

SENATE JOURNAL  
OF THE  
Thirty-Ninth Legislature  
OF THE  
STATE OF WASHINGTON  
AT  
Olympia, the State Capital

Convened January 11, 1965  
Adjourned Sine Die March 11, 1965

Compiled, Edited and Indexed by  
WARD BOWDEN, *Secretary of the Senate*



DOROTHY B. GREELEY, *Journal Clerk*

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JOHN A. CHERBERG, *President of the Senate*  
WILLIAM A. GISSBERG, *President Pro Tempore*  
DR. DAVID C. COWEN, *Vice President Pro Tempore*

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## SENATE CAUCUS OFFICERS

### Democratic Caucus

*Chairman*, ROBERT C. BAILEY  
*Secretary*, REUBEN A. KNOBLAUCH  
*Floor Leader*, R. R. BOB GREIVE

### Republican Caucus

*Chairman*, MARSHALL A. NEILL  
*Secretary*, JACK ENGLAND  
*Floor Leader*, CHARLES P. MORIARTY, JR.

CHARLES L. R. JOHNSON, SR., *Sergeant at Arms*  
DONALD ROSS WILSON, *Assistant Secretary*  
FLORENCE T. KENDERESI, *Secretary to the Secretary*  
PATRICIA SCOTT MARTIN, *Minute Clerk*

# JOURNAL OF THE SENATE

## STATE OF WASHINGTON THIRTY-NINTH LEGISLATURE

### FIRST DAY

SENATE CHAMBER,  
OLYMPIA, WASH., Monday, January 11, 1965.  
At Noon.

The Thirty-ninth Senate of the state of Washington assembled at the Senate Chamber in the State Capitol, pursuant to law at noon.

Lieutenant Governor John A. Cherberg, President of the Senate, called the Senate to order.

The President declared the Senate to be at ease.

At 12:15 p.m., the Senate was called to order by President Cherberg.

The Color Guard consisting of Pages Curt Leady, Color Bearer, and Teresa Hallauer, presented the Colors.

The Reverend Walter A. MacArthur, pastor of the First Methodist Church of Olympia, offered prayer as follows:

"What a privilege life is! Eternal Father. What joy and exhilaration is ours as we come once again to a new day—THIS DAY and its significant meaning. We pause to thank Thee then, for life and for all that makes it worth living. What responsibility life brings! It is not a meaningless round of petty experiences with no purpose. It is not a treadmill of activity with no progress and no direction. IT IS A GIFT OF HIGH CALLING—GREAT CHALLENGE! Here we are, select individuals, elected by our peers for these special and particular duties. They have recognized in us certain capabilities of wisdom, judgment and courage. They have called us to exercise these special gifts so needed for the facing of these hours and the living of these days in this great State.

"Thus, we come to this opening hour of this Legislature with humbleness of heart and spirit . . . profoundly grateful for the confidence of our fellow citizens, justly proud of the heritage handed to us by those who have served in this Chamber in years gone by, devotedly determined to do our best, to give our utmost, to serve with honor and integrity. Motivate us, guide and direct us and bless us in all our endeavors, through Jesus Christ our Lord. Amen."

#### ROLL CALL

The Acting Secretary called the following roll of holdover members of the Senate, and all were present: R. Frank Atwood, Robert L. Charette, Frank Connor, David C. Cowen, Fred H. Dore, Martin J. Durkan, Jack England, Michael J. Gallagher, R. R. (Bob) Greive, Sam C. Guess, John T. McCutcheon, David E. McMillan, August P. Mardesich, Charles P. Moriarty, Jr., Ted G. Peterson, John A. Petrich, W. C. Raugust, Edward F. Riley, John N. Ryder, John H. Stender, Albert C. Thompson, Jr., Nat Washington, Walter B. Williams, Perry B. Woodall—24.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate, Ladies and Gentlemen:

"The President at this time should like to remark that it is a true pleasure, to once again greet so many good friends at the start of this Thirty-ninth Legis-

lature, and also to welcome our new members. I should also like to express my deep appreciation for the opportunity and privilege of serving with you once again, and assure you that I shall be looking forward with great pleasure to becoming better acquainted with our new members.

It is gratifying to see that there are so many loved ones present in the audience today to observe the administering of the oath of office to our newly elected and re-elected Senators.

"The President knows that everyone in the Senate, along with the President, is determined to fulfill the obligation entrusted to us by the people of the state of Washington. This is the time to pledge that the days of deliberation before us are spent in intelligent study of the complex problems of the state of Washington. I know we all recognize this grave responsibility and will endeavor to do our best to meet the changes; and, if the President may remark, he is sure that we will do so."

#### APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor to escort the Honorable Justice Frank P. Weaver of the Supreme Court of the state of Washington to the Senate Chamber and a seat upon the rostrum. The Committee consisted of Senators Hanna and Neill.

