim for exemption is to be made.

(4) 'Department' shall mean the state department of revenue.

(5) 'Combined disposable income' means the disposable income of the person claiming the exemption, plus the disposable income of his or her spouse, and the disposable income of each cotenant occupying the residence for the preceding calendar year.

(6) 'Disposable income' means adjusted gross income as defined in the federal internal revenue code, as amended prior to January 1, 1980, plus all of the following items to the extent they are not included in or have been deducted from adjusted gross income:

(a) Capital gains;

(b) Amounts deducted for loss;

(c) Amounts deducted for depreciation;

(d) Pension and annuity receipts;

(e) Military pay and benefits;

(f) Veterans benefits;

(g) Federal social security act and railroad retirement benefits;

(h) Dividend receipts; and

(i) Interest received on state and municipal bonds.

(7) 'Cotenant' means a person who resides with the person claiming the exemption and who has an ownership interest in the residence.

NEW SECTION. Sec. 6. Sections 3 through 5 of this 1980 act are effective for property taxes due in 1982 and thereafter.

NEW SECTION. Sec. 7. Sections 1 and 2 of this act are necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 8. Sections 3 through 5 of this act shall take effect on January 1, 1981."

On page 1, on line 4 of the title, strike "and" and on line 6 of the title, after "84.36.387" insert "; amending section 1, chapter 182, Laws of 1974 ex. sess. as last amended by section 1, chapter ... (SHB 1901), Laws of 1980 and RCW 84.36.381; amending section 2, chapter 182, Laws of 1974 ex. sess. as last amended by section 2, chapter 214, Laws of 1979 ex. sess. and RCW 84.36.383; adding a new section to chapter 84.36 RCW; creating a new section; providing an effective date; and declaring an emergency" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Ms. Sommers moved that the House do not concur in the Senate amendments to Substitute House Bill No. 1901 and ask the Senate to recede therefrom.

Representatives Sommers and Craswell spoke in favor of the motion, and the motion was carried.

#### MESSAGE FROM THE SENATE

March 12, 1980

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 3457, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Newhouse moved that the House insist on its position with regard to Substitute Senate Bill No. 3457, and again ask the Senate to concur therewith.

Representatives Newhouse and King spoke in favor of the motion, and the motion was carried.

Representative Erak appeared at the bar of the House.

#### MESSAGE FROM THE SENATE

March 4, 1980

Mr. Speaker:

The Senate has concurred in all of the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3551, except for the amendments to page 1, line 1 and the

amendment adding a new section 4, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Nelson (D) moved that the House insist on its position with regard to Engrossed Substitute Senate Bill No. 3551, and again ask the Senate to concur therewith.

Mr. Nelson (D) spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Nelson (D) yielded to question by Mr. King.

Mr. King: "Representative Nelson, can you clarify, for the purpose of the record, the intent of the amendment that mentions an annual estimate of the fiscal impact of the tax exemptions that the bill authorizes?"

Mr. Nelson (D): "Representative King, it is the intent of the amendment that the Department of Revenue report to the Legislature annually an estimate of the fiscal impact on the tax exemptions. That estimate must be based on information the Federal Bureau of Alcohol, Tobacco and Firearms has on file from permits issued for alcohol fuel production. The estimate would be based on the number of manufacturing facilities found in Washington, the average size of those utilities and the average cost of those facilities."

Ms. Fancher spoke in favor of the motion, and the motion was carried.

#### SECOND READING

ENGROSSED SENATE BILL NO. 3371, by Senators Peterson, Wanamaker and Goltz (by Department of Ecology request):

Establishing the Padilla Bay estuarine sanctuary in Skagit County.

The bill was read the second time.

Committee on Appropriations recommendation: Majority, do pass as amended. (For amendments, see Journal, 57th Day, March 10, 1980.)

On motion of Mr. Vrooman, the committee amendments were adopted.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Vrooman spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3371 as amended by the House, and the bill passed the House by the following vote: Yeas, 83; nays, 14; not voting, 1.

Voting yea: Representatives Adams, Addison, Austin, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nisbet, North, O'Brien, Oliver, Owen, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley.

Voting nay: Representatives Amen, Barr, Bond, Clayton, Craswell, Flanagan, Nelson G. A., Newhouse, Patterson, Polk, Struthers, Taller, Williams, Zimmerman.

Not voting: Representative Martinis.

Engrossed Senate Bill No. 3371 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Speaker Bagnariol declared the House to be at ease.

Speaker Bagnariol called the House to order.

## MOTION

On motion of Mr. Dunlap, Representative Lux was excused from the Call of the House.

## MESSAGE FROM THE SENATE

March 12, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1422,  
HOUSE BILL NO. 1453,  
SUBSTITUTE HOUSE BILL NO. 1988,  
SUBSTITUTE HOUSE JOINT MEMORIAL NO. 31,  
HOUSE CONCURRENT RESOLUTION NO. 33,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3494, by Committee on Ways and Means (originally sponsored by Senators Walgren and Bausch):

Revising laws relating to deferred compensation plans.

The bill was read the second time.

Mr. King moved adoption of the following amendment by Representatives King, Keller, Dawson and Bender:

On page 6, line 22 after "board" insert ": PROVIDED, That nothing in this subsection shall be applied to employees employed under chapter 47.64 RCW"

## POINT OF ORDER

Mr. Taller: "Mr. Speaker, I believe the amendment to this bill is not in order with Rule 31, scope and object."

## SENATE AMENDMENTS TO HOUSE BILL

March 12, 1980

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1406 with the following amendments:

On page 5, after line 25 insert the following:

"Sec. 4. Section 35.20.090, chapter 7, Laws of 1965 as last amended by section 8, chapter 135, Laws of 1979 ex. sess. and by section 24, chapter 136, Laws of 1979 ex. sess. and RCW 35.20.090 are each reenacted to read as follows:

In all civil cases and criminal cases where jurisdiction is concurrent with district courts as provided in RCW 35.20.250, within the jurisdiction of the municipal court, the plaintiff or defendant may demand a jury, which shall consist of six citizens of the state who shall be impaneled and sworn as in cases before district courts, or the trial may be by a judge of the municipal court: PROVIDED, That no jury trial may be held on a proceeding involving a traffic infraction. A defendant requesting a jury shall pay to the court a fee which shall be the same as that for a jury in justice court. Where there is more than one defendant in an action and one or more of them requests a jury, only one jury fee shall be collected by the court. Each juror may receive up to twenty-five dollars but in no case less than ten dollars for each day in attendance upon the municipal court, and in addition thereto shall receive mileage at the rate determined under RCW 43.03.060: PROVIDED, That the compensation paid jurors shall be determined by the legislative authority of the city and shall be uniformly applied. Trial by jury shall be allowed in criminal cases involving violations of city ordinances commencing January 1, 1972, unless such incorporated city affected by this chapter has made provision therefor prior to January 1, 1972."

Re number remaining sections consecutively.

On page 1, line 15 of the title after "46.52.110;" insert "reenacting section 35.20.090, chapter 7, Laws of 1965 as last amended by section 8, chapter 135, Laws of 1979 ex. sess. and by section 24, chapter 136, Laws of 1979 ex. sess. and RCW 35.20.090;"

On page 5 after the Senate Judiciary Committee amendment on line 25 insert the following:

"Sec. 6. Section 2, chapter 136, Laws of 1979 ex. sess. and RCW 46.63.020 are each amended to read as follows:

Failure to perform any act required or the performance of any act prohibited by this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution relating to traffic including parking, standing, stopping, and pedestrian offenses, is designated as a traffic infraction and may not be classified as a criminal offense, except for an offense contained in the following provisions of this title or a violation of an equivalent administrative regulation or local law, ordinance, regulation, or resolution:

- (1) RCW 46.09.120(2) relating to the operation of a nonhighway vehicle while under the influence of intoxicating liquor or a controlled substance;
- (2) RCW 46.09.130 relating to operation of nonhighway vehicles;
- (3) RCW 46.10.090(2) relating to the operation of a snowmobile while under the influence of intoxicating liquor or narcotics or habit-forming drugs or in a manner endangering the person of another;
- (4) RCW 46.10.130 relating to the operation of snowmobiles;
- (5) Chapter 46.12 RCW relating to certificates of ownership and registration;
- (6) RCW 46.20.021 relating to driving without a valid driver's license;
- (7) RCW 46.20.336 relating to the unlawful possession and use of a driver's license;
- (8) RCW 46.20.342 relating to driving with a suspended or revoked license;
- (9) RCW 46.20.410 relating to the violation of restrictions of an occupational driver's license;
- (10) RCW 46.20.420 relating to the operation of a motor vehicle with a suspended or revoked license;
- (11) Chapter 46.29 RCW relating to financial responsibility;
- (12) RCW 46.48.175 relating to the transportation of dangerous articles;
- (13) RCW 46.52.010 relating to duty on striking an unattended car or other property;
- (14) RCW 46.52.020 relating to duty in case of injury to or death of a person or damage to an attended vehicle;
- (15) RCW 46.52.090 relating to reports by repairmen, storagemen, and appraisers;
- (16) RCW 46.52.100 relating to driving under the influence of liquor or drugs;
- (17) RCW 46.52.130 relating to confidentiality of the driving record to be furnished to an insurance company and an employer;
- (18) RCW 46.61.015 relating to obedience to police officers, flagmen, or firefighters;
- (19) RCW 46.61.020 relating to refusal to give information to or cooperate with an officer;
- (20) RCW 46.61.022 relating to failure to stop and give identification to an officer;
- (21) RCW 46.61.500 relating to reckless driving;
- (22) RCW ((~~46.61.506~~ and ~~46.61.515~~)) 46.61.502 and 46.61.504 relating to persons under the influence of intoxicating liquor or drugs;
- (23) RCW 46.61.520 relating to negligent homicide by motor vehicle;
- (24) RCW 46.61.525 relating to negligent driving;
- (25) RCW 46.61.530 relating to racing of vehicles on highways;
- (26) RCW 46.61.685 relating to leaving children in an unattended vehicle with the motor running;
- (27) RCW 46.64.020 relating to nonappearance after a written promise;
- (28) RCW 46.64.048 relating to attempting, aiding, abetting, coercing, and committing crimes;
- (29) Chapter 46.65 RCW relating to habitual traffic offenders;
- (30) Chapter 46.70 RCW relating to unfair motor vehicle business practices, except where that chapter provides for the assessment of monetary penalties of a civil nature;
- (31) Chapter 46.72 RCW relating to the transportation of passengers in for hire vehicles;
- (32) Chapter 46.80 RCW relating to motor vehicle wreckers;
- (33) Chapter 46.83 RCW relating to driver's training schools.

Sec. 7. Section 1, chapter 198, Laws of 1969 ex. sess. as amended by section 1, chapter 28, Laws of 1979 ex. sess. and RCW 10.31.100 are each amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of the officer, except as provided in subsections (1) through (3) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis shall have the authority to arrest the person.

(2) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

- (a) RCW 46.52.010, relating to duty on striking an unattended car or other property;
- (b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;
- (c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;
- (d) RCW ((~~46.61.506~~)) 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;
- (e) RCW 46.61.525, relating to operating a motor vehicle in a negligent manner.

(3) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of any traffic law or regulation.

(4) Except as specifically provided in subsections (2) and (3) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW."

Renumber the sections following consecutively.

On page 5, lines 29 and 30, strike all of section 6 and insert the following:

**"NEW SECTION.** Sec. 9. Sections 1 through 6 and 8 of this 1980 act shall take effect January 1, 1981. Section 7 of this 1980 act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing institutions, and shall take effect immediately."

On page 1, line 6 of the committee amendment, after "Sec." strike "4" and insert "5"

In line 15 of the title, after "46.52.110;" insert "amending section 2, chapter 136, Laws of 1979 ex. sess. and RCW 46.63.020; amending section 1, chapter 198, Laws of 1969 ex. sess. as amended by section 1, chapter 28, Laws of 1979 ex. sess. and RCW 10.31.100;"

In line 18 of the title, after "76.04.480;" strike the remainder of the title and insert "declaring an emergency; and providing effective dates." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Newhouse, the House concurred in the Senate amendments to House Bill No. 1406.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of House Bill No. 1406 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1406 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kroidler, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Lux, Martinis.

House Bill No. 1406 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENT TO HOUSE BILL

March 12, 1980

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1499 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 1, chapter 116, Laws of 1979 and RCW 74.38.070 are each amended to read as follows:

(1) Notwithstanding any other provision of law, any county, city, town, municipal corporation, or quasi municipal corporation providing utility services may provide such services at reduced rates for low income senior citizens: PROVIDED, That, for the purposes of this section, 'low income senior citizen' shall be defined by appropriate ordinance or resolution adopted by the governing body of the county, city, town, municipal corporation, or quasi municipal corporation providing the utility services except as provided in subsection (2) of this section. Any reduction in rates granted in whatever manner to low income senior citizens in one part of a service area shall be uniformly extended to low income senior citizens in all other parts of the service area.

(2) For purposes of implementing this section by any public utility district, 'low income senior citizen' means a person who is sixty-two years of age or older and whose total income, including that of his or her spouse or cotenant, does not exceed the amount specified in RCW 84.36.381(5)(b), as now or hereafter amended."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Ms. Monohon, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 1499.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 1499 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1499 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greeno, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Toller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Lux, Martinis.

Engrossed Substitute House Bill No. 1499 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

March 12, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1397 with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

"Section 1. Section 23, chapter 37, Laws of 1980 and RCW 82.08.... are each amended to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales of:

(1) Motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes; and ((sales of))

(2) Motor vehicle and special fuel if:

(a) The fuel is purchased for the purpose of public transportation and the purchaser is entitled to a refund or an exemption under RCW 82.36.275 or 82.38.080(8); or

(b) The fuel is taxable under chapter 82.36 or 82.38 RCW ((- PROVIDED, That the use of any such fuel upon which a refund of the motor vehicle fuel tax has been obtained shall be subject to the tax imposed by chapter 82.12 RCW)).

Sec. 2. Section 56, chapter 37, Laws of 1980 and RCW 82.12.... are each amended to read as follows:

The provisions of this chapter shall not apply in respect to the use of:

(1) Motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes; and

(2) Motor vehicle and special fuel if:

(a) The fuel is used for the purpose of public transportation and the purchaser is entitled to a refund or an exemption under RCW 82.36.275 or 82.38.080(8); or

(b) The fuel is taxable under chapter 82.36 or 82.38 RCW: PROVIDED, That the use of ((such)) motor vehicle and special fuel upon which a refund of the ((motor vehicle)) applicable fuel tax is obtained shall not be exempt under this subsection (2)(b), and the director of licensing shall deduct from the amount of such tax to be refunded the amount of tax due under this chapter and remit the same each month to the department of revenue."

On page 1, on line 1 of the title, after "fuels;" strike the remainder of the title and insert "amending section 23, chapter 37, Laws of 1980 and RCW 82.08....; and amending section 56, chapter 37, Laws of 1980 and RCW 82.12...."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. May, the House concurred in the Senate amendments to Substitute House Bill No. 1397.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol declared the question before the House to be the final passage of Substitute House Bill No. 1397 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1397 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Lux, Martinis.

Substitute House Bill No. 1397 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENT TO HOUSE BILL

March 12, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1419 with the following amendment:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION.** Section 1. The legislature finds and declares that the potential future energy needs through conservation measures, including energy conservation loans, energy audits, and the use of renewable resources, such as solar energy, wind energy, wood, wood waste, municipal waste, agricultural products and wastes, hydroelectric energy, geothermal energy, and end-use waste heat, may not be realized without incentives to public and private energy utilities. The legislature therefore finds and declares that actions and incentives by state government to promote conservation and the use of renewable resources would be of great benefit to the citizens of this state by encouraging efficient energy use and a reliable supply of energy based upon renewable energy resources.

**NEW SECTION.** Sec. 2. There is added to chapter 80.28 RCW a new section to read as follows:

In establishing rates for each gas and electric company regulated by this chapter, the commission shall adopt policies to encourage meeting or reducing energy demand through cogeneration as defined in RCW 82.35.020, measures which improve the efficiency of energy end use, and new projects which produce or generate energy from renewable resources, such as solar energy, wind energy, hydroelectric energy, geothermal energy, wood, wood waste, municipal wastes, agricultural products and wastes, and end-use waste heat. These policies shall include but are not limited to allowing a return on investment in measures to improve the efficiency of energy end use, cogeneration, or projects which produce or generate energy from renewable resources which return is established by adding an increment of two percent to the rate of return on common equity permitted on the company's other investment. Measures or projects encouraged under this section are those for which construction or installation is begun after the effective date of this act and before January 1, 1990, and which, at the time they are placed in the rate base, are reasonably expected to save, produce, or generate energy at a total incremental system cost per unit of energy delivered to end use which is less than or equal to the incremental system cost per unit of energy delivered to end use from similarly available conventional energy resources which utilize nuclear energy or fossil fuels and which the gas or electric company could acquire to meet energy demand in the same time period. The rate of return increment shall be allowed for a period not to exceed thirty years after the measure or project is first placed in the rate base.

**NEW SECTION.** Sec. 3. There is added to chapter 82.16 RCW a new section to read as follows:

(1) In computing tax under this chapter there shall be deducted from the gross income:

(a) An amount equal to the cost of production at the plant for consumption within the state of Washington of:

(i) Electrical energy produced or generated from cogeneration as defined in RCW 82.35.020; and  
(ii) Electrical energy or gas produced or generated from renewable energy resources such as solar energy, wind energy, hydroelectric energy, geothermal energy, wood, wood wastes, municipal wastes, agricultural products and wastes, and end-use waste heat; and

(b) Those amounts expended to improve consumers' efficiency of energy end use or to otherwise reduce the use of electrical energy or gas by the consumer.

(2) This section applies only to new facilities for the production or generation of energy from cogeneration or renewable energy resources or measures to improve the efficiency of energy end use on which construction or installation is begun after the effective date of this act and before January 1, 1990.

(3) Deductions under subsection (1)(a) of this section shall be allowed for a period not to exceed thirty years after the project is placed in operation.

(4) Measures or projects encouraged under this section shall at the time they are placed in service be reasonably expected to save, produce, or generate energy at a total incremental system cost per unit of



energy delivered to end use which is less than or equal to the incremental system cost per unit of energy delivered to end use from similarly available conventional energy resources which utilize nuclear energy or fossil fuels and which the gas or electric utility could acquire to meet energy demand in the same time period.

(5) The department of revenue, after consultation with the utilities and transportation commission in the case of investor-owned utilities and the governing bodies of locally regulated utilities, shall determine the eligibility of individual projects and measures for deductions under this section." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Bond, the House concurred in the Senate amendments to Substitute House Bill No. 1419.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Bagnariol stated the question before the House to be the final passage of Substitute House Bill No. 1419 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1419 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greeno, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Lux, Martinis.

Substitute House Bill No. 1419 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 3385, by Committee on Judiciary (originally sponsored by Senators Walgren and Donohue):

Revising laws relating to the reporting of fires to the state fire marshal.

The bill was read the second time.

Ms. Fancher moved adoption of the following amendment by Representatives Fancher, Amen, Flanagan, Smith (C) and Barr:

On page 2, line 19 after "marshal" insert ": PROVIDED, That no provision of this 1980 act shall apply to districts with a volunteer fire department"

Ms. Fancher spoke in favor of the amendment, and Mr. Ehlers spoke against it.

#### POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Van Dyken.

Mr. Van Dyken: "Representative Ehlers, section 3 of this act appropriates \$95,000 to the state fire marshal. Can you tell me what provisions under Initiative 62 there are for funding on the requirements for local volunteer fire departments imposed under this bill?"

Mr. Ehlers: "If you are asserting that there are going to be additional costs to local governments, I don't contend that there are, because there are currently fire reporting forms that are required of most jurisdictions. The \$95,000 is going to be used for a training program to go out and help volunteer fire departments for uniform fire reporting data forms that are consistent throughout the state. It's really not, in my view, impacting any more on local governments than there is currently, so I don't think you are, in fact, imposing any additional responsibility on local jurisdictions. The money here is to aid them in filling out the forms for a uniform system of reporting, which is the only useful way of having the information, the data, that can be used in the computer."

Representatives Berentson and Amen spoke in favor of the amendment, and Mr. Dawson spoke against it.

#### POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Pruitt.

Mr. Pruitt: "Representative Ehlers, being in state government and looking at the forms that need to be filled out, I'm a bit confused by the long form that Speaker Berentson held up. Is this the form that actually will be used or is there another form that has been suggested for the uniform procedure?"

Mr. Ehlers: "I don't have the form in front of me. Representative Berentson says it's very confusing and it doesn't look very confusing to me. There's a system you go through in filling out the forms. This is a very simple form. It's not dissimilar to the standard form that is required for various departments to fill out. We did have a lot of testimony in the State Government Committee, and all of us were concerned that somehow we were going to add to their responsibility, and I don't think this is anything really additional."

Ms. Fancher spoke again in favor of the amendment.

#### POINT OF INQUIRY

Mr. Amen yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Amen, you were one of the sponsors of this amendment, and I'm wondering if the department had one hired person, say, the Chief, and the rest were volunteers, would this amendment exempt that department from reporting fires?"

Mr. Amen: "No, I don't believe it would."

Mr. Tilly: "Then, if there are any paid staff, they would have to report even though the rest of the staff are volunteers? This amendment only applies to departments that are all volunteer?"

Mr. Amen: "That would be my understanding."

#### POINT OF INQUIRY

Ms. Fancher yielded to question by Mr. Ehlers.

Mr. Ehlers: "I have the same question. That may be the intent, but those aren't the words. Would you explain to us the definition of a volunteer fire department? There is no definition of that. Does that mean one volunteer? Fifty percent? Seventy-five percent?"

Ms. Fancher: "The definition is not here, but, in the department I speak of, we do have a paid Chief. The rest are volunteers, and it would be my intention that this would not include that department, but the totally volunteer departments."

Mr. Smith (R) demanded an electric roll call vote on the amendment, and the demand was sustained.

Representatives Taller, Brown and Scott spoke against the amendment.

Mr. Newhouse demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Fancher and others to Substitute Senate Bill No. 3385, and the amendment was not adopted by the following vote: Yeas, 30; nays, 66; not voting, 2.

Voting yea: Representatives Amen, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dunlap, Eberle, Fancher, Flanagan, Hastings, Houchen, Isaacson, McGinnis, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rosbach, Sanders, Schmitten, Smith C. P., Sprague, Struthers, Whiteside, Williams, Wilson.

Voting nay: Representatives Adams, Addison, Austin, Bagnariol, Barnes, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Dawson, Deccio, Ehlers, Ellis, Eng, Erak, Erickson, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinchart, Salatino, Scott, Sherman, Smith R., Sommers, Stratton, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Winsley, Zimmerman.

Not voting: Representatives Lux, Martinis.

The Clerk read the following amendment by Representative Fancher:

On page 2, line 19 after "marshal" insert "; PROVIDED, That no more than ten questions may be asked of the fire district under this section: PROVIDED FURTHER, That the questions will be structured in such a manner as to be fully answerable within a ten-minute response"

With the consent of the House, Ms. Fancher withdrew the amendment.

On motion of Mr. Salatino, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ehlers and Brown spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3385, and the bill passed the House by the following vote: Yeas, 88; nays, 8; not voting, 2.

Voting yea: Representatives Adams, Addison, Austin, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barr, Bond, Fancher, Flanagan, Patterson, Polk, Sprague.

Not voting: Representatives Lux, Martinis.

Substitute Senate Bill No. 3385, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3250, by Committee on Ways and Means (originally sponsored by Senators Fleming, Jones, Day, Sellar, McDermott, Ridder and Morrison - by Select Committee on Nursing Homes request):

Establishing a nursing home audit and cost reimbursement system.

The bill was read the second time.

Committee on Appropriations recommendation: Majority, do pass as amended. (For amendment, see Journal, 46th Day, February 28, 1980.)

Mr. Thompson moved adoption of the committee amendment.

On motion of Mr. Thompson, the following amendments by Representatives Thompson and Nelson (G) to the committee amendment were adopted:

On page 27, line 19 after "administration" insert "and operations"

On page 49, beginning on line 33 after "facility" strike everything through "days," on line 34

On page 52, line 35 strike "19" and insert "18"

On page 54, line 10 strike "used" and insert "for use"

On page 57, line 15 after "administration" insert "through an appraisal procedure"

On page 68, line 16 strike "state"

On page 85, line 27 strike everything on line 27 and insert "section 82"

On page 86, line 30 after "7," insert "82,"

On page 87, line 1 strike "12, and 82" and insert "and 12"

Mr. Williams moved adoption of the following amendment to the committee amendment:

On page 38, line 31 strike "ten" and insert "fifteen"

Mr. Williams spoke in favor of the amendment to the committee amendment, and Mr. Taylor spoke against it.

The amendment to the amendment was not adopted.

Mr. Taller moved adoption of the following amendment to the committee amendment:

On page 54, line 24 strike "1.5" and insert "1.4"

Representatives Taller and Thompson spoke in favor of the amendment to the amendment, and it was adopted.

On motion of Mr. Taller, the following amendment to the committee amendment was adopted:

On page 55, line 3 strike "1.15" and insert "1.07"

Mr. Williams moved adoption of the following amendment to the committee amendment:

On page 39 of the amendment after line 26 insert the following:

"(e) The contractor has the option to determine the depreciation base through an appraisal process, as defined in section 2(3) of this act, once each consecutive ten-year period of facility participation in the medical care program beginning with the date of the first participation or the date of the last arm's length acquisition prior to January 1, 1980, whichever is most recent. This subsection shall become effective upon the department's receipt of federal approval for participation in an appraisal program."

Mr. Williams spoke in favor of the amendment to the amendment.

The amendment to the committee amendment was not adopted.

Mr. Ehlers moved adoption of the following amendments to the committee amendment:

On page 41, on line 20 strike "rate" and insert "costs"

On page 41, line 21 after "of" strike all material down to and including "staff," on line 21 and insert "all the facilities' historical temporary labor costs,"

Representatives Ehlers and Kreidler spoke in favor of the amendments to the amendment, and Representatives Nelson (G) and McDonald spoke against them.

Mr. Ehlers spoke again in favor of the amendments, and Mr. Deccio spoke against them.

The amendments to the committee amendment were not adopted.

Mr. Sanders moved adoption of the following amendments by Representatives Sanders, May, Addison, Pruitt, Erak, Deccio, Houchen and Ellis to the committee amendment:

On page 48, line 17 after "effective" strike "July 1, 1982" and insert "July 1, 1981"

On page 48, line 20 strike "1981" and insert "1980"

On page 48, line 22 after "for" strike "1983" and insert "1982"

On page 56, line 22 after "on" strike "July 1, 1982" and insert "July 1, 1981"

On page 87, line 4 after "on" strike "July 1, 1982" and insert "July 1, 1981"

Representatives Sanders, Taylor, Addison and Deccio spoke in favor of the amendments to the committee amendment, and Representatives Taller, Nelson (G), Williams and Sommers spoke against them.

Mr. Newhouse demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Sanders and others to the committee amendment to Engrossed Substitute Senate Bill No. 3250, and the amendments were not adopted by the following vote: Yeas, 44; nays, 52; not voting, 2.

Voting yea: Representatives Addison, Amen, Austin, Barnes, Berentson, Clayton, Deccio, Dunlap, Eberle, Ellis, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Grimm, Hastings, Houchen, Isaacson, Knowles, May, McCormick, McGinnis, Mitchell, Oliver, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitt, Scott, Smith C. P., Stratton, Struthers, Taylor, Teutsch, Tilly, Walk, Warnke, Wilson, Winsley.

Voting nay: Representatives Adams, Bagnariol, Barr, Bauer, Becker, Bender, Bond, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Dawson, Ehlers, Eng, Galloway, Garrett, Granlund, Greengo, Gruger, Heck, Hughes, Jovanovich, Keller, King, Kreidler, Maxie, McDonald, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Owen, Rinehart, Rosbach, Sherman, Smith R., Sommers, Sprague, Taller, Thompson, Tupper, Valle, Van Dyken, Vrooman, Whiteside, Williams, Zimmerman.

Not voting: Representatives Lux, Martinis.

Ms. Sommers moved adoption of the following amendment to the committee amendment:

On page 53, line 14 after "secretary," add a new paragraph to read as follows:

"No certificate of need required pursuant to chapter 70.38 RCW for the construction, improvement or purchase of a facility will be granted until the applicant submits to the department adequate proof that at least twenty percent of the total funds to be invested in land, buildings, and equipment are not borrowed."

Ms. Sommers spoke in favor of the amendment to the committee amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Sommers to the committee amendment to Engrossed Substitute Senate Bill No. 3250, and the amendment was not adopted by the following vote: Yeas, 39; nays, 57; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Fuller, Gallagher, Galloway, Garrett, Granlund, Gruger, Jovanovich, Keller, King, Kreidler, Maxie, McDonald, Monohon, Nelson D., Nelson G. A., North, O'Brien, Rinehart, Rosbach, Sherman, Smith R., Sommers, Taller, Valle, Van Dyken, Vrooman, Warnke.

Voting nay: Representatives Addison, Amen, Austin, Barnes, Barr, Bauer, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Greengo, Grimm, Hastings, Heck, Houchen, Hughes, Isaacson, Knowles, May, McCormick, McGinnis, Mitchell, Newhouse,

Nisbet, Oliver, Owen, Patterson, Polk, Pruitt, Salatino, Sanders, Schmitten, Scott, Smith C. P., Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Walk, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Lux, Martinis.

#### MOTION FOR RECONSIDERATION

Mr. Thompson, having voted on the prevailing side, moved that the House reconsider the vote by which the Sommers amendment to the committee amendment was not adopted.

Representatives Thompson and Taller spoke in favor of the motion, and Representatives Oliver, Newhouse, Taylor and Deccio spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the Sommers amendment to the committee amendment to Engrossed Substitute Senate Bill No. 3250 was not adopted, and the motion was lost by the following vote: Yeas, 44; nays, 52; not voting, 2.

Voting yea: Representatives Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Dawson, Ehlers, Eng, Erak, Fuller, Gallagher, Galloway, Garrett, Granlund, Gruger, Heck, Jovanovich, Keller, King, Knowles, Kreidler, Maxie, McDonald, Monohon, Nelson D., Nelson G. A., North, O'Brien, Owen, Pruitt, Rinehart, Sherman, Smith R., Sommers, Taller, Thompson, Tupper, Valle, Van Dyken, Vrooman, Warnke, Winsley.

Voting nay: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Deccio, Dunlap, Eberle, Ellis, Erickson, Fancher, Flanagan, Flint, Greengo, Grimm, Hastings, Houchen, Hughes, Isaacson, May, McCormick, McGinnis, Mitchell, Newhouse, Nisbet, Oliver, Patterson, Polk, Rosbach, Salatino, Sanders, Schmitten, Scott, Smith C. P., Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Walk, Whiteside, Williams, Wilson, Zimmerman.

Not voting: Representatives Lux, Martinis.

Mr. Van Dyken moved adoption of the following amendment to the committee amendment:

On page 58, after section 53 insert the following:

"NEW SECTION. Sec. 54. If the legislature changes the methodology of property reimbursement established in this 1980 act, no affected contractor shall be entitled thereafter to receive such benefits as a matter of contractual right."

Renumber the remaining sections consecutively.

Representatives Van Dyken and Thompson spoke in favor of the amendment, and it was adopted.

The committee amendment as amended was adopted.

#### MOTION

Mr. Salatino moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 3250 as amended by the House be placed on final passage.

Mr. Williams spoke against the motion, and Mr. Nelson (G) spoke in favor of it.

The motion was carried.

Speaker Bagnariol stated the question before the House to be final passage of Engrossed Substitute Senate Bill No. 3250 as amended by the House.

Representatives Zimmerman, Becker and Williams spoke against passage of the bill, and Representatives Taller and Hughes spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3250 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 10; not voting, 2.

Voting yea: Representatives Adams, Addison, Austin, Bagnariol, Barnes, Barr, Bauer, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Deccio, Dunlap, Eberle, Ehlers, Ellis, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Smith C. P., Smith R., Sommers, Sprague, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley.

Voting nay: Representatives Amen, Becker, Dawson, Eng, May, Sherman, Stratton, Van Dyken, Williams, Zimmerman.

Not voting: Representatives Lux, Martinis.

Engrossed Substitute Senate Bill No. 3250 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. King, the House reverted to the fourth order of business.

#### INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 3537, by Committee on Ways and Means (originally sponsored by Senator Odegaard):

Establishing a sick leave incentive program for community colleges.

#### MOTION

On motion of Mr. King, the rules were suspended, and Substitute Senate Bill No. 3537 was advanced to second reading and read the second time in full.

On motion of Mr. Chandler, the following amendment by Representatives Chandler and Heck was adopted:

On page 1, line 14 after "month" strike everything through "apply" on line 18

Mr. Chandler moved adoption of the following amendment by Representatives Chandler, Heck, Van Dyken, Vrooman, Dawson, Becker, Isaacson, Bender, Sanders, Knowles, Charnley, Tupper, McGinnis, Erickson, Garrett, Eberle, Bauer, Oliver, Taller, Sherman, Houchen, Pruitt, Fuller, Brekke, Wilson, O'Brien, Whiteside, Gruger, Nisbet, Rinehart, Ellis, Zimmerman, Galloway, Flint, Granlund, McCormick, Taylor, Teutsch, Owen, Schmitten, Scott, Valle, Amen, North, Deccio, Warnke, Nelson (D) and Lux:

On page 2, following section 2 add sections to read as follows:

"Sec. 3. Section 7, chapter 283, Laws of 1969 ex. sess. as last amended by section 2, chapter 173, Laws of 1977 ex. sess. and RCW 28B.50.551 are each amended to read as follows:

The board of trustees of each community college district shall adopt for each community college under its jurisdiction written policies on granting leaves to employees of the district and those colleges, including but not limited to leaves for attendance at official or private institutions and conferences; professional leaves for personnel consistent with the provisions of RCW 28B.10.650; leaves for illness, injury, bereavement and emergencies, and except as otherwise in this section provided, all with such compensation as the board of trustees may prescribe, except that the board shall grant to all such persons leave with full compensation for illness, injury, bereavement and emergencies as follows:

(1) For persons under contract to be employed, or otherwise employed, for at least three quarters, ((at least fifteen days)) not more than twelve days per year, commencing with the first day on which work is to be performed;

(2) Such leave entitlement may be accumulated after the first three-quarter period of employment ((at a minimum rate of five days per quarter)) for full time employees ((up to a maximum of one hundred eighty days)), and may be taken at any time;

(3) Leave for illness, injury, bereavement and emergencies heretofore accumulated pursuant to law, rule, regulation or policy by persons presently employed by community college districts and community colleges shall be added to such leave accumulated under this section;

(4) Except as otherwise provided in this section or other law, accumulated leave under this section not taken at the time such person retires or ceases to be employed by community college districts or community colleges shall not be compensable;

(5) Accumulated leave for illness, injury, bereavement and emergencies under this section shall be transferred from one community college district or community college to another, to the state board for community college education, to the state superintendent of public instruction, to any educational service district, to any school district, or to any other institutions of higher learning of the state; and

(6) Leave accumulated by a person in a community college district or community college prior to leaving that district or college may, under the policy of the board of trustees, be granted to such person when he returns to the employment of that district or college.

Sec. 4. Section 3, chapter 10, Laws of 1972 ex. sess. as amended by section 108, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.58.100 are each amended to read as follows:

Every board of directors, unless otherwise specially provided by law, shall:

(1) Employ for not more than one year, and for sufficient cause discharge all certificated and noncertificated employees, and fix, alter, allow and order paid their salaries and compensation;

(2) Adopt written policies granting leaves to persons under contracts of employment with the school district(s) in positions requiring either certification or noncertification qualifications, including but not limited to leaves for attendance at official or private institutes and conferences and sabbatical leaves for

employees in positions requiring certification qualification, and leaves for illness, injury, bereavement and, emergencies for both certificated and noncertificated employees, and with such compensation as the board of directors prescribe: PROVIDED, That the board of directors shall adopt written policies granting to such persons annual leave with compensation for illness, injury and emergencies as follows:

(a) For such persons under contract with the school district for a full year, at least ten days;  
 (b) For such persons under contract with the school district as part time employees, at least that portion of ten days as the total number of days contracted for bears to one hundred eighty days;

(c) For certificated and noncertificated employees, annual leave with compensation for illness, injury, and emergencies shall be granted and accrue at a rate not to exceed twelve days per year; provisions of any contract in force on the effective date of this amendatory act which conflict with requirements of this subsection shall continue in effect until contract expiration; after expiration, any new contract executed between the parties shall be consistent with this subsection;

(d) Compensation for leave for illness or injury actually taken shall be the same as the compensation such person would have received had such person not taken the leave provided in this proviso;

~~((f))~~ (e) Leave provided in this proviso not taken shall accumulate from year to year ~~((up to a maximum of one hundred eighty days;))~~ and such accumulated time may be taken at any time during the school year but for purposes of payments for unused sick leave shall not exceed twelve days per year;

~~((f))~~ (f) Sick leave heretofore accumulated under section 1, chapter 195, Laws of 1959 (former RCW 28.58.430) and sick leave accumulated under administrative practice of school districts prior to the effective date of section 1, chapter 195, Laws of 1959 (former RCW 28.58.430) is hereby declared valid, and shall be added to leave for illness or injury accumulated under this proviso;

~~((f))~~ (g) ~~((Accumulated leave under this proviso not taken at the time such person retires or ceases to be employed in the public schools shall not be compensable except in the following manner:))~~ Any leave for injury or illness accumulated up to a maximum of forty-five days shall be creditable as service rendered for the purpose of determining the time at which an employee is eligible to retire, if such leave is taken it may not be compensated under the provisions of sections 5 and 6 of this amendatory act;

~~((f))~~ (h) Accumulated leave under this proviso shall be transferred to and from one district to another, the office of superintendent of public instruction and offices of educational service district superintendents and boards, to and from such districts and such offices;

~~((f))~~ (i) Leave accumulated by a person in a district prior to leaving said district may, under rules and regulations of the board, be granted to such person when he returns to the employment of the district.

When any teacher or other certificated employee leaves one school district within the state and commences employment with another school district within the state, he shall retain the same seniority, leave benefits and other benefits that he had in his previous position. If the school district to which the person transfers has a different system for computing seniority, leave benefits, and other benefits, then the employee shall be granted the same seniority, leave benefits and other benefits as a person in that district who has similar occupational status and total years of service.

**NEW SECTION, Sec. 5.** There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

A new attendance incentive program for all certificated and noncertificated employees of a school district is hereby created, and every school district board of directors shall establish and maintain such a program in the following manner. In January of the year following any year in which a minimum of sixty days of leave for illness or injury is accrued, and each January thereafter, any eligible employee may exercise an option to receive remuneration for unused leave for illness or injury accumulated in the previous year at a rate equal to one day's monetary compensation of the employee for each four full days of accrued leave for illness or injury in excess of sixty days. Leave for illness or injury for which compensation has been received shall be deducted from accrued leave for illness or injury at the rate of four days for every one day's monetary compensation: PROVIDED, That no employee may receive compensation under this section for any portion of leave for illness or injury accumulated at a rate in excess of one day per month.

At the time of separation from school district employment due to retirement or death an eligible employee or the employee's estate shall receive remuneration at a rate equal to one day's current monetary compensation of the employee for each four full days accrued leave for illness or injury: PROVIDED, That an employee shall be entitled to all the benefits conferred by this section as of the effective date of this act, but the district may, in its discretion, delay payments due upon retirement or death, with interest at the rate of eight percent per year, to an eligible employee or the employee's estate until September 1, 1981.

Moneys received under this section shall not be included for the purposes of computing a retirement allowance under any public retirement system in this state.

The superintendent of public instruction in its administration hereof, shall promulgate uniform rules and regulations to carry out the purposes of this section.

Should the legislature revoke any benefits granted under this section, no affected employee shall be entitled thereafter to receive such benefits as a matter of contractual right.

**NEW SECTION, Sec. 6.** There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.21 RCW a new section to read as follows:

Every educational service district board of directors shall establish an attendance incentive program for all certificated and noncertificated employees in the following manner. In January of the year following any year in which a minimum of sixty days of leave for illness or injury is accrued, and each January thereafter, any eligible employee may exercise an option to receive remuneration for unused leave for illness or injury accumulated in the previous year at a rate equal to one day's monetary compensation of the employee for

each four full days of accrued leave for illness or injury in excess of sixty days. Leave for illness or injury for which compensation has been received shall be deducted from accrued leave for illness or injury at the rate of four days for every one day's monetary compensation: PROVIDED, That no employee may receive compensation under this section for any portion of leave for illness or injury accumulated at a rate in excess of one day per month.

At the time of separation from educational service district employment due to retirement or death an eligible employee or the employee's estate shall receive remuneration at a rate equal to one day's current monetary compensation of the employee for each four full days accrued leave for illness or injury: PROVIDED, That an employee shall be entitled to all the benefits conferred by this section as of the effective date of this act, but the educational service district may, in its discretion, delay payments due upon retirement or death, with interest at the rate of eight percent per year, to an eligible employee or the employee's estate until September 1, 1981.

Moneys received under this section shall not be included for the purposes of computing a retirement allowance under any public retirement system in this state.

The superintendent of public instruction in its administration hereof, shall promulgate uniform rules and regulations to carry out the purposes of this section.

Should the legislature revoke any benefits granted under this section, no affected employee shall be entitled thereafter to receive such benefits as a matter of contractual right.

NEW SECTION. Sec. 7. If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On motion of Mr. Chandler the following amendment by Representatives Chandler and Heck to the amendment by Representative Chandler and others was adopted:

On page 2, line 3 of the amendment, after "performed" insert "; provisions of any contract in force on the effective date of this amendatory act which conflict with requirements of this subsection shall continue in effect until contract expiration; after expiration, any new contract executed between the parties shall be consistent with this subsection"

The amendment by Representative Chandler and others as amended was adopted.

On motion of Mr. Chandler, the following amendment to the title was adopted:

In line 2 of the title after "RCW 41.04.340;" and before "and making" insert "amending section 7, chapter 283, Laws of 1969 ex. sess. as last amended by section 2, chapter 173, Laws of 1977 ex. sess. and RCW 28B.50.551; amending section 3, chapter 10, Laws of 1972 ex. sess. as amended by section 108, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.58.100; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapters 28A.21 and 28A.58 RCW;"

On motion of Mr. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Mr. Chandler yielded to question by Mr. Heck.

Mr. Heck: "Representative Chandler, is it your understanding that the school districts' attendance incentive program created by this act falls under the provisions of Initiative 62?"

Mr. Chandler: "Yes, the bill specifically states the new program would be established in local school districts to establish and maintain an attendance incentive program. For school districts or taxing districts under sections 1 and 6 of Initiative 62, the Legislature may not impose responsibility for new programs on taxing districts unless those districts are reimbursed for the cost of the program."

Mr. Heck: "Since there is no appropriation accompanying this amendment, and that's now the proposed bill, does it violate the funding requirements of Initiative 62?"

Mr. Chandler: "No, the bill permits school districts to defer payment of sick leave cash-out when employees retire (that's also true of community colleges) and the deferment may be until September 1, 1981, after the beginning of the next budget biennium; therefore, school districts may defer retirement payments until the Legislature reimburses districts for their cost under this new program in the next year's budget."

Mr. Heck spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Chandler yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "What would be the estimated cost of this bill?"



Mr. Chandler: "For the community colleges, the estimate is about \$470,000 per year; for K-12, the 1979-80 year, \$4,600,000; and then the ongoing cost approximately \$2 million a year."

Mr. Van Dyken spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3537 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 4; not voting, 2.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Teller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Barr, Bond, Clayton, Polk.

Not voting: Representatives Lux, Martinis.

Substitute Senate Bill No. 3537 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKERS

Speaker Bagnariol announced the Speakers were signing:

- SUBSTITUTE HOUSE BILL NO. 1413,
- HOUSE BILL NO. 1465,
- HOUSE BILL NO. 1508,
- HOUSE BILL NO. 1518,
- HOUSE BILL NO. 1568,
- SUBSTITUTE HOUSE BILL NO. 1676,
- SUBSTITUTE HOUSE BILL NO. 1989.

Speaker Bagnariol declared the House to be at ease.

Speaker Bagnariol called the House to order.

SENATE AMENDMENTS TO HOUSE BILL

March 12, 1980

Mr. Speaker:

The Senate has reconsidered the vote by which ENGROSSED SUBSTITUTE HOUSE BILL NO. 1533 passed, has returned the bill to second reading, amended, and advanced to third reading, and passed the bill with the following amendments:

Strike everything after the enacting clause, including the Senate amendment adopted on March 5, 1980, and insert the following:

**\*NEW SECTION. Section 1. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADULT CORRECTIONS PROGRAM**

There is appropriated to the department of social and health services for the adult corrections program for the biennium ending June 30, 1981, the following amount, or so much thereof as may be necessary:

|                                  |              |
|----------------------------------|--------------|
| General Fund Appropriation ..... | \$ 9,144,000 |
|----------------------------------|--------------|

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$2,440,000 shall be expended for the Cedar Creek honor camp.
- (2) \$206,000 shall be expended for a modular home construction vocation training program at the Washington state penitentiary.
- (3) \$788,000 shall be expended for relief coverage required to be provided due to correctional officer training.
- (4) \$733,000 shall be expended for provision of additional beds within the institutions.
- (5) \$2,145,000 shall be expended for the costs incurred at the Washington state penitentiary resulting from the lockdown.

**NEW SECTION. Sec. 2. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—NURSING HOME PROGRAM**

There is appropriated to the department of social and health services for the nursing home program for the biennium ending June 30, 1981, the following amounts, or so much thereof as may be necessary, from the following funds:

|                                          |    |            |
|------------------------------------------|----|------------|
| General Fund Appropriation—State .....   | \$ | 8,500,000  |
| General Fund Appropriation—Federal ..... | \$ | 8,500,000  |
| Total Appropriation .....                | \$ | 17,000,000 |

The appropriations contained in this section shall be expended for the reasonable cost-related reimbursement of patient care and property costs.

**NEW SECTION. Sec. 3. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PUBLIC HEALTH PROGRAM**

There is appropriated to the department of social and health services for the public health program for the biennium ending June 30, 1981, the following amount, or so much thereof as may be necessary, from the following fund:

|                                  |    |         |
|----------------------------------|----|---------|
| General Fund Appropriation ..... | \$ | 200,000 |
|----------------------------------|----|---------|

The appropriation contained in this section shall be expended for crippled children's services.

**NEW SECTION. Sec. 4. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM**

There is appropriated to the department of social and health services for the vocational rehabilitation program for the biennium ending June 30, 1981, the following amount, or so much thereof as may be necessary, from the following fund:

|                                  |    |         |
|----------------------------------|----|---------|
| General Fund Appropriation ..... | \$ | 250,000 |
|----------------------------------|----|---------|

The appropriation contained in this section shall be expended for additional funding of the extended sheltered employment program.

**NEW SECTION. Sec. 5. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORT SERVICES**

There is appropriated, or so much thereof as may be necessary, for the biennium ending June 30, 1981, to the department of social and health services, for the purpose of funding adult corrections and juvenile rehabilitation programs:

|                                  |    |         |
|----------------------------------|----|---------|
| General Fund Appropriation ..... | \$ | 500,000 |
|----------------------------------|----|---------|

The appropriation contained in this section shall be subject to the following condition or limitation: Such funds shall be expended for reimbursement through the institutional impact account pursuant to chapter 72.72 RCW.

**NEW SECTION. Sec. 6. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SERVICES ADMINISTRATION PROGRAM**

|                                  |    |         |
|----------------------------------|----|---------|
| General Fund Appropriation ..... | \$ | 120,000 |
|----------------------------------|----|---------|

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) The funds appropriated in this section, or so much as may be necessary, shall be expended to conduct a two-year demonstration project to provide special needs children with adoptive services through contract with licensed child-placing agencies.

(2) If chapter ... (SSB 3366), Laws of 1980 is enacted, the appropriation contained in this section shall revert to the general fund.

Sec. 7. Section 72.05.010, chapter 28, Laws of 1959 as last amended by section 7, chapter 217, Laws of 1979 ex. sess. and RCW 72.05.010 are each amended to read as follows:

The purposes of RCW 72.05.010 through 72.05.210 are: To provide for every child with behavior problems, mentally and physically handicapped persons, and deaf and blind children, within the purview of RCW 72.05.010 through 72.05.210, as now or hereafter amended, such care, guidance and instruction, control and treatment as will best serve the welfare of the child or person and society; to insure nonpolitical and qualified operation, supervision, management, and control of the Green Hill school, the Maple Lane school, the Naselle Youth Camp, ((the Cedar Creek Youth Camp,)) the Mission Creek Youth Camp, Echo Glen, the Cascadia Diagnostic Center, Lakeland Village, Rainier school, the Yakima Valley school, Interlake school, Fircrest school, the Francis Haddon Morgan Center, the Child Study and Treatment Center and Secondary School of Western State Hospital, the state school for the blind, the state school for the deaf, and like residential state schools, camps and centers hereafter established, and to place them under the department of social and health services; and to provide for the persons committed or admitted to those schools that type of care, instruction, and treatment most likely to accomplish their rehabilitation and restoration to normal citizenship.

Sec. 8. Section 53, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADULT CORRECTIONS PROGRAM**

|                                  |    |                    |
|----------------------------------|----|--------------------|
| General Fund Appropriation ..... | \$ | ((114,004,000))    |
|                                  |    | <u>112,318,000</u> |
| Total FTE Staff Years .....      |    | 4,299              |

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$1,702,000 from the general fund shall be expended for community services.

(2) Not more than \$1,716,000 from the general fund and 76.0 FTE's shall be expended for intensive parole.

(3) Not more than \$15,679,000 from the general fund and 731 FTE's shall be expended for probation and parole.

(4) Not more than \$7,002,000 from the general fund and 152 FTE's shall be expended for work/training release.

(5) Not more than \$81,663,000 from the general fund and 3,259 FTE's shall be expended for institutional staffing.

(6) (~~(\$920,000)~~) \$123,000 from the general fund shall be expended to contract with a nonprofit corporation to provide a diversionary program for convicted felons with prior conviction records and prior incarcerations. No felon may participate in the program if: (a) he or she has a prior conviction for any violent or inherently dangerous felony, or (b) the crime for which he or she is being diverted into the program is a violent or inherently dangerous felony. For the purposes of this section, 'violent or inherently dangerous felony' means rape in the first or second degree, robbery in the first or second degree, kidnapping in the first or second degree, assault in the first or second degree, or arson in the first or second degree. Prior to entering into the contract, the secretary of the department of social and health services must have assurance of the cooperation of the superior court bench of the county in which the program will be implemented. The program shall include the following:

(a) A contractual agreement between such nonprofit corporation and the felon with approval of the sentencing judge. Such agreement will describe work performance and restitution expectations, and judicial conditions and review;

(b) A fully controlled residential component;

(c) Supervision by a probation officer of the department of social and health services;

(d) Coordination of all activities by a case manager employed by such nonprofit corporation;

(e) Job development and placement services which will guarantee each participant regular employment;

(f) Specialized alcohol, drug, and counseling services; and

(g) Participation of community and corporate entities which will provide \$1,212,000 in direct and in-kind support.

(7) Not more than \$25,000 from the general fund will be expended for a program evaluation by an independent third party of the diversionary program set forth in subsection (6) of this section. Such evaluation will commence with the initiation of the contract and shall include the following:

(a) Evaluation of the intake procedures, including initial screening, final screening, the contract between the nonprofit organization and the convicted felon, and the participant selection process;

(b) Evaluation of the program elements;

(c) Evaluation of the program impact on recidivism using the measures of rearrest, type of rearrest offense, reconviction, revocation and recommitment;

(d) Evaluation of the control group;

(e) Data collection and analysis; and

(f) A cost benefit analysis.

(8) In the event chapter ... (Substitute House Bill No. 144), Laws of 1979 1st ex. sess. fails to pass, \$100,000 will be reverted to the general fund.

(9) \$347,000 shall be expended for the funding of private nonprofit diversion programs for persons convicted of alcohol and substance abuse related crimes and who are placed on probation, parole, or work training release.

Sec. 9. Section 54, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—JUVENILE REHABILITATION PROGRAM

|                                          |    |                           |
|------------------------------------------|----|---------------------------|
| General Fund Appropriation—State .....   | \$ | <del>((53,665,000))</del> |
|                                          |    | <u>51,197,000</u>         |
| General Fund Appropriation—Federal ..... | \$ | 747,000                   |
| Total Appropriation .....                | \$ | <del>((54,412,000))</del> |
|                                          |    | <u>51,944,000</u>         |

Total FTE Staff Years ..... 1,966

The appropriations contained in this section shall be subject to the following conditions and limitations:  
 (1) \$600,000 from the general fund and 50 FTE staff years shall be held in reserve for the sole purpose of providing adequate staffing within the institutions and to allow residence units not currently being utilized to be opened and staffed. Staffing patterns within the residence units will provide for at least two staff persons during those periods, other than normal sleeping hours, when residents are not attending classes or involved in work programs.

(2) Not more than \$30,000 shall be expended for resource development and coordination and educational program development and coordination.

(3) \$800,000 and 26 FTE staff years shall be expended for a mental health unit at Maple Lane School, except that such unit will be fully implemented and operational by September 30, 1979, except that if such unit is not implemented and operational by September 30, 1979, the operational responsibility will be transferred to the mental health division of the department of social and health services.

(4) No funds shall be expended for the lease-back of any institutional facility.