Justice Weaver was thereupon escorted by the Acting Sergeant at Arms and the special committee to a seat upon the rostrum.

The following recapitulation of votes cast at the General Election and certificates of election from the Secretary of State were read by the Acting Secretary of the Senate:

#### MESSAGES FROM THE SECRETARY OF STATE

Department of State, Office of the Secretary,  
Olympia, Washington, January 11, 1965.

*To the Honorable, The President of the Senate,  
The Legislature of the State of Washington,  
Olympia, Washington.*

Sir:

I have the honor of herewith submitting a recapitulation of the votes cast at the General Election, held throughout the state of Washington on the third day of November, 1964, as canvassed by me from the returns made to this department by the respective county auditors of the state.

Respectfully,  
VICTOR A. MEYERS,  
*Secretary of State,  
Chief Election Officer,  
State of Washington.*

#### INITIATIVE MEASURE NO. 215, captioned:

"MARINE RECREATION LAND ACT."

FOR Initiative Measure No. 215 .....665,737  
AGAINST Initiative Measure No. 215 .....381,743

#### REFERENDUM BILL NO. 11: (CHAPTER 12, LAWS EXTRAORDINARY SESSION, 1963) "OUTDOOR RECREATION BOND ISSUE."

FOR Chapter 12, Laws Ex. Sess., 1963.....614,903  
AGAINST Chapter 12, Laws Ex. Sess., 1963.....434,978

#### REFERENDUM BILL NO. 12: (CHAPTER 26, LAWS EXTRAORDINARY SESSION, 1963) "BONDS FOR PUBLIC SCHOOL FACILITIES."

FOR Chapter 26, Laws Ex. Sess., 1963.....782,682  
AGAINST Chapter 26, Laws Ex. Sess., 1963.....300,674

#### REFERENDUM BILL NO. 13: (CHAPTER 27, LAWS EXTRAORDINARY SESSION, 1963) "BONDS FOR JUVENILE CORRECTIONAL INSTITUTION."

FOR Chapter 27, Laws Ex. Sess., 1963.....761,862  
AGAINST Chapter 27, Laws Ex. Sess., 1963.....299,783

REFERENDUM MEASURE NO. 34: (CHAPTER 37, LAWS 1963)

"MECHANICAL DEVICES, SALESBOARDS, CARDROOMS, BINGO."  
 FOR Chapter 37, Laws of 1963.....505,633  
 AGAINST Chapter 37, Laws of 1963.....622,987

PROPOSED CONSTITUTIONAL AMENDMENT

S.J.R. NO. 1:

"CITY CHARTERS."

FOR S.J.R. NO. 1.....687,016  
 AGAINST S.J.R. NO. 1.....263,101

(This measure having received a constitutional majority approval is now identified as the 40TH AMENDMENT to our State Constitution.)

PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

	Democratic Party	
Lyndon B. Johnson	}	779,699
Hubert H. Humphrey		
	Republican Party	
Barry M. Goldwater	}	470,366
William E. Miller		
	Socialist Labor Party	
Eric Hass	}	7,772
Henning A. Blomen		
	Freedom Socialist Party	
Clifton DeBerry	}	537
Edward Shaw		

UNITED STATES SENATOR

Henry M. Jackson.....Democratic ..... 875,950  
 Lloyd J. Andrews.....Republican ..... 337,138

REPRESENTATIVES IN CONGRESS

First District

Thomas M. Pelly.....Republican ..... 117,851  
 Edward Palmason.....Democratic ..... 78,876

Second District

Lloyd Meeds .....Democratic ..... 88,551  
 Jack Westland .....Republican ..... 72,830

Third District

Julia Butler Hansen.....Democratic ..... 102,080  
 Harold L. Anderson.....Republican ..... 43,415

Fourth District

Catherine May .....Republican ..... 102,964  
 Stephen H. Huza.....Democratic ..... 54,819

Fifth District

Thomas S. Foley.....Democratic ..... 84,830  
 Walt Horan .....Republican ..... 73,884

Sixth District

Floyd V. Hicks.....Democratic ..... 79,042  
 Thor C. Tollefson.....Republican ..... 72,702

Seventh District

Brock Adams .....Democratic ..... 125,223  
 K. W. "Bill" Stinson.....Republican ..... 100,119  
 Waymon Ware .....Freedom Socialist ..... 337

## STATE ELECTIVE OFFICES

## GOVERNOR:

Daniel J. Evans.....	Republican .....	697,256
Albert D. Rosellini.....	Democratic .....	548,692
Henry Killman.....	Socialist Labor .....	4,326

## LIEUTENANT GOVERNOR:

John A. Cherberg.....	Democratic .....	665,103
Wm. C. "Bill" Goodloe.....	Republican .....	525,868

## SECRETARY OF STATE:

A. Ludlow Kramer.....	Republican .....	647,480
Victor A. Meyers.....	Democratic .....	541,406

## STATE TREASURER:

Robert S. O'Brien.....	Democratic .....	663,163
Edwin J. Alexander.....	Republican .....	497,649