Sec. 10. Section 58, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—NURSING HOMES PROGRAM

|                                          |    |             |
|------------------------------------------|----|-------------|
| General Fund Appropriation—State .....   | \$ | 122,273,000 |
| General Fund Appropriation—Federal ..... | \$ | 121,595,000 |

Total Appropriation ..... \$ 243,868,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The wages for nursing service personnel shall be the sum of the product of ninety percent of the prevailing wages for the categories of nursing assistants, licensed practical nurses, registered nurses, and noncontractual therapists and related restorative employees, expressed as an hourly rate, based upon the state-wide salary survey as conducted pursuant to RCW 41.06.160, multiplied by the standard hours determined by the department of social and health services.

(2) The wages for all employees, other than those specified in subsection (1) of this section and administrators and assistant administrators, shall be the sum of the product of ninety percent of the prevailing wages, expressed as an hourly rate, based upon the state-wide salary survey as conducted pursuant to RCW 41.06.160, multiplied by the standard hours for such employees developed by the department of social and health services.

(3) Food reimbursement shall be one hundred fifteen percent of the average of all costs for bulk and raw foods and beverages purchased for dietary needs, expressed as a per patient per day amount.

(4) Reimbursement for administration and operations will include all items not specified in subsections (1), (2), (3), (5), and (6) of this section and shall not exceed the eighty-fifth percentile of all reporting facilities, except that the nursing home facilities may be grouped by factors, other than ownership or legal organizational characteristics, which could reasonably influence cost requirements for administration and operations.

(5) Property reimbursement for both leased and owner-operated facilities shall not exceed the predicted cost plus one standard deviation of the necessary and ordinary costs of depreciation, and interest, of owner-operated facilities utilizing a multiple regression formula developed by the department of social and health services, recognizing factors which may be significant, including location, age, and type of facility. For July 1980 rate setting, rental costs of leased facilities other than those operating as intermediate care facilities for the mentally retarded, and depreciation and interest costs of owner-operated facilities, for leases or mortgages entered into prior to July 1, 1979, shall be reimbursed to the extent they do not exceed the ((upper limit of the multiple regression formula for comparable owner-operated facilities)) reimbursement rate payable for the property cost center as of June 30, 1979, adjusted to meet any discrepancies as determined by the federal government between the reimbursements made and the approved state medicaid plan, and adjusted for any approved capitalized additions or replacements; except that, any leased facility which has operated as an intermediate care facility for the mentally retarded prior to July 1, 1979, shall be reimbursed to the extent that the property costs exceed the upper limit of the multiple regression formula.

(6) The return of net invested equity for each facility will be determined by utilizing Medicare rules and regulations.

(7) Patient personal needs allowance limitation will be extended to \$32.50 per month.

(8) \$500,000 ~~((shall))~~, or so much thereof as may be necessary, may be expended by the department of social and health services for purposes of retaining special private counsel, subject to the concurrence of the governor, to defend the department against law suits challenging the cost reimbursement system of the department of social and health services.

(9) \$810,000, of which \$404,000 shall be from federal funds, shall be used to implement a program which will enable short-term placement in nursing homes.

(10) \$1,800,000 (of which \$900,000 shall be from federal funds) may be used for reimbursement of costs incurred from the training of nurses' assistants.

~~((The funds contained in this section shall revert immediately to the general fund if ESSB 2335 is enacted.))~~

Sec. 11. Section 59, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME MAINTENANCE GRANTS PROGRAM**

|                                         |    |                            |
|-----------------------------------------|----|----------------------------|
| General Fund Appropriation—State.....   | \$ | <del>((314,749,000))</del> |
|                                         |    | 310,017,000                |
| General Fund Appropriation—Federal..... | \$ | 205,932,000                |
| Total Appropriation.....                | \$ | <del>((520,681,000))</del> |
|                                         |    | 515,949,000                |

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$31,928,000 (of which \$10,052,000 shall be from federal funds) shall be expended for the purposes of providing a 10.0% per year increase to all assistance grants.

(2) \$1,496,000 from state funds shall be expended to increase the personal needs allowance of clients in nursing homes and congregate care facilities to \$32.50 per month.

(3) \$5,036,000 (of which \$448,000 shall be from federal funds) shall be expended solely for vendor rate increases of 7.0% per year.

~~((5))~~ (4) \$760,000 from state general funds shall be expended to provide forty-eight hours of shelter care for victims of domestic violence.

~~((6))~~ (5) \$360,000 from state general funds shall be expended to provide a variable one-time allowance for persons without resources who are discharged from a skilled nursing facility.

~~((7))~~ (6) \$900,000 of state funds and \$600,000 of federal funds shall be expended to place Kitsap county residents into Area 1 grant standards eligibility and pay such grants accordingly.

((#)) (7) Not more than \$1,869,000 shall be expended exclusively to increase compensation for employees of congregate care facilities, excluding administrative staff.

(8) From the appropriation contained in this section, the department shall implement a 1.0% grant standard increase for all public assistance recipients effective July 1, 1980, in addition to the grant increase provided in subsection (1) of this section; except that, up to an additional 2.0% grant standard increase for all public assistance recipients may be implemented from the savings generated by the supplemental security income cost-of-living increase provided for fiscal year 1981.

Sec. 12. Section 65, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SERVICES ADMINISTRATION PROGRAM

|                                          |    |             |
|------------------------------------------|----|-------------|
| General Fund Appropriation—State .....   | \$ | 70,935,000  |
| General Fund Appropriation—Federal ..... | \$ | 103,001,000 |
| Total Appropriation .....                | \$ | 173,936,000 |
| Total FTE Staff Years .....              |    | 7,792       |

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Fifty-two FTE's shall be utilized in the delinquency prevention and crisis intervention intake services program. During the 1979-1981 biennium, the delinquency prevention services program shall be maintained without any significant changes.

(2) Not more than 258 FTE staff years and \$7,852,000 (of which \$7,736,000 shall be from federal funds) shall be utilized in the disability insurance benefits section.

((#)) (3) The department of social and health services shall obtain competitive bids from the private sector for the purpose of the administration of the dental program with medical assistance.

Sec. 13. Section 177, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE ADULT CORRECTIONS PROGRAM

(1) To construct and equip one 100-bed honor camp: PROVIDED, That any moneys appropriated under this subsection to the department of social and health services shall be expended only to develop at least one hundred minimum security beds to be distributed at one or more of the existing minimum security adult correctional facilities within the state of Washington.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 3,260,000             | —0—                       |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 40,000                        | —0—                                   | 3,300,000             | 7/80                      |

(2) To renovate and repair roofs, Washington Corrections Center.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 255,000               | —0—                       |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 521,000                       | —0—                                   | 776,000               | 10/79                     |

(3) To remodel food service area and replace obsolete equipment, Washington State Penitentiary; except that, if construction has not begun by 3/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 1,993,000             | —0—                       |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| —0—                           | —0—                                   | 1,993,000             | 1/81                      |

(4) For remodeling of dental areas, Washington State Penitentiary; except that, if construction has not begun by 2/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|               |  | Reappropriation | Appropriation |
|---------------|--|-----------------|---------------|
| CEP & RI Acct |  | 145,000         | —0—           |

| Project<br>Costs<br>Through<br>6/30/79 | Estimated<br>Costs<br>7/1/81 and<br>Thereafter | Estimated<br>Total<br>Costs | Estimated<br>Completion<br>Date |
|----------------------------------------|------------------------------------------------|-----------------------------|---------------------------------|
| -0-                                    | -0-                                            | 145,000                     | 6/80                            |

(5) To improve security, facilities, and utilities, Washington State Penitentiary; except that, if construction has not begun by 9/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                                        |                                                | Reappropriation             | Appropriation                   |
|----------------------------------------|------------------------------------------------|-----------------------------|---------------------------------|
| DSHS Constr Acct                       |                                                | -0-                         | 5,924,000                       |
| Project<br>Costs<br>Through<br>6/30/79 | Estimated<br>Costs<br>7/1/81 and<br>Thereafter | Estimated<br>Total<br>Costs | Estimated<br>Completion<br>Date |
| 101,000                                | 6,966,000                                      | 12,991,000                  | 6/84                            |

(6) To construct and equip 120-bed medium security unit, Washington Corrections Center; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                                        |                                                | Reappropriation             | Appropriation                   |
|----------------------------------------|------------------------------------------------|-----------------------------|---------------------------------|
| DSHS Constr Acct                       |                                                | 42,000                      | 3,361,000                       |
| Project<br>Costs<br>Through<br>6/30/79 | Estimated<br>Costs<br>7/1/81 and<br>Thereafter | Estimated<br>Total<br>Costs | Estimated<br>Completion<br>Date |
| 25,000                                 | -0-                                            | 3,427,000                   | 9/81                            |

(7) To convert 300-bed minimum security building at Walla Walla to medium security facility; except that, if construction has not begun by 8/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                                        |                                                | Reappropriation             | Appropriation                   |
|----------------------------------------|------------------------------------------------|-----------------------------|---------------------------------|
| DSHS Constr Acct                       |                                                | 100,000                     | 5,275,000                       |
| Project<br>Costs<br>Through<br>6/30/79 | Estimated<br>Costs<br>7/1/81 and<br>Thereafter | Estimated<br>Total<br>Costs | Estimated<br>Completion<br>Date |
| 53,000                                 | 1,690,000                                      | 7,118,000                   | 6/83                            |

(8) To convert former women's quarters to 100-bed minimum custody unit, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                                        |                                                | Reappropriation             | Appropriation                   |
|----------------------------------------|------------------------------------------------|-----------------------------|---------------------------------|
| DSHS Constr Acct                       |                                                | 321,000                     | 1,073,000                       |
| Project<br>Costs<br>Through<br>6/30/79 | Estimated<br>Costs<br>7/1/81 and<br>Thereafter | Estimated<br>Total<br>Costs | Estimated<br>Completion<br>Date |
| 19,000                                 | -0-                                            | 1,412,000                   | 3/81                            |

(9) To construct and equip maximum security facility, Washington State Reformatory.

|                                        |                                                | Reappropriation             | Appropriation                   |
|----------------------------------------|------------------------------------------------|-----------------------------|---------------------------------|
| DSHS Constr Acct                       |                                                | 8,342,000                   | 1,654,000                       |
| Project<br>Costs<br>Through<br>6/30/79 | Estimated<br>Costs<br>7/1/81 and<br>Thereafter | Estimated<br>Total<br>Costs | Estimated<br>Completion<br>Date |
| 2,058,000                              | -0-                                            | 12,054,000                  | 7/81                            |

(10) To provide fire and safety improvements, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| General Fund—State            |                                       | 23,000                | -0-                       |
| DSHS Constr Acct              |                                       | -0-                   | 749,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 128,000                       | -0-                                   | 900,000               | 1/81                      |

(11) To provide fire and safety improvements, Washington State Reformatory; except that, if construction has not begun by 11/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 1,304,000                 |
| CEP & RI Acct                 |                                       | 350,000               | -0-                       |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 27,000                        | -0-                                   | 1,681,000             | 9/81                      |

(12) To renovate and expand visiting/dining/recreation facilities, Washington State Reformatory; except that, if construction has not begun by 12/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 1,524,000                 |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 1,524,000             | 2/82                      |

(13) To renovate and convert gang showers to individual showers, Washington State Penitentiary; except that, if construction has not begun by 6/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 402,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 402,000               | 3/81                      |

(14) To provide three prefabricated steel buildings, Washington State Reformatory; except that, if construction has not begun by 3/15/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 386,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 386,000               | 8/80                      |

(15) To construct and equip multipurpose building, Pine Lodge Correction Center; except that, if construction has not begun by 9/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 248,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 248,000               | 4/81                      |

(16) To renovate and expand Industries Building, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                                       |                                       | Reappropriation       | Appropriation             |
|---------------------------------------|---------------------------------------|-----------------------|---------------------------|
| <del>((General Fund --- Federal</del> |                                       | <del>0</del>          | <del>414,000))</del>      |
| DSHS Constr Acct                      |                                       | -0-                   | ((305,000))               |
|                                       |                                       |                       | 719,000                   |
| Project Costs Through 6/30/79         | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                                   | -0-                                   | 719,000               | 11/80                     |

(17) To renovate and repair roofs, Washington Corrections Center; except that, if construction has not begun by 11/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 273,000               | 346,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 503,000                       | -0-                                   | 1,122,000             | 8/80                      |

(18) To repair perimeter walls, Washington State Reformatory; except that, if construction has not begun by 7/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 617,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 617,000               | 11/80                     |

(19) To purchase and install an electronic perimeter security system, Washington Corrections Center.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 300,000               | -0-                       |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 76,000                        | -0-                                   | 376,000               | 7/79                      |

(20) To renovate and open work training release facility, Geiger Field.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 600,000               | -0-                       |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 20,000                        | -0-                                   | 620,000               | 1/80                      |



(21) To renovate and repair roofs, Women's Treatment Center; except that, if construction has not begun by 6/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

| DSHS Constr Acct              |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
|                               |                                       | -0-                   | 112,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 112,000               | 10/80                     |

(22) To provide preliminary design, site preparation, and steam plant for new 500-bed medium security facility; PROVIDED, That such facility shall be located on public lands as hereinafter provided:

- (a) On the site of an existing state adult correction facility; or
- (b) On the site of an existing federal adult correction facility acquired by the state after the effective date of this 1980 act.

| DSHS Constr Acct              |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
|                               |                                       | -0-                   | 5,429,000                 |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | 27,126,000                            | 32,555,000            | 6/83                      |

**NEW SECTION.** Sec. 14. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "services;" strike the remainder of the title and insert "amending section 72.05.010, chapter 28, Laws of 1959 as last amended by section 7, chapter 217, Laws of 1979 ex. sess. and RCW 72.05.010; amending section 53, chapter 270, Laws of 1979 ex. sess. (uncodified); amending section 54, chapter 270, Laws of 1979 ex. sess. (uncodified); amending section 58, chapter 270, Laws of 1979 ex. sess. (uncodified); amending section 59, chapter 270, Laws of 1979 ex. sess. (uncodified); amending section 65, chapter 270, Laws of 1979 ex. sess. (uncodified); amending section 177, chapter 270, Laws of 1979 ex. sess. (uncodified); making appropriations; and declaring an emergency."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

**MOTION**

Mr. Thompson moved that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No. 1533.

Mr. Thompson spoke in favor of the motion.

**MOTION**

Mr. Keller moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1533.

**MESSAGE FROM THE SENATE**

March 12, 1980

Mr. Speaker:

The Senate has passed:

- SUBSTITUTE HOUSE BILL NO. 1413,
- HOUSE BILL NO. 1508,
- HOUSE BILL NO. 1518,
- SUBSTITUTE HOUSE BILL NO. 1989,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary

**MOTION**

Mr. Polk moved that the House dispense with further business under the Call of the House.

A division was called.

## ROLL CALL

The Clerk called the roll on the motion that the House dispense with the Call of the House, and the motion was lost by the following vote: Yeas, 48; nays, 48; not voting, 2.

Voting yea: Representatives Addison, Amen, Austin, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Houchen, Isaacson, McDonald, McGinnis, Mitchell, Nelson, G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rosbach, Sanders, Schmitten, Smith, C. P., Sprague, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Dunlap, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Maxie, May, McCormick, Monohon, Nelson, D., North, O'Brien, Owen, Pruitt, Rinehart, Salatiño, Scott, Sherman, Smith, R., Sommers, Stratton, Thompson, Valle, Vrooman, Walk, Warnke.

Not voting: Representatives Lux, Martinis.

## MOTIONS

On motion of Mr. King, the House dispensed with further business under the Call of the House.

On motion of Mr. King, the House adjourned until 9:00 a.m., Thursday, March 13, 1980.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## SIXTIETH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Thursday, March 13, 1980

The House was called to order at 9:00 a.m. by Speaker Berentson. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Julie Hart, Ricky Schmidt and Lonna Johnston. Prayer was offered by Father Theodore Marmo of St. Michael's Catholic Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

### MESSAGE FROM THE SENATE

March 13, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1413,  
 HOUSE BILL NO. 1444,  
 HOUSE BILL NO. 1465,  
 HOUSE BILL NO. 1508,  
 HOUSE BILL NO. 1518,  
 HOUSE BILL NO. 1568,  
 HOUSE BILL NO. 1597,  
 SUBSTITUTE HOUSE BILL NO. 1676,  
 HOUSE BILL NO. 1843,  
 SUBSTITUTE HOUSE BILL NO. 1989,  
 SUBSTITUTE SENATE BILL NO. 3321,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

### SIGNED BY THE SPEAKERS

Speaker Berentson announced the Speakers were signing:

SUBSTITUTE HOUSE BILL NO. 1419,  
 SUBSTITUTE HOUSE BILL NO. 1499,  
 SUBSTITUTE SENATE BILL NO. 3321.

### MOTION

On motion of Mr. Polk, the House advanced to the eighth order of business.

### RESOLUTIONS

HOUSE RESOLUTION NO. 80-150, by Representatives Grimm, Bauer, Scott, Van Dyken and Walk:

WHEREAS, Berry farming is an essential factor in the agricultural economy of the State of Washington that is placed in jeopardy without an available supply of berry pickers; and

WHEREAS, Berry picking is primarily performed by the youth of this state; and

WHEREAS, Berry picking provides numerous jobs for the youth of our state, especially near urbanized areas, which furnishes our youth with worthwhile activities to occupy their summer vacation time; and

WHEREAS, Berry picking fosters a work ethic in our youth that is essential to our nation; and

WHEREAS, Regulations by the United States Department of Labor preclude ten and eleven year old youths from picking berries because of the use of particular pesticides even though the Environmental Protection Agency has determined that such pesticides are not harmful;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That jurisdiction over any restriction on berry picking which is based

upon the alleged harmful effects of a pesticide, herbicide or fungicide be removed from the Department of Labor and placed in the Environmental Protection Agency which has expertise in this area, that a public hearing on this matter be held to receive input from affected parties, and that this problem be resolved as soon as possible to avoid hardships in the forthcoming summer; and

**BE IT FURTHER RESOLVED**, That copies of this Resolution be transmitted by the Chief Clerks of the House to the Honorable Jimmy Carter, President of the United States; the President of the United States Senate; the Speaker of the United States House of Representatives; and each member of Congress from the State of Washington.

Mr. Grimm moved adoption of the resolution.

On motion of Mr. Van Dyken, all members names were added as sponsors to the resolution.

House Resolution No. 80-150 was adopted.

**HOUSE RESOLUTION NO. 80-154**, by Representatives Rinehart, Barnes, Brekke, Burns, Chandler, Grimm, Gruger and Nisbet:

**WHEREAS**, Today's college student population includes an increasing number of older students, many of whom are parents; and

**WHEREAS**, In many cases childcare services are a consideration in the opportunity for these students to attend institutions of higher education; and

**WHEREAS**, Childcare services are currently funded from a variety of sources, including services and activities' fees of uncertain proportions and priority for funding; and

**WHEREAS**, Unanticipated Federal funds under section 1203 of the Higher Education Amendments Act have become available and may be used for this purpose;

**NOW, THEREFORE, BE IT RESOLVED**, By the House of Representatives, That the Council for Postsecondary Education with the cooperation and assistance of the community colleges and public four-year universities and college conduct a fact-finding study of institutionally operated childcare services, including criteria for eligibility, and make recommendations as to what, if any, statewide policy should be adopted; and

**BE IT FURTHER RESOLVED**, That such study include an analysis of the adequacy of current childcare services available and the projected demand for childcare services and current and alternate funding methods; and

**BE IT FURTHER RESOLVED**, That the Council for Postsecondary Education submit its findings to the House of Representatives no later than January 15, 1981.

On motion of Ms. Rinehart, the resolution was adopted.

**HOUSE RESOLUTION NO. 80-157**, by Representatives Erickson, Grimm, Oliver and Barnes:

**WHEREAS**, The University of Washington and Washington State University are each authorized to award 100 tuition and fee waivers to students from friendly foreign nations, and the regional universities and The Evergreen State College are each authorized to award up to twenty waivers of nonresident tuition and fees to foreign students; and

**WHEREAS**, There is considerable public concern over the practice of granting tuition and fee waivers to foreign students from countries whose actions endanger the lives of U. S. citizens; and

**WHEREAS**, The Legislature has recognized the value of reciprocal placement in the regional university waiver program by exempting such waivers from the overall percentage limitation on waivers; and

**WHEREAS**, The Council for Postsecondary Education is now engaged in a comprehensive review of tuition and fee waiver programs under Senate Resolution 1979-95;

**NOW, THEREFORE, BE IT RESOLVED**, That the Council for Postsecondary Education, as an adjunct to its efforts under Senate Resolution 1979-95, give particular attention to a review of the foreign student waiver programs, including but not limited to the following aspects: (1) The need for an effective operational definition of a "friendly foreign nation"; (2) a review of the criteria used for selection of recipients of foreign student waivers; and (3) the various steps institutions of higher education are taking to stress student exchange as a part of the waiver programs; and

**BE IT FURTHER RESOLVED**, That the Council for Postsecondary Education report its findings and any recommendations to the Committee on Higher Education of the House on or before January 1, 1981.

Ms. Erickson moved adoption of the resolution. Representatives Erickson and Pruitt spoke in favor of it.

House Resolution No. 80-157 was adopted.

Speaker Berentson declared the House to be at ease.

Speaker Berentson called the House to order.

Speaker Berentson declared the question before the House to be the motion by Representative Keller that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1533.

Representatives Thompson and Nelson (G) spoke against the motion.

#### POINT OF INQUIRY

Mr. Nelson (G) yielded to question by Mr. Keller.

Mr. Keller: "Representative Nelson, will you clarify for me the distinction between adult corrections facility and honor camp?"

Mr. Nelson (G): "In our discussions with the Department of Social and Health Services and the attorneys, the words 'honor camp' could be construed to be either juvenile or adult. It doesn't have a clear meaning. Adult corrections facility would mean that it would be for those people eighteen years of age or older."

Mr. Keller: "You had discussions with the Department, so what seems to be the problem as printed on the pink sheet?"

Mr. Nelson (G): "That's the way we want it. The vote by this body indicated that we didn't want to give the Department the opportunity to continue using that facility as indicated in the regular biennial budget. It certainly will be reviewed by this Legislature at the end of the interim as well as next year, as to whether we would want Cedar Creek to continue being used as an adult corrections facility, but the key right now is that we're trying to keep the Department straight so we need to have the precise language that does say 'adult corrections.'"

Mr. Newhouse spoke against the motion to concur.

The motion to concur in the Senate amendments to Engrossed Substitute House Bill No. 1533 was lost.

#### SENATE AMENDMENTS TO HOUSE BILL

March 12, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1688 with the following amendments:

On page 6, after line 36 insert the following:

"Sec. 8. Section 43.19.1911, chapter 8, Laws of 1965 and RCW 43.19.1911 are each amended to read as follows:

When purchases are made through competitive bidding, the contract shall be let to the lowest responsible bidder, subject to any preferences provided by law to Washington products and vendors, taking into consideration the quality of the articles proposed to be supplied, their conformity with specifications, the purposes for which required, and the times of delivery: PROVIDED, That whenever there is reason to believe that the lowest acceptable bid is not the best price obtainable, all bids may be rejected and the division of purchasing may call for new bids or enter into direct negotiations to achieve the best possible price. Each bid with the name of the bidder shall be entered of record and each record, with the successful bid indicated, shall, after letting of the contract, be open to public inspection. In determining 'lowest responsible bidder', in addition to price, the following elements shall be given consideration:

- (1) The ability, capacity and skill of the bidder to perform the contract or provide the service required;
- (2) The character, integrity, reputation, judgment, experience and efficiency of the bidder;
- (3) Whether the bidder can perform the contract within the time specified;
- (4) The quality of performance of previous contracts or services;
- (5) The previous and existing compliance by the bidder with laws relating to the contract or services;
- (6) Such other information as may be secured having a bearing on the decision to award the contract;

PROVIDED, That in considering bids for purchase, manufacture, or lease, and in determining the 'lowest responsible bidder,' whenever there is reason to believe that applying the 'life cycle costing' technique to bid evaluation would result in lowest total cost to the state, first consideration shall be given by state purchasing activities to the bid with the lowest life cycle cost which complies with specifications. 'Life cycle cost' means the total cost of an item to the state over its estimated useful life, including costs of selection, acquisition, operation, maintenance, and where applicable, disposal, as far as these costs can reasonably be determined,

minus the salvage value at the end of its estimated useful life. The 'estimated useful life' of an item means the estimated time from the date of acquisition to the date of replacement or disposal, determined in any reasonable manner."

Renumber the remaining sections consecutively.

On page 1, on line 3 of the title, after "43.19.1905;" insert "amending section 43.19.1911, chapter 8, Laws of 1965 and RCW 43.19.1911;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

On motion of Ms. McCormick, the House concurred in the Senate amendments to Substitute House Bill No. 1688.

### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Substitute House Bill No. 1688 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1688 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Voting yea: Representatives Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Rinchart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Ehlers, Hastings.

Not voting: Representatives Adams, Pruitt, Stratton.

Substitute House Bill No. 1688 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### RESOLUTIONS

HOUSE RESOLUTION NO. 80-172, by Representatives Dawson, Martinis, McDonald and Struthers:

WHEREAS, In 1889, when Washington became a state, Congress granted the state vast acreages of lands for the support of various institutions; and

WHEREAS, These granted lands, commonly called trust lands, totaled over 3.1 million acres, of which the state still owns nearly 2.3 million acres; and

WHEREAS, The institutions to benefit from these land grants include the state's common schools, the University of Washington, Washington State University, the other four-year public universities and college of the state, charitable, educational, penal, and reformatory institutions, and the state capitol buildings; and

WHEREAS, The Enabling Act which Congress passed to make Washington a state provided that the granted lands were to be used for the purposes for which they were designated; and

WHEREAS, Congress allowed that these lands could be held, appropriated, and disposed, within certain guidelines for the sale of the lands, in such manner as the State Legislature may provide; and

WHEREAS, In addition, the State Constitution contains a number of constraints on the sale of public lands granted to the state; and

WHEREAS, The Washington State Legislature as trustee has delegated limited management authority over these trust lands to the Board of Natural Resources and the Department of Natural Resources; and

WHEREAS, The delegated powers granted the Board of Natural Resources and the Department of Natural Resources include such things as the general supervision and control over the sale, lease, or exchange for any purpose of land granted to the state and also over the sale of timber, stone, gravel, and all other valuable materials situated thereon; and

WHEREAS, The state laws outlining the powers of the Board of Natural Resources and the Department of Natural Resources are in some cases quite specific as to what actions are allowable, and in other cases somewhat vague; and

WHEREAS, Misunderstandings as to the authority of the Board of Natural Resources and the Department of Natural Resources over public trust lands can lead to adverse public reactions toward the board and department;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the House Committee on Natural Resources shall undertake a review and study of all the laws, regulations and practices regarding the management of the granted lands to insure that the management of these lands is in conformance with the law and in the best interest of the state.

On motion of Mr. Dawson, the resolution was adopted.

HOUSE RESOLUTION NO. 80-163, by Representatives Whiteside, Barr, Clayton, Deccio, Flanagan, Newhouse, Smith (C), and Valle:

WHEREAS, The Yakima River System provides a vital supply of water for one of the state's most productive agricultural areas; and

WHEREAS, Changing weather patterns, expanding populations and the development of additional irrigated acres have resulted in water shortages as well as water of poor quality; and

WHEREAS, This shortage has not only caused the loss of crops but also numerous costly lawsuits over the rights to the use of water of the river system, all of which are detrimental to the social and economic well-being of the Yakima Valley; and

WHEREAS, The Department of Ecology of the State of Washington, working with the Yakima Indian Nation and others, has developed a proposed Yakima River Basin Water Enhancement Project for resolving the conflicts and suffering arising from water shortages by providing more water for agricultural uses as well as fishery, recreational and other instream uses; and

WHEREAS, The Legislature of the State of Washington has supported this meritorious project by submitting to the state's voters a \$50 million bond issue, and has appropriated funding to facilitate an immediate study; and

WHEREAS, On December 28, 1979, President Jimmy Carter signed Public Law 96-162 which authorizes the Secretary of the Department of the Interior to conduct a feasibility study of the Yakima River Basin Water Enhancement Project; and

WHEREAS, The Department of Ecology of the State of Washington by authority of Chapter 263, Laws of 1979, extraordinary session, stands ready to transfer the sum of five hundred thousand dollars to the Secretary of the Department of Interior for the purpose of financing the initial portion of that study;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the Representatives urge the Honorable Cecil B. Andrus, Secretary of the United States Department of Interior, to exercise the authority provided him in Public Law 96-162 by initiating immediately a feasibility study of the Yakima River Basin Water Enhancement Project by processing the study to completion as quickly as is reasonably possible; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerks of the House of Representatives to the Honorable Jimmy Carter, President of the United States; to the President of the United States Senate; to the Speaker of the United States House of Representatives; to the Secretary of the Interior; and to each member of Congress from the State of Washington.

Mr. Whiteside moved adoption of the resolution. Representatives Whiteside and Schmitt spoke in favor of it.

House Resolution No. 80-163 was adopted.

HOUSE RESOLUTION NO. 80-173, by Representatives Sprague, Charnley, Scott, Struthers, Bender and Sherman:

WHEREAS, The price of petroleum has considerably increased and our oil supply has become vulnerable to the uncertainties of mideast politics; and

WHEREAS, Nearly seventy-five percent of the petroleum consumed in this country is used in internal combustion engines on the highways of the nation; and

WHEREAS, Other nations regard this use of a natural resource as profligate and wasteful and have attempted to build rail passenger systems that are efficient, comfortable and well-patronized by their citizens; and

WHEREAS, Serious efforts at every level of government and in the private sector must be made to reduce dramatically this wasteful consumption; and

WHEREAS, The placing of a high-speed rail passenger service along the western side of the State of Washington would greatly alleviate the need for the use of private automobiles and would help to conserve the limited supply of petroleum available to this 257, state, State country;

NOW, THEREFORE, BE IT RESOLVED, That the Legislative Transportation Committee study alternate methods by which a high-speed rail facility could be created in Western Washington and examine the savings, both in money and energy, by constructing such a facility; and

BE IT FURTHER RESOLVED, That the Legislative Transportation Committee report its findings, with recommendations, to the 1981 Session of the Legislature.

With the consent of the House, Mr. Sprague withdrew the resolution.

HOUSE RESOLUTION NO. 80-174, by Representatives North, Bagnariol, Eberle, Garrett, Grimm, Nisbet, Sanders, Sherman, Teutsch, Thompson, Walk and Warnke:

WHEREAS, Dr. Melvin Lindbloom has devoted thirty years of exceptional service to the education of the people of the State of Washington; and

WHEREAS, Dr. Lindbloom, as the first and only president of Green River Community College in the City of Auburn, has directed the development of that institution into one of the largest and finest in the State of Washington; and

WHEREAS, Dr. Lindbloom was the first community college representative and one of the most distinguished members of the Council for Postsecondary Education; and

WHEREAS, In recognition of the esteem in which he is held by his colleagues, Dr. Lindbloom was elected president of the Washington Association of Community Colleges; and

WHEREAS, Dr. Lindbloom has earned the respect and admiration of the students and staff of Green River Community College, his colleagues throughout higher education, and the citizens of the Auburn area; and

WHEREAS, Dr. Lindbloom will, on June 30, 1980, retire upon the completion of one of the most illustrious careers in higher education in the State of Washington;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington expresses to Dr. Melvin Lindbloom, President of Green River Community College, its sincere appreciation for his thirty years of distinguished service to the citizens of the State of Washington.

Mr. Warnke moved adoption of the resolution. Representatives Warnke, Nisbet, North, Teutsch, Sherman, Eberle and Grimm spoke in favor of the resolution.

House Resolution No. 80-174 was adopted.

HOUSE RESOLUTION No. 80-170, by Representative Taylor:

WHEREAS, The Emily Dickinson Tigers, a third and fourth grade basketball team in the Redmond Parks League, has won only two games while losing six; and

WHEREAS, The Tigers fought, scrapped and clawed but never scored more than 14 points in a game; and

WHEREAS, In one game the score was 23 to 0 (the opposing team leading); and

WHEREAS, The coach of the Tigers, our own Representative Rod Chandler, controlled his frustration and only kicked over two waterbuckets during the season; and

WHEREAS, It is always more difficult to be a gracious loser than winner, but the Tigers and their coach still continued to show up for games;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives hereby commend the Tigers and encourage them to hang in there, and perhaps find a new coach.

Mr. Taylor moved adoption of the resolution. Representatives Taylor, Chandler and Heck spoke to the resolution.

Mr. Taylor demanded an electric roll call vote, and the demand was sustained.

On motion of Mr. Polk, all members were added as sponsors of the resolution.

#### ROLL CALL

The Clerk called the roll on adoption of House Resolution No. 80-170, and the resolution was adopted by the following vote: Yeas, 67; nays, 15; not voting, 16.



Voting yea: Representatives Amen, Austin, Bagnariol, Barr, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Erak, Erickson, Fancher, Flint, Fuller, Gallagher, Galloway, Garrett, Greengo, Grimm, Heck, Houchen, Jovanovich, King, Knowles, Kreidler, Lux, May, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nisbet, North, O'Brien, Oliver, Patterson, Polk, Rinehart, Rosbach, Schmitten, Sherman, Smith C. P., Smith R., Sommers, Stratton, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Walk, Warnke, Williams, Wilson, Zimmerman.

Voting nay: Representatives Addison, Chandler, Eng, Gruger, Hastings, Keller, Nelson D., Newhouse, Pruitt, Sanders, Sprague, Taller, Valle, Vrooman, Whiteside.

Not voting: Representatives Adams, Barnes, Bauer, Flanagan, Granlund, Hughes, Isaacson, Martinis, Maxie, McCormick, Owen, Salatino, Scott, Struthers, Thompson, Winsley.

HOUSE RESOLUTION NO. 80-175, by Representatives Bagnariol, Berentson, Mitchell and Sanders:

WHEREAS, The President of the United States and the United States Attorney General have warned the American people of an unprecedented level of illegal narcotics smuggling into the United States from foreign sources during 1980; and

WHEREAS, Washington State is rapidly becoming a major area for illegal entry of narcotics from Europe, Asia and the Middle East because of its coastline, international air traffic facilities, ports and many military installations; and

WHEREAS, It is estimated that fifty percent of all burglaries resulting in millions of dollars of property loss in Washington State are drug related; and

WHEREAS, Less than fifty percent of local law enforcement requests for assistance in controlling illegal drug trafficking in Washington State is currently being met by the state drug control assistance unit; and

WHEREAS, Severe budget limitations have hampered effective law enforcement efforts to reduce illegal trafficking of cocaine and heroin in Washington State's public schools, government and business institutions which continues to cause losses of life, economic productivity and property; and

WHEREAS, It is estimated that sixty-five percent of the inmate population in state corrections facilities are addicted to narcotics, and illegal drug trafficking is flourishing in the corrections system; and

WHEREAS, It is estimated that one dollar invested in drug traffic enforcement saves the taxpayers fifty thousand dollars in social costs such as rehabilitation programs, property loss and violent crime;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives create an interim select committee on illegal drug trafficking enforcement composed of two representatives from each of the standing house committees on Appropriations, Institutions, Judiciary and Social and Health Services; and

BE IT FURTHER RESOLVED, That the select committee on illegal drug trafficking enforcement confer with business leaders, local, state and federal law enforcement officials and officials of the courts and legal profession to determine to the extent possible the scope and extent of social and economic injury caused by illegal narcotics trafficking and drug abuse; and

BE IT FURTHER RESOLVED, That the select committee report to the 1981 session of the Washington State Legislature the results of its findings with recommendations for legislation and programs to address the law enforcement needs in order to abate illegal drug trafficking and drug abuse in Washington State; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to the congressional delegation representing Washington State, the President and members of the Washington State Senate, the Governor, to the Mayors, Commissioners and other appropriate executives of Washington's counties and cities, the honorable Justices of the Washington State Supreme Court, the Attorney General of the State of Washington, each of the county prosecutors, the Chiefs of Police and Sheriffs of each Washington State county and incorporated city and town, to the President of the Washington State Bar Association, and to the several judges of the Superior Courts of the State of Washington.

Speaker Bagnariol moved adoption of the resolution and spoke in favor of it.

#### POINT OF INQUIRY

Speaker Bagnariol yielded to question by Mr. Sanders.

Mr. Sanders: "Would your investigation, as proposed in this resolution, include the investigation of the trafficking of drugs in our K-12 public school system, which I'm quite sure is occurring?"

Speaker Bagnariol: "Yes, it would. It would include a look at all illegal drug traffic in our state. Its purpose is to attract some attention by the Legislature to the problems of illegal use of narcotics in the State of Washington—something we probably should have done a long time ago."

Mr. Nelson (G) spoke in favor of the resolution, and it was adopted.

SIGNED BY THE SPEAKERS

Speaker Berentson announced the Speakers were signing:  
HOUSE BILL NO. 1406.

MOTION

On motion of Mr. Ehlers, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by Speaker Berentson. The Clerk called the roll and all members were present.

MESSAGES FROM THE GOVERNOR

March 12, 1980

To the Honorable,  
The House of Representatives  
Of the State of Washington  
Ladies and Gentlemen:

I have the honor to advise that on March 12, 1980, Governor Ray approved the following House Bill, entitled:

HOUSE BILL NO. 1418: An act relating to traffic infractions.

Very truly yours,  
H. B. Hanna, Legal Counsel.

March 13, 1980

To the Honorable,  
The House of Representatives  
Of the State of Washington  
Ladies and Gentlemen:

I have the honor to advise that on March 13, 1980, Governor Ray approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 714: Relating to food fish and shellfish;  
SUBSTITUTE HOUSE BILL NO. 810: Relating to revenue and taxation;  
SUBSTITUTE HOUSE BILL NO. 1471: Relating to insurance;  
HOUSE BILL NO. 1483: Relating to facilities for the handicapped;  
SUBSTITUTE HOUSE BILL NO. 1485: Relating to controlled substances;  
SUBSTITUTE HOUSE BILL NO. 1515: Relating to health;  
SUBSTITUTE HOUSE BILL NO. 1516: Relating to social and health services;  
SUBSTITUTE HOUSE BILL NO. 1630: Relating to energy conservation;  
HOUSE BILL NO. 1643: Relating to common schools;  
HOUSE BILL NO. 1658: Relating to employment security;  
HOUSE BILL NO. 1870: Relating to common carriers;  
SUBSTITUTE HOUSE BILL NO. 1981: Relating to the jail commission.

Very truly yours,  
H. B. Hanna, Legal Counsel.

RESOLUTION

HOUSE RESOLUTION NO. 80-176, by Representatives Zimmerman, Charnley, Greengo, Nelson (D) and Van Dyken:

WHEREAS, Rapid growth in the State of Washington has created an unprecedented demand for housing and urban services; and

WHEREAS, Growth in the state is expected to continue at its current rapid pace; and

WHEREAS, Each community in the state is impacted in a unique way by growth; and

WHEREAS, There is a high degree of diversity between communities of the state;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the standing committee on Local Government shall undertake a comprehensive study of the impact of growth on communities within Washington State.

BE IT FURTHER RESOLVED, That this study shall include but not be limited to consideration of the following issues:

(1) Methods by which local governments can develop and implement growth accommodation plans best suited to each community's unique needs;

(2) Revenue adequacy of communities impacted by growth;

(3) Possible streamlining of local services to increase the efficiency and decrease the cost of providing such necessary services.

BE IT FURTHER RESOLVED, That the Local Government Committee shall examine the methods found by communities throughout the United States to be effective growth accommodation tools.

Mr. Zimmerman moved adoption of the resolution, and spoke in favor of it.

#### POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Zimmerman, since this is a home-town version of HCR 26, would it be your intention to use some of the taxing theories, like land value taxation, as part of this study?"

Mr. Zimmerman: "That is part of the intent. Included here is a part which would deal with the subject of possible revenues and tax. It was suggested that could be included and would be included in the study."

Mr. Charnley spoke in favor of the resolution.

House Resolution No. 80-176 was adopted.

#### MESSAGE FROM THE SENATE

March 13, 1980

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1406,  
SUBSTITUTE HOUSE BILL NO. 1419,  
SUBSTITUTE HOUSE BILL NO. 1499,  
SUBSTITUTE SENATE BILL NO. 3385,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### SENATE AMENDMENTS TO HOUSE BILL

March 12, 1980

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1427 with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

"Section 1. Section 2, chapter 296, Laws of 1971 ex. sess. as amended by section 6, chapter 270, Laws of 1975 1st ex. sess. and RCW 82.14.045 are each amended to read as follows:

(1) The legislative body of any city pursuant to RCW 35.92.060, of any county which has created an unincorporated transportation benefit area pursuant to RCW 36.57.100 and 36.57.110, of any public transportation benefit area pursuant to RCW 36.57A.080 and 36.57A.090, of any county transportation authority established pursuant to chapter 36.57 RCW, and of any metropolitan municipal corporation within a class AA county pursuant to chapter 35.58 RCW, may, by resolution or ordinance for the sole purpose of providing funds for the operation, maintenance or capital needs of public transportation systems and in lieu of the excise taxes authorized by RCW 35.95.040, as now or hereafter amended, submit an authorizing proposition to the voters or include such authorization in a proposition to perform the function of public transportation and if approved by a majority of persons voting thereon, fix and impose a sales and use tax in accordance with the terms of this chapter: PROVIDED, That no such legislative body shall impose such a sales and use tax without submitting such an authorizing proposition to the voters and obtaining the approval of a majority of persons voting thereon: PROVIDED FURTHER, That where such a proposition is submitted by a county on behalf of an unincorporated transportation benefit area, it shall be voted upon by the voters residing within the boundaries of such unincorporated transportation benefit area and, if approved, the sales and

use tax shall be imposed only within such area. Notwithstanding any provisions of this section to the contrary, any county in which a county public transportation plan has been adopted pursuant to RCW 36.57-.070 and the voters of such county have authorized the imposition of a sales and use tax pursuant to the provisions of RCW 82.14.047, section 10, chapter 167, Laws of 1974 ex. sess., prior to July 1, 1975, shall be authorized to fix and impose a sales and use tax as provided in this section at not to exceed the rate so authorized without additional approval of the voters of such county as otherwise required by this section.

The tax authorized pursuant to this section shall be in addition to the tax authorized by RCW 82.14-.030 and shall be collected from those persons who are taxable by the state pursuant to chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within such city, public transportation benefit area, county, or metropolitan municipal corporation as the case may be. The rate of such tax shall be one-tenth, two-tenths, or three-tenths of one percent of the selling price (in the case of a sales tax) or value of the article used (in the case of a use tax) ~~((and shall not exceed the rate authorized in the proposition approved))~~ except that in the case of a metropolitan municipal corporation created pursuant to chapter 35.58 RCW within a class AA county, the rate of such tax shall be one-tenth, two-tenths, three-tenths, four-tenths, five-tenths, or six-tenths of one percent. The rate of such tax shall not exceed the rate authorized by the voters unless such increase shall be similarly approved.

(2) (a) In the event a metropolitan municipal corporation shall impose a sales and use tax pursuant to this chapter no city, county which has created an unincorporated transportation benefit area, public transportation benefit area authority, or county transportation authority wholly within such metropolitan municipal corporation shall be empowered to levy and/or collect taxes pursuant to RCW 35.58.273, 35.95.040 and/or 82.14.045, as now or hereafter amended, but nothing herein shall prevent such city or county from imposing sales and use taxes pursuant to any other authorization.

(b) In the event a county transportation authority shall impose a sales and use tax pursuant to this section, no city, county which has created an unincorporated transportation benefit area, public transportation benefit area, or metropolitan municipal corporation, located within the territory of the authority, shall be empowered to levy or collect taxes pursuant to RCW 35.58.273, 35.95.040, or 82.14.045, as now or hereafter amended.

(c) In the event a public transportation benefit area shall impose a sales and use tax pursuant to this section, no city, county which has created an unincorporated transportation benefit area, or metropolitan municipal corporation, located wholly or partly within the territory of the public transportation benefit area, shall be empowered to levy or collect taxes pursuant to RCW 35.58.273, 35.95.040 or 82.14.045, as now or hereafter amended.

(3) Any local sales and use tax revenue collected pursuant to this section by any city or by any county for transportation purposes pursuant to RCW 36.57.100 and 36.57.110 shall not be counted as locally generated tax revenues for the purposes of apportionment and distribution, in the manner prescribed by chapter 82.44 RCW, as now or hereafter amended, of the proceeds of the motor vehicle excise tax authorized pursuant to RCW 35.58.273, as now or hereafter amended.

NEW SECTION. Sec. 2. There is appropriated from the general fund to the office of financial management for the biennium ending June 30, 1981, the sum of three million dollars, or so much thereof as may be necessary, for disbursement for public transportation purposes to any local public transportation system: PROVIDED, That no funds may be disbursed to any local public transportation system until the director of financial management determines that the public transportation system requesting financial assistance is, or may soon be, in an emergent situation where demand for critical transit services exceeds the level of service the public transportation system is able to provide within existing revenues. Disbursement of any funds shall be effected only after determination by the director of financial management that the governing body of the public transportation system requesting the funds has exhausted all reasonable alternatives available to meet the service requirements within existing revenues and to generate additional local moneys for maintenance and operation of the public transportation system.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, on line 1 of the title, after "funding;" strike the remainder of the title and insert "amending section 2, chapter 296, Laws of 1971 ex. sess. as amended by section 6, chapter 270, Laws of 1975 1st ex. sess. and RCW 82.14.045; making an appropriation; and declaring an emergency." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Martinis moved that the House do concur in the Senate amendments to House Bill No. 1427.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Bond.

Mr. Bond: "Representative Martinis, in your explanation of this amendment, you say that they have to show need in order to get this \$3 million, and I'm just wondering if whoever,

OFM, for instance, examines this, can they show the need; and suppose OFM tells them that if they raise the fares, they won't need it to solve their problem? Is that a possibility?"

Mr. Martinis: "Representative Bond, like I said, I don't like this any more than you do, but it's all we can get. The amendment says, 'Provided, that no funds may be disbursed to any local transportation system until the director of financial management determines that the public transportation system requesting financial assistance is, or may soon be, in an emergent situation...' An emergent situation could very well be the public's demand for additional public transit service. Granted that this is going to be totally up to the discretionary powers of the Director of OFM; I don't like it, but as I say, it's something and if we want anything at all for public transit, this is what we're going to get. I don't like the idea of the Legislature giving powers to the director of a state agency to do the things the Legislature should do. They, basically, will be setting policy because there is a lot of discretionary power in that authority, but, if metro transit is going to survive, this is what they have to have. I hope that answers your question."

Mr. Bond spoke against the motion to concur.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Speaker Bagnariol.

Speaker Bagnariol: "Representative Martinis, I recognize this is kind of a half loaf for metro, and metro does need a lot of assistance. My question is, once this has passed, will it be necessary for metro to come back in the 1981 session to look for additional assistance to make sure we make an adequate match?"

Mr. Martinis: "We tried to set up that mechanism as the bill went through this House, but I would think the 1981 session of the Legislature is going to have to review it again, not just the need of metro transit, but the needs and demands of transit itself. I would like to add, as long as you asked, that the Legislative Transportation Committee with the Department of Transportation is going to be presenting their transportation study and policy, and public transit is a part of that. A select committee which has been appointed, which Representative Wilson will be chairing, will be going into the fiscal management of all transportation—aviation, marine, transportation, highway and public transit."

The motion to concur in the Senate amendments was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of House Bill No. 1427 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1427 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; nays, 8; not voting, 1.

Voting yea: Representatives Adams, Addison, Austin, Bagnariol, Barnes, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Scott, Sherman, Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barr, Bond, Craswell, Dawson, Fuller, Hastings, Smith C. P.

Not voting: Representative Schmittgen.

House Bill No. 1427 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SIGNED BY THE SPEAKERS

Speaker Berentson announced the Speakers were signing:  
 SUBSTITUTE SENATE BILL NO. 3385.

## RESOLUTIONS

HOUSE RESOLUTION NO. 80-178, by Representatives King and Martinis:

WHEREAS, The courage, fortitude and determination of one man can bring about a much needed change in our system; and

WHEREAS, Howard Dalton, a forty-two year old Everett, Washington businessman died from lung cancer February 7, 1980; and

WHEREAS, Howard Dalton, after learning that he had terminal lung cancer in November, 1978, and had six to eight months to live, applied for social security disability benefits and became outraged by an injustice in our social security system when he found that he would be eligible for benefits only after a five-month period; and

WHEREAS, Howard Dalton spent the remainder of his life engaged in two gallant battles: One battle against the cancer which finally struck him down; and the other battle for a much needed reform in the social security laws; and

WHEREAS, This brave man devoted his life to right a wrong and improve the lives of terminally-ill people in this nation by seeking a change in the social security laws where the normal waiting period for disability benefits would be waived if the recipient were terminally ill; and

WHEREAS, People who are terminally ill should be able to benefit from the money that they have paid into the social security system before the desperately needed help is too late; and

WHEREAS, The United States Senate passed this amendment to the Social Security Omnibus Reform Bill during Howard Dalton's lifetime, and the United States House of Representatives, by passing this much needed amendment to make our social security laws more just, would be paying a tribute to the memory of Howard Dalton and proving to the sometimes disenchanted citizens of this nation that one concerned citizen can make a difference in this complex age;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the United States House of Representatives be urged to pass the "Dalton amendment" to the Social Security Omnibus Reform Bill; and

BE IT FURTHER RESOLVED, That the deepest sympathy of each member of the House of Representatives of the State of Washington be conveyed to Howard Dalton's widow, Joy Dalton, and his family; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, each member of Congress from the State of Washington, and to Howard Dalton's widow, Joy Dalton, and his family.

On motion of Mr. King, the resolution was adopted.

HOUSE RESOLUTION NO. 80-177, by Representatives Maxie, Gallagher and O'Brien:

WHEREAS, Garfield High School has sent basketball teams to state championships many times; and

WHEREAS, All the previous Garfield championship basketball teams have been men's teams, as they may be again this year; and

WHEREAS, The 1979-80 Garfield High School women's basketball team has won the sixth annual state women's championship with a perfect 24-0 win-loss record; and

WHEREAS, Coach Ron Davis and Assistant Coach Frank Ahern have stressed team play and defense; and

WHEREAS, Joyce Walker has led the team offense, setting records for most points in a tournament game (40), most points in the three-game tournament (114), and was named Most Valuable Player of the state championships;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives officially recognizes and congratulates the Garfield High School women's basketball champions for their hard work, poise, camaraderie and their ultimate victory; and

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Garfield High School for their trophy case, their coaches, and their players: Joyce Walker, Becky Gauff, Pam

Frazier, Candace Collins, Lizzy Knox, Marsha Branch, Louise Dickerson, Tracy Guy, Sherry Lofton, Monica Ordonia, Lenore Orme and Shirley Walker.

On motion of Ms. Maxie, the resolution was adopted.

Speaker Berentson declared the House to be at ease.

The Speaker (Mr. Patterson presiding) called the House to order.

#### RESOLUTIONS

HOUSE RESOLUTION NO. 80-181, by Representatives Dawson, Newhouse, Erak, Houchen, Keller, McGinnis, Mitchell, Oliver, Smith (R) and Zimmerman:

WHEREAS, An unacceptable number of uninsured drivers are operating motor vehicles upon the highways and roads of the State of Washington; and

WHEREAS, The responsible drivers of this state are currently required to bear the burden of the financially irresponsible; and

WHEREAS, A number of states have tried unsuccessfully to find a solution to this problem; and

WHEREAS, The Washington State House of Representatives desires to improve the statutes, regulations and enforcement procedures to reduce the number of financially irresponsible drivers; and

NOW, THEREFORE, BE IT RESOLVED, That the standing committees on Insurance and Judiciary examine methods to protect Washington drivers from irresponsible persons and reduce the number of uninsured motorists; and

BE IT FURTHER RESOLVED, That these committees shall study this problem during the interim and report to the 1981 Washington Legislature with proposed legislation.

On motion of Mr. Dawson, the resolution was adopted.

HOUSE RESOLUTION NO. 80-183, by Representatives Charnley, Burns, Rinehart and Zimmerman:

WHEREAS, The municipality of Metropolitan Seattle, the County of King, the City of Seattle, and the University of Washington in cooperation with the Department of Ecology has conducted a Union Bay Demonstration project to study aquatic plant control; and

WHEREAS, One of the findings of this study indicates the need for new enabling legislation at the state level to provide local funding for water quality problems such as aquatic plant control; and

WHEREAS, The Water Quality Committee of the municipality of Metropolitan Seattle at its meeting on February 28, 1980 endorsed the need to investigate legislative options in detail;

NOW, THEREFORE, BE IT RESOLVED, That the House Local Government Committee shall consider during the interim, prior to the 47th Legislature, methods in which local government may be able to finance local water quality improvement projects including aquatic plant control.

Mr. Charnley moved adoption of the resolution.

On motion of Mr. Charnley, the following amendment by Representatives Charnley, Barr, Valle and Zimmerman was adopted:

On line 11 of the resolution, after "Government: strike "Committee" and insert "and Ecology Committees"

The resolution was adopted as amended.

HOUSE RESOLUTION NO. 80-184, by Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith (C), Smith (R), Sommers, Sprague, Stratton, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley and Zimmerman:

WHEREAS, Sexual harassment is a form of unlawful discrimination which involves the threat, sometimes direct but often very subtle, that lack of submission to sexual or unwanted social relations will adversely affect a person's employment opportunities, including wages, promotions, work assignments or other conditions affecting the victim's livelihood; and

WHEREAS, Sexual harassment continually surfaces as a problem for working women; and

WHEREAS, A Redbook magazine survey of 9,000 clerical and professional women indicated ninety-two percent of the respondents had experienced overt physical harassment; seventy-five percent believed if they complained to their supervisor, nothing would be done; and

WHEREAS, The problem of sexual harassment in employment is one that concerns a large part of the state's population; and

WHEREAS, Sexual harassment may be responsible not only for individual concern and discrimination, but may also be keeping some of the state's best and most capable citizens from reaching their full potential and contribution to the public good;

NOW, THEREFORE, BE IT RESOLVED, That the House Social & Health Services Committee conduct an interim study on the nature of, the extent of, and the necessity for state legislation in the area of sexual harassment.

Mr. Salatino moved adoption of the resolution. Representatives Salatino and Lux spoke in favor of the resolution.

#### POINT OF INQUIRY

Mr. Clayton asked Mr. Lux to yield to question, and Mr. Lux refused to yield.

The resolution was adopted.

HOUSE RESOLUTION NO. 80-186, by Representatives Nelson (D), Barr, Becker, Granlund, Houchen, Mitchell, Owen, Scott, Struthers and Winsley:

WHEREAS, The Legislature finds that the absence of a state siting policy for new correctional facilities has contributed to delays and unnecessary expenses in determining where such facilities shall be located; and

WHEREAS, Such delays have contributed to uncertainties as to the future capacity of the state corrections system; and

WHEREAS, The reliability of siting correctional facilities within those time frames anticipated by the Department of Social and Health Services is vital in alleviating overcrowding of the reformatory and the penitentiary and the consequences resulting therefrom;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Corrections Study Committee created as a consequence of House Resolution 79-43 be instructed to include, as part of its report to the House of Representatives, a siting policy for the siting of state correctional facilities; and

BE IT FURTHER RESOLVED, That the committee request input on criteria to be included in such policy from the Department of Social and Health Services, the Division of Criminal Justice, and representatives of those communities which have been considered for the siting of the honor camps and/or a medium security facility by the Department of Social and Health Services during the current biennium.

On motion of Mr. Nelson (D), the resolution was adopted.

HOUSE RESOLUTION NO. 80-187, by Representatives Bender, Tupper, Scott, Hughes, Van Dyken, Brown, Schmitten, McDonald, Kreidler, Nisbet and Pruitt:

WHEREAS, There are approximately two hundred thousand Washington State residents who are Vietnam era veterans and who, as a class, are manifesting severe problems in adjusting to society after returning from service during the Vietnam era; and

WHEREAS, Vietnam era veterans experience a thirty percent greater suicide rate, a twenty percent unemployment rate, a divorce rate twice that of nonveterans, and make up fifteen percent of all persons incarcerated in the Washington State penal system; and

WHEREAS, At least twenty percent of Washington State Vietnam era veterans are suffering from some form of delayed stress reaction and that is projected to increase to fifty percent by 1985;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the House establish a Select Committee on Vietnam Era Veterans Affairs to determine the scope



and nature of Vietnam era veteran problems in Washington, and that the committee shall submit a report to the Forty-seventh Legislature setting forth policy options and recommendations regarding, but not limited to:

(1) The nature and scope of the problem and how it affects the mental and physical health of the veteran and his family, job and productivity as a citizen of the State of Washington;

(2) The adequacy of veteran assistance programs including employment security, CETA funding, veterans' preference procedures and presently required outreach programs;

(3) The adequacy and effectiveness of established veterans' organizations and the success of their efforts on behalf of Vietnam era veterans;

(4) The ability and capacity of mental health organizations and health professionals (both private and government) and law enforcement agencies to recognize and deal with situations resulting from veterans' problems involving Agent Orange Exposure and Delayed Stress Reaction;

(5) The level of cooperation and communication between state and federal programs regarding Vietnam era veterans' affairs and whether such programs are effective for Washington Vietnam era veterans;

(6) The need for reorganization or expansion of present programs, personnel, and/or organizations to better serve the Vietnam era veteran;

(7) Potential sources of funding for the services recommended; and

(8) Recommendations, including proposed legislation, to implement the policy options developed by the committee.

BE IT FURTHER RESOLVED, That the Co-Speakers of the House of Representatives appoint eight members for the Select Committee. The Select Committee shall report its findings to the House of Representatives by January 1, 1981, and the Committee shall exist on January 1, 1981; and

BE IT FINALLY RESOLVED, That copies of this resolution be transmitted by the Chief Clerks of the House of Representatives to the Governor of the State of Washington; the Director of the Veterans Administration; the Director of the Department of Veterans Affairs; the Seattle Veterans Action Committee; the Department of Social and Health Services; the Council on Postsecondary Education; the President, Washington State American Veterans; the President, Washington State American Legion; the President, Washington State Veterans of Foreign Wars; and to the members of the Washington State Congressional Delegation.

Mr. Bender moved adoption of the resolution. Representatives Bender, Tupper, McDonald, Schmitten, Scott, Nisbet, Hughes, Brown and Stratton spoke in favor of the resolution.

House Resolution No. 80-187 was adopted.

#### MOTION

On motion of Mr. Polk, the House reverted to the fourth order of business.

#### INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 35, by Representatives King and Polk:

Providing for the convening of special legislative sessions.

#### MOTIONS

On motion of Mr. King, the rules were suspended, and House Concurrent Resolution No. 35 was advanced to second reading and read the second time in full.

On motion of Mr. King, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 35 was placed on final passage.

Representatives King and Polk spoke in favor of the resolution, and it was adopted.

#### MESSAGES FROM THE SENATE

March 13, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3551, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

March 13, 1980

Mr. Speaker:

The Senate has receded from its amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1763 on page 3, line 2, and passed the bill as amended on page 3, line 9, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### FINAL PASSAGE OF HOUSE BILL WITH CERTAIN SENATE AMENDMENT

The Speaker (Mr. Patterson presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1763 with certain Senate amendment.

Mr. O'Brien spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1763 with certain Senate amendment, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representative Bond.

Engrossed Substitute House Bill No. 1763 with certain Senate amendment, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the House advanced to the eighth order of business.

#### RESOLUTIONS

HOUSE RESOLUTION NO. 80-188, by Representatives Bagnariol, Kreidler, McDonald, Mitchell, Nisbet, Patterson, Schmitt, Scott, Walk and Wilson:

WHEREAS, The veterans of World War I now find themselves denied financial consideration at a time when the need is greatest by virtue of age (an average age of 84 years). Many are handicapped, requiring outside assistance in everyday livelihood; and

WHEREAS, The Congress of the United States does not seem to recognize that the veterans who served in World War I in the defeat of Kaiser Wilhelm were equally as important to preserve that freedom as the veterans of World War II. The World War II veterans have been given financial assistance in many forms, yet Congress has neglected to recognize that the veterans of World War I and/or their widows have need for modest assistance; and

WHEREAS, The ages of the members of Congress, both in the House and Senate, are such that these members would have to read the history of World War I to realize the sacrifices made, lives lost, disabilities suffered, and the famous battles fought, too many to enumerate; and

WHEREAS, Many of those who served in World War I gave up their opportunity to complete their education; gave up their jobs to others; were separated from their families; enlisted instead of being drafted; bought Liberty Bonds with their meager pay, and otherwise were one hundred percent patriots;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives urge Congress to enact House Bill No. 1918, a World War I veterans' pension, said pension to be free of strings, classifications and conditions, to the World War I veterans.

On motion of Mr. Scott, the resolution was adopted.

HOUSE RESOLUTION NO. 80-189, by Representatives Thompson, Dawson, Deccio, King, Taller and Winsley:

WHEREAS, The current minimum retirement age of 58 for law enforcement officers and firefighters under LEOFF II is too advanced an age for adequate services to the public; and

WHEREAS, There is concern over the impact on morale and personnel retention in the uniformed ranks due to the differences between LEOFF I and LEOFF II; and

WHEREAS, The House of Representatives of the State of Washington is concerned about the provision of a sound and equitable retirement plan for all law enforcement officers and firefighters in efforts to ensure competent and efficient services to the citizens of the state in general;

NOW, THEREFORE, BE IT RESOLVED, That the House Appropriations Committee shall review the LEOFF systems with the intent of establishing not only a fiscally responsible system but also a system which provides equitable benefit treatment; and

BE IT FURTHER RESOLVED, That this Committee shall work in cooperation with representatives of the LEOFF Systems' members and police and fire chiefs in their conduct of this review. It shall be within the scope of this review to develop the nature and extent of improvements, and report back by November 15, 1980 to the House of Representatives.

Mr. King moved adoption of the resolution. Representatives King and Taller spoke in favor of the resolution, and it was adopted.

HOUSE RESOLUTION NO. 80-190, by Representatives Gruger, Adams, Bender, Heck, Mitchell and Taylor:

WHEREAS, Children with physical or mental health problems which interfere with their learning ability require identification and referral to an appropriate agency of health-care professionals for care; and

WHEREAS, Federal law requires that children with handicapping conditions be placed in the least restrictive environment and this necessitates interpretation of health information and the modification of school programs; and

WHEREAS, Children with health impairments may at times require medication or other special care which lay people are currently prohibited from administering; and

WHEREAS, The Legislature has enacted laws requiring the reporting of child abuse, the signs of which are often subtle, difficult to detect, and are often noted during tests for other health problems; and

WHEREAS, The Legislature has enacted laws requiring health, vision and scoliosis screening of all public school children and the immunization of all public, private and parochial school children; and

WHEREAS, The issues facing a comprehensive school health program encompass interdisciplinary health needs, resources, freedom of choice, liability, revenues, appropriations and basic education;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the House establish a Select Committee on School Health Care to determine the nature and number of school children currently served by school health-care services, and what form this care takes, and that the Committee shall submit a report to the Forty-seventh Legislature setting forth policy options and recommendations regarding:

(1) The scope and type of health-care services currently provided by the various public schools of the state;

(2) The kinds of personnel performing the services;

(3) The need for expanding the scope of current school health-care services;

(4) An estimate of resources required to support basic health-care and emergency services in the public schools;

(5) Potential sources of funding for the services recommended; and

(6) Recommendations, including legislation, to implement the policy options developed by the Committee;

BE IT FURTHER RESOLVED, That the Speakers of the House of Representatives appoint two representatives from the House Committees on Social and Health Services, Education, and Appropriations to the Select Committee; and

BE IT FINALLY RESOLVED, That copies of this resolution be transmitted by the Chief Clerks of the House of Representatives to the Governor of the State of Washington, the Superintendent of Public Instruction, the Secretary of the Department of Social and Health Services, the School Nurse Organization of Washington, the Washington State Nurses Association, the Washington State Medical Association, and the Washington Education Association.

Ms. Gruger moved adoption of the resolution, and spoke in favor of it.

## POINT OF INQUIRY

Ms. Gruger yielded to question by Mr. Van Dyken.

Mr. Van Dyken: "Representative Gruger, is it your intention that the health of all students in the state, regardless of whether they attend private or public schools, be addressed by this committee?"

Ms. Gruger: "It is my intention that this select committee will explore the resources and the needs of all the children and their health."

House Resolution No. 80-190 was adopted.

HOUSE RESOLUTION NO. 80-191, by Representatives Scott, Owen and Mitchell:

WHEREAS, Draft horses are once again being used for logging and farming in this state; and

WHEREAS, In some areas in our national parks and forests, because of damage to the environment from mechanical equipment, draft horses are used exclusively for timber harvesting; and

WHEREAS, The Washington Draft Horse Association, Inc. is sponsoring a draft horse extravaganza in Monroe from September 25 through September 28, 1980; and

WHEREAS, This will truly be a statewide event with exhibitions coming from all areas of the state and northwest; and

WHEREAS, The extravaganza will provide an activity where today's youth will have an opportunity to learn the skills and attain the desire to become tomorrow's draft horse persons and teamsters; and

WHEREAS, The extravaganza gives breeders from throughout the state a place to go for open competition to obtain impartial evaluations and work toward the upgrading of the draft breeds; and

WHEREAS, This will be one of the few times that the public will be able to see many types of carts, wagons, draft horses and mules, usually seen only in museums or on farms, actually being used;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington does hereby commend the Washington Draft Horse and Mule Association and its sponsorship of the extravaganza in Monroe and does urge the citizens of this state to attend and participate in this unusual and worthwhile event.

Mr. Scott moved adoption of the resolution. Representatives Scott, Clayton and Owen spoke in favor of the resolution and it was adopted.

Speaker Berentson resumed the Chair.

HOUSE RESOLUTION NO. 80-193, by Representatives Patterson, Addison, Amen, Bagnariol, Barr, Berentson, Dawson, King, Maxie, Nelson (G), Newhouse, Polk, Schmitt, Scott and Whiteside:

WHEREAS, The Washington State Legislature authorized the charter of the State Agricultural College and School of Science on March 28, 1890; and

WHEREAS, The State Legislature authorized a name change to the State College of Washington in 1905, and to Washington State University in 1959; and

WHEREAS, Since the first graduating class of seven people in 1897, the student population has increased to 16,992 enrolled in the fall quarter of 1979; and

WHEREAS, Washington State University has effectively served the citizens of our state for nine decades through its land grant commitment of education, research, and public service; and

WHEREAS, More than 175,000 former Washington State University students have utilized their educational experience to enhance their community, state and nation; and

WHEREAS, The traditional pride and spirit of the Cougar is distinguishable in every part of the state;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives extends congratulations and best wishes to the Board of Regents, administration, faculty, staff, students, and alumni of Washington State University on the occasion of their ninetieth birthday on March 28, 1980.

On motion of Mr. Patterson, the resolution was adopted.

## MESSAGE FROM THE SENATE

March 13, 1980

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3457, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Polk, the House reverted to the sixth order of business.

## SECOND READING

SUBSTITUTE SENATE BILL NO. 2751, by Committee on Ecology (originally sponsored by Senators Rasmussen, Newschwander and Lysen):

Pertaining to pollution control facilities.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 51st Day, March 4, 1980.)

Speaker Berentson stated the question before the House to be the Point of Order raised by Representative Sommers with regard to the Barr amendment.

With the consent of the House, Ms. Sommers withdrew the Point of Order.

Speaker Berentson stated the question before the House to be the amendment by Representative Barr and others to page 3, line 14.

Mr. Barr spoke in favor of the amendment, and it was adopted.

On motion of Mr. Barr, the following amendment to the title was adopted:

On page 1, line 4 of the title after "thereto;" insert "amending section 4, chapter 232, Laws of 1957 and section 3, chapter 238, Laws of 1967 and RCW 70.94.040;"

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2751 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 4; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Austin, Bond, Nisbet, Williams.

Not voting: Representative McDonald.

Substitute Senate Bill No. 2751 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

March 13, 1980

Mr. Speaker:

The Senate has reconsidered its vote on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1533, returned the bill to second reading, amended, and advanced to third reading, and passed the bill with the following amendments:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION. Section 1. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADULT CORRECTIONS PROGRAM**

There is appropriated to the department of social and health services for the adult corrections program for the biennium ending June 30, 1981, the following amount, or so much thereof as may be necessary:

**General Fund Appropriation** ..... \$ 9,144,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) \$2,440,000 shall be expended for the operation of Cedar Creek as an adult corrections facility.
- (2) \$206,000 shall be expended for a modular home construction vocation training program at the Washington state penitentiary.
- (3) \$788,000 shall be expended for relief coverage required to be provided due to correctional officer training.
- (4) \$733,000 shall be expended for provision of additional beds within the institutions.
- (5) \$2,145,000 shall be expended for the costs incurred at the Washington state penitentiary resulting from the lockdown.

**NEW SECTION. Sec. 2. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—NURSING HOME PROGRAM**

There is appropriated to the department of social and health services for the nursing home program for the biennium ending June 30, 1981, the following amounts, or so much thereof as may be necessary, from the following funds:

|                                         |    |            |
|-----------------------------------------|----|------------|
| General Fund Appropriation—State.....   | \$ | 8,500,000  |
| General Fund Appropriation—Federal..... | \$ | 8,500,000  |
| Total Appropriation.....                | \$ | 17,000,000 |

The appropriations contained in this section shall be expended for the reasonable cost-related reimbursement of patient care and property costs.

**NEW SECTION. Sec. 3. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PUBLIC HEALTH PROGRAM**

There is appropriated to the department of social and health services for the public health program for the biennium ending June 30, 1981, the following amount, or so much thereof as may be necessary, from the following fund:

|                                 |    |         |
|---------------------------------|----|---------|
| General Fund Appropriation..... | \$ | 200,000 |
|---------------------------------|----|---------|

The appropriation contained in this section shall be expended for crippled children's services.

**NEW SECTION. Sec. 4. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM**

There is appropriated to the department of social and health services for the vocational rehabilitation program for the biennium ending June 30, 1981, the following amount, or so much thereof as may be necessary, from the following fund:

|                                 |    |         |
|---------------------------------|----|---------|
| General Fund Appropriation..... | \$ | 250,000 |
|---------------------------------|----|---------|

The appropriation contained in this section shall be expended for additional funding of the extended sheltered employment program.

**NEW SECTION. Sec. 5. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORT SERVICES**

There is appropriated, or so much thereof as may be necessary, for the biennium ending June 30, 1981, to the department of social and health services, for the purpose of funding adult corrections and juvenile rehabilitation programs:

|                                 |    |         |
|---------------------------------|----|---------|
| General Fund Appropriation..... | \$ | 500,000 |
|---------------------------------|----|---------|

The appropriation contained in this section shall be subject to the following condition or limitation: Such funds shall be expended for reimbursement through the institutional impact account pursuant to chapter 72.72 RCW.

**NEW SECTION. Sec. 6. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SERVICES ADMINISTRATION PROGRAM**

|                                 |    |         |
|---------------------------------|----|---------|
| General Fund Appropriation..... | \$ | 120,000 |
|---------------------------------|----|---------|

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) The funds appropriated in this section, or so much as may be necessary, shall be expended to conduct a two-year demonstration project to provide special needs children with adoptive services through contract with licensed child-placing agencies.
- (2) If chapter ... (SSB 3366), Laws of 1980 is enacted, the appropriation contained in this section shall revert to the general fund.

Sec. 7. Section 72.05.010, chapter 28, Laws of 1959 as last amended by section 7, chapter 217, Laws of 1979 ex. sess. and RCW 72.05.010 are each amended to read as follows:

The purposes of RCW 72.05.010 through 72.05.210 are: To provide for every child with behavior problems, mentally and physically handicapped persons, and deaf and blind children, within the purview of RCW 72.05.010 through 72.05.210, as now or hereafter amended, such care, guidance and instruction, control and treatment as will best serve the welfare of the child or person and society; to insure nonpolitical and qualified operation, supervision, management, and control of the Green Hill school, the Maple Lane school, the Naselle Youth Camp, ((the Cedar Creek Youth Camp;)) the Mission Creek Youth Camp, Echo Glen, the Cascadia Diagnostic Center, Lakeland Village, Rainier school, the Yakima Valley school, Interlake school, Fircrest school, the Francis Haddon Morgan Center, the Child Study and Treatment Center and Secondary School of Western State Hospital, the state school for the blind, the state school for the deaf, and like residential state schools, camps and centers hereafter established, and to place them under the department of social and health services; and to provide for the persons committed or admitted to those schools

that type of care, instruction, and treatment most likely to accomplish their rehabilitation and restoration to normal citizenship.

Sec. 8. Section 53, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADULT CORRECTIONS PROGRAM**

|                                  |    |                           |
|----------------------------------|----|---------------------------|
| General Fund Appropriation ..... | \$ | <del>((14,004,000))</del> |
|                                  |    | <u>112,318,000</u>        |
| Total FTE Staff Years .....      |    | 4,299                     |

The appropriation contained in this section shall be subject to the following conditions and limitations:

- (1) Not more than \$1,702,000 from the general fund shall be expended for community services.
- (2) Not more than \$1,716,000 from the general fund and 76.0 FTE's shall be expended for intensive parole.
- (3) Not more than \$15,679,000 from the general fund and 731 FTE's shall be expended for probation and parole.
- (4) Not more than \$7,002,000 from the general fund and 152 FTE's shall be expended for work/training release.
- (5) Not more than \$81,663,000 from the general fund and 3,259 FTE's shall be expended for institutional staffing.

(6) ~~((520,000))~~ \$123,000 from the general fund shall be expended to contract with a nonprofit corporation to provide a diversionary program for convicted felons with prior conviction records and prior incarcerations. No felon may participate in the program if: (a) he or she has a prior conviction for any violent or inherently dangerous felony, or (b) the crime for which he or she is being diverted into the program is a violent or inherently dangerous felony. For the purposes of this section, 'violent or inherently dangerous felony' means rape in the first or second degree, robbery in the first or second degree, kidnapping in the first or second degree, assault in the first or second degree, or arson in the first or second degree. Prior to entering into the contract, the secretary of the department of social and health services must have assurance of the cooperation of the superior court bench of the county in which the program will be implemented. The program shall include the following:

- (a) A contractual agreement between such nonprofit corporation and the felon with approval of the sentencing judge. Such agreement will describe work performance and restitution expectations, and judicial conditions and review;
- (b) A fully controlled residential component;
- (c) Supervision by a probation officer of the department of social and health services;
- (d) Coordination of all activities by a case manager employed by such nonprofit corporation;
- (e) Job development and placement services which will guarantee each participant regular employment;
- (f) Specialized alcohol, drug, and counseling services; and
- (g) Participation of community and corporate entities which will provide \$1,212,000 in direct and in-kind support.

(7) Not more than \$25,000 from the general fund will be expended for a program evaluation by an independent third party of the diversionary program set forth in subsection (6) of this section. Such evaluation will commence with the initiation of the contract and shall include the following:

- (a) Evaluation of the intake procedures, including initial screening, final screening, the contract between the nonprofit organization and the convicted felon, and the participant selection process;
- (b) Evaluation of the program elements;
- (c) Evaluation of the program impact on recidivism using the measures of rearrest, type of rearrest offense, reconviction, revocation and recommitment;
- (d) Evaluation of the control group;
- (e) Data collection and analysis; and
- (f) A cost benefit analysis.

(8) In the event chapter ... (Substitute House Bill No. 144), Laws of 1979 1st ex. sess. fails to pass, \$100,000 will be reverted to the general fund.

(9) \$347,000 shall be expended for the funding of private nonprofit diversion programs for persons convicted of alcohol and substance abuse related crimes and who are placed on probation, parole, or work training release.

Sec. 9. Section 54, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—JUVENILE REHABILITATION PROGRAM**

|                                          |    |                           |
|------------------------------------------|----|---------------------------|
| General Fund Appropriation—State .....   | \$ | <del>((53,665,000))</del> |
|                                          |    | <u>51,197,000</u>         |
| General Fund Appropriation—Federal ..... | \$ | 747,000                   |
| Total Appropriation .....                | \$ | <del>((54,412,000))</del> |
|                                          |    | <u>51,944,000</u>         |

Total FTE Staff Years .....

1,966

The appropriations contained in this section shall be subject to the following conditions and limitations:

- (1) \$600,000 from the general fund and 50 FTE staff years shall be held in reserve for the sole purpose of providing adequate staffing within the institutions and to allow residence units not currently being utilized

to be opened and staffed. Staffing patterns within the residence units will provide for at least two staff persons during those periods, other than normal sleeping hours, when residents are not attending classes or involved in work programs.

(2) Not more than \$30,000 shall be expended for resource development and coordination and educational program development and coordination.

(3) \$800,000 and 26 FTE staff years shall be expended for a mental health unit at Maple Lane School, except that such unit will be fully implemented and operational by September 30, 1979, except that if such unit is not implemented and operational by September 30, 1979, the operational responsibility will be transferred to the mental health division of the department of social and health services.

(4) No funds shall be expended for the lease-back of any institutional facility.

Sec. 10. Section 58, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—NURSING HOMES PROGRAM**

|                                          |    |             |
|------------------------------------------|----|-------------|
| General Fund Appropriation—State .....   | \$ | 122,273,000 |
| General Fund Appropriation—Federal ..... | \$ | 121,595,000 |
| Total Appropriation .....                | \$ | 243,868,000 |

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The wages for nursing service personnel shall be the sum of the product of ninety percent of the prevailing wages for the categories of nursing assistants, licensed practical nurses, registered nurses, and noncontractual therapists and related restorative employees, expressed as an hourly rate, based upon the state-wide salary survey as conducted pursuant to RCW 41.06.160, multiplied by the standard hours determined by the department of social and health services.

(2) The wages for all employees, other than those specified in subsection (1) of this section and administrators and assistant administrators, shall be the sum of the product of ninety percent of the prevailing wages, expressed as an hourly rate, based upon the state-wide salary survey as conducted pursuant to RCW 41.06.160, multiplied by the standard hours for such employees developed by the department of social and health services.

(3) Food reimbursement shall be one hundred fifteen percent of the average of all costs for bulk and raw foods and beverages purchased for dietary needs, expressed as a per patient per day amount.

(4) Reimbursement for administration and operations will include all items not specified in subsections (1), (2), (3), (5), and (6) of this section and shall not exceed the eighty-fifth percentile of all reporting facilities, except that the nursing home facilities may be grouped by factors, other than ownership or legal organizational characteristics, which could reasonably influence cost requirements for administration and operations.

(5) Property reimbursement for both leased and owner-operated facilities shall not exceed the predicted cost plus one standard deviation of the necessary and ordinary costs of depreciation, and interest, of owner-operated facilities utilizing a multiple regression formula developed by the department of social and health services, recognizing factors which may be significant, including location, age, and type of facility. For July 1980 rate setting, rental costs of leased facilities other than those operating as intermediate care facilities for the mentally retarded, and depreciation and interest costs of owner-operated facilities, for leases or mortgages entered into prior to July 1, 1979, shall be reimbursed to the extent they do not exceed the ((upper limit of the multiple regression formula for comparable owner-operated facilities)) reimbursement rate payable for the property cost center as of June 30, 1979, adjusted to meet any discrepancies as determined by the federal government between the reimbursements made and the approved state Medicaid plan, and adjusted for any approved capitalized additions or replacements; except that, any leased facility which has operated as an intermediate care facility for the mentally retarded prior to July 1, 1979, shall be reimbursed to the extent that the property costs exceed the upper limit of the multiple regression formula.

(6) The return of net invested equity for each facility will be determined by utilizing Medicare rules and regulations.

(7) Patient personal needs allowance limitation will be extended to \$32.50 per month.

(8) \$500,000 ((shall)), or so much thereof as may be necessary, may be expended by the department of social and health services for purposes of retaining special private counsel, subject to the concurrence of the governor, to defend the department against law suits challenging the cost reimbursement system of the department of social and health services.

(9) \$810,000, of which \$404,000 shall be from federal funds, shall be used to implement a program which will enable short-term placement in nursing homes.

(10) \$1,800,000 (of which \$900,000 shall be from federal funds) may be used for reimbursement of costs incurred from the training of nurses' assistants.

~~((+)) The funds contained in this section shall revert immediately to the general fund if ESSB 2335 is enacted.)~~

Sec. 11. Section 59, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME MAINTENANCE GRANTS PROGRAM**

|                                          |    |                            |
|------------------------------------------|----|----------------------------|
| General Fund Appropriation—State .....   | \$ | <del>((314,749,000))</del> |
|                                          |    | 310,017,000                |
| General Fund Appropriation—Federal ..... | \$ | 205,932,000                |
| Total Appropriation .....                | \$ | <del>((520,681,000))</del> |



515,949,000

The appropriations contained in this section shall be subject to the following conditions and limitations:  
 (1) \$31,928,000 (of which \$10,052,000 shall be from federal funds) shall be expended for the purposes of providing a 10.0% per year increase to all assistance grants.

(2) \$1,496,000 from state funds shall be expended to increase the personal needs allowance of clients in nursing homes and congregate care facilities to \$32.50 per month.

(3) \$5,036,000 (of which \$448,000 shall be from federal funds) shall be expended solely for vendor rate increases of 7.0% per year.

((5)) (4) \$760,000 from state general funds shall be expended to provide forty-eight hours of shelter care for victims of domestic violence.

((6)) (5) \$360,000 from state general funds shall be expended to provide a variable one-time allowance for persons without resources who are discharged from a skilled nursing facility.

((7)) (6) \$900,000 of state funds and \$600,000 of federal funds shall be expended to place Kitsap county residents into Area I grant standards eligibility and pay such grants accordingly.

((8)) (7) Not more than \$1,869,000 shall be expended exclusively to increase compensation for employees of congregate care facilities, excluding administrative staff.

(8) From the appropriation contained in this section, the department shall implement a 1.0% grant standard increase for all public assistance recipients effective July 1, 1980, in addition to the grant increase provided in subsection (1) of this section; except that, up to an additional 2.0% grant standard increase for all public assistance recipients may be implemented from the savings generated by the supplemental security income cost-of-living increase provided for fiscal year 1981.

Sec. 12. Section 65, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SERVICES ADMINISTRATION PROGRAM

|                                          |    |             |
|------------------------------------------|----|-------------|
| General Fund Appropriation—State .....   | \$ | 70,935,000  |
| General Fund Appropriation—Federal ..... | \$ | 103,001,000 |
| Total Appropriation .....                | \$ | 173,936,000 |
| Total FTE Staff Years .....              |    | 7,792       |

The appropriations contained in this section shall be subject to the following conditions and limitations:  
 (1) Fifty-two FTE's shall be utilized in the delinquency prevention and crisis intervention intake services program. During the 1979-1981 biennium, the delinquency prevention services program shall be maintained without any significant changes.

(2) Not more than 258 FTE staff years and \$7,852,000 (of which \$7,736,000 shall be from federal funds) shall be utilized in the disability insurance benefits section.

((4)) (3) The department of social and health services shall obtain competitive bids from the private sector for the purpose of the administration of the dental program with medical assistance.

Sec. 13. Section 177, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR THE ADULT CORRECTIONS PROGRAM

(1) To construct and equip one 100-bed honor camp: PROVIDED, That any moneys appropriated under this subsection to the department of social and health services shall be expended only to develop at least one hundred minimum security beds to be distributed at one or more of the existing minimum security adult correctional facilities within the state of Washington.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 3,260,000             | -0-                       |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 40,000                        | -0-                                   | 3,300,000             | 7/80                      |

(2) To renovate and repair roofs, Washington Corrections Center.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 255,000               | -0-                       |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 521,000                       | -0-                                   | 776,000               | 10/79                     |

(3) To remodel food service area and replace obsolete equipment, Washington State Penitentiary; except that, if construction has not begun by 3/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 1,993,000             | -0-                       |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 1,993,000             | 1/81                      |

(4) For remodeling of dental areas, Washington State Penitentiary; except that, if construction has not begun by 2/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| CEP & RI Acct                 |                                       | 145,000               | -0-                       |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 145,000               | 6/80                      |

(5) To improve security, facilities, and utilities, Washington State Penitentiary; except that, if construction has not begun by 9/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 5,924,000                 |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 101,000                       | 6,966,000                             | 12,991,000            | 6/84                      |

(6) To construct and equip 120-bed medium security unit, Washington Corrections Center; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 42,000                | 3,361,000                 |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 25,000                        | -0-                                   | 3,427,000             | 9/81                      |

(7) To convert 300-bed minimum security building at Walla Walla to medium security facility; except that, if construction has not begun by 8/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 100,000               | 5,275,000                 |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 53,000                        | 1,690,000                             | 7,118,000             | 6/83                      |

(8) To convert former women's quarters to 100-bed minimum custody unit, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                       |                            | Reappropriation       | Appropriation             |
|-----------------------|----------------------------|-----------------------|---------------------------|
| DSHS Constr Acct      |                            | 321,000               | 1,073,000                 |
| Project Costs Through | Estimated Costs 7/1/81 and | Estimated Total Costs | Estimated Completion Date |

|         |            |           |      |
|---------|------------|-----------|------|
| 6/30/79 | Thereafter |           |      |
| 19,000  | -0-        | 1,412,000 | 3/81 |

(9) To construct and equip maximum security facility, Washington State Reformatory.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 8,342,000             | 1,654,000                 |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 2,058,000                     | -0-                                   | 12,054,000            | 7/81                      |

(10) To provide fire and safety improvements, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                                     |                                       | Reappropriation       | Appropriation             |
|-------------------------------------|---------------------------------------|-----------------------|---------------------------|
| General Fund—State DSHS Constr Acct |                                       | 23,000                | -0-                       |
| Project Costs Through 6/30/79       | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 128,000                             | -0-                                   | 900,000               | 1/81                      |

(11) To provide fire and safety improvements, Washington State Reformatory; except that, if construction has not begun by 11/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                                |                                       | Reappropriation       | Appropriation             |
|--------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct CEP & RI Acct |                                       | -0-                   | 1,304,000                 |
| Project Costs Through 6/30/79  | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 27,000                         | -0-                                   | 1,681,000             | 9/81                      |

(12) To renovate and expand visiting/dining/recreation facilities, Washington State Reformatory; except that, if construction has not begun by 12/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 1,524,000                 |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 1,524,000             | 2/82                      |

(13) To renovate and convert gang showers to individual showers, Washington State Penitentiary; except that, if construction has not begun by 6/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 402,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 402,000               | 3/81                      |

(14) To provide three prefabricated steel buildings, Washington State Reformatory; except that, if construction has not begun by 3/15/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 386,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 386,000               | 8/80                      |

(15) To construct and equip multipurpose building, Pine Lodge Correction Center; except that, if construction has not begun by 9/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 248,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 248,000               | 4/81                      |

(16) To renovate and expand Industries Building, Washington State Penitentiary; except that, if construction has not begun by 5/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| ((General Fund — Federal      |                                       | -0-                   | 414,000))                 |
| DSHS Constr Acct              |                                       | -0-                   | ((305,000))               |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 719,000               | 11/80                     |

(17) To renovate and repair roofs, Washington Corrections Center; except that, if construction has not begun by 11/1/79, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 273,000               | 346,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 503,000                       | -0-                                   | 1,122,000             | 8/80                      |

(18) To repair perimeter walls, Washington State Reformatory; except that, if construction has not begun by 7/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 617,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 617,000               | 11/80                     |

(19) To purchase and install an electronic perimeter security system, Washington Corrections Center.

|                       |                            | Reappropriation       | Appropriation             |
|-----------------------|----------------------------|-----------------------|---------------------------|
| DSHS Constr Acct      |                            | 300,000               | -0-                       |
| Project Costs Through | Estimated Costs 7/1/81 and | Estimated Total Costs | Estimated Completion Date |

|         |            |         |      |
|---------|------------|---------|------|
| 6/30/79 | Thereafter |         |      |
| 76,000  | -0-        | 376,000 | 7/79 |

(20) To renovate and open work training release facility, Geiger Field.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | 600,000               | -0-                       |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| 20,000                        | -0-                                   | 620,000               | 1/80                      |

(21) To renovate and repair roofs, Women's Treatment Center; except that, if construction has not begun by 6/1/80, all remaining funds not disbursed shall remain unexpended and shall be held in reserve.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 112,000                   |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | -0-                                   | 112,000               | 10/80                     |

(22) To provide preliminary design, site preparation, and steam plant for new 500-bed medium security facility; PROVIDED, That such facility shall be located on public lands as hereinafter provided:

(a) On the site of an existing state adult correction facility; or

(b) On the site of an existing federal adult correction facility acquired by the state after the effective date of this 1980 act.

|                               |                                       | Reappropriation       | Appropriation             |
|-------------------------------|---------------------------------------|-----------------------|---------------------------|
| DSHS Constr Acct              |                                       | -0-                   | 5,429,000                 |
| Project Costs Through 6/30/79 | Estimated Costs 7/1/81 and Thereafter | Estimated Total Costs | Estimated Completion Date |
| -0-                           | 27,126,000                            | 32,555,000            | 6/83                      |

NEW SECTION. Sec. 14. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "services;" strike the remainder of the title and insert "amending section 72.05.010, chapter 28, Laws of 1959 as last amended by section 7, chapter 217, Laws of 1979 ex. sess. and RCW 72.05.010; amending section 53, chapter 270, Laws of 1979 ex. sess. (uncodified); amending section 54, chapter 270, Laws of 1979 ex. sess. (uncodified); amending section 58, chapter 270, Laws of 1979 ex. sess. (uncodified); amending section 59, chapter 270, Laws of 1979 ex. sess. (uncodified); amending section 65, chapter 270, Laws of 1979 ex. sess. (uncodified); amending section 177, chapter 270, Laws of 1979 ex. sess. (uncodified); making appropriations; and declaring an emergency." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Thompson moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 1533.

Mr. Thompson spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Thompson yielded to question by Ms. Becker.

Ms. Becker: "Representative Thompson, is it your interpretation that the language in this bill requires that the public assistance grants be increased for the full three percent if the Federal SSR payments are increased by a sufficient amount?"

Mr. Thompson: "Yes, Representative Becker, that's the implicit intent of this language."

Mr. Keller spoke against the motion to concur, and Representatives Nelson (G) and Scott spoke in favor of it.

The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1533 as amended by the Senate.

#### POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Thompson, under section 2 for the nursing home program, on page 2, line 7 there's a total appropriation of \$17 million; \$8.5 million for state and the proviso in the 1979 budget caused a \$1.5 million property cost shortage. It's my understanding that of the \$1.5 million, \$750,000 is in that \$8.5 million number and that the \$750,000 would be for the second year of the current biennium. How do we propose to take care of the first-year biennium? In the House bill we sent over to the Senate, was a budget of \$1.5 million and they've sent back to us a budget of \$750,000."

Mr. Thompson: "Representative Sanders, the Legislature hasn't completed its action with regard to consideration of funding nursing homes. The bill we dealt with last night is on the floor of the Senate and currently in dispute. It would raise the funding question, and we have another Senate bill that deals with that. The answer to your question really relates to a resolution of all those elements."

Representatives Sanders and Teutsch spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1533 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 84; nays, 13; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Bagnariol, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Deccio, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Jovanovich, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Monohon, Nelson D., Nelson G. A., Newhouse, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Zimmerman.

Voting nay: Representatives Barnes, Bond, Craswell, Dawson, Dunlap, Fancher, Flint, Isaacson, Keller, Mitchell, Nisbet, Teutsch, Winsley.

Not voting: Representative Austin.

Engrossed Substitute House Bill No. 1533 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGES FROM THE SENATE

March 13, 1980

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3207, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 13, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3228, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Nelson (G), the Committee on Rules was relieved of SUBSTITUTE SENATE BILL NO. 3191, and it was placed on the calendar for second reading.

**SUBSTITUTE SENATE BILL NO. 3191**, by Committee on Ways and Means (originally sponsored by Senators Odegaard, Vognild, Bausch, Rasmussen and Scott):

Modifying the state employee attendance incentive program.

The bill was read the second time.

Mr. Nelson (G) moved adoption of the following amendment by Representatives Nelson (G) and Thompson:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION.** Section 1. A supplemental budget as set forth in this 1980 act is hereby adopted and, subject to the provisions set forth in this 1980 act, the several amounts specified in this 1980 act, or so much thereof as may be necessary to accomplish the purposes designated, are hereby appropriated for disbursement to the designated agencies and offices of the state for salaries, wages, expenses, and other specified purposes, including operations and capital improvements, for the fiscal biennium beginning July 1, 1979, and ending June 30, 1981, except as otherwise provided, out of the several specified funds.

**NEW SECTION. Sec. 2. FOR THE ADMINISTRATOR FOR THE COURTS**

|                                                         |    |         |
|---------------------------------------------------------|----|---------|
| General Fund Appropriation .....                        | \$ | 309,000 |
| Judicial Information System Account Appropriation ..... | \$ | 220,000 |
| Total Appropriation .....                               | \$ | 529,000 |

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$309,000 shall be expended for the purpose of funding salaries and fringe benefits for nine superior court judges authorized in chapter 202, Laws of 1979 ex. sess.: **PROVIDED**, That employer contributions for judges' social security shall be paid by the state, and local governments shall reimburse the state for fifty percent of such costs.

(2) The \$220,000 judicial information system account appropriation is contingent upon chapter ... (2nd SSB 2381), Laws of 1980 becoming law. This appropriation reflects maximum anticipated revenues and further assumes that no expenditures shall be made above actual accrued revenues. In recognition of the cost-sharing provisions of the judicial information system authorized in chapter ... (2nd SSB 2381), Laws of 1980, the administrator for the courts shall report on actual and estimated long term receipt and expenditure activity of the judicial information system account to the senate ways and means committee and the house appropriations committee by January 1, 1981.

**NEW SECTION. Sec. 3. FOR THE STATE TREASURER**

|                                                    |    |        |
|----------------------------------------------------|----|--------|
| State Treasurer's Service Fund Appropriation ..... | \$ | 96,000 |
|----------------------------------------------------|----|--------|

The appropriation contained in this section shall be subject to the following condition or limitation: The funds appropriated in this section shall be used to complete the acquisition and installation of a new computer system; proceeds from the sale of the old equipment will be deposited in the state treasurer's service fund.

**NEW SECTION. Sec. 4. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

|                                                          |    |         |
|----------------------------------------------------------|----|---------|
| General Fund—Motor Transport Account Appropriation ..... | \$ | 610,000 |
|----------------------------------------------------------|----|---------|

**NEW SECTION. Sec. 5. FOR THE INSURANCE COMMISSIONER**

|                                  |    |        |
|----------------------------------|----|--------|
| General Fund Appropriation ..... | \$ | 79,000 |
|----------------------------------|----|--------|

The appropriation contained in this section shall be subject to the following condition or limitation: This appropriation shall be used for implementation of the continuing education program for insurance agents and brokers (chapter 269, Laws of 1979 ex. sess.).

**NEW SECTION. Sec. 6. FOR THE MILITARY DEPARTMENT**

|                                  |    |        |
|----------------------------------|----|--------|
| General Fund Appropriation ..... | \$ | 36,000 |
|----------------------------------|----|--------|

The appropriation contained in this section shall be subject to the following condition or limitation: The military department is authorized to employ one FTE staff year for the purpose of coordinating and managing the Washington state guard.

**NEW SECTION. Sec. 7. FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY**

|                                  |    |        |
|----------------------------------|----|--------|
| General Fund Appropriation ..... | \$ | 15,000 |
|----------------------------------|----|--------|

The appropriation contained in this section shall be subject to the following condition or limitation: The funds shall be expended solely for the boundary review boards.

**NEW SECTION. Sec. 8. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

|                                            |    |         |
|--------------------------------------------|----|---------|
| Accident Fund Appropriation—State .....    | \$ | 145,812 |
| Medical Aid Fund Appropriation—State ..... | \$ | 145,812 |
| Total Appropriation .....                  | \$ | 291,624 |

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) Not more than \$271,624 (of which \$135,812 shall be from each of the two appropriations contained in this section) shall be used for the necessary permanent and temporary positions needed to handle the growing backlog and the significant workload growth in the self-insurance division of the industrial insurance program: **PROVIDED**, That the director shall insure that the administrative charges collected from self-insurers are adequate to cover the additional claims handling and audit authorization included in this appropriation to the extent that those additional charges are attributable to self-insurers.

(2) \$20,000 (of which \$10,000 shall be from each of the two appropriations contained in this section), or so much thereof as may be necessary, shall be expended to carry out the purposes of section 4, chapter ... (SSB 3169), Laws of 1980.

**NEW SECTION. Sec. 9. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS**

|                                      |    |         |
|--------------------------------------|----|---------|
| Accident Fund Appropriation .....    | \$ | 144,000 |
| Medical Aid Fund Appropriation ..... | \$ | 116,000 |
| Total Appropriation .....            | \$ | 260,000 |

**NEW SECTION. Sec. 10. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

|                                                                    |    |           |
|--------------------------------------------------------------------|----|-----------|
| General Fund—Criminal Justice Training Account Appropriation ..... | \$ | 1,181,000 |
|--------------------------------------------------------------------|----|-----------|

**NEW SECTION. Sec. 11. FOR THE STATE ENERGY OFFICE**

|                                  |    |         |
|----------------------------------|----|---------|
| General Fund Appropriation ..... | \$ | 142,000 |
|----------------------------------|----|---------|

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) This appropriation shall be used to meet increased state set-aside caseloads in the state fuel allocation program.

(2) If chapter ... (SB 3503), Laws of 1980 or chapter ... (HB 1675), Laws of 1980 becomes law, the appropriation contained in this section shall be placed in reserve and lapsed at the end of the biennium.

Sec. 12. Section 2, chapter 158, Laws of 1979 ex. sess. (unmodified) is amended to read as follows:

There is hereby appropriated to the state energy office from the general fund, the sum of two hundred fifty-one thousand dollars or so much thereof as shall be necessary for the biennium ending June 30, 1981. The appropriation provided for in this section shall be expended exclusively for the additional staff which may be needed to handle fuel allocation requirements. (~~If federal funds are received for this purpose an equal amount of this appropriation shall be placed in reserve.~~)

**NEW SECTION. Sec. 13. FOR THE DEPARTMENT OF ECOLOGY**

|                                                                                                                                                                           |    |           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----------|
| General Fund Appropriation—Federal .....                                                                                                                                  | \$ | 2,381,000 |
| General Fund Appropriation—State .....                                                                                                                                    | \$ | 70,000    |
| General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26) ..... | \$ | 106,000   |
| Total Appropriation .....                                                                                                                                                 | \$ | 2,557,000 |

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) The general fund appropriation—federal shall be expended exclusively to meet increased workloads associated with the receipt of federal waste and water management grants.

(2) The general fund appropriation—state shall be expended exclusively for the purpose of establishing an estuarine sanctuary in Padilla Bay, Skagit county. The department of ecology may use such funds for the acquisition of tidelands within Padilla Bay, Skagit county, either through direct expenditures or through grants to a federal, state, or local agency. No moneys appropriated under this section may be expended by the department of ecology for acquisition of tidelands unless made in combination with an equal match of moneys from other public or private sources. Prior to acquiring any tidelands, the department of ecology shall determine that the use of the property to be acquired will be consistent with chapter 90.58 RCW, the shoreline management act, and guideline and master programs adopted thereunder.

(3) The general fund—state and local improvements revolving account appropriation shall be allocated to the parks and recreation commission to construct sewage disposal systems at several marine state parks located in the San Juan archipelago: PROVIDED, That the appropriation shall be null and void and of no effect if chapter ... (SSB 3526), Laws of 1980 becomes law.

(4) If chapter ... (SB 3371), Laws of 1980 becomes law, the \$70,000 general fund appropriation—state contained in this section shall be null and void and of no effect.

Sec. 14. Section 85, chapter 270, Laws of 1979 ex. sess. (unmodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

|                                                                    |    |            |
|--------------------------------------------------------------------|----|------------|
| General Fund Appropriation—State .....                             | \$ | 24,749,000 |
| General Fund Appropriation—Federal .....                           | \$ | 100,000    |
| General Fund Appropriation—Private/Local .....                     | \$ | 258,000    |
| General Fund—Trust Land Purchase Account Appropriation .....       | \$ | 2,522,000  |
| General Fund—Winter Recreation Parking Account Appropriation ..... | \$ | 64,000     |
| General Fund—Outdoor Recreation Account Appropriation .....        | \$ | 70,000     |
| Motor Vehicle Fund Appropriation .....                             | \$ | 800,000    |
| Total Appropriation .....                                          | \$ | 28,563,000 |

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) No currently operating state park will be closed due to budgetary constraints.

(3) \$155,000 shall be expended within the park operation program for continuation of contractual agreements with Grays Harbor and Pacific counties for beach patrol and law enforcement on North Beach, South Beach, and Long Beach.

(4) Not more than \$900,000 of the trust land purchase account appropriation shall be expended to purchase the state-owned Heart Lake property located in section 36, township 35 north, range 1 east W.M. located in Skagit county if such amount is equal to or more than the fair market value of the property.

(5) Not more than \$15,000 shall be expended for the purpose of making a grant to the port of Skagit county for the operation of the historical railway from Sedro Woolley to Concrete. Any portion of the grant



not spent ending June 30, 1981, shall be returned to the general fund of the state of Washington. Any net profit, up to the amount expended in the grant to the port of Skagit county for the operation of the historical railway, but not to exceed \$15,000, earned by the railway ending June 30, 1981, shall be reimbursed to the general fund of the state of Washington.

(6) Not more than \$228,000 shall be expended for an experimental campsite reservation system ((for Washington residents)).

(7) Not more than \$80,000 shall be expended for operation of the Goldendale observatory.

(8) The commission shall include the acquisition of the property commonly known as the Auburn game farm as a project in the commission's 1981-83 biennium capital budget request. This project shall be prioritized among other projects of the commission and shall be subject to the interagency committee for outdoor recreation capital budget analysis process.

NEW SECTION. Sec. 15. There is appropriated to the parks and recreation commission from the general fund—outdoor recreation account (HJR 52), the sum of one hundred thousand dollars, or so much thereof as may be necessary, for the purpose of transfer to the department of natural resources to acquire replacement forest lands in Cowlitz county. These lands shall replace approximately ninety acres of state forest lands, including timber, adjacent to Sequest state park which shall be transferred to the commission.

NEW SECTION. Sec. 16. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

|                                  |            |
|----------------------------------|------------|
| General Fund Appropriation ..... | \$ 425,000 |
|----------------------------------|------------|

The appropriation contained in this section shall be subject to the following condition or limitation: \$425,000, or so much thereof as may be necessary, may be expended for the design, planning, and development of a new theater for the performing arts to be located on the grounds of the Seattle Center.

NEW SECTION. Sec. 17. FOR THE DEPARTMENT OF NATURAL RESOURCES

|                                                                   |              |
|-------------------------------------------------------------------|--------------|
| General Fund Appropriation .....                                  | \$ 1,930,000 |
| General Fund—Resource Management Cost Account Appropriation ..... | \$ 1,350,000 |
| Total Appropriation .....                                         | \$ 3,280,000 |

The appropriations contained in this section shall be subject to the following conditions or limitations:

(1) \$1,350,000 of the general fund—resource management cost account appropriation shall be expended for reforestation of state-owned lands.

(2) \$1,530,000 of the general fund appropriation shall be expended for the emergency forest fire suppression program.

(3) \$400,000 of the general fund appropriation shall be expended for a forest tree seedlings program. The department shall reimburse the state general fund \$400,000 from proceeds of the sale of forest tree seedlings. Repayment shall take place before June 30, 1983.

NEW SECTION. Sec. 18. FOR THE DEPARTMENT OF AGRICULTURE

|                                                   |              |
|---------------------------------------------------|--------------|
| General Fund Appropriation .....                  | \$ 161,000   |
| Grain and Hay Inspection Fund Appropriation ..... | \$ 5,788,000 |
| Total Appropriation .....                         | \$ 5,949,000 |

The appropriations contained in this section shall be subject to the following condition or limitation: \$100,000 of the general fund appropriation shall be expended solely for grasshopper control. These funds shall be used for purposes of matching federal and landowner contributions on a ratio of one-third state general fund moneys, one-third landowner funds, and one-third federal government grant funds. Before any grasshopper control program commences, the responsible or cooperating agency or agencies must receive approval from the directors of the departments of ecology, fisheries, and game.

NEW SECTION. Sec. 19. FOR THE STATE PATROL

|                                        |              |
|----------------------------------------|--------------|
| General Fund Appropriation .....       | \$ 1,147,000 |
| Motor Vehicle Fund Appropriation ..... | \$ 1,068,000 |
| Total Appropriation .....              | \$ 2,215,000 |

NEW SECTION. Sec. 20. FOR THE DEPARTMENT OF LICENSING

|                                                                        |              |
|------------------------------------------------------------------------|--------------|
| General Fund Appropriation .....                                       | \$ 893,000   |
| Motor Vehicle Fund Appropriation .....                                 | \$ 352,000   |
| Motor Vehicle Fund—Vehicle Title Guarantee Account Appropriation ..... | \$ 25,000    |
| Highway Safety Fund Appropriation .....                                | \$ 671,000   |
| Total Appropriation .....                                              | \$ 1,941,000 |

The appropriations contained in this section shall be subject to the following condition or limitation: If chapter ... (SHB 1778), Laws of 1980 becomes law, \$351,000 of the highway safety fund appropriation shall be placed in reserve and lapsed at the end of the biennium.

NEW SECTION. Sec. 21. FOR THE GOVERNOR—SPECIAL APPROPRIATIONS

|                                      |              |
|--------------------------------------|--------------|
| General Fund Appropriation .....     | \$ 4,135,500 |
| Medical Aid Fund Appropriation ..... | \$ 3,700     |
| Accident Fund Appropriation .....    | \$ 3,700     |
| Total Appropriation .....            | \$ 4,142,900 |

The appropriations contained in this section shall be expended to implement the 1-1/2% salary increase for the 1980-81 school year for faculty and administrative exempt employees within the four-year institutions of higher education and the community colleges as specified in section 14(2)(c), chapter 270, Laws of 1979 ex. sess.: PROVIDED, That \$1,590,000 shall be expended for community college salary increases and \$2,552,900 shall be expended for four-year institutions' salary increases.

**NEW SECTION, Sec. 22. FOR THE UNIVERSITY OF WASHINGTON—FOR THE INSTRUCTIONAL SERVICES PROGRAM**  
 General Fund Appropriation ..... \$ 57,000

The appropriation contained in this section shall be subject to the following condition or limitation: This appropriation shall be expended solely to develop an international trade data bank, in cooperation with the department of commerce and economic development, containing statistical information on Washington imports and exports.

**NEW SECTION, Sec. 23. FOR WASHINGTON STATE UNIVERSITY—FOR THE INSTRUCTIONAL SERVICES PROGRAM**  
 General Fund Appropriation ..... \$ 300,000

The appropriation contained in this section shall be subject to the following conditions and limitations:

(1) \$100,000 shall be expended solely to research the protection and growing of wine grapes and wine production.

(2) \$125,000 shall be expended solely to research health-related problems, including chronic pharyngitis, of racing and performing horses.

(3) \$75,000 shall be expended for research, collection and dissemination of data, design curriculum, and conduct seminars to promote the technology of farm fuel production.

**NEW SECTION, Sec. 24. FOR THE EVERGREEN STATE COLLEGE—FOR THE INSTRUCTIONAL SERVICES PROGRAM**  
 General Fund Appropriation ..... \$ 108,000

The appropriation contained in this section shall be subject to the following condition or limitation: The appropriation shall be held in allotment reserve pending review of enrollments by the office of financial management and such review shall be completed by April 25, 1980: PROVIDED, That reversion of these funds shall be required if the enrollment is less than the revised 1980-81 contract enrollment level.

**NEW SECTION, Sec. 25. FOR THE COUNCIL FOR POSTSECONDARY EDUCATION**  
 General Fund Appropriation ..... \$ 5,000

The appropriation contained in this section shall be subject to the following condition or limitation: The council shall conduct a study evaluating the contract enrollment methodology and analyzing enrollment trends in the community college system and shall report back to the senate ways and means and house appropriations committees not later than November 1, 1980.

**NEW SECTION, Sec. 26. FOR THE STATE LIBRARY**  
 General Fund Appropriation ..... \$ 266,000

The appropriation contained in this section shall be subject to the following condition or limitation: This appropriation shall be used to replace federal funds, to the extent such funding is not available, in order to maintain current service levels in the Washington regional library for the blind and physically handicapped, for the radio reading service, and for the braille and taping programs.

**NEW SECTION, Sec. 27. FOR THE MUNICIPAL RESEARCH COUNCIL**  
 General Fund Appropriation ..... \$ 85,000

**NEW SECTION, Sec. 28. FOR BELATED CLAIMS**

The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated and authorized to be expended out of the several funds indicated for the period from the effective date of this 1980 act to June 30, 1981, except as otherwise indicated.

To reimburse the general fund for expenditures from belated claims appropriations to be disbursed on vouchers approved by the office of financial management:

|                                                                                                   |              |
|---------------------------------------------------------------------------------------------------|--------------|
| General Fund—Criminal Justice Training Account .....                                              | \$ 7,310.53  |
| General Fund—Hospital Commission Account .....                                                    | \$ 43.69     |
| General Fund—Forest Development Account .....                                                     | \$ 14,410.27 |
| General Fund—Investment Reserve Account .....                                                     | \$ 35.00     |
| General Fund—State Timber Tax Reserve Account .....                                               | \$ 25,715.09 |
| General Fund—Professional Engineers Account .....                                                 | \$ 37.81     |
| General Fund—Real Estate Commission Account .....                                                 | \$ 3,683.00  |
| General Fund—Sanitarians' Licensing Account .....                                                 | \$ 150.00    |
| General Fund—Motor Transport Account .....                                                        | \$ 6,150.74  |
| General Fund—Resource Management Cost Account .....                                               | \$ 14,524.96 |
| General Fund—Litter Control Account .....                                                         | \$ 7,954.20  |
| General Fund—State Board of Psychological Examiners Account .....                                 | \$ 1,200.00  |
| General Fund—State Higher Education Construction Account .....                                    | \$ 5,470.46  |
| General Fund—Outdoor Recreation Account .....                                                     | \$ 13,161.55 |
| General Fund—State and Local Improvements Revolving Account Public<br>Recreation Facilities ..... | \$ 1,449.48  |

|                                                                     |    |            |
|---------------------------------------------------------------------|----|------------|
| Fertilizer, Agriculture, Mineral and Lime Fund .....                | \$ | 421.00     |
| Commercial Feed Fund .....                                          | \$ | 37.00      |
| Seed Fund .....                                                     | \$ | 4,198.00   |
| Electrical License Fund .....                                       | \$ | 1,058.16   |
| State Game Fund .....                                               | \$ | 39,250.72  |
| Grain and Hay Inspection Fund .....                                 | \$ | 6,605.00   |
| Highway Safety Fund .....                                           | \$ | 6,150.28   |
| Motor Vehicle Fund .....                                            | \$ | 39,055.02  |
| Public Service Revolving Fund .....                                 | \$ | 3,101.89   |
| Unemployment Compensation Administration Fund .....                 | \$ | 1,029.21   |
| State Treasurer's Service Fund .....                                | \$ | 2,724.06   |
| Legal Services Revolving Fund .....                                 | \$ | 789.22     |
| General Administration Facilities and Services Revolving Fund ..... | \$ | 7,060.79   |
| Department of Personnel Service Fund .....                          | \$ | 2,201.75   |
| Higher Education Personnel Board Service Fund .....                 | \$ | 420.00     |
| Liquor Revolving Fund .....                                         | \$ | 4,552.70   |
| Department of Retirement Systems Expense Fund .....                 | \$ | 320.25     |
| Accident Fund .....                                                 | \$ | 19,030.14  |
| Medical Aid Fund .....                                              | \$ | 900.71     |
| Plumbing Certificate Fund .....                                     | \$ | 2.85       |
| Washington Library Network Computer System Revolving Fund .....     | \$ | 56.09      |
| Total Appropriation .....                                           | \$ | 240,261.62 |

Sec. 29. Section 173, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated and authorized to be expended out of the several funds indicated, for the period July 1, 1979, to June 30, 1981.

#### SUNDRY CLAIMS

General Fund Appropriations, except as otherwise provided, for relief of various individuals, firms, and corporations for sundry claims and for the reason that the state of Washington recognizes a moral obligation to these claimants. These appropriations are to be disbursed on vouchers approved by the chief fiscal officer of the executive branch, except as otherwise provided, as follows:

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |    |                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----------------------------------------------|
| (1) HAROLD GIVENS, CARL KASZYCKI, Judgment against the state in Residents for a Planned Peninsula et al. vs. DSHS .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$ | 15,770.00                                    |
| (2) ARCHITECTURAL WOODS, INC., Judgment against the state in Architectural Woods vs. the State: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher, such voucher to be presigned by Architectural Woods, Inc. or by its directors prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof, and their agents, from any further claims( <del>(, except that the state may become liable for interest payment accruing from October 27, 1977, if, and only if, it is so ordered by the Supreme Court of Washington).</del> )' ..... | \$ | <del>((36,615.23))</del><br><u>57,371.08</u> |
| (3) DAVID PARKER AND DENTON P. ANDREWS, Payment of writ of mandate for costs assessed against the state in State vs. David C. Parker .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ | 616.23                                       |
| (4) EVERGREEN PLAZA INVESTORS AND EVERGREEN DEVELOPMENT CORP., Judgment against the state in Evergreen Plaza Investors vs. Washington State Higher Education Assistance Authority, et al., for breach of contract .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$ | 7,937.70                                     |
| (5) LLOYD STEWART AND JOE McADAMS, Payment of costs assessed against the state in State vs. Lloyd Paul Stewart .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | \$ | 24.74                                        |
| (6) THOMAS M. WRIGHT, Payment of costs assessed against the state in State ex rel. Seeze vs. Thomas Marion Wright .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$ | 92.00                                        |
| (7) MOE BIRNBAUM, Payment of guardian ad litem services performed for the state: PROVIDED, That the state shall have subrogation rights to payment of such services against the defendant in State ex rel. Evon vs. David S. F. Fijalka .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | \$ | 200.00                                       |
| (8) GRACIE BROCK AND JOHN A. BARLOW, Payment of costs assessed against the state in dismissal of murder charge .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | \$ | 774.70                                       |
| (9) CHRISTIANSEN BROTHERS, INC., Judgment on settlement agreement, together with accrual of interest at 8% per annum from June 6, 1977: PROVIDED, That payment come from the State Higher Education Construction Account .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | \$ | 204,120.00                                   |
| (10) STEVE TROUTMAN, Payment of cost bill and remittitur No. 44748 from Washington Supreme Court in State vs. Troutman .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | \$ | 522.94                                       |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |    |                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----------------------|
| (11) UNION PACIFIC RAILROAD, Payment of settled amount for demurrage charges                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | \$ | 33,940.00            |
| (12) PHYLLIS ALM, Payment of retirement contributions: PROVIDED, That payment shall come from the Retirement Systems Fund                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | \$ | 211.27               |
| (13) EUGENIA STOWE, Payment of retirement contributions: PROVIDED, That payment shall come from the Retirement Systems Fund                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$ | 90.39                |
| (14) NARAMORE, BAIN, BRADY AND JOHANSON, ARCHITECTS, Final payment due on contract: PROVIDED, That payment shall come from the State Higher Education Construction Account: PROVIDED FURTHER, That the chief fiscal officer of the executive branch is directed and authorized to draw up a separate voucher, such voucher to be presigned by Naramore, et al., or its directors, prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to the contract for services upon the physical sciences building at WSU.' | \$ | 44,771.68            |
| (15) DAVID WEBB, Payment for unjust imprisonment: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher to be presigned by David Webb prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned releases the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to payment of relief for unjust imprisonment.'                                                                                                                                                                                                    | \$ | 20,000.00            |
| (16) DAVID ABRAHAM BLOCH, Judgment for costs of dismissal of felony charge in State vs. Bloch                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | \$ | 110.00               |
| (17) RUTH PALMER, Payment pursuant to order of mandamus for costs assessed against the state in Palmer et al. vs. State Personnel Board                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | \$ | 107.00               |
| (18) BURRÉLL FINDLAY, Payment of claim for damage to certain heavy machinery incurred while performing voluntary emergency services for the highway department: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher to be presigned by Mr. Burrell Findlay prior to the release of the warrant, which voucher shall state: 'By the receipt of this amount, the undersigned releases the state of Washington and all political subdivisions thereof, and their agents, from any further claim with regard to property damage incurred while performing volunteer services for the highway department'                                   | \$ | 13,000.00            |
| (19) DEPARTMENT OF SOCIAL AND HEALTH SERVICES, Payment for claims outstanding submitted to the department after the 60-day statutory limit: PROVIDED, That such claims shall be paid at fifty percent of their approved value: PROVIDED FURTHER, That \$90,000 shall be from federal sources                                                                                                                                                                                                                                                                                                                                                                                                                | \$ | ((1,100,000.00))     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |    | <u>1,700,000.00</u>  |
| (20) EDMOND WARD, Payment for loss of personal tools while such were under security protection of department of transportation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ | 167.84               |
| (21) RUSSELL E. JOHNSON, Payment for loss of personal tools while such were under security protection of department of transportation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | \$ | 421.77               |
| (22) ((MRS. HARRY FOSTER, Payment of balance of deceased husband's retirement contributions: PROVIDED, That such payment shall represent full and complete satisfaction of this obligation by the state: PROVIDED FURTHER, That payment shall come from the Judges' Retirement Systems Fund                                                                                                                                                                                                                                                                                                                                                                                                                 | \$ | <del>1,488.99</del>  |
| (23) MRS. DEL CARY SMITH, Payment in full of deceased husband's retirement contributions, such payment to come from the Judges' Retirement Systems Fund                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | \$ | <del>15,836.36</del> |
| (24)) WILLIAM VAN KLAVEREN, Payment of retirement contributions: PROVIDED, That payment shall come from the Retirement Systems Fund                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | \$ | 550.72               |
| ((25)) (23) FLORENCE R. STANDING, Payment for relief, plus interest, for death of the husband of Florence Standing in the amount which would have been payable under the Victims of Crimes Act if section 8, chapter 302, Laws of 1977 ex. sess. had been made retroactive to apply to Florence Standing's claim: PROVIDED, That this retroactive payment of relief measured by the Victims of Crimes Act does not preclude the claimant from seeking additional judicial relief.                                                                                                                                                                                                                           | \$ | 10,290.00            |
| ((26)) (24) VIRGIL PRICE, Payment for watch stolen during holdup of state liquor store: PROVIDED, That payment shall come from the Liquor Revolving Fund—State                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$ | 150.00               |
| ((27)) (25) GRACE AND GEORGE BURTON, For relief of the death of their daughter, payment of the amount provided for under the Victims of                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |    |                      |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |    |              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|--------------|
| Crimes Act: PROVIDED, That this retroactive payment of relief does not preclude the claimant from seeking additional judicial relief .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | \$ | 1,182.00     |
| ((20)) (26) UNITED NURSING HOMES, ET AL., Plaintiffs in Thurston County Superior Court cases 55007 and 55613, to be disbursed by the court upon recommendation of the settlement reviewer pursuant to agreed judgment entered on December 28, 1978: PROVIDED, That the department shall seek reimbursement of not less than \$4,100,000 from federal matching funds .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$ | 8,200,000.00 |
| (27) GERALD B. COBURN, Payment for crop damage by game during 1978: PROVIDED, That the chief fiscal officer of the executive branch shall draw up a separate voucher, such voucher to be presigned by Gerald B. Coburn prior to the release of the voucher, which voucher shall state: 'By acceptance of this amount, the undersigned releases the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to payment for crop damage by game during 1978': PROVIDED FURTHER, That payment shall be made from the game fund .....                                                                                                                                                                                                                                                                                                                                                                                                               | \$ | 1,000.00     |
| (28) RUDOLFO GUTIERRIZ, Payment of expenses in State v. Gutierrez, pursuant to RCW 9.01.200 .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | \$ | 1,230.00     |
| (29) FOSTER, PEPPER AND RIVIERA TRUST ACCOUNT, Payment of costs in Seattle School District v. State .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$ | 5,346.71     |
| (30) RUTH HAMMOND, Reimbursement for advance payment of motor vehicle license fee on automobile rendered unusable prior to the effective date of the license .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | \$ | 39.58        |
| (31) DON G. HENDRICKSON, Payment for crop damage by game during 1978: PROVIDED, That payment shall be made from the game fund .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | \$ | 1,739.20     |
| (32) LINDA LOGAN, VERNA SUTTON, and DELORES WOLFF, Payment pursuant to stipulation, agreement, and covenant in United States District Court, Western District of Washington, cause No. C78-424V: PROVIDED, That the chief fiscal officer of the executive branch shall draw up a separate voucher, such voucher presigned by each of the claimants prior to the release of the warrant, which voucher shall state: 'By the acceptance of this amount the undersigned release the State of Washington and all political subdivisions thereof, and their agents, from any further claims in connection with this lawsuit; except that payment not to exceed an additional \$21,000 shall be made in full settlement of attorneys fees and costs in connection with this case,' said payment to be made from the tort claims revolving fund: PROVIDED FURTHER, That the state general fund shall be reimbursed from the state printing plant revolving fund in the amount of \$75,000 by June 30, 1981 ..... | \$ | 75,000.00    |

**NEW SECTION. Sec. 30. FOR THE UNIVERSITY OF WASHINGTON**

To complete the biological sciences facility as set forth in section 189(15), chapter 270, Laws of 1979 ex. sess.

|              |                 |               |
|--------------|-----------------|---------------|
|              | Reappropriation | Appropriation |
| UW Bldg Acct | -0-             | 1,855,000     |

**NEW SECTION. Sec. 31. FOR WASHINGTON STATE UNIVERSITY**

To renovate and equip Fulmer Hall, Phase II.

|               |                 |               |
|---------------|-----------------|---------------|
|               | Reappropriation | Appropriation |
| WSU Bldg Acct | -0-             | 1,691,000     |

**NEW SECTION. Sec. 32. FOR CENTRAL WASHINGTON UNIVERSITY**

For abatement of hazardous asbestos.

|                   |                 |               |
|-------------------|-----------------|---------------|
|                   | Reappropriation | Appropriation |
| CWU Cap Proj Acct | -0-             | 191,000       |

**NEW SECTION. Sec. 33. FOR THE EVERGREEN STATE COLLEGE**

For replacement of roofs on the library and seminar buildings.

|                     |                 |               |
|---------------------|-----------------|---------------|
|                     | Reappropriation | Appropriation |
| St H Ed Constr Acct | -0-             | 416,000       |

**NEW SECTION. Sec. 34. As used in this act, the following phrases have the following meanings:**

- (1) 'WSU Bldg Acct' means Washington State University Building Account;
- (2) 'St H Ed Constr Acct' means State Higher Education Construction Account;
- (3) 'CWU Cap Proj Acct' means Central Washington University Capital Projects Account; and
- (4) 'UW Bldg Acct' means University of Washington Building Account.

**NEW SECTION.** Sec. 35. There is appropriated from the general fund, for the biennium ending June 30, 1981, to the department of commerce and economic development the sum of one hundred eighty-eight thousand three hundred thirty-six dollars, or so much thereof as may be necessary, to provide for the participation by the state of Washington in international expositions, including the Portopia '81 exhibition in Kobe, Japan.

**NEW SECTION.** Sec. 36. Pursuant to RCW 43.31.832, the director of commerce and economic development, with the advice of the state treasurer, shall transfer from the state trade fair fund established by RCW 67.16.100 to the general fund the sum of two hundred thousand dollars.

**NEW SECTION.** Sec. 37. In addition to the amount appropriated by chapter ... (HB 1658), Laws of 1980, there is hereby appropriated to the department of employment security the sum of \$111,000 from the administrative contingency fund and the sum of \$400,000 from the general fund to continue the work orientation program.

**NEW SECTION.** Sec. 38. **FOR THE ARTS COMMISSION—ART WORK ALLOWANCE**

In accordance with RCW 43.17.200, all state agencies or departments shall expend, as a nondeductible item, out of any moneys appropriated for the original construction of any state building, an amount of one-half of one percent of the appropriation for the acquisition of works of art which may be an integral part of the structure, attached to the structure, detached within or outside of the structure, or can be exhibited by the agency in other public facilities. In case the amount shall not be required in toto or in part for any project, such unrequired amounts may be accumulated and expended for art in other projects of the agency. For the purpose of this section, 'building' does not include highway construction sheds, warehouses, or other buildings of a temporary nature.

**NEW SECTION.** Sec. 39. The word 'agency' used herein means and includes every state government office, officer, each institution, whether educational, correctional, or other, and every department, division, board, and commission, except as otherwise provided in this act.

The phrase 'agencies headed by elective officials' used herein means those executive offices or departments of the state which are directly supervised, administered, or controlled by the governor, lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, commissioner of public lands, or insurance commissioner, but it does not include those boards, commissions, or committees on which one or more of the above-mentioned officials serve.

**NEW SECTION.** Sec. 40. The appropriations contained in this act, or so much thereof as may be necessary, are for the salaries, wages, expenses, operations, and other specified purposes of the designated agencies for the biennium ending June 30, 1981. In order to carry out the provisions of these appropriations and the state budget, the director of the office of financial management, with the approval of the governor, may:

(1) Allot all or any portion of the funds herein appropriated or included in the state budget, to the various agencies by such periods as he shall determine and may place any funds not so allotted in reserve available for subsequent allotment: **PROVIDED**, That the director of the office of financial management shall not alter allotment requests filed with him, nor shall he place in reserve any funds, for the following: Any agricultural commodity commission created under chapter 15.66 RCW; the legislative branch of state government including the statute law committee and any legislative committee; or the judicial branch of state government: **PROVIDED FURTHER**, That the aggregate of allotments for any agency shall not exceed the total of applicable appropriations and local funds available to the agency concerned. It shall be unlawful for any officer or employee to incur obligations in excess of approved appropriations or to incur a deficiency and any obligations so made shall be deemed invalid. Nothing in this section or in chapter 328, Laws of 1959, shall prevent revisions of any allotment when necessary to prevent the making of expenditures under appropriations in this act in excess of available revenues;

(2) Issue rules and regulations to establish uniform standards and business practices throughout the state service, including regulation of travel by officers and employees and the conditions under which per diem shall be paid, so as to improve efficiency and conserve funds; and

(3) Prescribe procedures and forms to carry out the above.

**NEW SECTION.** Sec. 41. There is appropriated, or so much thereof as may be necessary, for the biennium ending June 30, 1981, to the office of financial management, to be used for payment of claims submitted for supplies and services furnished in the previous biennia:

General Fund Appropriation ..... \$ 530,000

Sec. 42. Section 90, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF GAME**

|                                                                 |    |                |
|-----------------------------------------------------------------|----|----------------|
| General Fund Appropriation—State .....                          | \$ | ((29,000))     |
|                                                                 |    | 79,000         |
| General Fund—ORV (Off-Road Vehicle) Account Appropriation ..... | \$ | 101,000        |
| Game Fund Appropriation—State .....                             | \$ | 27,151,000     |
| Game Fund Appropriation—Federal .....                           | \$ | 6,483,000      |
| Game Fund Appropriation—Private/Local .....                     | \$ | 686,000        |
| Game Special Wildlife Account Appropriation .....               | \$ | 163,000        |
| Total Appropriation .....                                       | \$ | ((34,613,000)) |
|                                                                 |    | 34,663,000     |

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$42,000 of the state game fund—state appropriation shall be transferred to the Silver Lake flood control district in Cowlitz county to defray legal costs associated with construction and operation of a regulating structure stabilizing the level of water in Silver Lake.

(2) Not more than \$5,180,000 of this appropriation shall be expended in the administration program.

(3) The department shall not sell, lease, or in any other manner relinquish ownership of the Auburn game farm property before June 30, 1981, unless such action transfers the property to the parks and recreation commission.

(4) Not more than \$50,000 of the state general fund appropriation shall be expended to establish, through purchase, lease, or otherwise, a game preserve for the species canis lupus nubilus.

**NEW SECTION.** Sec. 43. In the event that receipts are less than those appropriated in the budget from any source, expenditures shall be limited to the amount received and allotments made as provided in section 40 of this act. Receipts for purposes of this section include amounts realized within one calendar month following the close of a fiscal period and applicable to expenditures of that period. The amount of such payment shall be credited to and shall be treated for all purposes as having been collected during the fiscal period.

**NEW SECTION.** Sec. 44. State funds appropriated for the specific purpose of matching federal funds and which are not required wholly or in part to qualify for such federal funds shall be placed in reserve and shall revert to the fund from which appropriated at the end of the respective fiscal year.

**NEW SECTION.** Sec. 45. Unless otherwise provided for by this act with respect to any specific agency, program, or revenue source, any receipts from federal or other sources, or from gifts or grants, in excess of estimates for the budget expenditures as approved by the legislature and which are not otherwise available for general governmental purposes, may be received and allotted by the governor in accordance with RCW 43.79.260 through 43.79.282.

**NEW SECTION.** Sec. 46. If a scheduled program or project funded by the appropriations contained in this act has not been fully implemented during any quarter of the respective fiscal year, then the office of financial management shall withhold the equivalent amount of the appropriation and full time equivalent staff years from such program or project and shall place the same in reserve.

**NEW SECTION.** Sec. 47. Agencies are authorized to make refunds of erroneous or excessive payments and in the case of other refunds, which may be provided by law, without express appropriation therefor.

**NEW SECTION.** Sec. 48. Amounts received by an agency as reimbursements pursuant to RCW 39.34.130 shall be considered as returned loans of materials supplied or services rendered. Such amounts may be expended as a part of the original appropriation of the fund to which it belongs, without further or additional appropriation, subject to conditions and procedures prescribed by the director of the office of financial management, which shall provide for determination of full costs, disclosure of such reimbursements in the governor's budget, maximum interagency usage of data processing equipment and services, and such restrictions as will promote more economical operations of state government without incurring continuing costs beyond those reimbursed.

**NEW SECTION.** Sec. 49. If any part of this act shall be found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, such conflicting part of this act is hereby declared to be inoperative solely to the extent of such conflict, and such finding or determination shall not affect the operation of the remainder of this act; the rules and regulations under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

**NEW SECTION.** Sec. 50. In addition to the amounts appropriated in this act for revenue for distribution, bond retirement and interest, and interest on registered warrants, there is also appropriated such further amounts as may be required or available for these purposes under any statutory formula or under any proper bond covenant made in accordance with law.

**NEW SECTION.** Sec. 51. Any rate increases proposed for the legal services revolving fund or the general administration facilities and services revolving fund, or any change in the method of calculating changes from those funds, shall be subject to approval by the director of the office of financial management prior to implementation.

**NEW SECTION.** Sec. 52. To effectively carry out the provisions of this act, the governor may assign responsibility for planning, engineering, construction, and other related activities to any appropriate agency.

**NEW SECTION.** Sec. 53. The governor, through the director of the office of financial management, may authorize a transfer of appropriation authority provided for a capital project which is in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient. No such transfer shall be used to expand the capacity of any facility beyond that intended by the legislature in making the appropriation. Such transfers may be effected only between capital appropriations to a specific department, commission, agency, or institution of higher education and only between capital projects which are funded from the same fund or account.

A report of any transfer effected under this section shall be filed with the legislative auditor by the director of the office of financial management within thirty days of the date the transfer is effected. The legislative auditor shall review and compile these filings and periodically report thereon to the legislative budget committee and the appropriate standing committees of the house and senate.

**NEW SECTION.** Sec. 54. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 55. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Ms. Fancher moved adoption of the following amendment to the amendment:

On page 24, line 34 strike section 42 and insert the following:

"Sec. 42. Section 90, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF GAME**

|                                       |              |
|---------------------------------------|--------------|
| General Fund Appropriation .....      | \$ 29,000    |
| General Fund — ORV (Off-Road Vehicle) |              |
| Account appropriation .....           | \$ 101,000   |
| Game Fund Appropriation —             |              |
| State .....                           | \$27,151,000 |
| Game Fund Appropriation —             |              |
| Federal .....                         | \$ 6,483,000 |
| Game Fund Appropriation —             |              |
| Private/Local .....                   | \$ 686,000   |
| Game Special Wildlife Account         |              |
| Appropriation .....                   | \$ 163,000   |
| Total Appropriation .....             | \$34,613,000 |

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$42,000 of the state game fund — state appropriation shall be transferred to the Silver Lake flood control district in Cowlitz county to defray legal costs associated with construction and operation of a regulating structure stabilizing the level of water in Silver Lake.

(2) Not more than \$5,180,000 of this appropriation shall be expended in the administration program.

(3) The department shall not sell, lease, or in any other manner relinquish ownership of the Auburn game farm property before June 30, 1981, unless such action transfers the property to the parks and recreation commission.

Representatives Fancher and Isaacson spoke in favor of the amendment to the amendment, and Representatives Hughes, Heck, Vrooman and Salatino spoke against it.

Ms. Fancher spoke again in favor of the amendment to the amendment, and Mr. Polk also spoke in favor of it.

**POINT OF ORDER**

Mr. Salatino: "I certainly don't think the debate is 'sick.' I think Representative Polk is impugning every member's motives on the House floor and I resent it."

Speaker Berentson: "Representative Polk, continue."

Mr. Polk continued his remarks in favor of the amendment to the amendment.

**POINT OF ORDER**

Mr. King: "The comments now being made are not germane to the amendment before us."

Speaker Berentson: "Representative Polk, be a little careful."

Mr. Polk continued his remarks.

**POINT OF ORDER**

Mr. Salatino: "Representative Polk is making a campaign speech. We're talking about an amendment here and he's campaigning."

Speaker Berentson: "Representative Polk is speaking to budget matters. Representative Polk, I think you're irritating some on the other side of the aisle. Will you try to contain yourself."

Mr. Polk concluded his remarks in favor of the amendment to the amendment.

**ROLL CALL**

The Clerk called the roll on adoption of the amendment by Representative Fancher to the Nelson/Thompson amendment to Substitute Senate Bill No. 3191, and the amendment was not adopted by the following vote: Yeas, 47; nays, 51; not voting, 0.

Voting yea: Representatives Addison, Amen, Austin, Barnes, Barr, Berentson, Bond, Chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Granlund, Greengo, Hastings, Houchen, Isaacson, McGinnis, Mitchell, Nelson G. A., Newhouse, Nisbet, Oliver, Patterson, Polk, Rosbach, Sanders, Schmitt, Smith C. P., Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.



Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Salatino, Scott, Sherman, Smith R., Sommers, Sprague, Stratton, Taller, Thompson, Valle, Vrooman, Walk, Warnke.

The Clerk read the following amendment by Representative Fuller to the Nelson/Thompson amendment:

On page 7, line 15 strike section 15 and renumber the remaining sections consecutively.

With the consent of the House, Mr. Fuller withdrew the amendment.

Mr. Tilly moved adoption of the following amendment to the Nelson/Thompson amendment:

On page 25, line 29 after "nubilus" insert "PROVIDED, That if any wolf or wolves are found outside the boundaries of the preserve, any person who destroys such wolf or wolves for good cause shall not be held criminally liable"

Mr. Tilly spoke in favor of the amendment.

With the consent of the House, Mr. Tilly withdrew the amendment.

Speaker Berentson stated the question before the House to be the amendment by Representatives Nelson (G) and Thompson.

Representatives Nelson (G) and Thompson spoke in favor of the amendment, and it was adopted.

On motion of Mr. Nelson (G), the following amendment to the title was adopted:

On page 1, line 1 of the title, after "government;" strike the remainder of the title and insert "making appropriations for the fiscal biennium beginning July 1, 1979, and ending June 30, 1981; authorizing expenditures for salaries, wages, expenses, and other specified purposes of state agencies; amending section 2, chapter 158, Laws of 1979 ex. sess. (uncodified); amending section 85, chapter 270, Laws of 1979 ex. sess. (uncodified); amending section 90, chapter 270, Laws of 1979 ex. sess. (uncodified); amending section 173, chapter 270, Laws of 1979 ex. sess. (uncodified); making other appropriations; and declaring an emergency."

On motion of Mr. Dunlap, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3191 as amended by the House, and the bill passed the House by the following vote: Yeas, 81; nays, 16; not voting, 1.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Deccio, Dunlap, Eberle, Ehlers, Eng, Erak, Erickson, Flanagan, Flint, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Houchen, Hughes, Isaacson, Jovanovich, King, Knowles, Kreidler, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Winsley, Zimmerman.

Voting nay: Representatives Bond, Clayton, Craswell, Dawson, Fancher, Fuller, Hastings, Keller, May, McGinnis, Newhouse, Nisbet, Teutsch, Tilly, Williams, Wilson.

Not voting: Representative Ellis.

Substitute Senate Bill No. 3191 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Nelson (G), Substitute Senate Bill No. 3191 as amended by the House was ordered immediately transmitted to the Senate.

#### SIGNED BY THE SPEAKERS

Speaker Berentson announced the Speakers were signing:

SUBSTITUTE HOUSE BILL NO. 1397,  
HOUSE BILL NO. 1427,  
SUBSTITUTE HOUSE BILL NO. 1533,  
SUBSTITUTE HOUSE BILL NO. 1688.

## MESSAGES FROM THE SENATE

March 13, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to **SUBSTITUTE SENATE BILL NO. 2751**, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 13, 1980

Mr. Speaker:

The Senate has concurred in the House amendment to **ENGROSSED SENATE BILL NO. 3371**, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 13, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to **SUBSTITUTE SENATE BILL NO. 3537**, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 13, 1980

Mr. Speaker:

The Senate insists on its position, refuses to concur in the House amendments, and once again asks the House to recede therefrom on **SUBSTITUTE SENATE BILL NO. 3509**, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Ms. Sommers, the House insisted on its position with regard to **Substitute Senate Bill No. 3509**, and again asked the Senate to concur therewith.

Speaker Berentson declared the House to be at ease.

Speaker Berentson called the House to order.

## SENATE AMENDMENTS TO HOUSE BILL

March 13, 1980

Mr. Speaker:

The Senate has passed **ENGROSSED SUBSTITUTE HOUSE BILL NO. 1147** with the following amendments:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION.** Section 1. This chapter shall be known and may be cited as the State-wide Special Inquiry Judge Act.

**NEW SECTION.** Sec. 2. It is the intent of the legislature in enacting this chapter to strengthen and enhance the ability of the state to detect and eliminate organized criminal activity.

**NEW SECTION.** Sec. 3. (1) The organized crime advisory board shall have the authority, by a three-fourths vote at a regularly constituted meeting, to petition the Washington state supreme court for an order appointing a special inquiry judge as prescribed by this section. Such vote may be on its own motion or pursuant to a request from the prosecuting attorney of any county. In the event of such request from a prosecuting attorney the board shall vote on the question promptly. A petition filed under this section shall state the general crimes or wrongs to be inquired into and shall state the reasons why said crimes or wrongs are such that a state-wide special inquiry judge should be authorized to investigate. The supreme court may order the appointment of a state-wide special inquiry judge, in accordance with the petition, for a term of six calendar months. Upon petition by the special prosecutor, and with the approval of the majority of the members of the organized crime advisory board, the supreme court, by order, may extend the term of the state-wide special inquiry judge for three months. The term of the state-wide special inquiry judge may subsequently be extended in the same manner for additional three-month periods.

(2) If the petition is granted, the supreme court shall designate a judge of a superior court to act as a special inquiry judge. The supreme court shall ensure that sufficient visiting judges are made available to the superior court from which the appointment is made in order to compensate for any loss of judicial time.

(3) All of the information and data collected and processed by the organized crime advisory board and the petition filed with the supreme court shall be confidential and not subject to examination or publication pursuant to chapter 42.17 RCW (Initiative Measure No. 276), as now existing or hereafter amended, except as provided by rules of the supreme court of Washington in the case of the petition.

**NEW SECTION.** Sec. 4. The scope of the investigation and of the special inquiry judge proceeding shall be limited to the general crimes and wrongs specified in the petition filed under section 3 of this act. The special prosecutor or special inquiry judge, however, may request authority to investigate other crimes

by submitting a list of such crimes to the organized crime advisory board which may grant authorization to proceed by a three-fourths vote of the membership.

**NEW SECTION.** Sec. 5. A state-wide special inquiry judge shall have the following powers and duties:

- (1) To hear and receive evidence of crime and corruption.
- (2) To appoint a reporter to record the proceedings; and to swear the reporter not to disclose any testimony or the name of any witness except as provided in RCW 10.27.090.
- (3) Whenever necessary, to appoint an interpreter, and to swear him not to disclose any testimony or the name of any witness except as provided in RCW 10.27.090.
- (4) When a person held in official custody is a witness before a state-wide special inquiry judge, a public servant, assigned to guard him during his appearance may accompany him. The state-wide special inquiry judge shall swear such public servant not to disclose any testimony or the name of any witness except as provided in RCW 10.27.090.

(5) To cause to be called as a witness any person believed by him to possess relevant information or knowledge. If the state-wide special inquiry judge desires to hear any such witness who was not called by the special prosecutor, it may direct the special prosecutor to issue and serve a subpoena upon such witness and the special prosecutor must comply with such direction. At any time after service of such subpoena and before the return date thereof, however, the special prosecutor may apply to the state-wide special inquiry judge for an order vacating or modifying the subpoena on the grounds that such is in the public interest. Upon such application, the state-wide special inquiry judge may in its discretion vacate the subpoena, extend its return date, attach reasonable conditions to directions, or make such other qualification thereof as is appropriate.

(6) Upon a showing of good cause may make available any or all evidence obtained to any other public attorney, prosecuting attorney, city attorney, or corporation counsel upon proper application and with the concurrence of the special prosecutor. Any witness' testimony, given before a state-wide special inquiry judge and relevant to any subsequent proceeding against the witness, shall be made available to the witness upon proper application to the state-wide special inquiry judge. The state-wide special inquiry judge may also, upon proper application and upon a showing of good cause, make available to a defendant in a subsequent criminal proceeding other testimony or evidence when given or presented before a special inquiry judge, if doing so is in the furtherance of justice.

(7) Have authority to perform such other duties as may be required to effectively implement this chapter, in accord with rules adopted by the supreme court relating to these proceedings.

(8) Have authority to hold in contempt of court any person who shall disclose the name or testimony of a witness examined before a state-wide special inquiry judge except when required by a court to disclose the testimony given before such state-wide special inquiry judge in a subsequent criminal proceeding.

**NEW SECTION.** Sec. 6. Any witness who shall disclose the fact that he or she has been called as a witness before a state-wide special inquiry judge or who shall disclose the nature of the testimony given shall be guilty of a misdemeanor.

**NEW SECTION.** Sec. 7. The supreme court shall develop and adopt rules to govern the procedures of a state-wide special inquiry judge proceeding including rules assuring the confidentiality of all proceedings, testimony, and the identity of persons called as witnesses. The adoption of such rules shall be subject to the approval of such rules by the senate and house judiciary committees.

**NEW SECTION.** Sec. 8. If the supreme court appoints a state-wide special inquiry judge under section 3 of this act, the organized crime advisory board shall submit to the governor the name of an individual who, with the consent of the governor, shall serve as special prosecutor for the state-wide special inquiry judge proceeding. Any individual whose name is submitted under this section to the governor shall be licensed to practice law in the state of Washington and shall have at least five years' professional experience as one or more of the following: (1) Prosecuting attorney; (2) deputy prosecuting attorney; (3) United States attorney; or (4) assistant United States attorney. No such person shall have resided during the five years immediately preceding the appointment in a county in which the state-wide special inquiry judge will likely be required to investigate crimes. A special prosecutor appointed under this section shall be removed only upon a majority recommendation of the organized crime advisory board and the consent of the governor.

**NEW SECTION.** Sec. 9. Within ten days of his or her appointment, a special prosecutor selected under this chapter shall submit to the organized crime advisory board an operating budget to fund the activities of his or her office. The budget may include, but shall not be limited to, funds for the hiring of assistant special prosecutors, investigators, and clerical staff. Upon the approval of the budget by a majority of the members of the board, the costs and expenses of the prosecutor's operating budget shall be paid for by the state out of the organized crime prosecution revolving fund. Further operating budgets shall be proposed, approved, and funded pursuant to this section if the term of a state-wide special inquiry judge is extended pursuant to section 3 of this act.

Vouchers and other budget and accounting records of a special inquiry judge proceeding including such records of the special prosecutor shall be subject to audit by the state auditor but shall not be public records within the meaning of chapter 42.17 RCW.

**NEW SECTION.** Sec. 10. Whenever a state-wide special inquiry judge or special prosecutor appointed under this chapter dies or in any other way is rendered incapable of continuing the duties of his or her office, a successor shall be appointed to serve for the remainder of the judge's or prosecutor's term in the manner provided for by sections 3 and 8 of this act for the appointment of state-wide special inquiry judges and special prosecutors.

**NEW SECTION.** Sec. 11. The special prosecutor or his designee shall:

- (1) Attend all proceedings of the state-wide special inquiry judge;
- (2) Have the authority to issue subpoenas for witnesses state-wide;
- (3) Examine witnesses, present evidence, draft reports as directed by the state-wide special inquiry judge, and draft and file informations under section 12 of this act.

**NEW SECTION.** Sec. 12. (1) The special prosecutor shall advise the county prosecuting attorney in any affected county of the nature of the state-wide special inquiry judge investigation and of any informations arising from such proceedings unless such disclosures will create a substantial likelihood of a conflict of interest for the county prosecuting attorney.

(2) The special prosecutor may file and prosecute an information in the county where proper venue lies, after having advised the county prosecuting attorney as provided in this section and determined that such prosecuting attorney does not intend to do so, or pursuant to an agreement between them that the special prosecutor shall do so.

(3) Informations filed and prosecuted pursuant to this chapter shall meet the requirements of chapter 10.37 RCW.

(4) The expenses of prosecutions initiated and maintained by the special prosecutor shall be paid as part of the state-wide special inquiry judge program as provided in section 9 of this act.

**NEW SECTION.** Sec. 13. The judge serving as a special inquiry judge shall be disqualified from acting as a magistrate or judge in any subsequent court proceeding arising from such inquiry except alleged contempt for neglect or refusal to appear, testify, or provide evidence at such inquiry in response to an order, summons, or subpoena.

Sec. 14. Section 5, chapter 202, Laws of 1973 1st ex. sess. as amended by section 115, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.43.858 are each amended to read as follows:

There is hereby created the organized crime ((intelligence)) advisory board ((of the legislature)) of the state of Washington. The board shall consist of ((eight)) thirteen voting and two nonvoting members.

The lieutenant governor shall appoint four members of the senate judiciary committee to the board((: Two members shall be from the senate ways and means committee. Two members shall be from the senate judiciary committee. The appointments shall include one member of each major political party represented on each committee)), no more than two of whom shall be from the same political party.

The governor shall appoint five members to the board. Two members shall be county prosecuting attorneys and shall be appointed from a list of four county prosecutors agreed upon and submitted to the governor by the elected county prosecutors. One member shall be a municipal police chief, and one member shall be a county sheriff, both of whom shall be appointed from a list of three police chiefs and three sheriffs agreed upon and submitted to the governor by the association of sheriffs and police chiefs (RCW 36.28A-.010). One member shall be a retired judge of a court of record.

The United States attorneys for the western and eastern districts of Washington shall be requested to serve on the board as nonvoting members and shall not be eligible to serve as chairperson.

The speaker of the house shall appoint four members of the house judiciary committee to the board((: Two members shall be from the house ways and means committee. Two members shall be from the house judiciary committee. The appointments shall include one member of each major political party represented on each committee)), no more than two of whom shall be from the same political party.

The members of the board shall be qualified on the basis of knowledge and experience in matters relating to crime prevention and security or with such other abilities as may be expected to contribute to the effective performance of the board's duties. The members of the board shall meet with the chief of the Washington state patrol at least ((twice)) four times a year to perform the duties enumerated in RCW 43.43.862 and to discuss any other matters related to organized crime. Additional meetings of the board may be convened at the call of the chairperson or by a majority of the members. The board shall elect its own chairperson from among its members. Legislative members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 44.04.120 as now existing or hereafter amended, and the other members in accordance with RCW 43.03.050 and 43.03.060, as now existing or hereafter amended.

Sec. 15. Section 6, chapter 202, Laws of 1973 1st ex. sess. and RCW 43.43.860 are each amended to read as follows:

The term of each legislative member shall be two years and shall be conditioned upon such member retaining membership on the committee on which he was serving at the time of appointment and retaining membership in the same political party of which he was a member at the time of appointment.

The term of each nonlegislative member shall be two years and shall be conditioned upon such member retaining the official position from which he was appointed.

**NEW SECTION.** Sec. 16. There is added to chapter 43.43 RCW a new section to read as follows:

There shall be a fund known as the organized crime prosecution revolving fund which shall consist of such moneys as may be appropriated by law. The state treasurer shall be custodian of the revolving fund. Disbursements from the revolving fund shall be subject to budget approval given by the organized crime advisory board pursuant to section 9 of this act, and may be made either on authorization of the governor or the governor's designee, or upon request of a majority of the members of the organized crime advisory board. In order to maintain an effective expenditure and revenue control, the organized crime prosecution revolving fund shall be subject in all respects to chapter 43.88 RCW but no appropriation shall be required to permit expenditures and payment of obligations from the fund.

**NEW SECTION.** Sec. 17. Sections 1 through 13 of this act shall constitute a new chapter in Title 10 RCW.

**NEW SECTION.** Sec. 18. There is appropriated for the 1979-81 biennium to the organized crime prosecution revolving fund from the general fund, the sum of two hundred fifty thousand dollars to carry out the purposes of this 1980 act.

**NEW SECTION.** Sec. 19. If any provision of this 1980 act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "crimes;" strike the remainder of the title and insert "amending section 5, chapter 202, Laws of 1973 1st ex. sess. as amended by section 115, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.43.858; amending section 6, chapter 202, Laws of 1973 1st ex. sess. and RCW 43.43.860; adding a new chapter to Title 10 RCW; adding a new section to chapter 43.43 RCW; prescribing penalties; and making an appropriation." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Newhouse, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1147.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1147 as amended by the Senate.

Mr. Walk spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1147 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Engrossed Substitute House Bill No. 1147 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

March 13, 1980

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1427,  
SUBSTITUTE HOUSE BILL NO. 1533,  
SUBSTITUTE SENATE BILL NO. 3207,  
SENATE BILL NO. 3371,  
SUBSTITUTE SENATE BILL NO. 3457,  
SUBSTITUTE SENATE BILL NO. 3551,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Polk, the House reverted to the fourth order of business.

#### INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3636, by Committee on Ways and Means (originally sponsored by Senator Fleming):

Modifying resident care standards for nursing homes.

## MOTION

On motion of Mr. Polk, the rules were suspended, and Engrossed Substitute Senate Bill No. 3636 was advanced to second reading and read the second time in full.

Mr. Sanders moved adoption of the following amendment by Representatives Sanders, Erickson, Mitchell and Valle:

On page 5, line 23 after "physician" insert "PROVIDED, That a resident of a facility licensed pursuant to chapter 18.51 RCW but not certified by the federal government under Title XVIII or Title XIX of the Social Security Act as now or hereafter amended shall not be required to receive the continuing supervision of a health care practitioner licensed pursuant to chapter 18.22, 18.25, 18.32, 18.57, 18.71, and 18.83 RCW, nor shall the state of Washington require such continuing supervision as a condition of licensing"

Representatives Sanders and Erickson spoke in favor of the amendment, and it was adopted.

On motion of Mr. Whiteside, the following amendment by Representatives Whiteside and Adams was adopted:

On page 10, after line 34 insert the following:

"NEW SECTION. Sec. 20. If any part of this act shall be found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, such conflicting part of this act is hereby declared to be inoperative solely to the extent of such conflict, and such finding or determination shall not affect the operation of the remainder of this act; the rules and regulations under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state."

Renumber the remaining sections consecutively, and correct internal references accordingly.

Mr. Thompson moved adoption of the following amendment:

On page 1, after line 30 insert a new section to read as follows:

"Sec. 1. Section 4, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.580 are each amended to read as follows:

The nursing home payment system under this chapter shall provide for individually-based or class-based rates which shall be the maximum reimbursement for each nursing home for the period for which the rates are assigned. Operators of nursing homes shall refund all portions of payments received which exceed actual audited costs, except in the cost centers of administration and operations and property, and all portions of payments received which are attributable to unreasonable or nonallowable costs as determined by federal or state regulations."

Renumber the remaining sections consecutively.

Mr. Thompson spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. McDonald.

Mr. McDonald: "Representative Thompson, the way I understand this from your discussion, this would only be during the 1981-82 period before Senate Bill No. 3250 took effect. Is that correct?"

Mr. Thompson: "That is so."

## POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Williams.

Mr. Williams: "Representative Thompson, if we conduct an audit of nursing homes and find that there have been some overpayments, could we reimburse them with this amendment?"

Mr. Thompson: "As a result of this amendment there would be no such thing as overpayment to these noncare areas. The money has already been appropriated and allocated to nursing homes based on a live-in formula to these cost centers. The nursing homes having received the allocation can now attempt to operate in a manner that would create savings to themselves in these noncare areas, so there would be no such thing as overpayment."

Mr. Williams spoke against the amendment.

The amendment was adopted.

On motion of Mr. Deccio, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Thompson spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3636 as amended by the House, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Engrossed Substitute Senate Bill No. 3636 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGES FROM THE SENATE

March 13, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2751,  
SUBSTITUTE SENATE BILL NO. 3228,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 13, 1980

Mr. Speaker:

The Senate has concurred in all the House amendments to SUBSTITUTE SENATE BILL NO. 3603, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 13, 1980

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 1410,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SENATE AMENDMENT TO HOUSE BILL

March 13, 1980

Mr. Speaker:

The Senate has adopted HOUSE CONCURRENT RESOLUTION NO. 35 with the following amendment:

On page 1, line 16 after "session" insert ", the duration of the session which shall not exceed 30 days," and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Newhouse, the House concurred in the Senate amendment to House Concurrent Resolution No. 35.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of House Concurrent Resolution No. 35 as amended by the Senate.

## POINT OF INQUIRY

Mr. Newhouse yielded to question by Ms. Teutsch.

Ms. Teutsch: "I understand this bill would deal with the calling of special sessions. Would the subject for calling a special session be limited to a certain measure that is very much needed in this state?"

Mr. Newhouse: "The Legislature would have authority to limit the session, and, it is my understanding, for that to be extended takes a two-thirds vote."

Ms. Teutsch: "And if this subject is not listed in this measure?"

Mr. Newhouse: "Any call for a special session would have to be written sometime in the future when the issues develop."

House Concurrent Resolution No. 35 as amended by the Senate was adopted.

Speaker Berentson called on Mr. Polk to preside.

#### MESSAGE FROM THE SENATE

March 13, 1980

Mr. Speaker:

The Senate concurred in the amendment to SUBSTITUTE SENATE BILL NO. 3509 on page 1, line 8 and page 1, line 4, by Representative Brown, and refuses to concur in the amendments by the Revenue Committee to page 1, after the enacting clause, and page 1, line 1, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Ms. Sommers moved that the House do recede from the amendments to Substitute Senate Bill No. 3509.

Representatives Sommers, Craswell and Brown spoke in favor of the motion.

#### POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Sommers, in view of the fact that most people are paying 12, 14, 16 percent for anything these days, could you tell us why the Senate feels that we should only charge people 8% instead of the 12% the House proposed?"

Ms. Sommers: "Representative Sanders, I wish I could read the Senate a little better or direct their attention, but sometimes we just can't succeed in that. I guess we'll have to come back and try next year."

#### POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Lux.

Mr. Lux: "Representative Sommers, what is the estimate of the amount of money, the difference between eight and twelve percent?"

Ms. Sommers: "It's estimated that it would make a difference of \$5.5 million for the state and about \$17 million for local governments, so it is an important amendment, and I'm very sorry we are not able to convince the Senate to agree with it."

The motion was carried.

#### FINAL PASSAGE OF SENATE BILL WITHOUT CERTAIN HOUSE AMENDMENTS

The Speaker (Mr. Polk presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 3509 without certain House amendments.

Representatives Addison and Brown spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3509 without certain House amendments, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.



Substitute Senate Bill No. 3509 without certain House amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SIGNED BY THE SPEAKERS

The Speaker (Mr. Polk presiding) announced the Speakers were signing:

SUBSTITUTE HOUSE BILL NO. 1147,  
HOUSE BILL NO. 1410,  
SUBSTITUTE HOUSE BILL NO. 1763,  
SUBSTITUTE SENATE BILL NO. 2751,  
SUBSTITUTE SENATE BILL NO. 3207,  
SUBSTITUTE SENATE BILL NO. 3228,  
SUBSTITUTE SENATE BILL NO. 3457,  
SUBSTITUTE SENATE BILL NO. 3551.

#### MESSAGES FROM THE SENATE

March 13, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3537,  
SUBSTITUTE SENATE BILL NO. 3603,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 13, 1980

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 121,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

March 13, 1980

Mr. Speaker:

The Senate refuses to recede from its amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1570, and once again asks the House to concur therein, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Ms. Winsley moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 1570.

Mr. Lux spoke in favor of the motion, and Representatives Winsley, Deccio, Schmitt and Knowles spoke against it.

Mr. Isaacson demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 1570, and the motion was lost by the following vote: Yeas, 26; nays, 70; not voting, 2.

Voting yea: Representatives Adams, Bagnariol, Becker, Bender, Charnley, Dunlap, Eberle, Ehlers, Ellis, Erickson, Grimm, Gruger, Keller, King, Lux, Martinis, Nelson G. A., North, Polk, Sanders, Sherman, Smith R., Valle, Vrooman, Walk, Warnke.

Voting nay: Representatives Addison, Amen, Austin, Barnes, Barr, Bauer, Bond, Brekke, Brown, Burns, Chandler, Clayton, Craswell, Dawson, Deccio, Eng, Erak, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Knowles, Kreidler, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Newhouse, Nisbet, O'Brien, Oliver, Owen, Patterson, Pruitt, Rinchart, Rosbach, Salatino, Schmitt, Scott, Smith C. P., Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Not voting: Representatives Berentson, Thompson.

Speaker Berentson resumed the Chair.

## MOTION

Mr. Newhouse moved that the House advance to the seventh order of business.

Mr. Newhouse spoke in favor of the motion.

## POINT OF ORDER

Ms. Rinehart: "He is not addressing the motion."

Speaker Berentson: "Representative Newhouse, will you confine your remarks to the motion."

Mr. Wilson demanded a Call of the House, and the demand was not sustained.

Mr. Newhouse continued his remarks in favor of the motion.

## POINT OF ORDER

Mr. Owen: "Representative Newhouse is speaking to a terrible bill and not to the motion to advance to the seventh order of business."

Speaker Berentson: "Representative Newhouse, will you try to confine your remarks to the motion."

Mr. Newhouse demanded an electric roll call vote on the motion, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion that the House advance to the seventh order of business, and the motion was lost by the following vote: Yeas, 47; nays, 51; not voting, 0.

Voting yea: Representatives Addison, Amen, Austin, Barnes, Barr, Berentson, Bond, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ellis, Fancher, Flanagan, Flint, Fuller, Greengo, Hastings, Hughes, Isaacson, Knowles, May, McCormick, McDonald, McGinnis, Mitchell, Nelson, G.A., Newhouse, Oliver, Patterson, Polk, Sanders, Schmitten, Smith, C.P., Sprague, Stratton, Struthers, Taller, Taylor, Tilly, Tupper, Van Dyken, Whiteside, Williams, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Becker, Bender, Brekke, Brown, Burns, Chandler, Charnley, Ehlers, Eng, Erak, Erickson, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Houchen, Jovanovich, Keller, King, Kreidler, Lux, Martinis, Maxie, Monohon, Nelson, D., Nisbet, North, O'Brien, Owen, Pruitt, Rinehart, Rosbach, Salatino, Scott, Sherman, Smith, R., Sommers, Teutsch, Thompson, Valle, Vrooman, Walk, Warnke, Wilson, Winsley.

## INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 121, by Senators Woody and Gaspard:

Permitting consideration of Substitute House Bill No. 1090.

## MOTIONS

On motion of Mr. Polk, the rules were suspended, and Senate Concurrent Resolution No. 121 was advanced to second reading and read the second time in full.

On motion of Mr. Polk, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Mr. Polk spoke in favor of the resolution, and it was adopted.

## SENATE AMENDMENTS TO HOUSE BILL

March 13, 1980

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1090 with the following amendments:

Strike everything after the enacting clause down through line 28 on page 5 and insert a section as follows:

"Section 1. Section 36.67.040, chapter 4, Laws of 1963 as last amended by section 5, chapter 142, Laws of 1969 and RCW 36.67.040 are each amended to read as follows:

The bonds shall bear the date of issue, shall be made payable to the bearer and bear interest at a rate of not exceeding ((eight)) twelve percent per year, payable semiannually, with coupons attached for each interest payment. Except as otherwise provided in RCW 39.44.100, the bonds and each coupon shall be signed by the chairman of the board of county commissioners, or in counties having an elected executive, the elected executive officer, and shall be attested by the clerk of the board, and the seal of such board shall be affixed to each bond, but not to the coupon. Each bond shall be printed, engraved, or lithographed on good bond paper."

In the title, page 1, line 1 after "government;" strike everything down through ".330;" on line 10 and insert "amending section 36.67.040, chapter 4, Laws of 1963 as last amended by section 5, chapter 142, Laws of 1969 and RCW 36.67.040;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Zimmerman, the House concurred in the Senate amendments to Substitute House Bill No. 1090.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be the final passage of Substitute House Bill No. 1090 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1090 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 80; nays, 17; not voting, 1.

Voting yea: Representatives Adams, Addison, Bagnariol, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Craswell, Dawson, Deccio, Dunlap, Ehlers, Ellis, Eng, Erak, Erickson, Flint, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith R., Sommers, Sprague, Stratton, Struthers, Taller, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Winsley, Zimmerman.

Voting nay: Representatives Amen, Barnes, Barr, Bond, Clayton, Eberle, Fancher, Flanagan, Fuller, Hastings, McGinnis, Newhouse, Oliver, Smith C. P., Taylor, Tilly, Wilson.

Not voting: Representative Austin.

Substitute House Bill No. 1090 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SIGNED BY THE SPEAKERS

Speaker Berentson announced the Speakers were signing:

HOUSE BILL NO. 1545,  
HOUSE CONCURRENT RESOLUTION NO. 35,  
SUBSTITUTE SENATE BILL NO. 3537,  
SUBSTITUTE SENATE BILL NO. 3603.

#### MOTION

On motion of Mr. Polk, the House advanced to the eighth order of business.

#### RESOLUTION

HOUSE RESOLUTION NO. 80-204, by Representatives May and Fuller:

WHEREAS, There exists a need for a permanent and continuing body of rules governing legislative ethics as an entity separate and distinct from the Joint Rules of the Legislature;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That a separate body of Permanent House Ethics Rules be adopted by the House of Representatives to read as follows:

#### PERMANENT HOUSE ETHICS RULES

##### HOUSE ETHICS RULE NO.

- Rule 1 Conflict of interest.
- Rule 2 Financial statement.
- Rule 3 Employee restrictions.
- Rule 4 Committee procedures.
- Rule 5 Legislative polling.

## CONFLICT OF INTEREST

NEW RULE. ETHICS RULE 1. A legislator has a personal interest which is in conflict with the proper discharge of his duties if he has reason to believe or expect that he will derive a direct monetary gain or suffer a direct monetary loss by reason of his official activity.

However, a legislator does not have a personal interest which is in conflict with the proper discharge of his duties if no benefit or detriment accrues to him as a member of a business, profession, occupation, or group, to a greater extent than to any other member of such business, profession, occupation, or group.

## CODE OF ETHICS

In order to maintain legislative integrity and secure the public interest the following Code of Ethics is adopted for members of the house of representatives:

(a) Actions which destroy his independence of judgment as a legislator:

(1) A legislator shall not vote on or influence legislation in committee or on the floor of either house, where he has a personal interest which is in conflict with the proper discharge of his duties.

(2) A legislator shall not accept any gratuity or compensation for his services rendered in connection with his legislative employment other than his legislative salary.

(3) A legislator shall not ask, receive, or agree to receive anything of value upon any understanding that his vote, opinion, judgment, or action will be influenced thereby.

(4) A legislator shall not solicit, receive, or accept a gift, favor or service under circumstances where it could be reasonably inferred that such action would influence the legislator in the discharge of his duties, or was a reward.

(5) A legislator shall not accept any remuneration other than his legislative compensation for his legislative advice or assistance.

(6) A legislator shall not appear before any department of state government for compensation that is contingent upon action by that department of state government unless the fee is set or approved by that department.

(b) Actions which involve undue influence upon any state agency, court, or governmental subdivision:

(1) A legislator shall not represent clients for compensation in proceedings or hearings before state agencies, boards, or commissions involving claims of state employees.

(2) A legislator, by himself or through others, shall not use or attempt to use improper means to influence a state agency, board, or commission.

(3) A legislator may use his official title or stationery in connection with a matter or proceeding before a state agency, board, or commission, only if done without compensation, in connection with his duties as a legislator.

(4) A legislator shall not represent any claimant for compensation in any claim placed before the legislature.

(5) A legislator shall not receive compensation for an appearance before a state agency as an expert witness.

(c) Actions which constitute an abuse of his official position or a violation of his trust:

(1) A legislator shall not accept employment, or engage in any business, or be involved in any activity which he might reasonably expect would require him to disclose privileged information gained by virtue of his office.

(2) A legislator shall not enter into any contract with a state agency involving services or property, unless the contract is made after public notice and competitive bidding; except in cases where public notice and competitive bidding are not required, the contract or agreement shall be filed with the Board of Ethics.

## FINANCIAL STATEMENT

NEW RULE. ETHICS RULE 2. Legislators shall file a financial affairs report in accordance with RCW 42.17.240.

## EMPLOYEE RESTRICTIONS

NEW RULE. ETHICS RULE 3. Section 1. A legislative employee may not accept any gratuity or compensation for his services rendered in connection with his legislative employment other than his legislative salary. A legislative employee may not accept any employment, in addition to his legislative employment, which would impair his independence of

judgment. Except within the scope of his employment, a legislative employee may not provide any service to a lobbyist or any other person.

Section 2. A legislative employee may not use or attempt to use his official position to (1) obtain any privilege, exemption, special treatment, or any other thing of value for himself, or (2) obtain any such benefit for others except as required to perform duties within the scope of his employment.

Section 3. A legislative employee may not accept or solicit anything of value for himself or for others under circumstances in which it can be reasonably inferred that the legislative employee's independence of judgment is impaired or is intended as a reward for any official action on his part.

Section 4. A legislative employee may not disclose confidential information acquired by reason of his official position to any person or group not entitled to receive such information, nor may he use such information for the personal gain or benefit of himself or others.

Section 5. A legislative employee may not enter into any contract with a state agency involving services or property, unless the contract is made after public notice and competitive bidding; except in cases where public notice and competitive bidding are not required, the contract or agreement shall be filed with the appropriate board of ethics.

Section 6. A legislative employee may not solicit or accept contributions for any candidate or political committee during working hours. At no time may a legislative employee directly or indirectly coerce another employee into making a contribution to a candidate or a political committee.

#### COMMITTEE PROCEDURES

NEW RULE. ETHICS RULE 4. Any person whose reputation may be unfairly injured by testimony at a committee hearing shall be given a reasonable opportunity to rebut that testimony. Each committee chairperson shall conduct hearings so as to afford reasonable protection of that right. In addition, a person who believes his reputation may have been unfairly injured by such testimony shall be entitled, upon his timely request, to (1) an accurate record of the pertinent testimony; (2) an opportunity to voluntarily appear before the committee and testify on his own behalf; and (3) an opportunity to file a sworn written statement of facts or other documents for incorporation into the hearing record.

#### LEGISLATIVE POLLING

NEW RULE. ETHICS RULE 5. The use of public funds by a legislator or legislative employee for legislative polling, including mailed questionnaires, is authorized only when the following criteria are met:

- (1) Polling must be authorized by a legislator, and confined to soliciting opinions or facts relative to legislative issues or studies;
- (2) The identity of the legislator, legislative committee, or party caucus conducting the poll must be disclosed to the person being polled;
- (3) In any year in which a legislator is a candidate for public office, no poll may be conducted by or on behalf of such legislator during the period between June 1st or the date the legislator becomes a candidate pursuant to RCW 42.17.020(5), whichever is sooner, and the general election day of that year; and
- (4) The polling complies with all other pertinent laws and rules.

On motion of Mr. Fuller, the resolution was adopted.

There being no objection, the House reverted to the fourth order of business.

#### MESSAGE FROM THE SENATE

March 13, 1980

Mr. Speaker:

The Senate has adopted:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 120,  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### INTRODUCTION AND FIRST READING

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 120, by Senators Odegaard and Walgren:

Insuring proper accounting and cost control procedures for office space used by the legislature.

#### MOTIONS

On motion of Mr. Polk, the rules were suspended, and Engrossed Senate Concurrent Resolution No. 120 was advanced to second reading and read the second time in full.

On motion of Mr. Polk, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Mr. Polk spoke in favor of the resolution, and it was adopted.

#### MESSAGES FROM THE SENATE

March 13, 1980

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3509,  
Sidney R. Snyder, Secretary.

March 13, 1980

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 1433,  
HOUSE BILL NO. 1545,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 13, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1397,  
SUBSTITUTE HOUSE BILL NO. 1688,  
SUBSTITUTE SENATE BILL NO. 3509,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

#### SENATE AMENDMENTS TO HOUSE BILL

March 13, 1980

Mr. Speaker:

The Senate has passed REENGROSSED HOUSE CONCURRENT RESOLUTION NO. 3 with the following amendments:

On page 9, line 27 after "RULE 28." strike all material down to and including "Constitution." on line 31 and insert "The sessions of the legislature shall be held (~~biennially~~) annually, convening at 12 o'clock noon on the second Monday of January each (~~odd~~) year, as provided by (~~chapter XX of the Laws of 1891~~ (~~44.04.010, RCW~~)) RCW 44.04.010 in accordance with Art. 2, section 12 of the state Constitution."

On page 10, line 49 after "(3)" strike all material down to and including "year;" on line 53 and insert "In any year in which a legislator is a candidate for public office, no poll may be conducted by or on behalf of such legislator during the period between June 1st and the general election day of that year: PROVIDED, That such polling is not prohibited during any special legislative session or during the thirty days preceding such session. A legislative committee may authorize or conduct a poll at any time if the poll conforms to subsections (1), (2) and (4) of this rule;"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Polk, the House concurred in the Senate amendments to Reengrossed House Concurrent Resolution No. 3.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

Speaker Berentson stated the question before the House to be adoption of Reengrossed House Concurrent Resolution No. 3 as amended by the Senate.

The resolution was adopted.

## MOTION

Speaker Bagnariol moved that the House immediately consider the Senate Message on Engrossed Second Substitute House Bill No. 1420.

A division was called.

## ROLL CALL

The Clerk called the roll on the motion that the House immediately consider the Senate Message pertaining to Engrossed Second Substitute House Bill No. 1420, and the motion was carried by the following vote: Yeas, 76; nays, 18; not voting, 4.

Voting yea: Representatives Adams, Amen, Austin, Bagnariol, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Heck, Hughes, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Patterson, Pruitt, Rinehart, Salatino, Schmitt, Scott, Sherman, Smith C. P., Smith R., Sommers, Stratton, Taller, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Barnes, Barr, Bond, Clayton, Craswell, Deccio, Dunlap, Eberle, Flint, Hastings, Houchen, Isaacson, Nelson G. A., Oliver, Polk, Rosbach, Sanders, Struthers.

Not voting: Representatives Addison, Newhouse, Sprague, Tilly.

## MESSAGE FROM THE SENATE

March 13, 1980

Mr. Speaker:

The Senate refuses to recede from its amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1420 on page 1, line 19, and once again asks the House to concur therewith, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Speaker Bagnariol moved that the House do concur in the Senate amendments to Engrossed Second Substitute House Bill No. 1420.

## POINT OF ORDER

Mr. Deccio: "It is now midnight; would you advise the House of the time sequence even though we are on a bill?"

Speaker Berentson: "According to the official clock, we have one minute, Representative Deccio."

A division was called.

## ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Engrossed Second Substitute House Bill No. 1420, and the motion was carried by the following vote: Yeas, 74; nays, 23; not voting, 1.

Voting yea: Representatives Adams, Austin, Bagnariol, Bauer, Becker, Bender, Berentson, Brekke, Brown, Burns, Chandler, Charnley, Dawson, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Fuller, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Newhouse, Nisbet, North, O'Brien, Owen, Patterson, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith R., Sommers, Stratton, Taller, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Bond, Clayton, Craswell, Deccio, Dunlap, Eberle, Flanagan, Flint, Greengo, Hastings, Houchen, Hughes, Isaacson, McDonald, Oliver, Smith C. P., Sprague, Struthers, Tilly.

Not voting: Representative Polk.

## POINT OF ORDER

Mr. Deccio: "Will you advise the House as to what time it is?"

Speaker Berentson: "Are you making a Point of Order?"

Speaker Berentson declared the House to be at ease.

Speaker Berentson called the House to order.

Speaker Berentson: "Representative Deccio, the time is 12:04."

## POINT OF ORDER

Mr. Polk: "Can House Bill No. 1420 be before us since we've passed the midnight cut-off?"

Speaker Berentson declared the House to be at ease.  
Speaker Berentson called the House to order.

## MESSAGES FROM THE SENATE

Sidney R. Snyder, Secretary.

March 13, 1980

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 3250, and has passed the bill as amended by the House.

March 13, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1147,  
HOUSE BILL NO. 1410,  
HOUSE BILL NO. 1545,  
SUBSTITUTE HOUSE BILL NO. 1763,  
HOUSE CONCURRENT RESOLUTION NO. 35,  
SUBSTITUTE SENATE BILL NO. 3250,  
SENATE CONCURRENT RESOLUTION NO. 121,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## POINT OF PERSONAL PRIVILEGE

Speaker Bagnariol: "We've gone through an historic period of time with the 49-49 tie in this Legislature. God willing, that will never happen again; we'll have a majority of one party or another. It's not been easy, but thanks to all of you on both sides of the aisle, who have worked very hard to cooperate with each other, I think we've made the system work. In this session there have been some disappointments for a lot of us. We won some and we lost some, but I think all of us in the House of Representatives can be proud that we worked very hard to let the public know that we do represent them.

"Today is probably the last that either Speaker Berentson or I will be on this rostrum. You are all beautiful people and I think those who elect you should be very proud of you who are serving here for doing the people's business to the best of your ability. All of our constituents don't always agree with us, but I think we can feel good because we've tried to do what's best for the citizens of the State of Washington. I want to thank all of you for your cooperation with both Speaker Berentson and I during this period that has been very difficult for everybody. The spirit of cooperation was good, and I think we've gotten to know each other and the two-party system better. God love all of you. Thank you."

Speaker Berentson: "I, too, would like to say a few words of appreciation for the splendid spirit of cooperation that we've enjoyed, not only from my caucus but the Democratic caucus also. When we go back to early 1979, and we looked at the 49-49 tie, I think both Speaker Bagnariol and I were wondering whether it would really work. It has worked. Maybe the 49-49 tie, in a way, has been good for the House of Representatives and, maybe, just to the politics in the State of Washington, because I think we have worked overtime on both sides of the aisle in making sure that, under this once-in-a-lifetime circumstance, we could treat each other decently and that we could be cooperative. I think each of you who served as Co-Chairmen and Co-Chairwomen or those of you who served on the Rules Committee that was evenly split, gave just a little bit extra each and every day to make sure that it did work, that we treated each other well and as I look at what was accomplished this session, I think, we, the House of Representatives, did address a lot of the priorities that we had hoped to address when we came here. We've had some frustrations as to whether or not we thought the Senate handled our legislation as we hoped, but I'm sure the same is true on the Senate side. I'd like to thank all of you again on both sides of the aisle for making the 49-49 tie work and it's been a great experience. I will not be back here as Speaker Bagnariol mentioned. We've been exceptionally good friends. We've spent a lot of time each morning of this session deciding just how we were going to get along, and I think we've done a pretty good job of that. Again, I would



like to thank all of you for the splendid spirit of cooperation that has reigned over these two years. Thank you."

#### POINT OF PERSONAL PRIVILEGE

Mr. King: "I know that I'm expressing the opinion of our caucus, and I'm sure of the entire body, when I say we truly appreciate the efforts of both of you in leading a very difficult, divided ship for the last two years. When we first found out about the possibility of a tie and then saw the tie, I think many of us were horrified because we just didn't know how it could possibly be worked out. This doesn't happen very often; it's not happened in other states, except on rare occasions and it has been quite disastrous. I know many of us have talked with our colleagues across the country. I think you should both be commended for the effort and the hours and extra effort that you have had to put in because we were divided. You've done it. I've seen you early in the mornings, leaving late at night, working weekends, constantly involved in negotiating and trying to work out differences in the two parties. I think when the final summation of what has been accomplished over the past two years of this legislature is put into perspective, that those things that were successful we can say were because of your efforts.

For you, John, I know in expressing the opinion of our caucus, we really wish you could be with us for as long as there is a Democratic caucus in the legislature, but we know you may be attempting to accomplish something else, and we wish you well in that."

#### POINT OF PERSONAL PRIVILEGE

Mr. Polk: "I'd like to add a couple of words from this side of the aisle about the efforts that both of you Speakers have put in. It's very easy to say, as Representative King just did, and both of you alluded to, about the number of hours and how much hard work goes into being Speaker of the House, but I don't think any member of this body can appreciate that kind of effort and the amount of time, energy and above all, patience that it takes to operate as the two of you have. It's been an extraordinary experience for all of us to work in this kind of a situation; to try to get along on just the mundane details of how the day is even going to be handled, like what time is lunch. Just to take that five, ten steps farther for the kind of effort the Speakers of the House have had to go through, and I know it's a rough experience even under good circumstances, and you have had one of the hardest, most difficult situations anybody could possibly imagine. Again, from our members, we appreciate the efforts of both Speaker Bagnariol and Speaker Berentson, and we wish you both well in your future endeavors."

#### SIGNED BY THE SPEAKERS

Speaker Berentson announced the Speakers were signing:

SUBSTITUTE HOUSE BILL NO. 1090,  
HOUSE BILL NO. 1433,  
HOUSE CONCURRENT RESOLUTION NO. 3,  
SUBSTITUTE SENATE BILL NO. 3250,  
SUBSTITUTE SENATE BILL NO. 3509,  
SENATE CONCURRENT RESOLUTION NO. 121.

#### RESOLUTIONS

HOUSE RESOLUTION NO. 80-219, by Representatives Polk and King:

BE IT RESOLVED, That a committee of four members be appointed by the Speakers to notify the Senate that the House is ready to adjourn sine die.

On motion of Mr. King, the resolution was adopted.

#### APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of House Resolution No. 80-219, Speaker Berentson appointed Representatives Flint, Deccio, Becker and Valle to notify the Senate that the House was ready to adjourn sine die.

HOUSE RESOLUTION NO. 80-210, by Representatives King and Polk:

WHEREAS, The 1980 Regular Session of the Forty-sixth Legislature is drawing to a close; and

WHEREAS, It is necessary to provide for the completion of the work of the House after its adjournment and during the interim period prior to the next session;

**BE IT RESOLVED**, By the House of Representatives, That there is hereby created the Executive Rules Committee, which shall consist of the Speakers and four additional members who shall be appointed by the Speakers from the Rules Committee. The Chief Clerks of the House shall be the nonvoting secretaries of the Committee; and

**BE IT FURTHER RESOLVED**, That the Executive Rules Committee is authorized to assign subject matters to standing committees for study during the interim, and the Speakers are authorized to create special committees as may be necessary to carry out the functions of the House in an orderly manner and appoint members thereto with the approval of the Executive Rules Committee; and

**BE IT FURTHER RESOLVED**, That during the interim the Executive Rules Committee shall authorize schedules and locations for meetings of any standing committees, subcommittees or special committees, and such committees may conduct hearings and scheduling without a quorum being present.

**BE IT FURTHER RESOLVED**, That during the interim standing committees shall have the power of subpoena, the power to administer oaths and the power to issue commissions for the examination of witnesses in accordance with the provisions of Chapter 44.16 RCW if and when specifically authorized by the Executive Rules Committee for specific purposes and specific subjects; and

**BE IT FURTHER RESOLVED**, That the Chief Clerks of the House of Representatives are directed to complete the work of the 1980 Session of the Forty-sixth Legislature, and all details that arise therefrom, including the editing, indexing and publishing of the Journal of the House; and

**BE IT FURTHER RESOLVED**, That the Sergeants at Arms are hereby directed to complete the necessary work of the 1980 Session of the Forty-sixth Legislature, to see that the House Chamber, adjoining rooms, members' offices, furniture and equipment are clean, and in good order, and to make the necessary inventory of furnishings, fixtures and supplies; and

**BE IT FURTHER RESOLVED**, That the Speakers and the Chief Clerks be and they are hereby authorized and directed to retain such additional employees with the approval of the Speakers, as may be necessary to continue the interim work of the Legislature and to fix their compensation therefor; and

**BE IT FURTHER RESOLVED**, That the Chief Clerks be authorized and directed to make out the necessary vouchers upon which warrants shall be drawn for the final payment of all expenses in connection with the closing business and for any other business of the House of Representatives; and

**BE IT FURTHER RESOLVED**, That neither the Speakers nor the Chief Clerks shall approve or sign any personal service contract without the express approval of the Executive Rules Committee; and

**BE IT FURTHER RESOLVED**, That the State Treasurer be, and is hereby directed to draw his warrants for the payment of salaries, per diem, in lieu payments, and reimbursements of and to the members of the House of Representatives, the elected officers of the House of Representatives, and the retained employees each month upon vouchers signed by the members, officers, or employees and approved by the Chief Clerks of the House of Representatives and he is authorized to deliver the warrants to a Chief Clerk of the House of Representatives for delivery or mailing to those entitled thereto; and

**WHEREAS**, New developments in legislative processes and administration are constantly occurring; and

**WHEREAS**, The substantive matters requiring legislative action are becoming increasingly complex; and

**WHEREAS**, The Council of State Governments, the National Conference of State Legislatures, and other organizations are offering in the next biennium a variety of training and continuing education courses and meetings on such subjects; and

**WHEREAS**, The participation in such activities by members of the House and Legislative staff will benefit the House in furthering the efficiency and economy of its operation;

**NOW, THEREFORE, BE IT RESOLVED**, That the Speakers may authorize the attendance of members and staff members at such courses or meetings as may be deemed pertinent and may authorize the expenditure of registration or tuition fees and reimbursement for subsistence and travel for such purpose; and

**BE IT FURTHER RESOLVED**, That members of the Legislature be reimbursed for expenses incurred in attending such conferences, meetings, and continuing education courses at the rate prescribed by RCW 44.04.120, plus mileage to and from the conferences, meetings,

and courses at the rate established by law, except that if travel was by means of common carrier then only actual fare may be claimed, said reimbursements to be paid on their vouchers from any appropriation made to the House of Representatives for legislative expense; and

BE IT FURTHER RESOLVED, That employees of the Legislature be reimbursed for expenses incurred in attending such conferences, meetings, and continuing education courses at the rate prescribed by RCW 43.03.050, plus mileage to and from the conferences, meetings, and courses at the rate established by law, except that if travel was by means of common carrier then only actual fare may be claimed, said reimbursement to be paid on their vouchers out of funds appropriated for legislative expenses; and

BE IT FURTHER RESOLVED, That the Chief Clerks are authorized to approve vouchers of the members of the House, covering expenses incurred during the interim for official business of the Legislature or in preparation for the sessions of the Legislature and organizational duties in connection therewith, at the per diem rate provided by RCW 44.04.120, for each day or major portion thereof, plus mileage at the rate established by law; and

BE IT FURTHER RESOLVED, That the Chief Clerks are hereby authorized and directed, during the interim, and as authorized by the Speakers and the Employment Committee, to hire any necessary employees, to order necessary supplies, equipment, and printing to enable the House to carry out its work promptly and efficiently, and to accept committee reports, committee bills, prefiled bills, memorials and resolutions as directed by the Rules of the House and by Joint Rules of the Legislature; and

BE IT FURTHER RESOLVED, That after the adjournment of the 1980 Session of the Forty-sixth Legislature the use of the House Chamber, any of its committee rooms, members' offices, or any of the furniture or furnishings therein, shall not be granted to anyone without the permission of the Speakers and the Chief Clerks of the House of Representatives; and

BE IT FURTHER RESOLVED, That the Chief Clerks are authorized to express the sympathy of the House by sending flowers in the event of a bereavement in a Representative's or Senator's family; and

BE IT FURTHER RESOLVED, That the Chief Clerks are authorized to make out the necessary vouchers upon which warrants for the foregoing expenses and expenditures shall be drawn.

On motion of Mr. Polk, the resolution was adopted.

#### MESSAGE FROM THE SENATE

March 13, 1980

Mr. Speaker:

The Senate has adopted:

#### SENATE CONCURRENT RESOLUTION NO. 122,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 122, by Senators Walgren, Odegaard, Hayner and Scott:

Notifying the Governor that the Legislature is about to adjourn *Sine Die*.

#### MOTIONS

On motion of Mr. Polk, the rules were suspended, and Senate Concurrent Resolution No. 122 was advanced to second reading and read the second time in full.

On motion of Mr. Polk, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 122 was placed on final passage.

Senate Concurrent Resolution No. 122 was adopted.

#### COMMITTEE FROM SENATE

A committee from the Senate appeared before the bar of the House to notify the House that the Senate was about to adjourn *sine die*.

The message was received and the committee retired.

## APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of Senate Concurrent Resolution No. 122, Speaker Berentson appointed Representatives Chandler, Taylor, Gallagher and May, with a Senate Committee, to notify the Governor that the Legislature was about to adjourn sine die.

## MESSAGES FROM THE SENATE

March 13, 1980

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3636, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 13, 1980

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1090,  
HOUSE BILL NO. 1433,  
HOUSE CONCURRENT RESOLUTION NO. 3,  
SUBSTITUTE SENATE BILL NO. 3636,  
SENATE CONCURRENT RESOLUTION NO. 120,  
SENATE CONCURRENT RESOLUTION NO. 122,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKERS

Speaker Berentson announced the Speakers were signing:

SENATE BILL NO. 3371,  
SUBSTITUTE SENATE BILL NO. 3636,  
SENATE CONCURRENT RESOLUTION NO. 120,  
SENATE CONCURRENT RESOLUTION NO. 122.

## REPORT OF SPECIAL COMMITTEE

The committee appointed to notify the Senate that the House is about to adjourn sine die appeared before the bar of the House and reported they had accomplished their mission.

The report was received and the committee retired.

## REPORT OF SPECIAL COMMITTEE

The committee appointed to notify the Governor that the Legislature is about to adjourn sine die appeared before the bar of the House and reported that they had notified the Governor.

The report was received and the committee retired.

## MOTIONS

On motion of Mr. Polk, all bills, memorials and resolutions remaining on the calendar were indefinitely postponed.

On motion of Mr. Polk, all floor resolutions remaining on the Chief Clerks' desk were referred to the Executive Rules Committee.

On motion of Mr. Polk, reading of the Journal of the Sixtieth Day of the 1980 Regular Session of the Legislature was dispensed with and it was ordered to stand approved.

## MOTION

On motion of Representatives Polk and King, the House of Representatives of the 1980 Regular Session of the Forty-sixth Legislature adjourned sine die.

JOHN BAGNARIOL, Speaker  
DUANE BERENTSON, Speaker

DEAN R. FOSTER, Chief Clerk  
VITO T. CHIECHI, Chief Clerk

## HOUSE LEGISLATIVE LEADERS – 1979–1980

### DEMOCRATIC LEADERSHIP

|                              |                     |
|------------------------------|---------------------|
| Speaker .....                | John A. Bagnariol   |
| Speaker Pro Tempore .....    | John L. O'Brien     |
| Floor Leader .....           | Richard A. King     |
| Caucus Chairman .....        | Al Bauer            |
| Caucus Vice Chairwoman ..... | Marion Kyle Sherman |
| Caucus Secretary .....       | Geraldine McCormick |
| Democratic Whip .....        | Walt Knowles        |
| Assistant Whip .....         | Ron Keller          |
| Assistant Whip .....         | Bill Burns          |
| Assistant Floor Leader ..... | Jim Salatino        |

### REPUBLICAN LEADERSHIP

|                                     |                       |
|-------------------------------------|-----------------------|
| Speaker .....                       | Duane Berentson       |
| Speaker Pro Tempore .....           | Otto Amen             |
| Caucus Chairman .....               | William Polk          |
| Republican Whip .....               | E. G. "Pat" Patterson |
| Republican Leader .....             | Ron Dunlap            |
| Republican Leader .....             | Alex A. Deccio        |
| Organization Leader .....           | Earl Tilly            |
| Caucus Vice Chairman .....          | Gary A. Nelson        |
| Assistant Whip .....                | Joe Taller            |
| Assistant Whip .....                | Gene Struthers        |
| Assistant Organization Leader ..... | Steve Tupper          |

APPENDIX  
HOUSE ROSTER – 1980  
FORTY-SIXTH SESSION

| NAME OF MEMBER                  | Mailing Address                     | Age | Birthplace |
|---------------------------------|-------------------------------------|-----|------------|
| Adams,<br>A. A. ....            | 601 N. Yakima<br>Tacoma 98403       | 79  | Washington |
| Addison,<br>Bruce .....         | 5274 45th Ave. SW<br>Seattle 98136  | 27  | Oregon     |
| Amen,<br>Otto .....             | Rt. 1, Box 45<br>Ritzville 99169    | 67  | Washington |
| Austin,<br>Russell A., Jr ..... | 2120 Pac. Bldg.<br>Seattle 98104    | 50  | Washington |
| Bagnariol,<br>John .....        | Legislative Bldg.<br>Olympia 98504  | 48  | Washington |
| Barnes,<br>Richard O. ....      | 18118 6th Ave. SW<br>Seattle 98166  | 58  | Iowa       |
| Barr,<br>Scott .....            | Rt. 1, Box 130<br>Edwall 99008      | 63  | Washington |
| Bauer,<br>Albert .....          | 13611 NE 20th<br>Vancouver 98665    | 51  | Montana    |
| Becker,<br>Mary Kay .....       | 2406 Williams<br>Bellingham 98225   | 33  | Washington |
| Bender,<br>Rick S. ....         | 3420 NE 147th<br>Seattle 98155      | 30  | Alaska     |
| Berentson,<br>Duane L. ....     | P.O. Box 426<br>Burlington 98233    | 51  | Washington |
| Bond,<br>R. M. "Dick" .....     | S. 4226 Crestline<br>Spokane 99203  | 56  | Washington |
| Brekke,<br>Joanne J. ....       | 6525 Sycamore NW<br>Seattle 98117   | 45  | Washington |
| Brown,<br>Wendell B. ....       | 5615 S. Ferdinand<br>Tacoma 98409   | 34  | Washington |
| Burns,<br>Bill .....            | 2511 W. Montlake<br>Seattle 98112   | 53  | Arkansas   |
| Chandler,<br>Rod .....          | 6522 208th Ave. NE<br>Redmond 98052 | 37  | Oregon     |
| Charnley,<br>Donn .....         | 19344 11th Ave. NW<br>Seattle 98177 | 52  | Michigan   |

| Occupation                              | Dis- Poli-<br>trict tics | County                                                                                 | Previous<br>Sessions<br>Served |
|-----------------------------------------|--------------------------|----------------------------------------------------------------------------------------|--------------------------------|
| Retired<br>Chiropractor                 | 27 D                     | Pierce, pt . . . . .                                                                   | 1969 thru<br>1979 Ex.          |
| Account<br>Executive                    | 34 R                     | King, pt . . . . .                                                                     | 1979-79 Ex.                    |
| Farmer,<br>Pharmacist                   | 9 R                      | Adams, Asotin,<br>Garfield,<br>Columbia, pt.<br>Grant, pt<br>Whitman, pt . . . . .     | 1967 thru<br>1979 Ex.          |
| Attorney                                | 33 R                     | King, pt . . . . .                                                                     | App'd.<br>2/20/80              |
| Insurance                               | 11 D                     | King, pt . . . . .                                                                     | 1967 thru<br>1979 Ex.          |
| Systems<br>Analyst                      | 33 R                     | King, pt . . . . .                                                                     | 1974 Ex.-<br>1979 Ex.          |
| Grain & Cattle<br>Producer              | 7 R                      | Lincoln,<br>Pend Oreille,<br>Stevens, Ferry,<br>Okanogan, pt.<br>Spokane, pt . . . . . | 1977 thru<br>1979 Ex.          |
| Rancher/<br>Educator                    | 49 D                     | Clark, pt . . . . .                                                                    | 1971 thru<br>1979 Ex.          |
| Law<br>Student                          | 42 D                     | Whatcom, pt . . . . .                                                                  | 1975 thru<br>1979 Ex.          |
| Fed. Project:<br>Emergency Serv.        | 1 D                      | King, pt<br>Snohomish, pt . . . . .                                                    | 1973 thru<br>1979 Ex.          |
| Broker, Dealer<br>in Securities         | 40 R                     | San Juan,<br>Skagit,<br>Whatcom, pt . . . . .                                          | 1963 thru<br>1979 Ex.          |
| Gas Company<br>President                | 6 R                      | Spokane, pt . . . . .                                                                  | 1975 thru<br>1979 Ex.          |
| Homemaker                               | 32 D                     | King, pt . . . . .                                                                     | 1977 Ex.-<br>1979 Ex.          |
| Claim's<br>Representative               | 29 D                     | Pierce, pt . . . . .                                                                   | 1979-79 Ex.                    |
| Self Empl.<br>Consultant                | 43 D                     | King, pt . . . . .                                                                     | 1977 thru<br>1979 Ex.          |
| Chandler-<br>Corcoran<br>Communications | 45 R                     | King, pt . . . . .                                                                     | 1975 thru<br>1979 Ex.          |
| Professor                               | 44 D                     | King, pt . . . . .                                                                     | 1971 thru<br>1979 Ex.          |

| NAME OF MEMBER                 | Mailing Address                          | Age | Birthplace |
|--------------------------------|------------------------------------------|-----|------------|
| Clayton,<br>Harold R. ....     | P.O. Box 351<br>Toppenish 98948          | 60  | Idaho      |
| Craswell,<br>Ellen .....       | 8066 Chico Way NW<br>Bremerton 98310     | 48  | Washington |
| Dawson,<br>Dan .....           | P.O. Box 280<br>Gig Harbor 98335         | 47  | Washington |
| Deccio,<br>Alex .....          | P.O. Box 1343<br>Yakima 98907            | 52  | Washington |
| Dunlap,<br>Ron .....           | 3129 109th SE<br>Bellevue 98004          | 42  | Indiana    |
| Eberle,<br>Bob .....           | Rt. 2, Box 206<br>Vashon 98070           | 45  | Missouri   |
| Ehlers,<br>Wayne .....         | 14301 S. Yakima<br>Parkland 98444        | 41  | Washington |
| Ellis,<br>William H. ....      | 3527 NE 100th<br>Seattle 98125           | 48  | Missouri   |
| Eng,<br>John .....             | P.O. Box 18088<br>Seattle 98118          | 38  | Hong Kong  |
| Erak,<br>John .....            | 617 West 3rd St.<br>Aberdeen 98520       | 48  | Washington |
| Erickson,<br>Phyllis K. ....   | P.O. Box 44487<br>Parkland 98444         | 56  | Texas      |
| Fancher,<br>Helen .....        | P.O. Box 724<br>Tonasket 98855           | 49  | Washington |
| Flanagan,<br>S.E. "Sid" .....  | Box 989 Rd S NW<br>Quincy 98848          | 70  | Washington |
| Flint,<br>Sally .....          | 1016 Corona Dr.<br>Fircrest 98466        | 48  | Illinois   |
| Fuller,<br>W.H. "Bill" .....   | 330 Brockway Rd.<br>Chehalis 98532       | 66  | Idaho      |
| Gallagher,<br>P.J. "Jim" ..... | 125 S. 72nd<br>Tacoma 98408              | 64  | Washington |
| Galloway,<br>Shirley A .....   | 1602 N. Divine Rd.<br>Vancouver 98661    | 45  | Arkansas   |
| Garrett,<br>Avery .....        | 602 SW Langston Rd.<br>Renton 98055      | 63  | Georgia    |
| Granlund,<br>Barbara .....     | 3777 Pine Tree Dr.<br>Port Orchard 98366 | 51  | Nebraska   |



| Occupation                     | Dis- Poli-<br>trict tics | County                                                                      | Previous<br>Sessions<br>Served |
|--------------------------------|--------------------------|-----------------------------------------------------------------------------|--------------------------------|
| Farmer, Owner<br>Clayton Grain | 15 R                     | Yakima, pt                                                                  | 1977 thru<br>1979 Ex.          |
| Retail Merchant<br>Art Shop    | 23 R                     | Kitsap, pt                                                                  | 1977 thru<br>1979 Ex.          |
| Farmer                         | 26 R                     | Kitsap, pt.<br>Pierce, pt.                                                  | 1979-79 Ex.                    |
| Insurance<br>Broker            | 14 R                     | Yakima, pt                                                                  | 1975 thru<br>1979 Ex.          |
| Engineer/<br>Economist         | 41 R                     | King, pt.                                                                   | 1975 thru<br>1979 Ex.          |
| Engineer &<br>Training Spec.   | 30 R                     | King, pt                                                                    | 1963-63 Ex.<br>1979-79 Ex.     |
| Educator                       | 2 D                      | Pierce, pt.<br>Thurston, pt                                                 | 1973 thru<br>1979 Ex.          |
| Attorney                       | 46 R                     | King, pt.                                                                   | App'd.<br>12/17/79             |
| Accountant                     | 37 D                     | King, pt.                                                                   | 1973 thru<br>1979 Ex.          |
| Educator                       | 19 D                     | Grays Harbor<br>Pacific, pt                                                 | App'd. 77,<br>thru 79 Ex.      |
| Homemaker                      | 2 D                      | Pierce, pt<br>Thurston, pt                                                  | 1973 thru<br>1979 Ex.          |
| Cattle Rancher<br>Bookkeeper   | 7 R                      | Ferry, Stevens<br>Pend Oreille,<br>Lincoln,<br>Spokane, pt.<br>Okanogan, pt | 1977 thru<br>1979 Ex.          |
| Farmer,<br>Cattleman           | 13 R                     | Kittitas,<br>Grant, pt<br>Yakima, pt                                        | 1961 thru<br>1979 Ex.          |
| Rental homes,<br>Owner/mgr.    | 28 R                     | Pierce, pt                                                                  | App'd.<br>1/7/80               |
| Supermarket<br>Operator        | 20 R                     | Lewis, Wahkiakum<br>Cowlitz, pt.<br>Thurston, pt.<br>Pacific, pt            | 1977 thru<br>1979 Ex.          |
| Pierce Cty.<br>Bldg. Insp.     | 29 D                     | Pierce, pt.                                                                 | 1961 thru<br>1979 Ex.          |
| Homemaker/<br>School Bd. Mbr.  | 49 D                     | Clark, pt                                                                   | 1979-79 Ex.<br>1959-69 Ex.     |
| Boeing                         | 11 D                     | King, pt.                                                                   | 1979-79 Ex.                    |
| Household<br>Executive         | 26 D                     | Kitsap, pt.<br>Pierce, pt.                                                  | 1979-79 Ex.                    |

| NAME OF MEMBER                   | Mailing Address                           | Age | Birthplace |
|----------------------------------|-------------------------------------------|-----|------------|
| Greengo,<br>Irv .....            | 3203 NE 88th<br>Seattle 98115             | 54  | Iowa       |
| Grimm,<br>Dan .....              | 904-1/2 7th Ave. SW<br>Puyallup 98371     | 31  | Washington |
| Gruger,<br>Audrey .....          | 3727 NE 193<br>Seattle 98155              | 50  | No. Dakota |
| Hastings,<br>Richard "Doc" ..... | 5505 W. Sylvester<br>Pasco 99301          | 39  | Washington |
| Heck,<br>Dennis L .....          | 707 NE 118th<br>Vancouver 98664           | 27  | Washington |
| Houchen,<br>Joan .....           | 471 E, N. Camano Dr.<br>Camano Isl. 98292 | 49  | Minnesota  |
| Hughes,<br>Jerry M .....         | N. 3504 Milton<br>Spokane 99205           | 36  | New York   |
| Isaacson,<br>Ray .....           | 2106 Lee Blvd.<br>Richland 99352          | 51  | Arizona    |
| Jovanovich,<br>John .....        | 11227 18th Pl. SW<br>Seattle 98146        | 49  | Iowa       |
| Keller,<br>Ron .....             | 1319 Dickinson<br>Olympia 98502           | 43  | Washington |
| King,<br>Richard A .....         | Legislative Bldg.<br>Olympia 98504        | 45  | Washington |
| Knowles,<br>Walt O .....         | E. 8423 Liberty<br>Spokane 99206          | 63  | Washington |
| Kreidler,<br>Myron B .....       | 129 San Mar Dr.<br>Olympia 98506          | 36  | Washington |
| Lux,<br>Eugene V .....           | 5537 S. 119th<br>Seattle 98178            | 53  | Nebraska   |
| Martinis,<br>John .....          | 209 Bridgeway<br>Everett 98201            | 49  | Washington |
| Maxie,<br>Peggy Joan .....       | 1441 Madrona Dr.<br>Seattle 98122         | 43  | Texas      |
| May,<br>William J.S. ....        | W. 3231 Boone Ave.<br>Spokane 99201       | 78  | England    |
| McCormick,<br>Geraldine .....    | 1829 Northridge Ct.<br>Spokane 99208      |     | Washington |
| McDonald,<br>Dan .....           | 4650 92nd NE<br>Bellevue 98004            | 36  | Washington |
| McGinnis,<br>Michael R .....     | S. 2206 Crestline<br>Spokane 99203        | 33  | Washington |
| Mitchell,<br>James B .....       | 1015 Stich Rd.<br>Lk. Stevens 98258       | 56  | Washington |

| Occupation                                               | Dis- Poli-<br>trict tics | County                                          | Previous<br>Sessions<br>Served |
|----------------------------------------------------------|--------------------------|-------------------------------------------------|--------------------------------|
| Design<br>Engineer                                       | 46 R                     | King, pt. ....                                  | 1975 thru<br>1979 Ex.          |
| Personnel<br>Management                                  | 25 D                     | Pierce, pt.<br>King, pt. ....                   | 1977 thru<br>1979 Ex.          |
| Homemaker,<br>Citizen Volun.                             | 1 D                      | King, pt.<br>Snohomish, pt. ....                | 1977 thru<br>1979 Ex.          |
| Businessman<br>Inst/Janitorial<br>Supplies               | 16 R                     | Franklin,<br>Walla Walla,<br>Columbia, pt. .... | 1979-79 Ex.                    |
| Public<br>Relations                                      | 17 D                     | Skamania,<br>Klickitat,<br>Clark, pt. ....      | 1977 thru<br>1979 Ex.          |
| Homemaker                                                | 10 R                     | Island,<br>Snohomish, pt. ....                  | 1979-79 Ex.                    |
| Educator                                                 | 5 D                      | Spokane, pt. ....                               | 1976 2nd Ex.-<br>1979 Ex.      |
| Mgr. Sys. Integ.<br>Basalt Nuc. Waste<br>Isolation Prog. | 8 R                      | Benton,<br>Yakima, pt. ....                     | 1979-79 Ex.                    |
| Businessman/<br>Marine Supply                            | 31 D                     | King, pt. ....                                  | 1979-79 Ex.                    |
| Self Employed/<br>Displays                               | 22 D                     | Thurston, pt. ....                              | 1977 thru<br>1979 Ex.          |
| College<br>Teacher                                       | 38 D                     | Snohomish, pt. ....                             | 1965 thru<br>1979 Ex.          |
| Attorney                                                 | 4 D                      | Spokane, pt<br>Whitman, pt. ....                | 1971 thru<br>1979 Ex.          |
| Optometrist                                              | 22 D                     | Thurston, pt. ....                              | 1977 thru<br>1979 Ex.          |
| Building<br>Contractor                                   | 35 D                     | King, pt. ....                                  | 1975 thru<br>1979 Ex.          |
| Fisheries<br>Consultant                                  | 38 D                     | Snohomish, pt. ....                             | 1969 thru<br>1979 Ex.          |
| Social<br>Worker                                         | 37 D                     | King, pt. ....                                  | 1971 thru<br>1979 Ex.          |
| Ret. Ex. Sec.<br>Labor Council                           | 3 D                      | Spokane, pt. ....                               | 1961 thru<br>1979 Ex.          |
| Homemaker                                                | 5 D                      | Spokane, pt. ....                               | 1969 thru<br>1979 Ex.          |
| Mechanical Eng/<br>Economist                             | 48 R                     | King, pt. ....                                  | 1979-79 Ex.                    |
| Wholesale<br>Paper                                       | 6 R                      | Spokane, pt. ....                               | 1979-79 Ex.                    |
| Pharmacist                                               | 39 R                     | King, pt.<br>Snohomish, pt. ....                | 1979-79 Ex.                    |

| NAME OF MEMBER                 | Mailing Address                                | Age | Birthplace |
|--------------------------------|------------------------------------------------|-----|------------|
| Monohon,<br>Carol .....        | Rt 1, Box 136<br>Raymond, 98577                | 34  | Washington |
| Nelson,<br>Gary A .....        | 9710 Wharf St.<br>Edmonds 98020                | 44  | Washington |
| Nelson,<br>Richard P .....     | 3612 Whitman N.<br>Seattle 98103               | 43  | Washington |
| Newhouse,<br>Irving .....      | Rt. 1, Box 130<br>Mabton 98935                 | 59  | Washington |
| Nisbet,<br>Andrew .....        | 645 D Kitchen<br>Dick Lane Rd.<br>Sequim 98382 | 58  | California |
| North,<br>Frances .....        | Box 441<br>North Bend 98045                    | 61  | Washington |
| O'Brien,<br>John L .....       | 1305 Joseph Vance Bldg.<br>Seattle 98101       | 68  | Washington |
| Oliver,<br>Claude L .....      | 302 S. Reed<br>Kennewick 99336                 | 33  | Washington |
| Owen,<br>Brad .....            | 428 W. Harvard<br>Shelton 98584                | 30  | Washington |
| Patterson,<br>E.G. "Pat" ..... | NE 400 Campus<br>Pullman 99163                 | 60  | Washington |
| Polk,<br>William M .....       | 7220 92nd Ave. SE<br>Mercer Isl. 98040         | 44  | Texas      |
| Pruitt,<br>Paul .....          | 7537 31st Ave. SW<br>Seattle 98126             | 58  | Nebraska   |
| Rinehart,<br>Nita .....        | 4515 51st Ave. NE<br>Seattle 98105             | 39  | Texas      |
| Rohrbach,<br>Eric J .....      | 18979 Marine View Dr.<br>Normandy Pk. 98166    | 28  | Washington |
| Rosbach,<br>Wilma .....        | 454 N. Market Blvd.<br>Chehalis 98352          | 58  | No. Dakota |
| Salatino,<br>James E .....     | 5002 LaHalDa Ave. NE<br>Tacoma 98422           | 30  | Washington |
| Sanders,<br>Paul .....         | 2680 169th SE<br>Bellevue 98008                | 52  | Maine      |
| Schmittin,<br>Rolland A .....  | 408 S. Division<br>Cashmere 98815              | 35  | Washington |
| Scott,<br>Gary H .....         | 12913 307th SE<br>Sultan 98294                 | 37  | Washington |

| Occupation                        | Dis-<br>trict | Poli-<br>tics | County                                                                              | Previous<br>Sessions<br>Served              |
|-----------------------------------|---------------|---------------|-------------------------------------------------------------------------------------|---------------------------------------------|
| Homemaker                         | 19            | D             | Grays Harbor,<br>Pacific, pt . . . . .                                              | Sen.-1977 Ex.<br>House-1977,<br>1979-79 Ex. |
| Engineer Supr.<br>Technical Ed.   | 21            | R             | Snohomish, pt . . . . .                                                             | 1973 thru<br>1979 Ex.                       |
| Technical<br>Consultant           | 32            | D             | King, pt . . . . .                                                                  | 1977 thru<br>1979 Ex.                       |
| Diversified<br>Rancher            | 15            | R             | Yakima, pt . . . . .                                                                | 1965 thru<br>1979 Ex.                       |
| Retired Army<br>Officer           | 24            | R             | Clallam, Mason,<br>Jefferson,<br>Thurston, pt . . . . .                             | 1979-79 Ex.                                 |
| Homemaker                         | 47            | D             | King, pt . . . . .                                                                  | 1973 thru<br>1979 Ex.                       |
| CPA                               | 35            | D             | King, pt . . . . .                                                                  | 1941-1945<br>1949-1979 Ex.                  |
| Banker                            | 8             | R             | Benton,<br>Yakima, pt . . . . .                                                     | 1977 thru<br>1979 Ex.                       |
| Grocery<br>Owner                  | 24            | D             | Clallam, Mason,<br>Jefferson,<br>Thurston, pt . . . . .                             | 1976 2nd Ex.-<br>1979 Ex.                   |
| Retired<br>WSU Alumni<br>Director | 9             | R             | Adams, Asotin,<br>Garfield, Colum-<br>bia, pt., Grant, pt.<br>Whitman, pt . . . . . | 1973 thru<br>1979 Ex.                       |
| Architect                         | 41            | R             | King, pt . . . . .                                                                  | 1971 thru<br>1979 Ex.                       |
| Minister                          | 34            | D             | King, pt . . . . .                                                                  | 1977 thru<br>1979 Ex.                       |
| Homemaker                         | 43            | D             | King, pt . . . . .                                                                  | App'd.<br>11/13/79                          |
| Business/<br>Direct Mail          | 33            | R             | King, pt . . . . .                                                                  | Appt.-Senate<br>6/77, Resigned<br>2/18/80   |
| Retail<br>Merchant                | 20            | R             | Lewis, Wahkiakum,<br>Cowlitz, pt., Pacific, pt.<br>Thurston, pt . . . . .           | 1979-79 Ex.                                 |
| Educator                          | 27            | D             | Pierce, pt . . . . .                                                                | 1977 thru<br>1979 Ex.                       |
| Airplane Prog.<br>Manager         | 48            | R             | King, pt . . . . .                                                                  | 1976 2nd Ex.-<br>1979 Ex.                   |
| Timber Res.<br>Manager            | 12            | R             | Chelan, Douglas<br>Grant, pt.<br>Okanogan, pt . . . . .                             | 1977 thru<br>1979 Ex.                       |
| Journeyman<br>Lineman             | 39            | D             | King, pt.<br>Snohomish, pt . . . . .                                                | 1979-79 Ex.                                 |

| NAME OF MEMBER                | Mailing Address                      | Age | Birthplace   |
|-------------------------------|--------------------------------------|-----|--------------|
| Sherman,<br>Marion Kyle ..... | 24629 SE 200th<br>Maple Vly. 98038   | 54  | Washington   |
| Smith,<br>C. P. ....          | Rt. 2, 875 I NW<br>Ephrata 98823     | 63  | Nebraska     |
| Smith,<br>Rick .....          | P.O. Box 68<br>Silverdale 98383      | 38  | Oregon       |
| Sommers,<br>Helen .....       | 2516 14th W.<br>Seattle 98119        | 48  | New Jersey   |
| Sprague,<br>Walt .....        | 20006 50th Ave. W.<br>Lynnwood 98036 | 61  | Washington   |
| Stratton,<br>Lois J. ....     | 1724 W. Mansfield<br>Spokane 99205   | 53  | Washington   |
| Struthers,<br>Gene .....      | 601 Village Way<br>Walla Walla 99362 | 56  | Washington   |
| Taller,<br>Joe .....          | 2852 42nd Ave. W.<br>Seattle 98199   | 46  | Washington   |
| Taylor,<br>Ren .....          | N. 4710 Ella Rd.<br>Spokane 99206    | 56  | Washington   |
| Teutsch,<br>Delores E .....   | 7334 Champagne Pt.<br>Kirkland 98033 | 44  | Washington   |
| Thompson,<br>Alan .....       | 191 Nob Lane<br>Kelso 98626          | 53  | Iowa         |
| Tilly,<br>Earl F .....        | 1509 Jefferson<br>Wenatchee 98801    | 45  | Oregon       |
| Tupper,<br>Steve .....        | 815 NW 122nd<br>Seattle 98177        | 35  | Illinois     |
| Valle,<br>Georgette .....     | 1434 SW 137th<br>Seattle 98166       | 55  | Minnesota    |
| Van Dyken,<br>Roger .....     | 1251 Garden Circle<br>Lynden 98264   | 35  | California   |
| Vrooman,<br>Jerry L .....     | 1011 N. 12th St.<br>Mt. Vernon 98273 | 39  | Oregon       |
| Walk,<br>George W .....       | 11607 98th Ave. E.<br>Puyallup 98371 | 31  | Washington   |
| Warnke,<br>Frank J .....      | 29457 51st S.<br>Auburn 98002        | 47  | Montana      |
| Whiteside,<br>Jim .....       | 3612 Howard Ave.<br>Yakima 98902     | 56  | Washington   |
| Williams,<br>Bob .....        | 111 Victoria St.<br>Longview 98632   | 38  | Pennsylvania |
| Wilson,<br>Simeon .....       | P.O. Box 145<br>Marysville 98270     | 52  | Oregon       |

| Occupation                     | Dis-<br>trict | Poli-<br>tics | County                                                               | Previous<br>Sessions<br>Served              |
|--------------------------------|---------------|---------------|----------------------------------------------------------------------|---------------------------------------------|
| Writer                         | 47            | D             | King, pt. ....                                                       | 1975 thru<br>1979 Ex.                       |
| Farmer/<br>Dairyman            | 13            | R             | Kittitas, Grant, pt.<br>Yakima, pt. ....                             | 1979-79 Ex.                                 |
| Attorney                       | 23            | D             | Kitsap, pt. ....                                                     | 1973 thru<br>1979 Ex.                       |
| Economist                      | 36            | D             | King, pt. ....                                                       | 1973 thru<br>1979 Ex.                       |
| Landscape<br>Contractor        | 21            | R             | Snohomish, pt. ....                                                  | 1979-79 Ex.                                 |
| Senior Secretary               | 3             | D             | Spokane, pt. ....<br>Walla Walla,<br>Franklin,<br>Columbia, pt. .... | App'd.<br>12/31/79<br>1977 thru<br>1979 Ex. |
| Retail Mgmt.                   | 16            | R             | King, pt. ....                                                       | 1977 thru<br>1979 Ex.                       |
| Boeing Indus.<br>Rel. Mgr.     | 36            | R             | King, pt. ....                                                       | 1977 thru<br>1979 Ex.                       |
| Supt.—County<br>Schools        | 4             | R             | Spokane, pt.<br>Whitman, pt. ....                                    | 1979-79 Ex.                                 |
| Comm. wrkr/<br>Home Coordin.   | 45            | R             | King, pt. ....                                                       | 1979-79 Ex.                                 |
| Publisher                      | 18            | D             | Cowlitz, pt<br>Clark, pt. ....                                       | 1965 thru<br>1979 Ex.                       |
| Mgr./Tilly<br>Equipment        | 12            | R             | Chelan, Douglas<br>Grant, pt<br>Okanogan, pt. ....                   | 1973 thru<br>1979 Ex.                       |
| Public Rel.<br>Acct. Mgr.      | 44            | R             | King, pt. ....                                                       | 1979-79 Ex.<br>1965-65 Ex.<br>1973-79 Ex.   |
| Homemaker                      | 31            | D             | King, pt. ....                                                       | 1973-79 Ex.                                 |
| Farmer/Organi-<br>zation Mgr.  | 42            | R             | Whatcom, pt. ....                                                    | 1979-79 Ex.                                 |
| Oil Company<br>Operator        | 40            | D             | San Juan, Skagit,<br>Whatcom, pt. ....                               | 1977 thru<br>1979 Ex.                       |
| Teacher                        | 25            | D             | Pierce, pt.<br>King, pt. ....                                        | 1977 thru<br>1979 Ex.                       |
| Exec. Dir. Pub.<br>School Emp. | 30            | D             | King, pt. ....                                                       | 1965-1965 Ex.<br>1973-79 Ex.                |
| Owner, Home<br>Cleaning Bus.   | 14            | R             | Yakima, pt. ....                                                     | 1975 thru<br>1979 Ex.                       |
| Financial<br>Analyst           | 18            | R             | Cowlitz, pt.<br>Clark, pt. ....                                      | 1979-79 Ex.                                 |
| Newspaper<br>Publisher         | 10            | R             | Island,<br>Snohomish, pt. ....                                       | 1973 thru<br>1979 Ex.                       |

| NAME OF MEMBER               | Mailing Address                        | Age | Birthplace |
|------------------------------|----------------------------------------|-----|------------|
| Winsley,<br>Shirley J .....  | 539 Buena Vista Ave.<br>Fircrest 98466 | 45  | Minnesota  |
| Zimmerman,<br>Harold S ..... | 1432 NE 6th Ave.<br>Camas 98607        | 57  | No. Dakota |

| Name of<br>Officer       | Title               | Mailing<br>Address                | County   |
|--------------------------|---------------------|-----------------------------------|----------|
| Chiechi,<br>Vito T ..... | Chief<br>Clerk      | 2055 Beverly Bch<br>Olympia 98502 | Thurston |
| Foster,<br>Dean R .....  | Chief<br>Clerk      | 1319 W. 4th<br>Olympia 98502      | Thurston |
| Lapham,<br>Harry         | Sergeant<br>at Arms | 8345 Zangle NE<br>Olympia 98506   | Thurston |
| Young,<br>Ross .....     | Sergeant<br>at Arms | 620 O'Farrell<br>Olympia 98501    | Thurston |



| Occupation                  | Dis-<br>trict | Poli-<br>tics | County                                     | Previous<br>Sessions<br>Served |
|-----------------------------|---------------|---------------|--------------------------------------------|--------------------------------|
| Homemaker                   | 28            | R             | Pierce, pt. ....                           | 1974 3rd Ex.<br>1977-79 Ex.    |
| Newspaper Ed.-<br>Publisher | 17            | R             | Klickitat,<br>Skamania,<br>Clark, pt. .... | 1967 thru<br>1979 Ex.          |

| Birthplace | Age | Occupation          | Previous<br>Sessions  |
|------------|-----|---------------------|-----------------------|
| Washington | 54  | Chief<br>Clerk      | 1979-79 Ex.           |
| Washington | 38  | Chief<br>Clerk      | 1973 thru<br>1979 Ex. |
| Florida    | 73  | Maj/Retired<br>Army | 1979-79 Ex.           |
| Washington | 50  | Retired/<br>USAF    | 1975-79 Ex.           |

**HOUSE BILLS PASSED BY BOTH HOUSE AND SENATE  
SHOWING THE ACTION BY THE GOVERNOR THEREON**

Forty-Sixth Legislature – 1980  
1980 Regular Session

| House<br>No. | Relating to:                             | Chapter<br>No. | Effective<br>Date |
|--------------|------------------------------------------|----------------|-------------------|
| S 19         | Paroles, discharges, civil rights        | 75             | 6/12/80           |
| S 38         | Career dev. civil serv. emp              | 118            | 6/12/80           |
| 209          | Agency decisions, jud. review            | 76             | 6/12/80           |
| 277          | Comic books, regs                        | 36             | 6/12/80           |
| 322          | Fire code, hand-held candles             | 8              | 6/12/80           |
| 357          | Student assoc. boards, high ed           | PV 49          | 6/12/80           |
| S 382        | Smoke detectors req                      | 50             | 6/12/80           |
| S 395        | Chiropractic, exam. board                | 51             | 3/3/80            |
| 427          | Search warrants, news media              | 52             | 6/12/80           |
| S 440        | School bus riding, nonstudent            | 122            | 6/12/80           |
| 542          | Pub. broadcast, approp                   | PV 123         | 6/12/80           |
| S 551        | Child pornography                        | 53             | 6/12/80           |
| 646          | Waste management, revisions              | 144            | 6/12/80           |
| S 714        | Commercial crab fishing lic              | 133            | 3/13/80           |
| 762          | Savings & loans, neg. inst               | 54             | *                 |
|              | * Effective date depends on federal regs |                |                   |
| 783          | Retirement/WSP, cadet serv               | 77             | 6/12/80           |
| S 799        | DSHS civil serv. exemptions              | 73             | 6/12/80           |
| S 810        | Comp. tax, forest land                   | 134            | 6/12/80           |
| 829          | Family court funding                     | 124            | 6/12/80           |
| 878          | Sewer dist. water powers                 | 12             | 6/12/80           |
| S 1016       | Sales, use exemptions                    | 37             | 2/29/80           |
| S 1090       | Warrants revisions                       | 145            | 4/1/80            |
| 2S 1141      | State parks reservations                 | 38             | 6/12/80           |
| S 1147       | Grand jury, investigations               | 146            | 6/12/80           |
| S 1210       | 2nd class school districts               | 39             | 6/12/80           |
| 1371         | County road proj., budgets               | 40             | 1/1/81            |
| S 1397       | Urban trans. systems, taxes              | 147            | 6/12/80           |
| 1406         | MV offenses double amend                 | 148            | *                 |
|              | *Sections 1 thru 7                       |                |                   |
|              | *Section 8                               |                |                   |
| S 1413       | Energy fair '83                          | 161            | 6/12/80           |
| 1414         | Students financial aid, reciprocity      | 13             | 6/12/80           |
| S 1416       | Credit unions                            | 41             | 6/12/80           |
| 1418         | Traffic infractions                      | 128            | 1/1/81            |
|              | Section 9                                |                |                   |
| S 1419       | Renewable energy resources               | 149            | 6/12/80           |
| S 1422       | Courts of limited juris                  | 162            | *6/12/80          |
|              | *Sections 1 thru 4                       |                |                   |
|              | *Sections 8 & 9                          |                |                   |
| 1427         | Public transport. system                 | 163            | 4/4/80            |
| S 1429       | Shellfish, private tidelands             | 55             | 6/12/80           |
| 1432         | School dist. director terms              | 35             | *6/12/80          |
|              | *Section 8                               |                |                   |
| 1433         | State patrol crime lab                   | 164            | 4/4/80            |
| 1434         | Recall elections                         | 42             | 6/12/80           |
| 1435         | Fire district services                   | 43             | 6/12/80           |
| 1444         | Low income utility fees                  | 150            | 6/12/80           |
| 1447         | Game code revisions                      | 78             | 7/1/80            |

| House No. | Relating to:                            | Chapter No. | Effective Date |
|-----------|-----------------------------------------|-------------|----------------|
|           | 1453 Wood study program, energy         | Vetoed      |                |
| S         | 1454 Municipal corp. funds invest       | 56          | 6/12/80        |
| S         | 1457 Joint health departments           | 57          | 3/3/80         |
|           | 1458 PA recipients, nursing homes       | 79          | 6/12/80        |
|           | 1460 Blind, deaf schools, salaries      | 58          | 6/12/80        |
|           | 1463 Students, attend. waiver           | 59          | 6/12/80        |
|           | 1464 RV's sanitary system, rest areas   | 60          | 7/1/80         |
|           | 1465 Legislative ethics boards          | 165         | 6/12/80        |
| S         | 1466 School district purchases          | 61          | 6/12/80        |
| S         | 1471 Insurance/surplus require          | 135         | 6/12/80        |
|           | 1475 Leg. sess. references revis        | PV 87       | 6/12/80        |
| S         | 1480 Student spending, fees             | 80          | 6/12/80        |
| S         | 1481 Higher ed., tuition, fee waivers   | 62          | 6/12/80        |
|           | 1483 Ref. 37 approp., handicapped       | 136         | 3/13/80        |
| S         | 1485 Controlled substances              | 138         | 3/13/80        |
|           | 1486 Razor clamming, licenses           | 81          | 7/12/80        |
| S         | 1492 Pub. empl. insurance ded           | 120         | 6/12/80        |
|           | 1495 Ed. services regis. exemp.         | 82          | 3/7/80         |
| S         | 1496 Health insurance conversion rights | 10          | 6/12/80        |
| S         | 1499 Low income sen. cit., util         | 160         | 6/12/80        |
|           | 1508 Ride-sharing vans, tax exempt      | 166         | 4/4/80         |
| S         | 1510 Franchise termination              | 63          | 6/12/80        |
| S         | 1511 Legend drugs ident                 | 83          | 6/12/80        |
| S         | 1515 Health planning implem             | 139         | 6/12/80        |
| S         | 1516 In-home service eligibility        | 137         | 6/12/80        |
|           | 1518 Oil, gas leases, state lands       | 151         | 6/12/80        |
| S         | 1520 DSHS criminal records access       | 125         | 6/12/80        |
|           | 1521 PA prop., income, exemptions       | 84          | 6/12/80        |
|           | 1524 Salary surveys, public employ      | 11          | 6/12/80        |
| S         | 1533 DSHS appropriation                 | 167         | 4/4/80         |
|           | 1545 State library appropriation        | 168         | 4/4/80         |
|           | 1555 Albino wildlife, protection        | 44          | 6/12/80        |
| S         | 1558 Fires dwellings, access., exempt   | 64          | 3/3/80         |
|           | 1568 Gasohol use, state vehicles        | 169         | 6/12/80        |
| S         | 1575 Primitive roads                    | 45          | 6/12/80        |
|           | 1585 Double amendment, RCW 18           | 46          | 2/29/80        |
|           | 1586 Double amendment, RCW 28A          | 47          | 2/29/80        |
|           | 1587 Double amendment, RCW 51           | 14          | 2/22/80        |
|           | 1588 Double amendment, RCW 67           | 16          | 2/22/80        |
|           | 1589 Double amendment, RCW 72           | 17          | 2/22/80        |
|           | 1593 Model traffic ordinance            | 65          | 6/12/80        |
|           | 1597 School bonds, energy               | 170         | 6/12/80        |
|           | 1598 Salmon advisory council            | 66          | 6/12/80        |
|           | 1604 University retire. syst. approp    | 126         | 3/11/80        |
| S         | 1609 Airports, financial aid            | 67          | 6/12/80        |
| S         | 1610 State investment board             | Vetoed      |                |
|           | 1620 Toll supplement approp             | 119         | 3/10/80        |
|           | 1624 Salmon enhancement, bonds          | 15          | 6/12/80        |
| S         | 1630 Alcohol fuel, liquor laws          | 140         | 3/13/80        |
|           | 1643 School construction bonds          | 141         | 3/13/80        |
|           | 1658 Admin. contingency fund            | 142         | 3/13/80        |
|           | 1663 Contractors advertising            | 68          | 6/12/80        |
| S         | 1676 Schools, discipline                | 171         | 6/12/80        |
|           | 1681 State patrol crime lab             | 69          | 6/12/80        |
|           | 1685 Municipal parking facil            | 127         | 6/12/80        |
|           | 1686 School district expenditures       | 18          | 6/12/80        |
| S         | 1688 State gov't. eff. energy           | 172         | 4/4/80         |

| House<br>No. | Relating to:                       | Chapter<br>No. | Effective<br>Date |
|--------------|------------------------------------|----------------|-------------------|
| S 1729       | Adoption consent/child sales       | 85             | 3/7/80            |
| 1762         | Interlocal county drug fund        | 19             | 2/22/80           |
| S 1763       | Leg. building, art                 | PV 173         | 6/12/80           |
| S 1778       | Drivers' license stations          | 121            | 3/10/80           |
| S 1807       | Transportation, hazardous material | 20             | 6/12/80           |
| 1829         | Voter registration                 | 48             | 6/12/80           |
| 1841         | Sales & use tax exemptions, meals  | 86             | 6/12/80           |
| 1843         | Energy audit schools               | Vetoed         |                   |
| S 1852       | Election, caucus conflicts         | Vetoed         |                   |
| 1870         | Bill of lading, haz. cargo         | 132            | 7/1/80            |
| 1950         | Banks/drive-in facilities          | 9              | 6/12/80           |
| S 1952       | Unemployment compensation          | 74             | 6/12/80           |
| 1976         | Solid, liquid waste control        | 21             | 6/12/80           |
| S 1981       | Jail bonds appropriation           | 143            | 3/13/80           |
| S 1983       | Motor vehicle insurance            | 117            | 9/1/80            |
| S 1988       | Mobile homes, movement, rent       | 152            | 4/1/80            |
| S 1989       | Manufactured homes                 | 153            | 6/12/80           |

**HOUSE MEMORIALS AND RESOLUTIONS PASSED  
BY BOTH HOUSE AND SENATE**

Forty-Sixth Legislature – 1980  
1980 Regular Session

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No.            Subject:

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**HOUSE JOINT MEMORIALS**

24            Wood use promotion to relieve energy shortage  
25            Geothermal resources development  
S 31          Energy licensing applications

**HOUSE JOINT RESOLUTIONS**

S 37          Judicial performance and disciplinary commission

**HOUSE CONCURRENT RESOLUTIONS**

3            Joint rules  
22          Legislature organized, Governor notified  
23          Joint Session, Governor's message  
S 29        Higher education reciprocity commission  
33          Joint Ad Hoc Committee, Science & Technology  
35          Providing convening of special sessions

**SENATE BILLS PASSED BY BOTH HOUSE AND SENATE  
SHOWING THE ACTION BY THE GOVERNOR THEREON**

Forty-Sixth Legislature - 1980  
1980 Regular Session

| Senate<br>No. | Relating to:                                   | Chapter<br>No. | Effective<br>Date |
|---------------|------------------------------------------------|----------------|-------------------|
| 2S            | 2381 Superior court clerks, fees .....         | 70             | 6/12/80           |
|               | 2433 Unemployable persons .....                | 174            | 4/4/80            |
| S             | 2616 Minors, liquor licensed premises .....    | 22             | 6/12/80           |
| 2S            | 2748 Irrigation, drainage districts .....      | 23             | 6/12/80           |
| S             | 2751 Pollution control facilities .....        | 175            | 6/12/80           |
| S             | 2963 Common schools, funds .....               | 154            | *9/1/81           |
|               | *Sections 17, 18, 19                           |                | 4/1/80            |
| S             | 2977 Renewable energy practices .....          | Vetoed         |                   |
|               | 3011 Beaver hunt license .....                 | 24             | 6/12/80           |
| S             | 3133 School bus/vets' license .....            | 88             | 6/12/80           |
| S             | 3140 City-county housing .....                 | 25             | 6/12/80           |
| S             | 3164 Urban state parks priorities .....        | PV 89          | 6/12/80           |
| S             | 3169 Workers' comp. modified .....             | 129            | 6/12/80           |
|               | 3181 Solar energy, tax exempt .....            | 155            | 4/1/80            |
|               | 3183 Hood Canal bridge .....                   | 2              | 2/1/80            |
| S             | 3184 Townsites, county lands .....             | 90             | 6/12/80           |
|               | 3190 School buses, use .....                   | 91             | 6/12/80           |
| S             | 3195 Heart Lake property transfer .....        | 4              | 6/12/80           |
|               | 3202 Basic sciences examination .....          | 26             | 6/12/80           |
| S             | 3207 Superior court, King County .....         | PV 183         | 6/12/80           |
|               | 3211 Sewer, water districts .....              | 92             | 6/12/80           |
|               | 3214 Engineers, certain counties .....         | 93             | 6/12/80           |
|               | 3219 Lewis & Clark Bridge, commem. 175th ..... | 5              | 6/12/80           |
|               | 3220 Civil actions, costs .....                | 94             | 5/1/80            |
| S             | 3224 County noxious weed boards .....          | 95             | 3/10/80           |
| S             | 3226 Prescriptions, legend drugs .....         | 71             | 6/12/80           |
| S             | 3228 Motor veh. emission control .....         | 176            | 6/12/80           |
|               | 3235 Fire commissioners, comp .....            | 27             | 6/12/80           |
|               | 3236 Hit and run, personal injuries .....      | 97             | 7/1/80            |
| S             | 3237 Highway franchises .....                  | 28             | 6/12/80           |
|               | 3240 Coord. Review/Accountability Act .....    | PV 186         | 6/12/80           |
|               | 3241 Military recruiters, school access .....  | 96             | 6/12/80           |
|               | 3244 LEOFF elective membership .....           | 130            | 6/12/80           |
|               | 3245 Public retire., dual member .....         | 29             | 6/12/80           |
| S             | 3250 Nursing home audit .....                  | 177            | *                 |
|               | *Sections 2,7,83,85,86,91                      |                | 4/4/80            |
|               | Section 27                                     |                | 7/1/80            |
|               | Sections 3,4,5,6,8,9,11,12                     |                | 7/1/82            |
|               | Remainder of bill                              |                | 7/1/82            |
|               | 3253 Electricians, licensing .....             | PV 30          | 6/12/80           |
| S             | 3256 Fish tax, reciprocity .....               | 98             | 7/1/80            |
| S             | 3257 Poison control/drug info serv .....       | 178            | 4/4/80            |
| S             | 3271 Judicial retir. system, membership .....  | 7              | 2/19/80           |
|               | 3280 Real estate brokers and sales .....       | 72             | 3/4/80            |
|               | 3282 Business corporations, modif .....        | 99             | *6/12/80          |
|               | *Sections 9,10,12,13,14,16                     |                | 1/1/81            |
| S             | 3297 Local gov't. financing, warrants .....    | 100            | 3/10/80           |
| S             | 3309 Ocularists, licensing .....               | 101            | 6/12/80           |
|               | 3318 Insurance licenses, revisions .....       | 102            | 6/12/80           |

| Senate No. | Relating to:                                   | Chapter No. | Effective Date |
|------------|------------------------------------------------|-------------|----------------|
|            | 3320 Agencies, summary orders                  | 31          | 6/12/80        |
| S          | 3321 Education board, state                    | 179         | 6/12/80        |
| S          | 3330 Univ. hospitals, purchases                | 103         | 6/12/80        |
|            | 3331 Hazardous materials, transportation       | 104         | 6/12/80        |
|            | 3334 Judgment liens, extension                 | 105         | 6/12/80        |
| S          | 3359 Election dates                            | 3           | 2/6/80         |
|            | 3362 Election precincts, maps                  | 107         | 6/12/80        |
|            | 3371 Padilla Bay sanctuary                     | 180         | 6/12/80        |
|            | 3378 Civil serv. transfers, sheriff            | 108         | 3/10/80        |
| S          | 3385 Fire reporting reports                    | 181         | 4/4/80         |
|            | 3404 Disestablishing accounts                  | 32          | 6/12/80        |
|            | Except sections 7, 14, 16                      |             |                |
| S          | 3405 Administrative practices, licensing       | 33          | 6/12/80        |
|            | 3406 Common school construction fund           | 6           | 6/12/80        |
|            | 3415 Hearing aid dogs, white cane law          | 109         | 6/12/80        |
|            | 3422 Port districts, facilities                | 110         | 6/12/80        |
| S          | 3457 Crime victims insurance                   | 156         | 4/1/80         |
|            | 3474 Landowner firewood, liability             | 111         | 6/12/80        |
|            | 3487 Retirement plan credits                   | 112         | 6/12/80        |
|            | 3499 Medically fragile children, approp        | 106         | 6/12/80        |
| S          | 3509 Property tax relief                       | PV 185      | 6/12/80        |
| S          | 3537 Higher ed., sick leave comp               | 182         | 6/12/80        |
| S          | 3551 Alcohol fuels, tax incentive              | 157         | 6/12/80        |
| S          | 3558 Herring fleet opportunity board           | 113         | 6/12/80        |
|            | 3565 Drivers' instruc. permits, fees           | 114         | 6/12/80        |
|            | 3574 Delinquency prevention program            | 158         | 6/12/80        |
| S          | 3581 School property, control authority        | 115         | 6/12/80        |
|            | 3593 Unappropriated public lands               | 116         | 1/1/81         |
|            | Valid only if SJR 132 approved on 11/80 ballot |             |                |
| S          | 3603 Pollution control, financing              | 159         | 6/12/80        |
|            | Referendum 39, to be voted on 11/4/80          |             |                |
| S          | 3611 Municipal pension funds                   | 34          | *6/12/80       |
| S          | 3629 Alcohol/fuel tax exemption                | 131         | 6/12/80        |
| S          | 3636 Nursing home care standards               | PV 184      | 6/12/80        |
|            | *Section 19                                    |             | 4/4/80         |

## INITIATIVE

|    |                           |   |        |
|----|---------------------------|---|--------|
| 62 | Limit. state tax revenues | 1 | 1/1/80 |
|----|---------------------------|---|--------|

**SENATE MEMORIALS AND RESOLUTIONS PASSED  
BY BOTH HOUSE AND SENATE**

Forty-Sixth Legislature – 1980  
1980 Regular Session

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No.            Subject:

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**SENATE JOINT MEMORIALS**

None

**SENATE JOINT RESOLUTIONS**

132      Unappropriated public lands

**SENATE CONCURRENT RESOLUTIONS**

118      Bills, reintroduction, cut-off  
120      Legislative office space, cost control  
121      Amending SCR 118  
122      Adjournment, sine die



## GOVERNOR'S MESSAGES ON HOUSE BILLS VETOED AND PARTIALLY VETOED

1980 Regular Session

March 3, 1980

To the Honorable,  
The House of Representatives  
of the State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval as to one portion, HOUSE BILL NO. 357, entitled:

"AN ACT Relating to higher education;"

The proviso beginning on page 1, line 24 and ending on page 2, line 1 would require that the Open Public Meetings Act apply to any policy recommending bodies, except tenure review committees, authorized by public higher education governing boards, which have student members who represent the interest of students.

While there may be reason to subject all policy recommending bodies in higher education to the Open Public Meetings Act, I cannot agree with singling out only those that have student representatives.

With the exception of the proviso beginning on page 1, line 24 and ending on page 2, line 1, which I have vetoed, the remainder of House Bill No. 357 is approved.

Respectfully submitted,  
Dixy Lee Ray, Governor.

March 11, 1980

To the Honorable,  
The House of Representatives  
of the State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval as to three sections, HOUSE BILL NO. 542, entitled:

"AN ACT Relating to broadcasting by radio and television, including instructional and public broadcasting..."

I agree that we need to establish a coordinating and planning mechanism to assure efficient and cost effective educational and public broadcasting. I have, however, vetoed sections 1, 6 and 7. These three sections deal primarily with the funding for the Public Broadcasting Commission and in no way effect the intent or integrity of the legislation. I feel individual programs should be judged on merit and their funding levels evaluated as part of the overall priorities of the state during the regular budget process.

With the exception of sections 1, 6 and 7, which I have vetoed, the remainder of House Bill No. 542 is approved.

Respectfully submitted,  
Dixy Lee Ray, Governor.

April 4, 1980

To the Honorable,  
The House of Representatives  
of the State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval, HOUSE BILL NO. 1410, entitled:

"AN ACT Relating to gambling..."

House Bill No. 1410 deals with a special tax imposed on certain gambling devices. The statutes that exist currently on the subject are technical and carefully interface with a complex federal law. It would appear that this bill is an attempt to accommodate changes in the federal code. However, the provisions of this bill raise technical questions which, when left unanswered render the scope, application, and ultimate effect of the bill indeterminable. I have grave concerns with any bill whose scope cannot be specifically determined. Moreover, in light of recent developments I refuse to allow a gambling bill which may have latent effects to become law.

For these reasons I have determined to veto House Bill No. 1410.

Respectfully submitted,  
Dixy Lee Ray, Governor.

April 4, 1980

To the Honorable,  
The House of Representatives  
of the State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval HOUSE BILL NO. 1453, entitled:

"AN ACT Relating to the use of wood for energy and heating;"

House Bill No. 1453 directs the Department of Natural Resources to establish a program to study the use of wood for energy and heating purposes. Within the general program the department is directed to undertake more specific actions. However, there is no direction in the bill that either increases the authority of the department or imposes greater duties than already exist in current law.

Our laws were purposely drafted in a general manner so that they could accommodate emergent needs. The fact that statutory authority already exists to do what this bill proposes is testimony of and a tribute to the established system.

This bill succeeds only in burdening our flexible laws with a narrow and specialized provision whose term of applicability is miniscule. Since this law adds nothing to the effectiveness of current law and because it has a pejorative effect on the underpinnings of our statutory system I have determined to veto House Bill No. 1453. However, in deference to the concerns of the legislature, I have directed the Department of Natural Resources to give such priority to the program as time and finances will allow.

Respectfully submitted,  
Dixy Lee Ray, Governor.

March 7, 1980

To the Honorable,  
The House of Representatives  
of the State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval of two sections, HOUSE BILL NO. 1475, entitled:

"AN ACT Relating to legislative sessions,"

Section 3 of this bill amends RCW 28A.41.020 which was repealed by section 7(1) of SB 3406 (Ch. 6, Laws of 1980), and section 4 amends RCW 28A.41.050 which was previously amended by section 3 of SB 3406 (Ch. 6, Laws of 1980). It is clear that the earlier enactment is preferred, and therefore I have vetoed these sections to preclude the necessity of further action to clarify intent.

With the exception of sections 3 and 4, which I have vetoed, the remainder of House Bill No. 1475 is approved.

Sincerely,  
Dixy Lee Ray, Governor.

April 4, 1980

To the Honorable,  
The House of Representatives  
of the State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval, SUBSTITUTE HOUSE BILL NO. 1610, entitled:

"AN ACT Relating to state investments."

House Bill No. 1610 represents a major restructuring of the state's investment management. One fourteen-member board, which is made up in significant part by executive and legislative appointees, is to replace the numerous boards that now exist. It is the composition of this new board that concerns me.

I challenge the legislative participation on the board. The legislature's duty is to make laws. A necessary part of this is an evaluation of current laws and an objective evaluation of how these laws are being carried out. This evaluative role by the legislature is critical and must not be hindered by a possible conflict of interest through actual participation in ongoing programs.

In addition, I question the appointed origin of the board members. The active and retired members of the state's retirement systems must be responsive to public interest. The board that this bill proposes would be rife with appointed individuals who would be insulated from public accountability.

Lastly, I recognize the structural and administrative problems which this bill addresses. Many other states have selected a more centralized management system. However, since this bill would not significantly shift the state's investment authority until mid-1981, I am convinced that there is enough time to develop better alternatives to meet such challenges.

For the foregoing reasons, I have determined to veto Substitute House Bill No. 1610.

Respectfully submitted,  
Dixy Lee Ray, Governor.

April 4, 1980

To the Honorable,  
The House of Representatives  
of the State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval a portion of HOUSE BILL NO. 1763, entitled:

"AN ACT Relating to works of art for the legislative building..."

This bill establishes a program to acquire works of art for the legislative building. Section 4 creates the capitol arts fund as the account to support this program. Subsection 2 of section 4 contains a misreference which renders its provisions unintelligible.

For this reason I have determined to veto subsection 2 of section 4 of House Bill No. 1763.

Respectfully submitted,  
Dixy Lee Ray, Governor.

April 4, 1980

To the Honorable,  
The House of Representatives  
of the State of Washington  
Ladies and Gentlemen:

I am returning herewith without my approval, HOUSE BILL NO. 1843, entitled:

"AN ACT Relating to the common schools;"

The State Energy Office should be the focal point for all state level energy-related programs, including energy audits of public facilities such as this bill envisions. The Energy Office has applied for and expects to receive federal grants that would largely accomplish the directives of this bill.

In addition, since the information expected to be developed by these facility audits will be used in making capital budgeting decisions, the appropriation should carry appropriate reporting requirements.

For the foregoing reasons, I have determined to veto House Bill No. 1843.

Respectfully submitted,  
Dixy Lee Ray, Governor.

For Veto Message on Substitute House Bill No. 1852 see page 247.

## HISTORY OF HOUSE BILLS

| NO.           | Intro. &<br>1st R'd'g | Committee<br>Report | 2nd R'd'g<br>Amend-<br>ments | 3rd R'd'g<br>Final<br>Passage | Other<br>Action | Action<br>by Gov. |
|---------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 10. (Sub)     |                       | 69                  | 134                          |                               |                 |                   |
| 10. (2nd Sub) |                       |                     | 134,141                      | 141                           |                 |                   |
| 19. (Sub)     |                       |                     |                              | 9,540                         | 540             | 697<br>Ch. 75     |
| 20. (Sub)     |                       |                     |                              |                               | 190             |                   |
| 21.           |                       | 145                 |                              |                               |                 |                   |
| 29. (Sub)     |                       |                     |                              | 61                            | 57,<br>60-61    | 1979<br>Veto      |
| 31.           |                       | 145,192             | 197                          |                               | 197             |                   |
| 31. (Sub)     |                       |                     | 197                          | 197                           |                 |                   |
| 38. (Sub)     |                       |                     | 184                          | 185                           |                 | 712<br>Ch. 118    |
| 39. (Sub)     |                       | 31                  | 212                          |                               |                 |                   |
| 39. (2nd Sub) |                       |                     | 212                          | 212                           |                 |                   |
| 43. (Sub)     |                       |                     |                              | 9                             |                 |                   |
| 45.           |                       | 153                 | 177                          |                               |                 |                   |
| 45. (Sub)     |                       |                     | 177                          | 177                           |                 |                   |
| 46.           |                       |                     |                              | 187                           |                 |                   |
| 51. (Sub)     |                       |                     |                              | 9                             |                 |                   |
| 52.           |                       |                     |                              | 10                            |                 |                   |
| 71.           |                       |                     |                              | 10                            |                 |                   |
| 87.           |                       |                     |                              |                               | 8, 56           |                   |
| 98.           |                       |                     | 58                           |                               |                 |                   |
| 98. (Sub)     |                       |                     | 58                           | 58                            |                 |                   |
| 105. (Sub)    |                       |                     |                              | 10                            |                 |                   |
| 115.          |                       |                     |                              | 72                            |                 |                   |
| 131. (Sub)    |                       |                     |                              | 11                            |                 |                   |
| 132.          |                       |                     |                              | 11                            |                 |                   |
| 145.          |                       |                     |                              |                               | 166             |                   |

| NO.            | Intro. &<br>1st R'd'g | Committee<br>Report | 2nd R'd'g<br>Amend-<br>ments | 3rd R'd'g<br>Final<br>Passage | Other<br>Action | Action<br>by Gov. |
|----------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 168.           |                       |                     | 40,54                        | 54                            | 8               |                   |
| 182.           |                       |                     | 212                          | 212                           |                 |                   |
| 200. (Sub)     |                       | 145,192             | 273                          |                               |                 |                   |
| 200. (2nd Sub) |                       |                     | 273                          | 274                           |                 |                   |
| 207.           |                       |                     |                              | 12                            |                 |                   |
| 209.           |                       |                     |                              | 73,<br>541                    | 540             | 697<br>Ch. 76     |
| 238.           |                       |                     | 41                           | 41                            | 8               |                   |
| 240. (Sub)     |                       | 89                  | 134                          |                               |                 |                   |
| 240. (2nd Sub) |                       |                     | 134                          | 135                           |                 |                   |
| 242.           |                       |                     |                              |                               | 129             |                   |
| 266.           |                       | 145                 |                              |                               |                 |                   |
| 277.           |                       |                     |                              | 12                            |                 | 606<br>Ch. 36     |
| 284.           |                       |                     |                              | 92                            |                 |                   |
| 299. (Sub)     |                       | 89                  | 135                          |                               |                 |                   |
| 299. (2nd Sub) |                       |                     | 135                          | 135                           |                 |                   |
| 312. (Sub)     |                       |                     |                              | 94, 143                       |                 |                   |
| 315. (Sub)     |                       |                     |                              | 94                            |                 |                   |
| 318.           |                       |                     | 150                          |                               |                 |                   |
| 318. (Sub)     |                       |                     | 150-152                      | 182                           |                 |                   |
| 322.           |                       |                     | 55                           | 55                            | 8               | 561<br>Ch. 8      |
| 325.           |                       | 89                  | 147                          |                               |                 |                   |
| 325. (Sub)     |                       |                     | 148                          | 148                           |                 |                   |
| 340. (Sub)     |                       |                     |                              | 183                           |                 |                   |
| 357.           |                       |                     |                              | 12,501                        | 501             | Ch. 49<br>PV      |
| 370. (2nd Sub) |                       |                     | 183                          | 183                           |                 |                   |

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|----------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 382.           |                       |                     | 172                          |                               |                 |                   |
| 382. (Sub)     |                       |                     | 172-<br>174                  | 286,<br>494                   | 494             | 619<br>Ch. 50     |
| 391. (Sub)     |                       |                     |                              | 13                            |                 |                   |
| 395. (Sub)     |                       |                     | 187-<br>189                  | 189,<br>500                   | 499             | 619<br>Ch. 51     |
| 397.           |                       |                     |                              | 13                            |                 |                   |
| 405. (Sub)     |                       |                     | 41                           | 42                            | 8               |                   |
| 414.           |                       |                     |                              |                               | 38              |                   |
| 427.           |                       |                     |                              | 32,<br>507                    | 507             | 619<br>Ch. 52     |
| 432.           |                       | 145                 |                              |                               |                 |                   |
| 440. (Sub)     |                       |                     |                              | 32                            | 548,<br>607     | 722<br>Ch. 122    |
| 451. (Sub)     |                       |                     |                              | 32                            |                 |                   |
| 461.           |                       |                     |                              | 33                            |                 |                   |
| 465.           |                       |                     |                              | 33                            |                 |                   |
| 498. (Sub)     |                       |                     |                              | 34                            |                 |                   |
| 515. (Sub)     |                       |                     | 40                           | 40                            | 8               |                   |
| 520.           |                       |                     | 57                           | 57                            |                 |                   |
| 531.           |                       | 145                 |                              |                               |                 |                   |
| 540.           |                       | 132                 | 148                          |                               |                 |                   |
| 540. (Sub)     |                       |                     | 148                          | 148                           |                 |                   |
| 541. (Sub)     |                       | 163                 | 213                          |                               |                 |                   |
| 541. (2nd Sub) |                       |                     | 213                          | 213                           |                 |                   |
| 542.           |                       |                     | 186                          | 186,<br>603                   | 603             | Ch. 123<br>PV     |
| 551. (Sub)     |                       |                     |                              | 34,<br>509                    | 508             | 619<br>Ch. 53     |
| 561.           |                       |                     | 213                          |                               |                 |                   |

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|------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 561. (Sub) |                       |                     | 213                          | 214                           |                 |                   |
| 570.       |                       |                     |                              |                               | 69              |                   |
| 584.       |                       | 145                 |                              |                               |                 |                   |
| 613.       |                       |                     | 160                          | 160                           |                 |                   |
| 614.       |                       | 225                 | 270                          | 271                           |                 |                   |
| 639. (Sub) |                       |                     |                              | 34                            |                 |                   |
| 644. (Sub) |                       |                     |                              | 35                            |                 |                   |
| 646.       |                       | 225                 | 311                          | 311                           | 618,<br>698     | Ch. 144           |
| 652.       |                       | 225                 |                              |                               |                 |                   |
| 656.       |                       | 226                 |                              |                               |                 |                   |
| 675.       |                       |                     |                              |                               | 130             |                   |
| 676.       |                       | 226                 |                              |                               | 73              |                   |
| 714.       |                       |                     | 142                          |                               |                 |                   |
| 714. (Sub) |                       |                     | 142                          | 142,<br>632                   | 508,<br>632     | 768<br>Ch. 133    |
| 721.       |                       |                     |                              | 35                            |                 |                   |
| 726. (Sub) |                       |                     |                              | 73                            |                 |                   |
| 728.       |                       | 192                 |                              |                               |                 |                   |
| 762.       |                       |                     |                              | 36,508                        | 507             | Ch. 54            |
| 763. (Sub) |                       |                     | 51,71                        | 72                            | 8               |                   |
| 770.       |                       | 145                 |                              |                               |                 |                   |
| 779. (Sub) |                       |                     |                              |                               | 8               |                   |
| 783.       |                       |                     |                              | 36,<br>543                    | 541             | 697<br>Ch. 77     |
| 799. (Sub) |                       |                     | 51                           | 51,95,<br>503                 | 503             | 697<br>Ch. 73     |
| 807.       |                       |                     |                              | 36                            |                 |                   |

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|-----------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 810. (Sub)      |                       |                     |                              | 189,<br>618                   | 618             | 768<br>Ch. 134    |
| 814.            |                       |                     |                              | 37                            |                 |                   |
| 819.            |                       | 132                 | 214                          | 214                           |                 |                   |
| 825.            |                       | 700                 |                              |                               | 658             |                   |
| 829.            |                       |                     |                              | 187,<br>602                   | 602             | 722<br>Ch. 124    |
| 841. (Sub)      |                       |                     |                              | 92                            |                 |                   |
| 858. (Sub)      |                       |                     |                              | 93                            |                 |                   |
| 864. (Sub)      |                       | 146                 |                              |                               |                 |                   |
| 866.            |                       | 226                 |                              |                               |                 |                   |
| 870.            |                       |                     |                              | 37                            |                 |                   |
| 878.            |                       | 69                  | 157                          | 157                           |                 | 561<br>Ch. 12     |
| 894. (Sub)      |                       |                     |                              | 286                           |                 |                   |
| 898. (Sub)      |                       |                     |                              | 287                           |                 |                   |
| 903.            |                       |                     | 51                           | 54                            | 8               |                   |
| 943. (Sub)      |                       |                     |                              | 37                            |                 |                   |
| 981.            |                       | 243                 | 274                          |                               |                 |                   |
| 981. (Sub)      |                       |                     | 274,281                      | 302                           | 282             |                   |
| 982.            |                       |                     | 158                          |                               |                 |                   |
| 1000. (2nd Sub) |                       |                     | 144                          | 144                           |                 |                   |
| 1008. (Sub)     |                       |                     |                              | 38                            |                 |                   |
| 1016            |                       | 89                  | 135                          |                               |                 |                   |
| 1016. (Sub)     |                       |                     | 135                          | 136                           |                 | 606<br>Ch. 37     |
| 1065.           |                       |                     | 58                           |                               |                 |                   |
| 1065. (Sub)     |                       |                     | 58                           | 58                            |                 |                   |
| 1073. (Sub)     |                       | 533                 | 635,<br>640-656              | 657                           |                 |                   |



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|-----------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1084. (Sub)     |                       |                     |                              | 93                            |                 |                   |
| 1090.           |                       | 193                 | 233                          |                               |                 |                   |
| 1090. (Sub)     |                       |                     | 233                          | 234,<br>809                   | 808             | Ch. 145           |
| 1093.           |                       | 193                 | 274                          |                               | 167             |                   |
| 1093. (Sub)     |                       |                     | 274                          | 275                           |                 |                   |
| 1106.           |                       |                     |                              |                               |                 | 38                |
| 1107.           |                       |                     | 58                           |                               |                 |                   |
| 1107. (Sub)     |                       |                     | 58                           | 58                            |                 |                   |
| 1109.           |                       |                     |                              |                               |                 | 38                |
| 1141. (2nd Sub) |                       | 50                  | 198                          | 198                           |                 | 606<br>Ch. 38     |
| 1143.           |                       | 163                 | 214                          |                               |                 |                   |
| 1143. (Sub)     |                       |                     | 214                          | 215                           |                 |                   |
| 1147. (Sub)     |                       |                     | 40                           | 40,<br>803                    | 8,<br>800       | Ch. 146           |
| 1177.           |                       | 226                 | 306                          |                               | 39              |                   |
| 1177. (Sub)     |                       |                     | 306                          | 307                           |                 |                   |
| 1183.           |                       | 243                 | 277                          |                               | 70              |                   |
| 1183. (2nd Sub) |                       |                     | 277-280                      | 280                           |                 |                   |
| 1193.           |                       |                     | 70                           | 71                            |                 |                   |
| 1196. (Sub)     |                       | 262                 |                              |                               |                 |                   |
| 1197.           |                       |                     | 150,157                      | 157                           |                 |                   |
| 1205.           |                       | 163                 | 215                          |                               |                 |                   |
| 1205. (Sub)     |                       |                     | 215                          | 215                           |                 |                   |
| 1210. (Sub)     |                       | 89                  | 136                          | 136                           |                 | 606<br>Ch. 39     |
| 1251.           |                       | 193                 |                              |                               |                 |                   |
| 1254.           |                       |                     | 215                          | 215                           |                 |                   |

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|-------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1262.       |                       |                     | 216                          | 216                           |                 |                   |
| 1263.       |                       |                     |                              | 93                            |                 |                   |
| 1359. (Sub) |                       |                     |                              | 39                            |                 |                   |
| 1371.       |                       |                     | 303                          | 304                           |                 | 606<br>Ch. 40     |
| 1397.       | 6                     | 395                 | 611                          |                               |                 |                   |
| 1397. (Sub) |                       |                     | 611                          | 611,741                       | 741             | Ch. 147           |
| 1398.       | 6                     | 226                 | 275                          |                               |                 |                   |
| 1398. (Sub) |                       |                     | 275                          | 275                           |                 |                   |
| 1399.       | 7                     |                     |                              |                               |                 |                   |
| 1400.       | 7                     |                     |                              |                               |                 |                   |
| 1401.       | 7                     |                     |                              |                               |                 |                   |
| 1402.       | 7                     |                     |                              |                               |                 |                   |
| 1403.       | 7                     |                     |                              |                               |                 |                   |
| 1404.       | 7                     | 31                  | 166                          | 166                           |                 |                   |
| 1405.       | 7                     | 193                 |                              |                               | 137             |                   |
| 1406.       | 7                     | 153                 | 198                          | 198,<br>740                   | 738             | Ch. 148           |
| 1407.       | 7                     | 193                 | 276                          | 276                           |                 |                   |
| 1408.       | 8                     | 90                  | 240                          |                               |                 |                   |
| 1408. (Sub) |                       |                     | 240                          | 241                           |                 |                   |
| 1409.       | 8                     | 249                 |                              |                               |                 |                   |
| 1410.       | 8                     | 90                  | 136                          | 137                           |                 | Vetoed            |
| 1411.       | 8                     |                     |                              |                               |                 |                   |
| 1412.       | 8                     | 163                 | 206                          |                               | 21              |                   |
| 1412. (Sub) |                       |                     | 206-208                      | 208                           |                 |                   |
| 1413.       | 8                     | 599                 | 636                          |                               |                 |                   |
| 1413. (Sub) |                       |                     | 636                          | 636                           |                 | Ch. 161           |

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|-----------------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1414. ....            | 14                    | 179                 | 234                          | 234                           |                 | 561<br>Ch. 13     |
| 1415. ....            | 15                    |                     |                              |                               |                 |                   |
| 1416. ....            | 15                    | 209                 | 276                          |                               |                 |                   |
| 1416. (Sub) .....     |                       |                     | 276                          | 276                           |                 | 606<br>Ch. 41     |
| 1417. ....            | 15                    | 69                  | 138                          | 138                           |                 |                   |
| 1418. ....            | 15                    | 90                  | 139                          | 139,<br>588                   | 587             | 768<br>Ch. 128    |
| 1419. ....            | 15                    | 133,<br>533         | 555                          |                               | 133             |                   |
| 1419. (Sub) .....     |                       |                     | 555                          | 555,743                       | 742             | Ch. 149           |
| 1420. ....            | 15                    | 133,243             | 324                          |                               | 133             |                   |
| 1420. (2nd Sub) ..... |                       |                     | 324-325,<br>331              | 331                           | 718,<br>813     |                   |
| 1421. ....            | 16                    | 69                  | 158                          | 159                           |                 |                   |
| 1422. ....            | 16                    | 243                 | 267                          |                               |                 |                   |
| 1422. (Sub) .....     |                       |                     | 267                          | 267,699                       | 698             | Ch. 162           |
| 1423. ....            | 16                    | 226                 |                              |                               |                 |                   |
| 1424. ....            | 16                    | 658                 | 659                          |                               |                 |                   |
| 1424. (Sub) .....     |                       |                     | 659                          | 660                           |                 |                   |
| 1425. ....            | 16                    | 69                  | 159                          | 160                           |                 |                   |
| 1426. ....            | 16                    |                     |                              |                               |                 |                   |
| 1427. ....            | 16                    | 146                 | 199                          | 199,<br>771                   | 769             | Ch. 163           |
| 1428. ....            | 16                    | 638                 | 660                          |                               | 27              |                   |
| 1428. (Sub) .....     |                       |                     | 661                          | 661                           |                 |                   |
| 1429. ....            | 17                    | 180                 | 234                          |                               |                 |                   |
| 1429. (Sub) .....     |                       |                     | 234                          | 235,<br>495                   | 495             | 619<br>Ch. 55     |

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|-------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1430. | 17                    | 133                 | 148                          | 149                           |                 |                   |
| 1431. | 17                    | 90                  | 139                          | 139                           |                 |                   |
| 1432. | 17                    | 153                 | 217                          | 217,<br>505                   | 505             | 606<br>Ch. 35     |
| 1433. | 17                    | 342                 | 411                          | 411                           |                 | Ch. 164           |
| 1434. | 17                    | 193                 | 235                          | 235                           |                 | 606<br>Ch. 42     |
| 1435. | 17                    | 69                  | 149                          | 149                           |                 | 606<br>Ch. 43     |
| 1436. | 17                    |                     |                              |                               |                 |                   |
| 1437. | 18                    |                     |                              |                               |                 |                   |
| 1438. | 18                    | 164                 | 217                          | 218                           | 39              |                   |
| 1439. | 18                    |                     |                              |                               |                 |                   |
| 1440. | 18                    |                     |                              |                               |                 |                   |
| 1441. | 18                    |                     |                              |                               |                 |                   |
| 1442. | 18                    |                     |                              |                               |                 |                   |
| 1443. | 18                    | 226                 | 267                          | 268                           |                 |                   |
| 1444. | 18                    | 359                 | 390                          | 391,<br>716                   | 715             | Ch. 150           |
| 1445. | 18                    | 146                 | 200                          | 200                           |                 |                   |
| 1446. | 19                    | 164                 |                              |                               |                 |                   |
| 1447. | 19                    | 243                 | 268                          | 269,<br>514                   | 514             | 697<br>Ch. 78     |
| 1448. | 21                    |                     |                              |                               |                 |                   |
| 1449. | 21                    | 90                  | 139                          | 140                           |                 |                   |
| 1450. | 27                    | 161                 |                              |                               |                 |                   |
| 1451. | 27                    | 146                 |                              |                               | 224             |                   |
| 1452. | 27                    |                     |                              |                               |                 |                   |
| 1453. | 27                    | 146                 | 218                          | 218,<br>698                   | 589,<br>698     | Vetoed            |

| NO.               | Intro. & 1st R'd'g | Committee Report | 2nd R'd'g Amend-ments | 3rd R'd'g Final Passage | Other Action | Action by Gov. |
|-------------------|--------------------|------------------|-----------------------|-------------------------|--------------|----------------|
| 1454. ....        | 27                 | 90               | 140                   |                         |              |                |
| 1454. (Sub)       |                    |                  | 140                   | 140, 504                | 504          | 619 Ch. 58     |
| 1455. ....        | 28                 | 164              | 236                   |                         | 39           |                |
| 1455. (Sub) ..... |                    |                  | 236                   | 236                     |              |                |
| 1456. ....        | 28                 |                  |                       |                         |              |                |
| 1457. ....        | 28                 | 91               | 149                   |                         |              |                |
| 1457. (Sub)       |                    |                  | 149                   | 149, 507                | 506          | 619 Ch. 57     |
| 1458. ....        | 28                 | 164              | 218                   | 219, 515                | 515          | 697 Ch. 79     |
| 1459. ....        | 28                 |                  |                       |                         |              |                |
| 1460. ....        | 28                 | 164              | 219                   | 219                     |              | 619 Ch. 58     |
| 1461. ....        | 28                 | 209              | 307                   |                         |              |                |
| 1461. (Sub)       |                    |                  | 307                   | 307                     |              |                |
| 1462. ....        | 29                 | 164,599          |                       |                         | 166          |                |
| 1463. ....        | 29                 | 91               | 140                   | 141, 495                | 495          | 619 Ch. 59     |
| 1464. ....        | 29                 | 154              | 277, 289              | 290                     |              | 619 Ch. 60     |
| 1465. ....        | 29                 | 249              | 612                   | 612, 733                | 731          | Ch. 165        |
| 1466. ....        | 29                 | 227              | 280                   |                         |              |                |
| 1466. (Sub) ..... |                    |                  | 280                   | 280, 496                | 496          | 619 Ch. 61     |
| 1467. ....        | 29                 | 193              | 236                   |                         |              |                |
| 1468. ....        | 30                 | 193              |                       |                         | 39           |                |
| 1469. ....        | 30                 |                  |                       |                         |              |                |
| 1470. ....        | 30                 |                  |                       |                         |              |                |

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|-------------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1471. ....        | 30                    | 133                 | 200                          |                               |                 |                   |
| 1471. (Sub) ..... |                       |                     | 200                          | 200,<br>657                   | 657             | 768<br>Ch. 135    |
| 1472. ....        | 30                    | 250                 |                              |                               |                 |                   |
| 1473. ....        | 30                    |                     |                              |                               |                 |                   |
| 1474. ....        | 30                    | 165                 |                              |                               |                 |                   |
| 1475. ....        | 30                    | 146                 | 219                          | 220,<br>553                   | 552             | Ch. 87<br>PV      |
| 1476. ....        | 31                    | 342                 | 365                          |                               |                 |                   |
| 1476. (Sub) ..... |                       |                     | 365                          | 366                           |                 |                   |
| 1477. ....        | 43                    |                     |                              |                               |                 |                   |
| 1478. ....        | 43                    |                     |                              |                               |                 |                   |
| 1479. ....        | 44                    |                     |                              |                               |                 |                   |
| 1480. ....        | 44                    | 154                 | 220                          |                               |                 |                   |
| 1480. (Sub) ..... |                       |                     | 220                          | 221,<br>549                   | 549             | 697<br>Ch. 80     |
| 1481. ....        | 44                    | 91                  | 169                          |                               |                 |                   |
| 1481. (Sub) ..... |                       |                     | 169-<br>171                  | 171,<br>501                   | 501             | 619<br>Ch. 62     |
| 1482. ....        | 44                    |                     |                              |                               |                 |                   |
| 1483. ....        | 44                    | 395                 | 556                          | 557,<br>621                   | 620             | 768<br>Ch. 136    |
| 1484. ....        | 44                    | 210                 | 305                          |                               |                 |                   |
| 1484. (Sub) ..... |                       |                     | 305-306                      |                               |                 |                   |
| 1485. ....        | 44                    | 154                 | 201                          |                               |                 |                   |
| 1485. (Sub) ..... |                       |                     | 201                          | 201,<br>609                   | 543-545,<br>609 | 768<br>Ch. 138    |
| 1486. ....        | 44                    | 243                 | 281                          | 282,<br>516                   | 515             | 697<br>Ch. 81     |
| 1487. ....        | 45                    |                     |                              |                               |                 |                   |

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|-------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1488.       | 45                    |                     |                              |                               |                 |                   |
| 1489.       | 45                    |                     |                              |                               |                 |                   |
| 1490.       | 45                    |                     |                              |                               |                 |                   |
| 1491.       | 45                    | 210,700             |                              |                               | 323             |                   |
| 1492.       | 45                    | 227                 | 308                          |                               |                 |                   |
| 1492. (Sub) |                       |                     | 309                          | 309,<br>560                   | 559             | 712<br>Ch. 120    |
| 1493.       | 45                    | 133                 |                              |                               | 133             |                   |
| 1494.       | 45                    |                     |                              |                               |                 |                   |
| 1495.       | 45                    | 91                  | 172                          | 172,<br>550                   | 550             | 697<br>Ch. 82     |
| 1496.       | 45                    | 168                 | 237                          |                               |                 |                   |
| 1496. (Sub) |                       |                     | 237                          | 237                           |                 | 561<br>Ch. 10     |
| 1497.       | 46                    | 146                 | 174                          | 174                           |                 |                   |
| 1498.       | 46                    |                     |                              |                               |                 |                   |
| 1499.       | 46                    | 421                 | 562                          |                               |                 |                   |
| 1499. (Sub) |                       |                     | 562                          | 563,<br>741                   | 740             | Ch. 160           |
| 1500.       | 46                    | 180,666             |                              |                               | 323             |                   |
| 1501.       | 46                    |                     |                              |                               |                 |                   |
| 1502.       | 46                    |                     |                              |                               |                 |                   |
| 1503.       | 46                    |                     |                              |                               |                 |                   |
| 1504.       | 46                    |                     |                              |                               |                 |                   |
| 1505.       | 46                    |                     |                              |                               |                 |                   |
| 1506.       | 47                    |                     |                              |                               |                 |                   |
| 1507.       | 47                    | 227                 |                              |                               |                 |                   |
| 1508.       | 47                    | 599                 | 636-<br>638                  | 638                           | 70,<br>191      | Ch. 166           |

## HISTORY OF HOUSE BILLS

| NO.         | Intro. &<br>1st R'd'g | Committee<br>Report | 2nd R'd'g<br>Amend-<br>ments | 3rd R'd'g<br>Final<br>Passage | Other<br>Action | Action<br>by Gov. |
|-------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1509.       | 47                    |                     |                              |                               |                 |                   |
| 1510.       | 48                    | 154                 | 201                          |                               |                 |                   |
| 1510. (Sub) |                       |                     | 201                          | 202,<br>497                   | 496             | 619<br>Ch. 63     |
| 1511.       | 48                    | 154                 | 221                          |                               |                 |                   |
| 1511. (Sub) |                       |                     | 221                          | 221                           |                 | 697<br>Ch. 83     |
| 1512.       | 48                    | 227                 | 309                          |                               |                 |                   |
| 1512. (Sub) |                       |                     | 309                          | 309                           |                 |                   |
| 1513.       | 48                    |                     |                              |                               |                 |                   |
| 1514.       | 48                    |                     |                              |                               |                 |                   |
| 1515.       | 48                    | 128                 | 175                          |                               |                 |                   |
| 1515. (Sub) |                       |                     | 175-<br>177                  | 177,<br>608                   | 552,<br>608     | 768<br>Ch. 139    |
| 1516.       | 48                    | 91                  | 202                          |                               |                 |                   |
| 1516. (Sub) |                       |                     | 202                          | 203,<br>630                   | 629             | 768<br>Ch. 137    |
| 1517.       | 49                    | 165,638             |                              |                               | 323             |                   |
| 1518.       | 49                    | 250                 | 563                          | 563                           |                 | Ch. 151           |
| 1519.       | 49                    | 133                 | 221                          | 222                           |                 |                   |
| 1520.       | 49                    | 147                 | 203                          |                               |                 |                   |
| 1520. (Sub) |                       |                     | 203                          | 203                           |                 | 722<br>Ch. 125    |
| 1521.       | 49                    | 134                 | 150                          | 150,<br>518                   | 516             | 697<br>Ch. 84     |
| 1522.       | 49                    |                     |                              |                               |                 |                   |
| 1523.       | 49                    |                     |                              |                               |                 |                   |
| 1524.       | 49                    | 194                 | 237                          | 237                           |                 | 561<br>Ch. 11     |
| 1525.       | 61                    | 343                 | 391                          |                               |                 |                   |



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|-------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------------------------------|-------------------|
| 1525. (Sub) |                       |                     | 391                          | 391                           |                                         |                   |
| 1526.       | 61                    | 343                 | 368                          | 368                           | 667-676                                 |                   |
| 1527.       | 61                    |                     |                              |                               |                                         |                   |
| 1528.       | 61                    | 346                 | 391                          |                               |                                         |                   |
| 1528. (Sub) |                       |                     | 391                          | 392                           |                                         |                   |
| 1529.       | 62                    |                     |                              |                               |                                         |                   |
| 1530.       | 62                    | 343                 | 392                          |                               |                                         |                   |
| 1530. (Sub) |                       |                     | 392                          | 392                           |                                         |                   |
| 1531.       | 62                    |                     |                              |                               |                                         |                   |
| 1532.       | 62                    | 346                 | 512                          |                               |                                         |                   |
| 1532. (Sub) |                       |                     | 512,<br>513,551,<br>553-554  |                               |                                         |                   |
| 1533.       | 62                    | 343                 | 510                          |                               |                                         |                   |
| 1533. (Sub) |                       |                     | 510-<br>512,513,<br>519-532  | 533,<br>789                   | 676-683,<br>751-759,<br>763,<br>779-789 | Ch. 167           |
| 1534.       | 62                    | 359                 | 404                          |                               |                                         |                   |
| 1534. (Sub) |                       |                     | 405                          | 405                           |                                         |                   |
| 1535.       | 62                    |                     |                              |                               |                                         |                   |
| 1536.       | 62                    | 359                 | 408                          |                               |                                         |                   |
| 1536. (Sub) |                       |                     | 408                          | 408                           |                                         |                   |
| 1537.       | 62                    | 359                 | 407                          |                               |                                         |                   |
| 1537. (Sub) |                       |                     | 407                          | 408                           |                                         |                   |
| 1538.       | 62                    |                     |                              |                               |                                         |                   |
| 1539.       | 62                    | 343                 | 389                          | 390                           |                                         |                   |
| 1540.       | 63                    | 359                 | 452                          |                               |                                         |                   |
| 1540. (Sub) |                       |                     | 452,493                      | 494                           |                                         |                   |

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|-----------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1541.           | 63                    | 343                 | 408-410,<br>451              | 451                           |                 |                   |
| 1542.           | 63                    | 344                 | 368                          | 368                           |                 |                   |
| 1543.           | 63                    | 346                 | 405                          |                               |                 |                   |
| 1543. (Sub)     |                       |                     | 405                          | 405                           |                 |                   |
| 1544.           | 63                    |                     |                              |                               |                 |                   |
| 1545.           | 63                    | 344                 | 405                          | 406                           |                 | Ch. 168           |
| 1546.           | 63                    | 134,244             | 356                          |                               | 134             |                   |
| 1546. (2nd Sub) |                       |                     | 356                          | 357                           |                 |                   |
| 1547.           | 63                    |                     |                              |                               |                 |                   |
| 1548.           | 63                    |                     |                              |                               |                 |                   |
| 1549.           | 63                    |                     |                              |                               |                 |                   |
| 1550.           | 63                    | 147                 | 287                          | 287                           |                 |                   |
| 1551.           | 64                    |                     |                              |                               |                 |                   |
| 1552.           | 64                    |                     |                              |                               |                 |                   |
| 1553.           | 64                    | 250                 | 309                          | 310                           |                 |                   |
| 1554.           | 64                    |                     |                              |                               |                 |                   |
| 1555.           | 64                    | 244                 | 288                          | 288                           |                 | 606<br>Ch. 44     |
| 1556.           | 64                    |                     |                              |                               |                 |                   |
| 1557.           | 64                    |                     |                              |                               |                 |                   |
| 1558.           | 64                    | 194                 | 288                          |                               |                 |                   |
| 1558. (Sub)     |                       |                     | 288                          | 289,<br>497                   | 497             | 619<br>Ch. 64     |
| 1559.           | 64                    |                     |                              |                               |                 |                   |
| 1560.           | 64                    | 263                 |                              |                               |                 |                   |
| 1561.           | 65                    |                     |                              |                               |                 |                   |
| 1562.           | 65                    |                     |                              |                               |                 |                   |

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|-------------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1563. ....        | 65                    |                     |                              |                               |                 |                   |
| 1564. ....        | 65                    |                     |                              |                               |                 |                   |
| 1565. ....        | 65                    | 180                 |                              |                               |                 |                   |
| 1566. ....        | 65                    | 227,700             |                              |                               | 323             |                   |
| 1567. ....        | 65                    | 227                 |                              |                               |                 |                   |
| 1568. ....        | 65                    | 165                 | 222                          | 222,<br>720                   | 565,<br>720     | Ch. 169           |
| 1569. ....        | 66                    |                     |                              |                               |                 |                   |
| 1570. ....        | 66                    | 154                 | 307                          |                               |                 |                   |
| 1570. (Sub) ..... |                       |                     | 308                          | 308                           | 717,807         |                   |
| 1571. ....        | 66                    |                     |                              |                               |                 |                   |
| 1572. ....        | 66                    |                     |                              |                               |                 |                   |
| 1573. ....        | 66                    |                     |                              |                               |                 |                   |
| 1574. ....        | 66                    |                     |                              |                               |                 |                   |
| 1575. ....        | 66                    | 194                 | 269                          |                               |                 |                   |
| 1575. (Sub) ..... |                       |                     | 269                          | 269                           |                 | 606<br>Ch. 45     |
| 1576. ....        | 66                    |                     |                              |                               | 89              |                   |
| 1577. ....        | 66                    | 533                 |                              |                               |                 |                   |
| 1578. ....        | 66                    | 165                 |                              |                               |                 |                   |
| 1579. ....        | 66                    |                     |                              |                               |                 |                   |
| 1580. ....        | 67                    |                     |                              |                               |                 |                   |
| 1581. ....        | 67                    | 194                 |                              |                               |                 |                   |
| 1582. ....        | 67                    |                     |                              |                               | 152             |                   |
| 1583. ....        | 67                    | 344                 | 369                          |                               |                 |                   |
| 1583. (Sub) ..... |                       |                     | 369                          | 370                           |                 |                   |
| 1584. ....        | 67                    | 386                 | 492                          |                               |                 |                   |
| 1584. (Sub) ..... |                       |                     | 492                          | 493                           |                 |                   |

| NO.               | Intro. &<br>1st R'd'g | Committee<br>Report | 2nd R'd'g<br>Amend-<br>ments | 3rd R'd'g<br>Final<br>Passage | Other<br>Action | Action<br>by Gov. |
|-------------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1585. ....        | 67                    | 147                 | 155                          | 155                           |                 | 606<br>Ch. 46     |
| 1586. ....        | 67                    | 147                 | 155                          | 156                           |                 | 606<br>Ch. 47     |
| 1587. ....        | 68                    | 147                 | 156                          | 156                           |                 | 561<br>Ch. 14     |
| 1538. ....        | 68                    | 147                 | 156                          | 156                           |                 | 561<br>Ch. 16     |
| 1589. ....        | 68                    | 147                 | 157                          | 157                           |                 | 561<br>Ch. 17     |
| 1590. ....        | 75                    |                     |                              |                               |                 |                   |
| 1591. ....        | 75                    |                     |                              |                               |                 |                   |
| 1592. ....        | 75                    |                     |                              |                               |                 |                   |
| 1593. ....        | 75                    | 210                 | 238                          | 238                           | 138             | 619<br>Ch. 65     |
| 1594. ....        | 76                    |                     |                              |                               |                 |                   |
| 1595. ....        | 76                    |                     |                              |                               |                 |                   |
| 1596. ....        | 76                    | 180                 |                              |                               | 323             |                   |
| 1597. ....        | 76                    | 360                 | 406                          | 406,718                       | 718             | Ch. 170           |
| 1598. ....        | 76                    | 180                 | 310                          | 310,<br>498                   | 498             | 619<br>Ch. 66     |
| 1599. ....        | 76                    |                     |                              |                               |                 |                   |
| 1600. ....        | 76                    |                     |                              |                               |                 |                   |
| 1601. ....        | 76                    |                     |                              |                               |                 |                   |
| 1602. ....        | 76                    | 250                 |                              |                               |                 |                   |
| 1604. ....        | 77                    | 250                 | 311                          | 311                           |                 | 722<br>Ch. 126    |
| 1605. ....        | 77                    | 180                 | 238                          |                               |                 |                   |
| 1605. (Sub) ..... |                       |                     | 238,<br>264-266              | 266                           |                 |                   |
| 1606. ....        | 77                    |                     |                              |                               |                 |                   |

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|-------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1607.       | 77                    |                     |                              |                               | 162             |                   |
| 1608.       | 77                    |                     |                              |                               |                 |                   |
| 1609.       | 77                    | 228                 | 271                          |                               |                 |                   |
| 1609. (Sub) |                       |                     | 271                          | 272                           |                 | 619<br>Ch. 67     |
| 1610.       | 78                    | 165                 | 222                          |                               |                 |                   |
| 1610. (Sub) |                       |                     | 222                          | 223,687                       | 686             | Vetoed            |
| 1611.       | 78                    |                     |                              |                               |                 |                   |
| 1612.       | 78                    |                     |                              |                               |                 |                   |
| 1613.       | 78                    |                     |                              |                               |                 |                   |
| 1614.       | 78                    | 180                 | 238                          | 239                           |                 |                   |
| 1615.       | 79                    |                     |                              |                               |                 |                   |
| 1616.       | 79                    |                     |                              |                               |                 |                   |
| 1617.       | 79                    |                     |                              |                               |                 |                   |
| 1618.       | 79                    |                     |                              |                               |                 |                   |
| 1619.       | 79                    |                     |                              |                               |                 |                   |
| 1620.       | 79                    | 180                 | 239                          | 239                           |                 | 712<br>Ch. 119    |
| 1621.       | 79                    |                     |                              |                               |                 |                   |
| 1622.       | 79                    | 169                 |                              |                               |                 |                   |
| 1623.       | 79                    | 228                 |                              |                               |                 |                   |
| 1624.       | 80                    | 244                 | 272                          | 272                           |                 | 561<br>Ch. 15     |
| 1625.       | 80                    |                     |                              |                               |                 |                   |
| 1626.       | 80                    |                     |                              |                               |                 |                   |
| 1627.       | 80                    |                     |                              |                               |                 |                   |
| 1628.       | 80                    | 181                 | 290                          | 291                           | 152             |                   |
| 1629.       | 80                    |                     |                              |                               |                 |                   |

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|-------------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1630. ....        | 80                    | 165                 | 223                          |                               |                 |                   |
| 1630. (Sub) ..... |                       |                     | 223                          | 223,<br>623                   | 621             | 768<br>Ch. 140    |
| 1631. ....        | 81                    |                     |                              |                               |                 |                   |
| 1632. ....        | 81                    |                     |                              |                               |                 |                   |
| 1633. ....        | 81                    |                     |                              |                               |                 |                   |
| 1634. ....        | 81                    |                     |                              |                               |                 |                   |
| 1635. ....        | 81                    |                     |                              |                               |                 |                   |
| 1636. ....        | 81                    |                     |                              |                               |                 |                   |
| 1637. ....        | 81                    |                     |                              |                               |                 |                   |
| 1638. ....        | 82                    | 250                 |                              |                               |                 |                   |
| 1639. ....        | 82                    |                     |                              |                               |                 |                   |
| 1640. ....        | 82                    | 154,250             |                              |                               | 162             |                   |
| 1641. ....        | 82                    |                     |                              |                               |                 |                   |
| 1642. ....        | 82                    |                     |                              |                               |                 |                   |
| 1643. ....        | 82                    | 344                 | 370                          | 370                           |                 | 768<br>Ch. 141    |
| 1644. ....        | 82                    |                     |                              |                               |                 |                   |
| 1645. ....        | 82                    |                     |                              |                               |                 |                   |
| 1646. ....        | 82                    |                     |                              |                               |                 |                   |
| 1647. ....        | 82                    |                     |                              |                               | 89              |                   |
| 1648. ....        | 83                    |                     |                              |                               |                 |                   |
| 1649. ....        | 83                    |                     |                              |                               |                 |                   |
| 1650. ....        | 83                    |                     |                              |                               |                 |                   |
| 1651. ....        | 83                    |                     |                              |                               | 137             |                   |
| 1652. ....        | 83                    |                     |                              |                               |                 |                   |
| 1653. ....        | 83                    | 421                 |                              |                               |                 |                   |
| 1654. ....        | 83                    |                     |                              |                               |                 |                   |

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|-------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1655.       | 83                    |                     |                              |                               |                 |                   |
| 1656.       | 84                    | 228                 |                              |                               |                 |                   |
| 1657.       | 84                    |                     |                              |                               |                 |                   |
| 1658.       | 84                    | 360                 | 406                          | 406                           |                 | 768<br>Ch. 142    |
| 1659.       | 84                    |                     |                              |                               |                 |                   |
| 1660.       | 84                    |                     |                              |                               |                 |                   |
| 1661.       | 84                    |                     |                              |                               |                 |                   |
| 1662.       | 84                    | 228                 |                              |                               |                 |                   |
| 1663.       | 84                    | 244                 | 292                          | 293,<br>498                   | 498             | 619<br>Ch. 68     |
| 1664.       | 84                    |                     |                              |                               |                 |                   |
| 1665.       | 84                    |                     |                              |                               |                 |                   |
| 1666.       | 85                    |                     |                              |                               |                 |                   |
| 1667.       | 85                    | 169                 | 240                          | 240                           |                 |                   |
| 1668.       | 85                    |                     |                              |                               |                 |                   |
| 1669.       | 85                    |                     |                              |                               |                 |                   |
| 1670.       | 85                    |                     |                              |                               |                 |                   |
| 1671.       | 85                    |                     |                              |                               |                 |                   |
| 1672.       | 85                    | 229                 |                              |                               |                 |                   |
| 1673.       | 85                    |                     |                              |                               |                 |                   |
| 1674.       | 85                    |                     |                              |                               |                 |                   |
| 1675.       | 85                    |                     |                              |                               |                 |                   |
| 1676.       | 86                    | 165                 | 223                          |                               |                 |                   |
| 1676. (Sub) |                       |                     | 223,231,<br>233              | 224,233,<br>725               | 545,<br>724     | Ch. 171           |
| 1677.       | 86                    |                     |                              |                               |                 |                   |
| 1678.       | 86                    |                     |                              |                               |                 |                   |

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|-------------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1679. ....        | 86                    |                     |                              |                               |                 |                   |
| 1680. ....        | 86                    |                     |                              |                               |                 |                   |
| 1681. ....        | 86                    | 165                 | 231                          | 231                           |                 | 619<br>Ch. 69     |
| 1682. ....        | 87                    |                     |                              |                               |                 |                   |
| 1683. ....        | 87                    | 210                 |                              |                               |                 |                   |
| 1684. ....        | 87                    |                     |                              |                               |                 |                   |
| 1685. ....        | 87                    | 181                 | 241                          | 241,<br>605                   | 603-<br>605     | 722<br>Ch. 127    |
| 1686. ....        | 87                    | 154                 | 211                          | 211                           |                 | 561<br>Ch. 18     |
| 1687. ....        | 87                    |                     |                              |                               |                 |                   |
| 1688. ....        | 87                    | 600                 | 612                          |                               | 152             |                   |
| 1688. (Sub) ..... |                       |                     | 612                          | 613,764                       | 763             | Ch. 172           |
| 1689. ....        | 87                    | 600                 | 725                          |                               |                 |                   |
| 1689. (Sub) ..... |                       |                     | 725                          | 725                           |                 |                   |
| 1690. ....        | 88                    |                     |                              |                               | 192             |                   |
| 1691. ....        | 88                    |                     |                              |                               |                 |                   |
| 1692. ....        | 88                    | 169                 | 242                          | 242                           |                 |                   |
| 1693. ....        | 88                    |                     |                              |                               |                 |                   |
| 1694. ....        | 88                    |                     |                              |                               |                 |                   |
| 1695. ....        | 88                    |                     |                              |                               |                 |                   |
| 1696. ....        | 88                    |                     |                              |                               |                 |                   |
| 1697. ....        | 88                    |                     |                              |                               |                 |                   |
| 1698. ....        | 88                    | 263                 |                              |                               |                 |                   |
| 1699. ....        | 88                    |                     |                              |                               |                 |                   |
| 1700. ....        | 96                    |                     |                              |                               |                 |                   |
| 1701. ....        | 96                    |                     |                              |                               |                 |                   |



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|-------------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1702. ....        | 96                    |                     |                              |                               |                 |                   |
| 1703. ....        | 96                    | 194                 | 291                          | 291                           |                 |                   |
| 1704. ....        | 96                    |                     |                              |                               |                 |                   |
| 1705. ....        | 96                    |                     |                              |                               |                 |                   |
| 1706. ....        | 97                    |                     |                              |                               |                 |                   |
| 1707. ....        | 97                    |                     |                              |                               |                 |                   |
| 1708. ....        | 97                    |                     |                              |                               |                 |                   |
| 1709. ....        | 97                    |                     |                              |                               |                 |                   |
| 1710. ....        | 97                    |                     |                              |                               |                 |                   |
| 1711. ....        | 97                    |                     |                              |                               |                 |                   |
| 1712. ....        | 97                    |                     |                              |                               |                 |                   |
| 1713. ....        | 97                    |                     |                              |                               |                 |                   |
| 1714. ....        | 97                    |                     |                              |                               |                 |                   |
| 1715. ....        | 97                    | 396                 | 590                          |                               |                 |                   |
| 1715. (Sub) ..... |                       |                     | 590                          | 591                           |                 |                   |
| 1716. ....        | 97                    |                     |                              |                               |                 |                   |
| 1717. ....        | 98                    |                     |                              |                               |                 |                   |
| 1718. ....        | 98                    | 210                 | 253                          | 253                           |                 |                   |
| 1719. ....        | 98                    | 251                 |                              |                               |                 |                   |
| 1720. ....        | 98                    |                     |                              |                               |                 |                   |
| 1721. ....        | 98                    |                     |                              |                               |                 |                   |
| 1722. ....        | 98                    |                     |                              |                               |                 |                   |
| 1723. ....        | 98                    | 194                 | 253                          | 253                           |                 |                   |
| 1724. ....        | 98                    | 360                 | 410                          |                               |                 |                   |
| 1724. (Sub) ..... |                       |                     | 410                          | 410                           |                 |                   |
| 1725. ....        | 98                    | 194                 |                              |                               |                 |                   |
| 1726. ....        | 98                    | 251                 |                              |                               |                 |                   |

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|-------------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1727. ....        | 99                    |                     |                              |                               |                 |                   |
| 1728. ....        | 99                    |                     |                              |                               |                 |                   |
| 1729. ....        | 99                    | 244                 | 291                          |                               |                 |                   |
| 1729. (Sub) ..... |                       |                     | 291                          | 292,<br>546                   | 545             | 697<br>Ch. 85     |
| 1730. ....        | 99                    |                     |                              |                               |                 |                   |
| 1731. ....        | 99                    |                     |                              |                               |                 |                   |
| 1732. ....        | 99                    |                     |                              |                               |                 |                   |
| 1733. ....        | 99                    |                     |                              |                               |                 |                   |
| 1734. ....        | 99                    |                     |                              |                               |                 |                   |
| 1735. ....        | 99                    |                     |                              |                               |                 |                   |
| 1736. ....        | 99                    |                     |                              |                               |                 |                   |
| 1737. ....        | 100                   |                     |                              |                               |                 |                   |
| 1738. ....        | 100                   |                     |                              |                               |                 |                   |
| 1739. ....        | 100                   |                     |                              |                               |                 |                   |
| 1740. ....        | 100                   |                     |                              |                               |                 |                   |
| 1741. ....        | 100                   | 195                 |                              |                               |                 |                   |
| 1742. ....        | 100                   |                     |                              |                               |                 |                   |
| 1743. ....        | 100                   | 195                 | 253                          |                               |                 |                   |
| 1743. (Sub) ..... |                       |                     | 253                          | 254                           |                 |                   |
| 1744. ....        | 100                   |                     |                              |                               |                 |                   |
| 1745. ....        | 100                   | 263                 |                              |                               |                 |                   |
| 1746. ....        | 100                   | 600                 | 627                          |                               |                 |                   |
| 1746. (Sub) ..... |                       |                     | 627                          | 627                           |                 |                   |
| 1747. ....        | 101                   |                     |                              |                               |                 |                   |
| 1748. ....        | 101                   |                     |                              |                               |                 |                   |
| 1749. ....        | 101                   | 327,638             | 663                          |                               | 330             |                   |
| 1749. (Sub) ..... |                       |                     | 663,723                      | 723                           |                 |                   |

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|-------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1750.       | 101                   |                     |                              |                               |                 |                   |
| 1751.       | 101                   |                     |                              |                               |                 |                   |
| 1752.       | 101                   |                     |                              |                               |                 |                   |
| 1753.       | 101                   |                     |                              |                               |                 |                   |
| 1754.       | 101                   | 155                 |                              |                               | 167             |                   |
| 1755.       | 101                   |                     |                              |                               |                 |                   |
| 1756.       | 101                   |                     |                              |                               |                 |                   |
| 1757.       | 101                   | 195                 | 254                          | 255                           |                 |                   |
| 1758.       | 102                   | 263,666             | 726                          |                               | 312,323         |                   |
| 1758. (Sub) |                       |                     | 726                          | 726                           |                 |                   |
| 1759.       | 102                   |                     |                              |                               |                 |                   |
| 1760.       | 102                   |                     |                              |                               |                 |                   |
| 1761.       | 102                   |                     |                              |                               |                 |                   |
| 1762.       | 102                   | 181                 | 272                          | 273                           | 129             | 561<br>Ch. 19     |
| 1763.       | 102                   | 552                 | 591                          |                               | 153             |                   |
| 1763. (Sub) |                       |                     | 591                          | 592                           | 700             | Ch. 173<br>PV     |
| 1764.       | 102                   | 229                 |                              |                               |                 |                   |
| 1765.       | 102                   |                     |                              |                               |                 |                   |
| 1766.       | 102                   |                     |                              |                               |                 |                   |
| 1767.       | 102                   |                     |                              |                               |                 |                   |
| 1768.       | 103                   |                     |                              |                               |                 |                   |
| 1769.       | 103                   |                     |                              |                               |                 |                   |
| 1770.       | 103                   |                     |                              |                               |                 |                   |
| 1771.       | 103                   |                     |                              |                               |                 |                   |
| 1772.       | 103                   |                     |                              |                               |                 |                   |

| NO.         | Intro. &<br>1st R'd'g | Committee<br>Report | 2nd R'd'g<br>Amend-<br>ments | 3rd R'd'g<br>Final<br>Passage | Other<br>Action | Action<br>by Gov. |
|-------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1773. ....  | 103                   |                     |                              |                               |                 |                   |
| 1774. ....  | 103                   |                     |                              |                               |                 |                   |
| 1775. ....  | 103                   |                     |                              |                               |                 |                   |
| 1776. ....  | 103                   |                     |                              |                               |                 |                   |
| 1777. ....  | 103                   |                     |                              |                               |                 |                   |
| 1778. ....  | 104                   | 195                 | 256                          |                               |                 |                   |
| 1778. (Sub) |                       |                     | 256                          | 256,<br>566                   | 565             | 712<br>Ch. 121    |
| 1779. ....  | 104                   | 181                 |                              |                               | 323             |                   |
| 1780. ....  | 104                   | 251                 |                              |                               |                 |                   |
| 1781. ....  | 104                   |                     |                              |                               |                 |                   |
| 1782. ....  | 104                   |                     |                              |                               |                 |                   |
| 1783. ....  | 104                   |                     |                              |                               |                 |                   |
| 1784. ....  | 104                   | 195                 | 256                          | 256                           |                 |                   |
| 1785. ....  | 104                   | 263                 |                              |                               |                 |                   |
| 1786. ....  | 104                   |                     |                              |                               |                 |                   |
| 1787. ....  | 104                   |                     |                              |                               |                 |                   |
| 1788. ....  | 105                   |                     |                              |                               |                 |                   |
| 1789. ....  | 105                   |                     |                              |                               |                 |                   |
| 1790. ....  | 105                   |                     |                              |                               |                 |                   |
| 1791. ....  | 105                   |                     |                              |                               |                 |                   |
| 1792. ....  | 105                   |                     |                              |                               |                 |                   |
| 1793. ....  | 105                   |                     |                              |                               |                 |                   |
| 1794. ....  | 105                   | 251                 |                              |                               | 137,323         |                   |
| 1795. ....  | 105                   |                     |                              |                               |                 |                   |
| 1796. ....  | 105                   | 251                 |                              |                               |                 |                   |
| 1797. ....  | 105                   |                     |                              |                               |                 |                   |

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|-------------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1798. ....        | 105                   | 229                 | 294                          |                               |                 |                   |
| 1798. (Sub) ..... |                       |                     | 294                          | 294                           |                 |                   |
| 1799. ....        | 105                   |                     |                              |                               |                 |                   |
| 1800. ....        | 106                   |                     |                              |                               |                 |                   |
| 1801. ....        | 106                   |                     |                              |                               |                 |                   |
| 1802. ....        | 106                   |                     |                              |                               |                 |                   |
| 1803. ....        | 106                   | 229                 |                              |                               |                 |                   |
| 1804. ....        | 106                   |                     |                              |                               |                 |                   |
| 1805. ....        | 106                   | 229                 |                              |                               |                 |                   |
| 1806. ....        | 106                   |                     |                              |                               |                 |                   |
| 1807. ....        | 106                   | 195                 | 256                          |                               | 137             |                   |
| 1807. (Sub) ..... |                       |                     | 257                          | 257                           |                 | 561<br>Ch. 20     |
| 1808. ....        | 106                   |                     |                              |                               |                 |                   |
| 1809. ....        | 107                   | 264,701             |                              |                               | 330             |                   |
| 1810. ....        | 107                   |                     |                              |                               |                 |                   |
| 1811. ....        | 107                   |                     |                              |                               |                 |                   |
| 1812. ....        | 107                   |                     |                              |                               |                 |                   |
| 1813. ....        | 107                   | 210                 | 294                          | 294                           | 594-596         |                   |
| 1814. ....        | 107                   |                     |                              |                               |                 |                   |
| 1815. ....        | 107                   |                     |                              |                               |                 |                   |
| 1816. ....        | 107                   |                     |                              |                               |                 |                   |
| 1817. ....        | 107                   | 244                 | 296                          |                               | 224,290         |                   |
| 1817. (Sub) ..... |                       |                     | 296                          | 297                           |                 |                   |
| 1818. ....        | 107                   |                     |                              |                               |                 |                   |
| 1819. ....        | 107                   |                     |                              |                               |                 |                   |
| 1820. ....        | 108                   | 195                 | 257                          | 257                           | 129             |                   |

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|-------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1821. | 108                   |                     |                              |                               |                 |                   |
| 1822. | 108                   |                     |                              |                               |                 |                   |
| 1823. | 108                   | 230                 |                              |                               |                 |                   |
| 1824. | 108                   |                     |                              |                               |                 |                   |
| 1825. | 108                   |                     |                              |                               |                 |                   |
| 1826. | 109                   | 230                 | 269                          | 269                           |                 |                   |
| 1827. | 109                   |                     |                              |                               |                 |                   |
| 1828. | 109                   |                     |                              |                               |                 |                   |
| 1829. | 109                   | 196                 | 273                          | 273                           |                 | 606<br>Ch. 48     |
| 1830. | 109                   |                     |                              |                               |                 |                   |
| 1831. | 109                   | 251                 |                              |                               |                 |                   |
| 1832. | 109                   |                     |                              |                               |                 |                   |
| 1833. | 109                   |                     |                              |                               |                 |                   |
| 1834. | 109                   |                     |                              |                               |                 |                   |
| 1835. | 109                   |                     |                              |                               |                 |                   |
| 1836. | 109                   |                     |                              |                               |                 |                   |
| 1837. | 110                   |                     |                              |                               |                 |                   |
| 1838. | 110                   |                     |                              |                               |                 |                   |
| 1839. | 110                   |                     |                              |                               |                 |                   |
| 1840. | 110                   |                     |                              |                               |                 |                   |
| 1841. | 110                   | 196                 | 258                          | 258,<br>548                   | 546             | 697<br>Ch. 86     |
| 1842. | 110                   |                     |                              |                               |                 |                   |
| 1843. | 111                   | 166                 | 231                          | 232,716                       | 716             | Vetoed            |
| 1844. | 111                   |                     |                              |                               |                 |                   |
| 1845. | 111                   |                     |                              |                               |                 |                   |

| NO.         | Intro. &<br>1st R'd'g | Committee<br>Report | 2nd R'd'g<br>Amend-<br>ments | 3rd R'd'g<br>Final<br>Passage | Other<br>Action | Action<br>by Gov. |
|-------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1846.       | 111                   |                     |                              |                               |                 |                   |
| 1847.       | 111                   |                     |                              |                               |                 |                   |
| 1848.       | 111                   |                     |                              |                               | 137             |                   |
| 1849.       | 111                   |                     |                              |                               |                 |                   |
| 1850.       | 111                   |                     |                              |                               |                 |                   |
| 1851.       | 111                   |                     |                              |                               |                 |                   |
| 1852.       | 111                   | 161                 | 161                          |                               | 152             |                   |
| 1852. (Sub) |                       |                     | 161                          | 161                           | 205,<br>208     | 247<br>Vetoed     |
| 1853.       | 112                   |                     |                              |                               |                 |                   |
| 1854.       | 112                   |                     |                              |                               |                 |                   |
| 1855.       | 112                   |                     |                              |                               |                 |                   |
| 1856.       | 112                   |                     |                              |                               |                 |                   |
| 1857.       | 112                   |                     |                              |                               |                 |                   |
| 1858.       | 112                   |                     |                              |                               |                 |                   |
| 1859.       | 112                   |                     |                              |                               |                 |                   |
| 1860.       | 112                   |                     |                              |                               |                 |                   |
| 1861.       | 112                   |                     |                              |                               |                 |                   |
| 1862.       | 112                   |                     |                              |                               |                 |                   |
| 1863.       | 112                   |                     |                              |                               |                 |                   |
| 1864.       | 113                   |                     |                              |                               | 162             |                   |
| 1865.       | 113                   |                     |                              |                               |                 |                   |
| 1866.       | 113                   |                     |                              |                               |                 |                   |
| 1867.       | 113                   | 245                 |                              |                               |                 |                   |
| 1868.       | 113                   |                     |                              |                               |                 |                   |
| 1869.       | 113                   |                     |                              |                               |                 |                   |
| 1870.       | 113                   | 196                 | 258                          | 258,<br>610                   | 609             | 768<br>Ch. 132    |

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|-------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1871.       | 113                   |                     |                              |                               |                 |                   |
| 1872.       | 113                   |                     |                              |                               |                 |                   |
| 1873.       | 113                   | 245                 | 294                          |                               |                 |                   |
| 1873. (Sub) |                       |                     | 294                          | 295                           |                 |                   |
| 1874.       | 114                   |                     |                              |                               |                 |                   |
| 1875.       | 114                   |                     |                              |                               | 153             |                   |
| 1876.       | 114                   |                     |                              |                               |                 |                   |
| 1877.       | 114                   |                     |                              |                               |                 |                   |
| 1878.       | 114                   |                     |                              |                               |                 |                   |
| 1879.       | 114                   |                     |                              |                               |                 |                   |
| 1880.       | 114                   |                     |                              |                               |                 |                   |
| 1881.       | 114                   |                     |                              |                               |                 |                   |
| 1882.       | 114                   |                     |                              |                               |                 |                   |
| 1883.       | 115                   |                     |                              |                               |                 |                   |
| 1884.       | 115                   |                     |                              |                               |                 |                   |
| 1885.       | 115                   |                     |                              |                               |                 |                   |
| 1886.       | 115                   |                     |                              |                               |                 |                   |
| 1887.       | 115                   |                     |                              |                               |                 |                   |
| 1888.       | 115                   | 210                 |                              |                               |                 |                   |
| 1889.       | 115                   |                     |                              |                               |                 |                   |
| 1890.       | 115                   |                     |                              |                               |                 |                   |
| 1891.       | 115                   |                     |                              |                               |                 |                   |
| 1892.       | 115                   |                     |                              |                               |                 |                   |
| 1893.       | 115                   |                     |                              |                               |                 |                   |
| 1894.       | 115                   |                     |                              |                               |                 |                   |
| 1895.       | 115                   |                     |                              |                               |                 |                   |
| 1896.       | 116                   |                     |                              |                               |                 |                   |



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|-------------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1897. ....        | 116                   |                     |                              |                               |                 |                   |
| 1898. ....        | 116                   |                     |                              |                               |                 |                   |
| 1899. ....        | 116                   |                     |                              |                               |                 |                   |
| 1900. ....        | 116                   |                     |                              |                               |                 |                   |
| 1901. ....        | 116                   | 196                 | 259                          |                               |                 |                   |
| 1901. (Sub) ..... |                       |                     | 259                          | 259                           | 734-736         |                   |
| 1902. ....        | 116                   |                     |                              |                               |                 |                   |
| 1903. ....        | 116                   |                     |                              |                               |                 |                   |
| 1904. ....        | 116                   |                     |                              |                               |                 |                   |
| 1905. ....        | 116                   |                     |                              |                               |                 |                   |
| 1906. ....        | 116                   |                     |                              |                               | 137             |                   |
| 1907. ....        | 117                   |                     |                              |                               |                 |                   |
| 1908. ....        | 117                   |                     |                              |                               |                 |                   |
| 1909. ....        | 117                   |                     |                              |                               |                 |                   |
| 1910. ....        | 117                   |                     |                              |                               |                 |                   |
| 1911. ....        | 117                   | 230                 |                              |                               |                 |                   |
| 1912. ....        | 117                   |                     |                              |                               |                 |                   |
| 1913. ....        | 117                   |                     |                              |                               |                 |                   |
| 1914. ....        | 117                   |                     |                              |                               |                 |                   |
| 1915. ....        | 117                   |                     |                              |                               |                 |                   |
| 1916. ....        | 117                   | 196,567             |                              |                               | 323             |                   |
| 1917. ....        | 118                   |                     |                              |                               |                 |                   |
| 1918. ....        | 118                   | 658                 |                              |                               |                 |                   |
| 1919. ....        | 118                   |                     |                              |                               |                 |                   |
| 1920. ....        | 118                   |                     |                              |                               |                 |                   |
| 1921. ....        | 118                   |                     |                              |                               |                 |                   |

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|------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1922. .... | 118                   |                     |                              |                               |                 |                   |
| 1923. .... | 118                   |                     |                              |                               |                 |                   |
| 1924. .... | 118                   |                     |                              |                               |                 |                   |
| 1925. .... | 118                   |                     |                              |                               |                 |                   |
| 1926. .... | 118                   |                     |                              |                               |                 |                   |
| 1927. .... | 119                   |                     |                              |                               |                 |                   |
| 1928. .... | 119                   | 245                 |                              |                               |                 |                   |
| 1929. .... | 119                   |                     |                              |                               | 208             |                   |
| 1930. .... | 119                   | 600                 |                              |                               | 178             |                   |
| 1931. .... | 119                   |                     |                              |                               |                 |                   |
| 1932. .... | 119                   |                     |                              |                               |                 |                   |
| 1933. .... | 119                   |                     |                              |                               |                 |                   |
| 1934. .... | 119                   |                     |                              |                               |                 |                   |
| 1935. .... | 119                   |                     |                              |                               |                 |                   |
| 1936. .... | 119                   |                     |                              |                               | 137             |                   |
| 1937. .... | 119                   |                     |                              |                               |                 |                   |
| 1938. .... | 119                   |                     |                              |                               |                 |                   |
| 1939. .... | 120                   |                     |                              |                               |                 |                   |
| 1940. .... | 120                   |                     |                              |                               |                 |                   |
| 1941. .... | 120                   |                     |                              |                               | 153             |                   |
| 1942. .... | 120                   |                     |                              |                               |                 |                   |
| 1943. .... | 120                   | 181                 | 270                          | 270                           |                 |                   |
| 1944. .... | 120                   |                     |                              |                               |                 |                   |
| 1945. .... | 120                   |                     |                              |                               | 153             |                   |
| 1946. .... | 120                   |                     |                              |                               | 635             |                   |
| 1947. .... | 121                   |                     |                              |                               |                 |                   |
| 1948. .... | 121                   |                     |                              |                               |                 |                   |

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|-------------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1949. ....        | 121                   |                     |                              |                               |                 |                   |
| 1950. ....        | 121                   | 196                 | 259                          | 259                           | 162             | Ch. 9             |
| 1951. ....        | 121                   |                     |                              |                               |                 |                   |
| 1952. ....        | 121                   | 210                 | 259                          |                               |                 |                   |
| 1952. (Sub) ..... |                       |                     | 260                          | 260                           |                 | 697<br>Ch. 74     |
| 1953. ....        | 121                   | 631                 |                              |                               | 323,635         |                   |
| 1954. ....        | 122                   |                     |                              |                               |                 |                   |
| 1955. ....        | 122                   |                     |                              |                               |                 |                   |
| 1956. ....        | 122                   |                     |                              |                               |                 |                   |
| 1957. ....        | 122                   |                     |                              |                               |                 |                   |
| 1958. ....        | 122                   |                     |                              |                               |                 |                   |
| 1959. ....        | 123                   |                     |                              |                               |                 |                   |
| 1960. ....        | 123                   | 230                 | 295                          | 295                           |                 |                   |
| 1961. ....        | 123                   |                     |                              |                               |                 |                   |
| 1962. ....        | 123                   |                     |                              |                               |                 |                   |
| 1963. ....        | 123                   |                     |                              |                               |                 |                   |
| 1964. ....        | 123                   |                     |                              |                               |                 |                   |
| 1965. ....        | 123                   |                     |                              |                               |                 |                   |
| 1966. ....        | 123                   |                     |                              |                               |                 |                   |
| 1967. ....        | 123                   |                     |                              |                               |                 |                   |
| 1968. ....        | 124                   |                     |                              |                               |                 |                   |
| 1969. ....        | 124                   | 230                 |                              |                               |                 |                   |
| 1970. ....        | 124                   |                     |                              |                               |                 |                   |
| 1971. ....        | 124                   | 230                 |                              |                               |                 |                   |
| 1972. ....        | 124                   |                     |                              |                               |                 |                   |
| 1973. ....        | 124                   |                     |                              |                               |                 |                   |

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|-------------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 1974. ....        | 124                   |                     |                              |                               |                 |                   |
| 1975. ....        | 124                   |                     |                              |                               |                 |                   |
| 1976. ....        | 124                   | 196                 | 260                          | 260                           |                 | 561<br>Ch. 21     |
| 1977. ....        | 124                   |                     |                              |                               |                 |                   |
| 1978. ....        | 125                   |                     |                              |                               |                 |                   |
| 1979. ....        | 125                   |                     |                              |                               |                 |                   |
| 1980. ....        | 125                   |                     |                              |                               |                 |                   |
| 1981. ....        | 125                   | 344                 | 450                          |                               | 178             |                   |
| 1981. (Sub) ..... |                       |                     | 450                          | 450                           |                 | 768<br>Ch. 143    |
| 1982. ....        | 125                   |                     |                              |                               |                 |                   |
| 1983. ....        | 125                   | 210                 | 260                          |                               |                 |                   |
| 1983. (Sub) ..... |                       |                     | 260                          | 261,<br>560                   | 560             | 712<br>Ch. 117    |
| 1984. ....        | 125                   | 230                 |                              |                               |                 |                   |
| 1985. ....        | 125                   |                     |                              |                               |                 |                   |
| 1986. ....        | 125                   |                     |                              |                               |                 |                   |
| 1987. ....        | 126                   | 196                 | 261                          | 261                           |                 |                   |
| 1988. ....        | 126                   | 245                 | 295                          |                               |                 |                   |
| 1988. (Sub) ..... |                       |                     | 295                          | 296,715                       | 713             | Ch. 152           |
| 1989. ....        | 126                   | 396                 | 564                          |                               |                 |                   |
| 1989. (Sub) ..... |                       |                     | 564                          | 564                           |                 | Ch. 153           |
| 1990. ....        | 126                   |                     |                              |                               |                 |                   |
| 1991. ....        | 126                   | 639                 |                              |                               |                 |                   |
| 1992. ....        | 126                   | 600                 |                              |                               | 600             |                   |
| 1993. ....        | 126                   |                     |                              |                               |                 |                   |

## HISTORY OF HOUSE JOINT MEMORIALS

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|-----------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 6. ....         |                       |                     | 211                          |                               |                 |                   |
| 20. ....        | 49                    |                     |                              |                               |                 |                   |
| 21. ....        | 50                    | 166                 | 232                          | 232                           |                 |                   |
| 22. ....        | 50                    |                     |                              |                               |                 |                   |
| 23. ....        | 50                    |                     |                              |                               |                 |                   |
| 24. ....        | 68                    | 134                 | 232                          | 232                           |                 |                   |
| 25. ....        | 89                    | 346                 | 390                          | 390                           |                 |                   |
| 26. ....        | 89                    | 197                 |                              |                               |                 |                   |
| 27. ....        | 126                   |                     |                              |                               |                 |                   |
| 28. ....        | 127                   |                     |                              |                               |                 |                   |
| 29. ....        | 127                   |                     |                              |                               |                 |                   |
| 30. ....        | 127                   |                     |                              |                               |                 |                   |
| 31. ....        | 127                   | 539                 | 564                          |                               | 162             |                   |
| 31. (Sub) ..... |                       |                     | 564                          | 564                           |                 |                   |
| 32. ....        | 127                   |                     |                              |                               |                 |                   |
| 33. ....        | 127                   |                     |                              |                               |                 |                   |
| 34. ....        | 127                   |                     |                              |                               |                 |                   |
| 35. ....        | 127                   | 181                 | 262                          | 262                           |                 |                   |
| 36. ....        | 127                   |                     |                              |                               |                 |                   |
| 37. ....        | 127                   |                     |                              |                               |                 |                   |
| 38. ....        | 127                   | 600                 |                              |                               |                 |                   |

## HISTORY OF HOUSE JOINT RESOLUTIONS

| NO.             | Intro. &<br>1st R'd'g | Committee<br>Report | 2nd R'd'g<br>Amend-<br>ments | 3rd R'd'g<br>Final<br>Passage | Other<br>Action | Action<br>by Gov. |
|-----------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 21. (Sub) ..... |                       |                     |                              | 39                            |                 |                   |
| 22. ....        |                       |                     | 203-205                      | 182,205                       | 182,503         |                   |
| 31. ....        |                       |                     |                              | 182                           |                 |                   |
| 37. ....        | 8                     | 91                  | 142                          |                               |                 |                   |
| 37. (Sub) ..... |                       |                     | 142                          | 143                           |                 |                   |
| 38. ....        | 31                    |                     |                              |                               |                 |                   |
| 39. ....        | 31                    |                     |                              |                               |                 |                   |
| 40. ....        | 68                    |                     |                              |                               |                 |                   |
| 41. ....        | 89                    | 230                 |                              |                               |                 |                   |
| 42. ....        | 128                   |                     |                              |                               |                 |                   |
| 43. ....        | 128                   |                     |                              |                               |                 |                   |

## HISTORY OF HOUSE CONCURRENT RESOLUTIONS

| NO.       | Intro. &<br>1st R'd'g | Committee<br>Report | 2nd R'd'g<br>Amend-<br>ments | 3rd R'd'g<br>Final<br>Passage | Other<br>Action | Action<br>by Gov. |
|-----------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 3.        |                       |                     |                              | 363,812                       | 363,812         |                   |
| 6. (Sub)  |                       |                     |                              | 183                           |                 |                   |
| 22.       | 4                     |                     | 4                            | 4                             |                 |                   |
| 23.       | 4                     |                     | 4                            | 4                             |                 |                   |
| 24.       | 31                    | 252                 |                              |                               |                 |                   |
| 25.       | 50                    |                     |                              |                               |                 |                   |
| 26.       | 128                   | 197                 | 365                          |                               |                 |                   |
| 26. (Sub) |                       |                     | 365,<br>366-368,<br>383-385  | 385                           |                 |                   |
| 27.       | 128                   | 211                 | 302                          | 302                           |                 |                   |
| 28.       | 128                   | 231                 | 303                          |                               |                 |                   |
| 28. (Sub) |                       |                     | 303                          | 303                           |                 |                   |
| 29.       | 128                   | 197                 | 357                          |                               |                 |                   |
| 29. (Sub) |                       |                     | 357                          | 357                           |                 |                   |
| 30.       | 128                   | 360                 | 407,<br>451-452              |                               |                 |                   |
| 31.       | 128                   | 245                 |                              |                               |                 |                   |
| 32.       | 128                   | 245                 | 602                          | 602                           | 162             |                   |
| 33.       | 598                   |                     | 664                          | 664                           |                 |                   |
| 34.       | 630                   |                     | 664                          | 664                           | 665             |                   |
| 35.       | 775                   |                     | 775                          | 775,806                       | 805             |                   |

## HISTORY OF HOUSE FLOOR RESOLUTIONS

| NUMBER, AUTHOR AND SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Introduced | Floor<br>Action | Other<br>Action |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------------|-----------------|
| 119. Representatives Polk, King: Notifying Senate House organized.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 3          | 3               |                 |
| 120. Representatives Tilly, Smith (R), Hastings, Hughes, Erak, Bond, Nisbet: Requesting relocation of Olympic Games.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 70         | 70              |                 |
| 121. Representatives Hastings, Bender, Charnley, Chandler, Burns, Taller, Houchen, Sanders, Greengo, O'Brien: Relating to SuperSonics.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 317        | 318             |                 |
| 122. Representatives Valle, Barr, Thompson, Galloway, Pruitt, Brekke, Rinehart, Hughes, North, Garrett, Gruger, Sanders: Water management study.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 341        |                 | 342             |
| 124. Representatives Smith (R), Ellis, Knowles, Granlund, Gruger, Valle, Galloway, Becker, Ehlers, Sommers, Salatino, Burns, Rinehart: Condolences to family of William O. Douglas.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 129        | 130             |                 |
| 125. Representatives Bagnariol, Lux: Designating William O. Douglas Memorial Wilderness Area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 137        | 138             | 138             |
| 126. Representatives Adams, Polk, Pruitt, Tupper, Brekke, Becker, Granlund, Houchen, Mitchell, Zimmerman, Teutsch, Dawson, Flint, Greengo, Taylor: Directing study relating to private human service providers.                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 318        | 319             |                 |
| 128. Representative Brown: Congratulating Mt. Tahoma High School football team.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 171        | 171             |                 |
| 129. Representatives Ehlers, Taller, Bauer, Bender, Brown, Burns, Charnley, Erickson, Flint, Greengo, Gruger, Heck, Hughes, Knowles, Lux, May, Monohon, Nelson (D), Pruitt, Rinehart, Sherman, Sommers, Tupper, Valle, Vrooman, Walk, Williams: Study of managerial staff.                                                                                                                                                                                                                                                                                                                                                                                           | 322        | 323             |                 |
| 130. Representatives Jovanovich, Becker, Bender, Erak, Granlund, Nelson (D), Monohon, Oliver: Urging Congress to impose tariffs on imported fish.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 323        | 323             |                 |
| 132. Representatives Erickson, North, Sherman, Deccio, Ehlers, Rosbach: Requesting ban on public access to South Tahoma Glacier.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 319        | 319             |                 |
| 133. Representatives Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, |            |                 |                 |



| NUMBER, AUTHOR AND SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Introduced | Floor Action | Other Action |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|--------------|--------------|
| Schmitt, Scott, Sherman, Smith (C), Smith (R), Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman: Gratitude to Canadians.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 252        | 253          |              |
| 136. Representatives Tilly, Polk, Houchen, Sanders: Requesting Congress act on small business requests.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 319        | 320          |              |
| 137. Representative Monohon: Congratulating Willapa Valley student body and football squad.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 382        | 382          |              |
| 138. Representatives Tilly, Schmitt, Fancher, Houchen: Regarding North Cascades Smoke Jumper Base in Methow Valley.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 320        | 320          |              |
| 139. Representatives Dawson, Erak, Granlund, Greengo, Monohon, Tilly: Acknowledging efforts of Rotary International and Australian goodwill.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 330        | 330          |              |
| 140. Representatives Sherman, North: Congratulating Robert Bristow and Lynn Lehman of Maple Valley for heroic actions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 356        | 356          |              |
| 142. Representatives Flint, Houchen, Mitchell, Rohrbach, Sanders, Scott, Winsley: Commemorating life of Abraham Lincoln.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 371        | 371          |              |
| 143. Representatives Becker, Van Dyken: Congratulating Western Washington University football team.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 509        | 510          |              |
| 144. Representatives Oliver, Isaacson: Congratulating Richland Bombers basketball team.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 382        | 382          |              |
| 145. Representative Salatino: Congratulating Jason Lee basketball team.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 633        | 633          |              |
| 146. Representative Salatino: Congratulating Jason Lee gymnastics team.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 633        | 633          |              |
| 147. Representatives May, Gallagher, Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rohrbach, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith (C), Smith (R), Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman: Condolences on death of former Representative Eric O. Anderson. | 393        | 394          |              |

| NUMBER, AUTHOR AND SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Introduced | Floor Action | Other Action |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|--------------|--------------|
| 148. Representatives Ehlers, Charnley, Taller, Zimmerman: Directing study of building codes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 661        | 661          |              |
| 150. Representatives Grimm, Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith (C), Smith (R), Sommers, Sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman: Requesting restriction on berry pickers be removed. | 761        | 762          |              |
| 153. Representatives Charnley, Adams, Addison, Amen, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, chandler, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitten, Scott, Sherman, Smith (C), Smith (R), Sommers, sprague, Stratton, Struthers, Taller, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman: Congratulating Phil Mahre, Olympic silver medal winner.     | 534        | 535          |              |
| 154. Representatives Rinehart, Barnes, Brekke, Burns, Chandler, Grimm, Gruger, Nisbet: Directing Council for Postsecondary Education to study childcare services.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 762        | 762          |              |
| 155. Representatives Bagnariol, Berentson: Memorial to Gabe McManus.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 628        | 628          |              |
| 156. Representatives Winsley, Adams, Flint, Salatino: Recognizing Snake Lake Nature Center.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 661        | 662          |              |
| 157. Representatives Erickson, Barnes, Grimm, Oliver: Directing study of foreign student programs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 762        | 763          |              |

| NUMBER, AUTHOR AND SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Introduced | Floor Action | Other Action |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|--------------|--------------|
| 158. Representatives Houchen, Adams, Addison, Austin, Erickson, Flint, Granlund, Isaacson, Mitchell, Oliver, Sanders, Tilly, Walk: Directing establishment of select committee to review health care cost reimbursement programs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 633        | 634          |              |
| 162. Representatives Schmitt, Tilly: Recognizing Cashmere High School basketball and wrestling squads.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 635        | 635          |              |
| 163. Representatives Whiteside, Barr, Clayton, Deccio, Flanagan, Newhouse, Smith (C), Valle: Urging feasibility study of Yakima River Basin Water Enhancement Project.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 765        | 765          |              |
| 165. Representatives Vrooman, Schmitt: Directing report to 1982 Legislature on commercial crab fishing.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 634        | 634          |              |
| 166. Representatives Martinis, Houchen, King, Mitchell, Nelson (G), Scott, Sprague, Wilson: Recognizing accomplishments of Shirley Bartholomew in the field of broadcast journalism.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 662        | 663          |              |
| 169. Representatives Taller, Thompson: Directing review of judicial retirement system.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 634        | 635          |              |
| 170. Representatives Taylor, Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kroidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith (C), Smith (R), Sommers, Sprague, Stratton, Struthers, Taller, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman. Commending Emily Dickison Tigers. | 766        | 766          |              |
| 172. Representatives Dawson, Martinis, McDonald, Struthers: Directing study of management of granted lands.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 764        | 765          |              |
| 173. Representatives Sprague, Charnley, Scott, Struthers, Bender, Sherman: Directing study of high-speed rail facilities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 765        |              | 766          |
| 174. Representatives Warnke, Bagnariol, Eberle, Garrett, Grimm, North, Sherman, Thompson, Walk: Appreciation to Dr. Melvin Lindbloom, President of Green River Community College.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 766        | 766          |              |

| NUMBER, AUTHOR AND SUBJECT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Introduced | Floor Action | Other Action |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|--------------|--------------|
| 175. Representatives Bagnariol, Berentson: Directing creation of interim select committee on illegal drug traffic.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 767        | 768          |              |
| 176. Representatives Zimmerman, Charnley, Greengo, Nelson (D), Van Dyken: Study of impact of growth on communities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 768        | 769          |              |
| 177. Representative Maxie: Congratulating Garfield High School women's basketball team.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 772        | 773          |              |
| 178. Representatives King, Martinis: Urging Congress pass Dalton amendment to social security laws.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 772        | 772          |              |
| 181. Representatives Dawson, Newhouse, Erak, Houchen, Keller, McGinnis, Oliver, Smith (R), Zimmerman: Directing study of uninsured motorists.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 773        | 773          |              |
| 183. Representatives Charnley, Burns, Rinehart, Zimmerman: Directing study of financing of local water quality improvement projects.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 773        | 773          | 773          |
| 184. Representatives Adams, Addison, Amen, Austin, Bagnariol, Barnes, Barr, Bauer, Becker, Bender, Berentson, Bond, Brekke, Brown, Burns, Chandler, Charnley, Clayton, Craswell, Dawson, Deccio, Dunlap, Eberle, Ehlers, Ellis, Eng, Erak, Erickson, Fancher, Flanagan, Flint, Fuller, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Gruger, Hastings, Heck, Houchen, Hughes, Isaacson, Jovanovich, Keller, King, Knowles, Kreidler, Lux, Martinis, Maxie, May, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Newhouse, Nisbet, North, O'Brien, Oliver, Owen, Patterson, Polk, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmitt, Scott, Sherman, Smith (C), Smith (R), Sommers, Sprague, Stratton, Struthers, Tally, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vrooman, Walk, Warnke, Whiteside, Williams, Wilson, Winsley, Zimmerman: Directing an interim study on legislation of sexual harassment. | 773        | 774          |              |
| 186. Representatives Nelson (D), Barr, Becker, Granlund, Houchen, Mitchell, Owen, Scott, Struthers, Winsley: Requesting a siting policy for state correctional facilities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 774        | 774          |              |
| 187. Representatives Bender, Brown, Hughes, Kreidler, McDonald, Schmitt, Scott, Tupper, Van Dyken: Directing establishment of select committee on Vietnam Era Veterans Affairs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 774        | 775          |              |
| 188. Representatives Bagnariol, Kreidler, McDonald, Mitchell, Nisbet, Patterson, Schmitt, Scott, Walk, Wilson: Urging Congress to enact World War I veterans' pension.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 776        | 776          |              |
| 189. Representatives King, Tally, Thompson, Winsley: Directing review of LEOFF system.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 776        | 777          |              |

| NUMBER, AUTHOR AND SUBJECT                                                                                                                                                                                     | Introduced | Floor<br>Action | Other<br>Action |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------------|-----------------|
| 190. Representatives Gruger, Adams, Heck, Mitchell, Taylor: Establishing select committee on school health care.                                                                                               | 777        | 778             |                 |
| 191. Representatives Scott, Mitchell, Owen: Commending Washington Draft Horse and Mule Association.                                                                                                            | 778        | 778             |                 |
| 193. Representatives Patterson, Addison, Amen, Bagnariol, Barr, Berentson, Dawson, King, Maxie, Nelson (G), Newhouse, Polk, Schmitten, Whiteside: Congratulating Washington State University on 90th birthday. | 778        | 778             |                 |
| 204. Representatives May, Fuller: Adopting Joint Rules for Legislature.                                                                                                                                        | 809        | 811             |                 |
| 210. Representatives King, Polk: Providing completion of interim work.                                                                                                                                         | 815        | 817             |                 |
| 219. Representatives King, Polk: Notifying Governor Legislature adjourning sine die.                                                                                                                           | 815        | 815             |                 |

## HISTORY OF SENATE BILLS

| NO.             | Intro. &<br>1st R'd'g | Committee<br>Report | 2nd R'd'g<br>Amend-<br>ments | 3rd R'd'g<br>Final<br>Passage | Other<br>Action     | Action<br>by Gov. |
|-----------------|-----------------------|---------------------|------------------------------|-------------------------------|---------------------|-------------------|
| 2084. (Sub)     | 248                   |                     |                              |                               |                     |                   |
| 2174.           | 192                   | 422                 |                              |                               |                     |                   |
| 2204.           | 163                   | 386                 | 442                          | 442                           | 720                 |                   |
| 2236.           | 153                   |                     |                              |                               |                     |                   |
| 2299. (Sub)     | 298                   | 396                 |                              |                               |                     |                   |
| 2372.           | 168                   | 396                 |                              |                               |                     |                   |
| 2381. (2nd Sub) | 248                   | 396                 | 488                          | 489                           | 484                 | Ch. 70            |
| 2396.           | 248                   |                     |                              |                               |                     |                   |
| 2433.           | 298                   | 373                 | 473,476,<br>665              | 476,<br>666                   | 317,473,<br>665,698 | Ch. 174           |
| 2443. (Sub)     | 298                   | 422                 |                              |                               | 322                 |                   |
| 2494. (2nd Sub) | 559                   | 607                 | 687-696,<br>702-711          |                               |                     |                   |
| 2501.           | 248                   | 396                 |                              |                               |                     |                   |
| 2563. (Sub)     | 179                   | 423                 |                              |                               |                     |                   |
| 2566.           | 298                   | 327                 | 413                          | 413                           | 619                 |                   |
| 2581. (Sub)     | 298                   | 322                 |                              |                               |                     |                   |
| 2616. (Sub)     | 298                   | 397                 | 471                          | 471                           |                     | Ch. 22            |
| 2748. (2nd Sub) | 298                   | 373                 | 453                          | 453                           |                     | Ch. 23            |
| 2751. (Sub)     | 179                   | 322                 | 624,779                      | 779                           |                     | Ch. 175           |
| 2865. (2nd Sub) | 299                   | 397                 |                              |                               | 484,492             |                   |
| 2922. (Sub)     | 321                   | 568                 |                              |                               |                     |                   |
| 2963. (Sub)     | 630                   |                     | 630,684                      | 684                           |                     | Ch. 154           |
| 2977. (Sub)     | 559                   | 631                 | 685                          | 686                           |                     | Vetoed            |
| 3011.           | 168                   | 346                 | 414                          | 414                           |                     | Ch. 24            |
| 3108. (Sub)     | 299                   |                     |                              |                               |                     |                   |
| 3130. (Sub)     | 314                   | 373                 | 464                          | 464                           |                     |                   |

| NO.             | Intro. &<br>1st R'd'g | Committee<br>Report | 2nd R'd'g<br>Amend-<br>ments | 3rd R'd'g<br>Final<br>Passage | Other<br>Action | Action<br>by Gov. |
|-----------------|-----------------------|---------------------|------------------------------|-------------------------------|-----------------|-------------------|
| 3133. (Sub)     | 299                   | 374                 | 454                          | 455                           |                 | Ch. 88            |
| 3136. (2nd Sub) | 248                   | 397                 |                              |                               | 484,492         |                   |
| 3140.           | 168                   | 374                 | 442                          | 442                           |                 | Ch. 25            |
| 3164. (Sub)     | 96                    | 374                 | 419,<br>447-449              | 447,<br>449                   |                 | Ch. 89<br>PV      |
| 3169. (Sub)     | 299                   | 433                 | 473-475,<br>477-479          | 479,<br>589                   | 589             | Ch. 129           |
| 3175.           | 299                   |                     |                              |                               |                 |                   |
| 3179. (Sub)     | 209                   | 347                 |                              |                               |                 |                   |
| 3181.           | 132                   | 601                 | 624                          | 625                           |                 | Ch. 155           |
| 3183.           | 50                    | 155                 | 167                          | 167                           |                 | Ch. 2             |
| 3184. (Sub)     | 132                   | 376                 | 414                          | 414                           |                 | Ch. 90            |
| 3185.           | 248                   |                     |                              |                               |                 |                   |
| 3186. (Sub)     | 299                   |                     |                              |                               |                 |                   |
| 3190.           | 299                   | 328                 | 488                          | 488                           |                 | Ch. 91            |
| 3191. (Sub)     | 314                   | 393                 | 789-<br>799                  | 799                           | 322,<br>788     |                   |
| 3192. (Sub)     | 314                   |                     |                              |                               |                 |                   |
| 3193. (Sub)     | 327                   |                     |                              |                               |                 |                   |
| 3195. (Sub)     | 179                   | 322                 | 368                          | 369                           |                 | Ch. 4             |
| 3200.           | 386                   | 472                 |                              |                               |                 |                   |
| 3201.           | 314                   | 398                 |                              |                               |                 |                   |
| 3202.           | 299                   | 376                 | 471                          | 472                           |                 | Ch. 26            |
| 3207. (Sub)     | 299                   | 434                 | 726,<br>728                  | 728                           |                 | Ch. 183<br>PV     |
| 3210.           | 314                   | 393,398             |                              |                               | 404             |                   |
| 3211.           | 314                   | 376                 | 415                          | 415                           |                 | Ch. 92            |
| 3214.           | 299                   | 347                 | 411                          | 412                           |                 | Ch. 93            |
| 3219.           | 299                   | 344                 | 364                          | 364                           |                 | Ch. 5             |

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| 3220. ....        | 168                   | 398                 | 464                          | 465                           |                 | Ch. 94            |
| 3224. (Sub) ..... | 248                   | 398                 | 473                          | 473                           |                 | Ch. 95            |
| 3226. (Sub) ..... | 248                   | 399                 | 479                          | 479                           |                 | Ch. 71            |
| 3228. (Sub) ..... | 300                   | 461                 | 729                          | 729                           |                 | Ch. 176           |
| 3232. (Sub) ..... | 248                   | 377                 |                              |                               |                 |                   |
| 3234. ....        | 300                   | 435                 |                              |                               |                 |                   |
| 3235. ....        | 314                   | 334                 | 442                          | 443                           |                 | Ch. 27            |
| 3236. ....        | 248                   | 328                 | 412                          | 412                           |                 | Ch. 97            |
| 3237. (Sub) ..... | 249                   | 328                 | 415                          | 415                           |                 | Ch. 28            |
| 3240. ....        | 300                   | 347                 | 443                          | 443                           |                 | Ch. 186<br>PV     |
| 3241. ....        | 300                   | 328                 | 413                          | 413                           |                 | Ch. 96            |
| 3243. ....        | 300                   | 328                 | 475                          | 476                           |                 |                   |
| 3244. ....        | 249                   | 399                 | 456                          | 456,590                       | 590             | Ch. 130           |
| 3245. ....        | 249                   | 387                 | 443                          | 443                           |                 | Ch. 29            |
| 3246. (Sub) ..... | 249                   | 399                 |                              |                               |                 |                   |
| 3250. (Sub) ..... | 209                   | 568                 | 745-747                      | 747                           |                 | Ch. 177           |
| 3251. ....        | 300                   |                     |                              |                               |                 |                   |
| 3253. ....        | 300                   | 355                 | 444                          | 444                           |                 | Ch. 30<br>PV      |
| 3254. ....        | 249                   | 458                 |                              |                               | 484,492         |                   |
| 3256. (Sub) ..... | 249                   | 355                 | 465                          | 465                           |                 | Ch. 98            |
| 3257. (Sub) ..... | 300                   | 400                 | 626                          | 627                           |                 | Ch. 178           |
| 3258. ....        | 314                   |                     |                              |                               |                 |                   |
| 3262. (Sub) ..... | 300                   |                     |                              |                               |                 |                   |
| 3271. (Sub) ..... | 314                   | 387                 | 444                          | 445                           | 455             | Ch. 7             |
| 3273. ....        | 598                   | 631                 |                              |                               |                 |                   |
| 3280. ....        | 249                   | 400                 | 482                          | 482                           |                 | Ch. 72            |



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| 3282. ....        | 168                   | 334                 | 445                          | 445                           |                 | Ch. 99            |
| 3285. (Sub) ..... | 321                   | 632                 | 726                          |                               |                 |                   |
| 3288. ....        | 249                   |                     |                              |                               |                 |                   |
| 3297. (Sub) ..... | 300                   | 377                 | 482                          | 482                           |                 | Ch. 100           |
| 3302. ....        | 314                   | 400                 |                              |                               |                 |                   |
| 3309. (Sub) ..... | 300                   | 379                 | 446                          | 446                           |                 | Ch. 101           |
| 3317. ....        | 315                   |                     |                              |                               |                 |                   |
| 3318. ....        | 315                   | 360                 | 416-418                      | 419                           |                 | Ch. 102           |
| 3319. ....        | 315                   | 328                 |                              |                               |                 |                   |
| 3320. ....        | 301                   | 401                 | 466                          | 466                           |                 | Ch. 31            |
| 3321. (Sub) ..... | 315                   | 328                 | 466-469                      | 469                           |                 | Ch. 179           |
| 3322. ....        | 315                   | 401                 |                              |                               |                 |                   |
| 3330. (Sub) ..... | 301                   | 393                 | 457                          | 457                           |                 | Ch. 103           |
| 3331. ....        | 301                   | 329                 | 440                          | 440                           |                 | Ch. 104           |
| 3334. ....        | 315                   | 401                 | 469                          | 469                           |                 | Ch. 105           |
| 3359. (Sub) ..... | 239                   |                     | 239,283                      | 284                           | 242,272,<br>312 | Ch. 3             |
| 3362. ....        | 315                   | 401                 | 469                          | 470                           |                 | Ch. 107           |
| 3363. (Sub) ..... | 315                   | 387                 |                              |                               |                 |                   |
| 3366. (Sub) ..... | 599                   | 666                 |                              |                               |                 |                   |
| 3368. ....        | 315                   | 437                 |                              |                               |                 |                   |
| 3371. ....        | 559                   | 632,701             | 737                          | 737                           | 635             | Ch. 180           |
| 3372. ....        | 315                   | 380                 |                              |                               |                 |                   |
| 3376. (Sub) ..... | 599                   | 632                 | 730-731                      |                               |                 |                   |
| 3378. ....        | 315                   | 381                 | 470                          | 470                           |                 | Ch. 108           |
| 3385. (Sub) ..... | 659                   |                     | 743-745                      | 745                           | 729             | Ch. 181           |

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| 3389. (Sub) | 599                   |                     |                              |                               |                 |                   |
| 3404.       | 316                   | 381                 | 446                          | 446                           |                 | Ch. 32            |
| 3405. (Sub) | 316                   | 402                 | 457                          | 457                           |                 | Ch. 33            |
| 3406.       | 316                   | 330                 | 364                          | 364                           |                 | Ch. 6             |
| 3412.       | 316                   |                     |                              |                               |                 |                   |
| 3415.       | 301                   | 402                 | 482                          | 483                           |                 | Ch. 109           |
| 3420. (Sub) | 559                   |                     |                              |                               |                 |                   |
| 3422.       | 316                   | 345                 | 441                          | 441                           |                 | Ch. 110           |
| 3425.       | 599                   | 658                 |                              |                               |                 |                   |
| 3442. (Sub) | 301                   | 387                 |                              |                               | 484,492         |                   |
| 3447. (Sub) | 567                   | 667                 |                              |                               |                 |                   |
| 3452.       | 316                   | 437                 |                              |                               | 484,492         |                   |
| 3457. (Sub) | 630                   |                     | 630,685                      | 685                           | 736             | Ch. 156           |
| 3473.       | 386                   |                     |                              |                               |                 |                   |
| 3474.       | 301                   | 403                 | 457                          | 458                           |                 | Ch. 111           |
| 3476.       | 316                   |                     |                              |                               |                 |                   |
| 3478.       | 316                   | 403                 | 484-488,<br>489,490          | 491                           |                 |                   |
| 3482. (Sub) | 316                   | 363                 | 453                          |                               |                 |                   |
| 3487.       | 316                   | 403                 | 483                          | 483                           |                 | Ch. 112           |
| 3494. (Sub) | 395                   | 639                 | 738                          |                               |                 |                   |
| 3499.       | 301                   | 341                 | 565                          | 565                           |                 | Ch. 106           |
| 3509. (Sub) | 316                   | 403                 | 462-<br>463                  | 464,<br>806                   | 550,800<br>806  | Ch. 185<br>PV     |
| 3515. (Sub) | 631                   | 701                 |                              |                               |                 |                   |
| 3519. (Sub) | 599                   |                     |                              |                               |                 |                   |
| 3526. (Sub) | 607                   | 702                 |                              |                               |                 |                   |
| 3537. (Sub) | 748                   |                     | 748-750                      | 751                           |                 | Ch. 182           |

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| 3558. (Sub) ..... | 317                   | 388                 | 477,480                      | 481                           | 477             | Ch. 113           |
| 3561. (Sub) ..... | 317                   |                     |                              |                               |                 |                   |
| 3565. ....        | 317                   | 381                 | 471                          | 471                           |                 | Ch. 114           |
| 3571. (Sub) ..... | 567                   | 702                 |                              |                               |                 |                   |
| 3574. ....        | 317                   | 356,<br>461         | 624                          | 624                           | 385,<br>698     | Ch. 158           |
| 3575. ....        | 317                   |                     |                              |                               |                 |                   |
| 3576. ....        | 321                   | 440                 |                              |                               |                 |                   |
| 3581. (Sub) ..... | 301                   | 381                 | 488,489                      | 490                           |                 | Ch. 115           |
| 3589. (Sub) ..... | 599                   |                     |                              |                               |                 |                   |
| 3593. ....        | 301                   | 388                 | 455                          | 455                           |                 | Ch. 116           |
| 3602. (Sub) ..... | 301                   |                     |                              |                               |                 |                   |
| 3603. (Sub) ..... | 317                   | 533                 | 603,614                      | 613                           |                 | Ch. 159           |
| 3611. (Sub) ..... | 317                   | 388                 | 447                          | 447                           |                 | Ch. 34            |
| 3618. (Sub) ..... | 317                   |                     |                              |                               |                 |                   |
| 3621. (Sub) ..... | 321                   | 513                 |                              |                               | 534             |                   |
| 3629. (Sub) ..... | 322                   | 539                 | 593                          | 594                           |                 | Ch. 131           |
| 3636. (Sub) ..... | 803                   |                     | 803                          | 805                           |                 | Ch. 184<br>PV     |

### HISTORY OF SENATE JOINT MEMORIALS IN THE HOUSE

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 Licensing department, mobile homes, HB 1988  
 Licensing department, title, registration, control, professional, business, Sub HB 1543  
 Mental health ombudsman office, created, SB 3200  
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 Natural resources department, Mt. Peak preservation study, HB 1500  
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 Parks and recreation commission, Heart Lake property, land exchange, HB 1269  
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 Parks and recreation commission, Seaquest, state forest lands, Sub SB 3447  
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 Prosecutors reimbursement revolving fund, created, Sub HB 1084  
 Public broadcasting commission, created, \*HB 542, Ch. 123 PV  
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**APPROPRIATIONS**—cont.

- Social and Health services department, allowable resource levels, public assistance, \*HB 1521, Ch. 84
- Social and health services department, child care agency license investigations, \*Sub HB 1520, Ch. 125
- Social and health services department, children, special need, HB 1754, Sub SB 3366
- Social and health services department, delinquency prevention, \*SB 3574, Ch. 158
- Social and health services department, drug information and poison control services, \*Sub SB 3257, Ch. 178
- Social and health services department, emergency medical services, 2nd Sub HB 1155
- Social and health services department, essential basic services account, HB 1745
- Social and health services department, handicapped facilities, \*HB 1483, Ch. 136
- Social and health services department, health care accessibility act, HB 1566
- Social and health services department, health promotion, HB 1491
- Social and health services department, health statistics act, HB 1514
- Social and health services department, in-home and chore services, \*Sub HB 1516, Ch. 137
- Social and health services department, medically fragile children, HB 1711, \*SB 3499, Ch. 106
- Social and health services department, naive offenders, institutionalization modifications, SB 3290
- Social and health services department, nursing homes, evaluation, \*Sub SB 3636, Ch. 184 PV
- Social and health services department, nursing homes, program, Sub HB 1534
- Social and health services department, on-site wastewater treatment revisions, HB 1897
- Social and health services department, procedures for families in conflict, Sub HB 1066
- Social and health services department, public assistance, cost-of-living, HB 1918
- Social and health services department, public health program, \*Sub HB 1533, Ch. 167
- Social and health services department, radiation control program, Sub HB 894
- Social and health services department, Snohomish county, criminal justice costs, HB 1668
- Social and health services department, Clark, Snohomish counties, Tacoma, evaluation, Sub HB 1746
- Social and health services department, utility bills, low income seniors, HB 1582
- State auditor, post-audit funding, systems development, HB 1527
- State government, capital budget, 1979-81 biennium, Sub HB 235
- State government, omnibus budget, 1979-81, Sub HB 236
- State treasurer, computer system acquisition, HB 1526
- State treasurer, motor vehicle excise tax distribution, HB 1531
- Superintendent of public instruction, anti-smoking pilot program, HB 1942
- Superintendent of public instruction, gifted students, 2nd Sub HB 370
- Superintendent of public instruction, pupil transportation study, HB 1544
- Superintendent of public instruction, school buildings, handicapped access facilities, \*Sub SB 2963, Ch. 154
- Superintendent of public instruction, school construction, bonds, \*HB 1643, Ch. 141
- The Evergreen State College, Sub HB 1583
- Transportation department, ferry system operation, \*HB 1620, Ch. 119
- Transportation department, mobile home rental, lease agreements, \*Sub HB 1988, Ch. 152
- University of Washington, biological sciences facility, Sub HB 1583, HB 1919,
- University of Washington, international trade data bank, Sub HB 1724
- Veterans' affairs department, memorial park, Sub HB 1715
- Washington state library, regional library for the blind, HB 1922, \*HB 1545, Ch. 168
- Washington state patrol, commissioned traffic officers, overtime, Sub HB 1476
- Washington state patrol, crime lab, additional facilities, \*HB 1433, Ch. 164
- Washington state patrol, traffic services program, HB 1542
- Washington State University, equine research, Sub HB 1428
- Washington State University, Fulmer Hall, phase 2, Sub HB 1583, HB 1804

**APPROPRIATIONS COMMITTEES**

- Joint legislative, created, HB 1904

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**AQUATIC LANDS AND AQUACULTURE AREAS**

- Sand removal, ocean beaches, unlawful, HB 596
- Shellfish, taking, private or state-leased lands, \*Sub HB 1429, Ch. 55

**ARBITRATION**

- Collective bargaining panel, created, SB 3476
- School districts, certificated employees, HB 1980
- Uniformed personnel, labor disputes, HB 921

**ARCHAEOLOGY AND ARCHAEOLOGICAL SITES**

- Archaeological repository, created, HB 1991

**ARIZONA**

- Land, certain, western states, securing control, support petitioned, HJM 27

**ARSON**

- Arson reporting immunity act, Sub HB 748
- Criminal code, offenses, revisions, 2nd Sub HB 1183
- Definition, penalties, SB 3302
- Fire data, investigation, reporting, \*Sub SB 3385, Ch. 181
- Reporting, immunity protection, Sub HB 1484, HB 1846, \*SB 3318, Ch. 102

**ART**

- Committee, joint legislative, powers, duties, legislative building, HB 1875, \*Sub HB 1763, Ch. 173 PV
- Works, fine, consignment sales, regulated, Sub HB 981

**ARTS AND ARTS COMMISSION**

- Seattle symphony, European concert tour, HB 1498

**ASOTIN COUNTY**

- Snake River, certain part, scenic river system, Sub HB 1205

**ASSAULT**

- Criminal code, offenses, revisions, 2nd Sub HB 1183
- Firearms, use, enhanced penalties, HB 1559

**ASSESSMENTS**

- Apple commission, increases, limit, HB-836
- Family court, services, costs, \*HB 829, Ch. 124
- Heating, cooling systems, unconventional, property value, 2nd Sub HB 1546, \*SB 3181, Ch. 155
- Mobile homes, property taxes, fair market value, HB 1987
- Property gradual, HB 1863
- Property, new construction, date changed, HB 1842

**ASSOCIATIONS**

- B&O tax, condominiums, cooperative housing, Sub HB 958
- Cultural activities, purchased, deduction, HB 1968
- Magistrate's, annual report, HB 1671, \*Sub HB 1422, Ch. 162
- Retail credit, credit bureaus, HB 1970
- Students, certain higher education, open meetings, \*HB 357, Ch. 49 PV

**ATHLETIC EVENTS**

- School districts, sports activities, buses, \*SB 3190, Ch. 91

**ATTENDANCE INCENTIVE PROGRAMS**

- Eligibility, state, regional universities, Sub SB 3191, \*Sub SB 3537, Ch. 182
- School, education service districts, HB 1813

**ATTORNEY GENERAL**

- Administrative rules review, SB 3234
- Arson reporting immunity act, enacted, Sub HB 748
- Civil actions, water rights, pollution, HB 1679

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**ATTORNEY GENERAL**—cont.

- Federal resource conservation and recovery act, \*HB 646, Ch. 144
- Franchise investment protection act, enforcement, Sub HB 436
- Petroleum shortage, 1979, investigation, HB 1868
- Public disclosure commission, reconstituted, HB 1445
- Recall, prosecuting attorneys, \*HB 1434, Ch. 42
- Service stations, independent, major refiners, HB 1941

**ATTORNEYS**

- Eminent domain proceedings, fees, HB 207
- Fees, civil actions, amount increased, HB 1906, \*SB 3220, Ch. 94
- Fees, local improvement districts, collection costs, HB 1803
- Fees, lost suits, state, political subdivisions, HB 1503
- Malicious prosecution, defined, HB 242

**AUBURN**

- White/Stuck rivers game preserve, \*Sub SB 3164, Ch. 89 PV

**AUCTIONS**

- Natural resources department, public land, sales, exchanges, HB 183

**AUDITS AND AUDITORS**

- School facilities, inventory, energy efficiency, SB 3473, \*HB 1843 V

**BALLOTS AND BALLOTING**

- Absentee, applicants, lists, HB 1799
- Commissioners, superior court, duties, Sub HJR 21
- Constitutional amendments, alternatives, HJR 40
- Development projects, public, HJR 22
- Education board, state, declarations of candidacy, HB 1449, \*Sub SB 3321, Ch. 179
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- Vote recount, local measures, SB 3452
- Voter registration, prior to election, HB 1552
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**BANKS AND BANKING**

- Branch, redevelopment project, drive-in facility, \*HB 1950, Ch. 9
- Division, fund created, HB 1607
- Documents, certain, private organizations, HB 903
- Stop-payment order, negotiable instrument, Sub HB 644

**BASIC EDUCATION ACT**

- Building construction, appropriation, \*Sub SB 2963, Ch. 154
- Changes, miscellaneous, Sub HB 210
- Drugs, effect on human system, study, SB 3575
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- Driving, ocean beaches, certain prohibited, HB 592
- Sand removal, ocean beaches, certain, unlawful, HB 596

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**BEEF**

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Retirement systems, board, powers, duties, HB 785

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**BERRIES**

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**BEVERAGES**

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Containers, pull-tab, sale prohibited, HB 1567

**BICYCLES**

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**BIDS AND BIDDING**

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**BIRTH**

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**BLIND AND BLIND COMMISSION**

Developmentally disabled persons, DSHS services, Sub HB 858

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Fishing licenses, free, residency requirement, HB 1741, SB 2204

Members, director, financial disclosure, HB 1425

Regional library for the blind, HB 1922, \*HB 1545, Ch. 168

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**BLOOD**

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Noxious weed control, counties, terms, \*Sub SB 3224, Ch. 95

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**BOARDS**—cont.

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- Pollution control, hearings, grievances, Sub HB 432
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- Retirement system, powers, duties, HB 785
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- School districts, directors, terms, \*HB 1432, Ch. 35
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- Civil actions, competitor, against state, HB 1263
- Contractors, certain small projects, not required, Sub HB 43
- Contractors, registration requirements, HB 721
- Counties, maximum allowable interest rate, \*Sub HB 1090, Ch. 145
- Development, redevelopment projects, bond issue, HB 1862, HB 1864
- Handicapped facilities, referendum 37, appropriation, \*HB 1483, Ch. 136
- Higher education institutions, capital improvements, HB 1614
- Irrigation districts, payment provisions, HB 1784
- Jail commission, operational costs, review, \*Sub HB 1981, Ch. 143
- Municipal park facilities, capital acquisition, Sub SB 3618
- Natural resources department, public land, sales, exchanges, HB 183
- Outdoor recreation, issuance, bond anticipation notes, HB 565
- Salmon enhancement facilities, limit, \*HB 1624, Ch. 15
- Salmon facilities, limit, increased, HB 1502
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- School districts, expenditure recognition methods, SB 3319, \*HB 1686, Ch. 18
- Schools, common, construction, \*HB 1643, Ch. 141
- Seattle center resident theater, general obligation, Sub HB 1424
- Self-insurers, industrial insurance, requirement, HB 1774
- Warehouse arts center, Yakima, general obligation, Sub HB 1424
- Waste disposal facilities, defined, issuance, HB 1655, \*Sub SB 3603, Ch. 159
- Waste disposal facilities, issue, pollution control, \*HB 1976, Ch. 21

**BOOKS**

- Comic, certain statutes repealed, \*HB 277, Ch. 36

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- Longview-Columbia, name change, \*SB 3219, Ch. 5

**BRITISH COLUMBIA**

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**BROKERS**

- Insurance, arson immunity protection, Sub HB 1484, HB 1846, \*SB 3318, Ch. 102
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**BUDGET - OPERATIONS (1979-1981 Biennium)**

- Adjustments, revisions, HB 1584
- Administrator for the courts, superior court judges, new, salaries, Sub HB 1525
- Agriculture department, dairy, food, grain, chemical industry programs, HB 1541
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- Licensing department, title, registration, control, Sub HB 1543
- Military department, uniform, travel, allowance, Sub HB 1530
- Natural resources department, reforestation, Sub HB 1540
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- Social and health services department, nursing homes program, Sub HB 1534
- The Evergreen State College, additional enrollment, Sub HB 1583

**BUDGETS**

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- Capital improvements, state, 1979-81 biennium, Sub HB 235
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- School districts, expenditure recognition, SB 3319, \*HB 1686, Ch. 18
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**BUILDINGS**

- Detached, used, resale, rentals, sales, use tax, 2nd Sub HB 200
- Energy conservation, building materials, 2nd Sub HB 1420
- Energy conservation, renewable practices, HB 1592, \*Sub SB 2977 V
- Fire code, access roadway requirements, \*Sub HB 1558, Ch. 64
- Gasohol, sale, motor vehicle fuel use, 2nd Sub HB 1000, \*Sub SB 3551, Ch. 157
- Lighting equipment, energy efficient, capitol campus, HB 1759
- Public employees' retirement system, 2nd Sub SB 2922
- Solar energy systems, new construction, HB 1722
- Solar heating, cooling, state-owned or financed buildings, HB 1403
- State code, updated, fire code exemptions, 2nd Sub HB 541
- State government, energy conservation audits, \*Sub HB 1688, Ch. 172

**BUSES AND BUSING**

- Drivers, instruction permits, \*SB 3565, Ch. 114
- Drivers, temporary permits, time period lengthened, HB 1703
- School buses, motor vehicle excise tax, Sub SB 3108
- School buses, parents, school business, \*Sub HB 440, Ch. 122
- School buses, private schools, license fees, \*Sub SB 3133, Ch. 88
- School bus stop shelters, signs, HB 329
- School districts, SPI cooperation, bus maintenance, HCR 27
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- School districts, transportation contracts, HB 1606
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**BUSINESS AND PROFESSIONS**

- B&O tax, exemption, increased, HB 1678
- Business coordination act, licensing, consolidation, HB 792
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- Competitor, civil action against agency, HB 1263
- Corporation act, modified, \*SB 3282, Ch. 99
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- Industry, within thirty miles, nuclear reactor, HB 1885

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**BUSINESS AND PROFESSIONS—cont.**

- Innovation service institute, established, HB 182
- Installment charges, charge agreements, HB 1954
- Licenses, revocation, suspension, licensee notice, HB 1659, \*Sub SB 3405, Ch. 33
- Licensing, coordination, consolidation, business license center, HB 792
- Nursing homes, auditing and cost reimbursement act, \*Sub SB 3250, Ch. 177
- Opportunities, regulated, securities administrator, HB 1821
- Professional and occupational freedom of information act, HB 1713
- Regulation, criteria, established, Sub HB 315
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- Small businesses, impact, agency rules, HB 821

**CALIFORNIA**

- Land, certain, western states, securing control, petitioned, HJM 27

**CAMPERS - VEHICLES**

- Purchase, nonresident, use, certain, tax exempt, HB 1317
- Rest areas, sanitary disposal systems, \*HB 1464, Ch. 60
- Taxation, general revisions, HB 1777
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- Religious ceremonies, hand-held candles, fire code, \*HB 322, Ch. 8

**CAPITAL IMPROVEMENTS AND CONSTRUCTION**

- Eastern Washington University, Kennedy Library, science building, HB 1700
- Handicapped facilities, referendum 37, implementation, \*HB 1483, Ch. 136
- Higher education institutions, bonding amount, HB 1614
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- Lighting equipment, energy efficient, capitol campus, HB 1759
- Municipal park facilities, capital acquisition, Sub SB 3618
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- Capitol facilities, joint legislative committee, \*SCR 120

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- Common carriers, violations, \*HB 1870, Ch. 132
- Hazardous cargos, violations, HB 1825
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- Port districts, interstate, foreign, intermodal activities, HB 1656
- Port districts, rail cargo service, authority, \*SB 3422, Ch. 110
- Stevedoring, related activities, excise tax, Sub HB 326

**CAR POOLS**

- Motor vehicles, certain, excise tax, HB 1697
- Vans, ride-sharing, taxes, sales, use, exemptions, SB 3412, \*HB 1508, Ch. 166

**CARRIERS**

- Motor freight, equipment safety, Sub HB 639
- Radioactive wastes, transportation, disposal, HB 1412
- Trucks, two trailers, flammable liquids, HB 1400

**CATTLE**

- Dairy products, commission, HB 625
- Movement, restrictions, specific regulations, Sub HB 864

**CAUCUS - POLITICAL**

- Elections, special, conflict prohibition, \*Sub SB 3359, Ch. 3, \*Sub HB 1852 V

**CEDAR CREEK**

- Correction center, adult correctional facility, use discontinuance, HB 1673

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**CEMETERIES**

- Districts, as defined, public disclosure act, HB 1450
- Veterans, memorial park, feasibility study, Sub HB 1715

**CENSORSHIP**

- Comic books, statutes, certain repealed, \*HB 277, Ch. 36

**CENSUS**

- Redistricting commission, establishment provisions, HJR 31

**CENTRAL WASHINGTON UNIVERSITY**

- Emergency preparedness, programs, enhancement, HB 1109
- Hazardous asbestos abatement, appropriation, Sub HB 1583

**CERTIFICATES**

- Adoption, registry, establishment, disclosure, HB 318
- Electricians, apprentice, regulation, \*SB 3253, Ch. 30 PV
- Emergency medical technicians, renewal, fee removed, 2nd Sub HB 1155
- High school diploma, programs, fee waiver, \*Sub HB 1481, Ch. 62
- Mobile homes, used, resale, sales, use tax, 2nd Sub HB 200
- Motor vehicles, ownership, fees, \*SB 3565, Ch. 114
- Motor vehicles, ownership, seller, certificate, HB 1835
- Prisoners, discharge provisions, \*Sub HB 19, Ch. 75
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**CHARITABLE ORGANIZATIONS**

- Fund raising events, members, Sub HB 1196
- Fund raising events, redefined, direct expenses, HB 1917
- Gambling activities, municipal property, HB 1560
- Reno nights, redefined, regulations, HB 1800
- Rummage sales, bazaars, certain, B&O exempt, Sub HB 540

**CHARTERS**

- Licenses, ownership, alien business entities, Sub SB 3442
- Salmon industry, assistance, federal legislation petitioned, HJM 35, SJM 113
- Salmon licensing, established, HB 177

**CHECKS AND MONEY ORDERS**

- Savings and loan associations, accounts, \*HB 762, Ch. 54
- Stop-payment order, fraudulent, penalties, Sub HB 644

**CHEESE**

- Dairy products, filled, definition modified, HB 1142

**CHILDREN AND CHILD CARE**

- Adoption, jurisdictional, procedural requirements, \*Sub HB 1729, Ch. 85
- Adoption registry establishment, natural parent disclosure, Sub HB 318
- Adoptive services, special need children, demonstration project, HB 1754, Sub SB 3366
- Berry picking, ten and eleven-year-olds, federal support petitioned, HJM 21
- Buying, selling, prohibited, felony, SB 3478, HB 1830, \*Sub HB 1729, Ch. 85
- Central registry, child protective services, HB 1519
- Child care agencies, license investigations, \*Sub HB 1520, Ch. 125
- Day care services, needy parents, SB 3201
- Employment agencies, babysitting, convalescent, elderly care, HB 168
- Families and children commission, created, HB 1565
- Juvenile institutions, parental support, Sub HB 340
- Medically fragile services, program, HB 1711, \*SB 3499, Ch. 106
- Parentage act, uniform, Sub HB 1873
- Parent, relationship, termination procedures, Sub HB 1261
- Pornography, involving minors, prohibited, penalties, \*Sub HB 551, Ch. 53
- Real estate transfers, intra-family, SB 2396
- Runaway youth, procedures for families in conflict, Sub HB 1066

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**CHILDREN AND CHILD CARE**—cont.

- Screening, diagnosis, early, periodic, treatment program, HB 408
- Stepparents, visitation rights, HB 1494
- Support payments, DSHS, distribution priorities, Sub HB 615
- Task force, joint legislative, children and families, Sub HCR 6
- Teachers, learning/language disabilities, course required, 2nd Sub SB 2055

**CHIROPRACTORS**

- Chiropractic disciplinary board, double amendments, \*HB 1585, Ch. 46
- Regulated, examiners, board membership increased, \*Sub HB 395, Ch. 51

**CIGARETTES AND CIGARS**

- No smoking areas, work places, HB 1551
- School districts, anti-smoking pilot program, HB 1942
- Tax, excise, health promotion, disease prevention purposes, HB 1573
- Tobacco subsidies, discontinuance petitioned, HJM 23

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- Agricultural land, reserved, counties, programs, HB 1596
- Ambulance services, public, transportation taxes, use, HB 1657
- Annexation, municipal, procedures, HB 1967
- Building code advisory council, state, Sub SB 2443
- Building codes, summary, local government modification, HB 1961
- Building code, state, updated, fire code exemption, 2nd Sub HB 541
- Coal-fired steam electric generating plants, pollution control tax credits, \*Sub SB 2751, Ch. 175
- Community services, mentally retarded, developmentally disabled, Sub HB 943
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- Development, redevelopment projects, bonds, HB 1862
- DWI, penalties, less than state, prohibited, HB 1984
- Elections, special, major party caucuses, conflict prohibition, \*Sub SB 3359, Ch. 3, \*Sub HB 1852 V
- Electrical inspections, city authority removed, HB 1769
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- Emergency medical services, 2nd Sub HB 1155
- Energy conservation, residential buildings, HB 1592
- Escapees, institutions, local government jurisdictions, Sub HB 1794
- Ethics code, municipal officer, Sub HB 1065
- Ferry vessels, purchase, sales, use tax, exempt, Sub HB 746
- Fire code, dwellings, access roadway requirements, \*Sub HB 1558, Ch. 64
- Fire code, hand-held candles, religious ceremonies, \*HB 322, Ch. 8
- Fire data, investigation, reporting, \*Sub SB 3385, Ch. 181
- Fire fighters' pension fund, levy amount, \*SB 3181, Ch. 155
- Gambling activities, charitable purposes, HB 1560
- Gambling activities, communities under 20,000, Sub HB 1196
- Heating systems, municipal, authorized, HB 1462
- Housing authorities, joint, \*Sub SB 3140, Ch. 25
- Housing authorities, joint, counties, first class, HB 1856
- Initiatives, referendums, power, alternatives, HB 1550
- Jail commission, bond proceeds, use, \*Sub HB 1981, Ch. 143
- Levies, emergency medical services, expired, HB 1757
- Local agency formation commission, created, HB 1958
- Metropolitan municipal corporations, class AA counties, \*HB 1427, Ch. 163
- Mobile homes, prefabricated housing, zoning, HB 652
- Municipal courts, termination by ordinance, HB 52
- Municipal park facilities, capital acquisition, Sub SB 3618
- Needy persons, programs, notice, HB 1960
- Ordinances, initiated by petition, local improvement, HB 1398
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- Automobile insurance, mandatory minimum coverage, HB 1775
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- Insurance, underinsured motorist coverage, \*Sub HB 1983, Ch. 117
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- Townsites, national forests, sales requirements, \*Sub SB 3184, Ch. 90

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- Assistance, state, allocation formula, HB 1853
- Printed materials, as defined, taxes, HB 1934
- Public disclosure act, records, 2nd Sub SB 3136
- Regional library for the blind, HB 1922, \*HB 1545, Ch. 168
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**LICENSES AND LICENSING DEPARTMENT**

- Alcohol, fuel, liquor regulation, SB 3576
- Alcohol, motor vehicle fuel purpose, \*Sub HB 1630, Ch. 140
- Ambulance services, health care insurance, Sub HB 1484, \*SB 3318, Ch. 102
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- Business license center act, HB 792
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- Central registry, child protective services, HB 1519
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- Fishing, free, blind persons, residency, HB 1741, SB 2204
- Fishing vessels, commercial, transfers, Sub HB 1008
- Franchise investment protection act, Sub HB 436
- Fund raising events, nonprofit, charitable, Sub HB 1196, HB 1917
- Gambling, rules, publication, distribution, Sub HB 1196
- Gasohol production, B&O tax exemption, 2nd Sub HB 1000
- Hunting, fishing free, veterans, HB 1741, SB 2204
- Liquor, certain, issuance, notification, HB 1945
- Liquor fees, increased, HB 1946
- Machine guns, police officers, military, HB 1782
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- Medicine, regulation, HB 520
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- Motor vehicles, county auditor agents, service charges, \*SB 3565, Ch. 114
- Motor vehicles, fees, proration, HB 1601
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- Radiologic technology board, created, HB 1631
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- Reno nights, redefined, HB 1800
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- Mental health ombudsman office, created, SB 3200
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- Alcohol, fuel, licensing regulation, SB 3576
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- Alcohol, motor vehicle fuel, \*Sub HB 1630, Ch. 140
- Beverage containers, pull-tab, sale prohibited, HB 1567
- Identification, additional acceptable types, HB 1578
- Licenses, certain, issuance, prior notification, HB 1945
- Licenses, fees, increased, HB 1946
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**LITTER**

- Anti-litter youth corps, ecology department, HB 688
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**LOCAL AGENCY FORMATION COMMISSION (LAFCO)**

- Created, all counties, members, powers, HB 1958

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- Asson reporting immunity act, Sub HB 748
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- Community mental health services act, enacted, HB 1506
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- Disaster relief, emergency services department, HB 1979
- DWI, penalties, less than state, prohibited, HB 1984
- Emergency medical services committee, new designation, 2nd Sub HB 1155
- Energy conservation, production, credit lending, HJR 36
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**LOCAL IMPROVEMENT DISTRICTS**

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**McNEIL ISLAND**

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**MEAT AND MEAT PRODUCTS**

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**MENTAL HEALTH**

- Community mental health services act, HB 1506
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- Juveniles, gravely disabled, 72-hour detention, HB 1811
- Ombudsman office, created, functions, SB 3200

**MENTAL ILLNESS AND RETARDATION**

- Commitment, definition revised, HB 1814
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- Mental health ombudsman office created, SB 3200
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- Dairy products, commission, alias permitted, HB 625

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- Sand removal, ocean beaches, certain wetlands, prohibited, HB 596
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- Adoption registry, establishment, Sub HB 318
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- Disc jockeys, sound, lighting technicians, liquor licensed premises, \*Sub SB 2616, Ch. 22
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- Misdemeanant probation, parole program, justice courts, HB 1456
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- Credit unions, loans permitted, Sub SB 3262, \*Sub HB 1416, Ch. 41
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- Pornography involving minors prohibited, \*Sub HB 551, Ch. 53

**MOTORCYCLES AND MOTORBIKES**

- Insurance, underinsured motorist, \*Sub HB 1983, Ch. 117

**MOTOR FREIGHT**

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Alcohol, fuel use, tax exempt, \*Sub SB 3629, Ch. 131

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- Heart Lake property, parks and recreation commission, HB 1269, \*Sub SB 3195, Ch. 4
- Irrigation districts, certain, public lands commissioner or agent, voting privileges, HB 1452, Sub SB 3186
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- Mt. Peak, preservation study, HB 1500
- Parks, state, timber sales authorized, HB 741
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- Timber sales, authorized, HB 741
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**PATIENTS**

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- Health care accessibility act, enacted, HB 1566
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- Radiologic technology board, created, HB 1631
- Screening, diagnosis, early, periodic, treatment program, HB 408

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- Building code, state, updated, 2nd Sub HB 541
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- Endorsements, written permission required, HB 1662
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- Advertising, identification required, HB 1459, 2nd Sub SB 2865
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- Committee, joint legislative, higher education reciprocity programs, \*Sub HCR 29
- Postsecondary proprietary school act, enacted, HB 682
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- Students, financial aid, attendance, SB 3251, \*HB 1414, Ch. 13

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- Election, boundary maps, transmittal date changed, \*SB 3362, Ch. 107

**PRINCIPALS (SCHOOLS)**

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- Adult corrections facility, 500-bed, McNeil Island, HB 1661, HB 1768, Sub HB 1817
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- Crimes, certain, modified, Sub HB 498
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- Nurse-patient communications, SB 3210
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- Misdemeanor program, justice courts, HB 1456
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- Governor, federal, retrocession, HB 514
- Heart Lake, land exchange, compensation, HB 1269
- Heart Lake, title transfer, reimbursement, \*Sub SB 3195, Ch. 4
- Land, marketing, prior to final plat approval, HB 1632
- Levy lid, 106%, calculation modified, 2nd Sub HB 299
- Local improvement districts, formation, HB 1818
- Manufactured homes, recording, regulated, HB 1973
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- Purchasers, not in possession of land, prior filed judgment, HB 1924
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- Taxes, gift, inheritance, HB 1990
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**PUBLIC BROADCASTING COMMISSION**

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- Political advertising, identification, HB 1459, 2nd Sub SB 2865
- Public officials, subject to, HB 305
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- Attendance incentive program, HB 1813, Sub SB 3191, \*Sub SB 3537, Ch. 182
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- Retirement systems, inequities removed, HB 782
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- School buses, driving contracts, Sub HB 1065
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- Sick leave, state employees, illness, injury, coverage exhausted, Sub HB 1177
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- Uniformed personnel, labor disputes, HB 921
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- Electric and gas companies, taxable income deductions, \*Sub HB 1419, Ch. 149
- Eminent domain, property acquired, HB 461
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- Heating systems, municipal, HB 1462
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- Operating agencies, power generation, rates, HB 1956
- Operating agencies, thermal plants, security forces, HB 825
- Privileged tax, increased, 2nd Sub HB 240
- Rates, gas, electric companies, energy efficiency, HB 1419
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- Utility rates, reduced, PUD's, low income seniors, \*Sub HB 1499, Ch. 160
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- Crab fishing, commercial, license fees, \*Sub HB 714, Ch. 133
- Crude petroleum transmission, facility, certification, HB 1735
- Ferry system, operating expenditures, restrained, Sub HB 1307
- Refineries, pipeline hook-up, federal legislation petitioned, HJM 30
- Slant-drilling, from land, oil, gas, permitted, HB 1930

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- Fuel, out-of-state, public bodies, HB 1986
- Gasohol use, state-owned vehicles, \*HB 1568, Ch. 169
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- Horse racing commission, funds reversion, Sub HB 1428
- Horse racing commission, membership expanded, Sub SB 3179
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- Pigeons, carrier, authorized, local government regulation, HB 1599

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- Radiologic technology board, created, HB 1631

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- First aid training, employees, liability, Sub SB 2299
- Port districts, rail cargo service, authority, \*SB 3422, Ch. 110
- Trespassers, injuries, liability exemption, HB 266
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- Electric and gas companies, charges, sliding scale prohibited, HB 1562
- Electric and gas companies, taxable income deductions, \*Sub HB 1419, Ch. 149
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- Discipline, students, \*Sub HB 1676, Ch. 171
- In-service training task force, Sub HB 363
- Learning/language disabilities, children, 2nd Sub SB 2055
- Salaries, compensation, limitations, HB 1690
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- Public broadcasting commission, created, \*HB 542, Ch. 123 PV
- Reception improvement districts, HB 1501, HB 1836, \*Sub SB 3297, Ch. 100
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- Hood Canal bridge, reconstruction, HB 1415, \*SB 3183, Ch. 2
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- Urban arterial board, member added, HB 1513
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- Beavers, tag requirement eliminated, \*SB 3011, Ch. 24

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- Crime lab, state patrol, \*HB 1433, Ch. 164

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- Cab cards, permits, HB 167
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- Gravel, certain, covered, HB 1402
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- Applied technology institute, proposed study, Sub SB 3571
- Basic sciences examination, requirement repealed, \*SB 3202, Ch. 26
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- Land, certain, western states, securing control, support petitioned, HJM 27

**UTILITIES AND TRANSPORTATION COMMISSION**

- Audit, loan programs, customer availability, HB 1548
- Cab cards, single, weight, special permits, HB 167
- Common carriers, regulation laws, enforcement authority, \*HB 1870, Ch. 132
- Electric and gas companies, charges, sliding scale, prohibited, HB 1562
- Electric and gas companies, taxable income deductions, \*Sub HB 1419, Ch. 149
- Electric voltage reduction, study, HCR 25
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- Energy conservation, dwellings, baselines, HB 1921
- Energy systems, information, HB 1890
- Hazardous materials, transportation, federal regulations, HB 1825, \*Sub HB 1807, Ch. 20
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- Motor freight carriers, equipment safety, Sub HB 639
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**UTILITIES**

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- Electric and gas companies, charges, HB 1562
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- Electric voltage reduction, study, HCR 25
- Energy facilities, certification process, HB 1716 Heating systems, municipal, HB 1462
- Highways, utility construction, \*Sub SB 3237, Ch. 28
- Low income senior citizens, assistance, HB 1582
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- Emission control, metropolitan area, monitoring, \*Sub SB 3228, Ch. 176

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- Disabled, certain, free fishing, hunting licenses, SB 2204, \*Sub SB 3133, Ch. 88
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- Memorial park, feasibility study, Sub HB 1715
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**VETERINARIANS**

- Apprentice training, pilot program, HB 1992
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- Professional and occupational freedom of information act, HB 1713
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**WAGES (See SALARIES AND WAGES)****WAREHOUSES AND WAREHOUSEMEN**

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- Mobile homes, installation, \*Sub HB 1989, Ch. 153

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- Operating agencies, executive committee, HB 1931
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- Cab cards, special, permits, HB 167
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- Forensic laboratories, special, state committee, Sub SB 3621
- Hazardous materials, transportation, HB 1825, \*Sub HB 1807, Ch. 20
- Motor vehicles, abandoned, removal, Sub HB 451
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- Agricultural inventory, counties, monitoring, HB 1779
- Applied technology institute, proposed study, Sub SB 3571
- Employees, former, retirement system, \*SB 3487, Ch. 112
- Equine research, horse racing commission, Sub HB 1428
- Fulmer Hall, phase 2, Sub HB 1583, HB 1804

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- Hanford reservation, lease, responsibilities, HB 1733
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**WATER AND WATER DISTRICTS**

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- Townsites, national forests, sales requirements, \*Sub SB 3184, Ch. 90

**WHOLESALEERS AND DISTRIBUTORS**

- Crude oil distribution businesses, public utility tax, HB 1832
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**WYOMING**

- Land, certain, western states, securing control, support petitioned, HJM 27

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**YAKIMA AND YAKIMA COUNTY**

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- Berry pickers, 10, 11-years olds, federal support petitioned, HJM 21
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