## STATE AUDITOR:

Robert V. Graham.....	Democratic .....	670,155
Victor B. Fleming.....	Republican .....	463,508

## ATTORNEY GENERAL:

John J. O'Connell.....	Democratic .....	790,692
Paul R. Derr.....	Republican .....	369,988

## SUPERINTENDENT OF PUBLIC INSTRUCTION:

Louis Bruno .....	Non-Partisan .....	635,710
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## COMMISSIONER OF PUBLIC LANDS:

Bert Cole .....	Democratic .....	758,603
Samuel J. Clarke.....	Republican .....	389,409

## INSURANCE COMMISSIONER:

Lee I. Kueckelhan.....	Democratic .....	674,423
Frank N. McCartney.....	Republican .....	435,656

## JUDGES OF THE STATE SUPREME COURT

## POSITION NO. 1—Six Year Term:

Richard B. Ott .....	637,515
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## POSITION NO. 2—Six Year Term:

Matthew W. Hill .....	621,592
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## POSITION NO. 3—Six Year Term:

Robert T. Hunter .....	614,897
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## POSITION NO. 4—Unexpired Term (4 Years):

Frank Hale .....	608,597
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IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the state of Washington, at Olympia, this eleventh day of January, A. D., 1965.

(THE SEAL OF THE STATE OF WASHINGTON)

VICTOR A. MEYERS, *Secretary of State.*  
*Chief Election Officer,*  
*State of Washington.*

Department of State, Office of the Secretary,  
 Olympia, Washington, January 11, 1965

*To the Honorable, The President of the Senate,*  
*The Legislature of the State of Washington,*  
*Olympia, Washington.*

Sir:

I, Victor A. Meyers, Secretary of State of the state of Washington, do hereby certify that the following is a full, true and correct list of the persons elected to the office of State Senator at the General Election held in the several voting precincts in the state of Washington on the third day of November, 1964, as shown by the official returns of said election now on file in the office of Secretary of State; together with

a list of "holdover" Senators from the thirty-eighth session of the Legislature and that all of the following are entitled to seats in the Senate of the Legislature of the state of Washington, at its thirty-ninth biennial session commencing on the eleventh day of January, A.D., 1965, as appears from said election returns.

LIST OF SENATORS ELECTED NOVEMBER 3, 1964

District	Name	Counties Represented
No. 1	Wilbur G. Hallauer	Douglas and Okanogan
No. 3	James (Jimmy) Keefe	Spokane, part
No. 4	Karl Herrmann	Spokane, part
No. 5	John L. Cooney	Spokane, part
No. 9	Marshall A. Neill	Whitman
No. 10	Dewey C. Donohue	Asotin, Columbia and Garfield
No. 11	Herbert H. Freise	Walla Walla
No. 12	H. B. (Jerry) Hanna	Chelan
No. 14	Fred Redmon	Yakima, part
No. 16	Mike McCormack	Benton and Franklin
No. 17	Al Henry	Clark, part; Klickitat and Skamania
No. 18	Don L. Talley	Cowlitz and Wahkiakum
No. 19	Robert C. Bailey	Grays Harbor, part; Pacific
No. 20	Joe Chytil	Lewis
No. 22	Harry B. Lewis	Thurston
No. 23	Frances Haddon Morgan	Kitsap
No. 24	Gordon Sandison	Clallam, Jefferson and Mason
No. 25	Reuben A. Knoblauch	Pierce, part
No. 27	George W. Kupka	Pierce, part
No. 28	A. L. (Slim) Rasmussen	Pierce, part
No. 31	Gordon Herr	King, part
No. 39	William A. Gissberg	Island, part; Snohomish, part
No. 40	Lowell Peterson	San Juan and Skagit
No. 41	Ernest W. Lennart	Whatcom, part
No. 49	Frank W. Foley	Clark, part

LIST OF HOLDOVER SENATORS

District	Name	Counties Represented
No. 2	David E. McMillan	Pend Oreille and Stevens
No. 6	Sam C. Guess	Spokane, part
No. 7	David C. Cowen	Spokane, part
No. 8	W. C. Raugust	Adams, Ferry and Lincoln
No. 13	Nat Washington	Grant and Kittitas
No. 15	Perry B. Woodall	Yakima, part
No. 21	Robert L. (Bob) Charette	Grays Harbor, except 19 precincts
No. 26	John A. Petrich	Pierce, part
No. 29	John T. McCutcheon	Pierce, part
No. 30	John H. Stender	King, part
No. 32	Jack England	King, part
No. 33	Frank Connor	King, part
No. 34	R. R. (Bob) Greive	King, part
No. 35	Edward F. Riley	King, part
No. 36	Charles P. Moriarty, Jr.	King, part
No. 37	Fred H. Dore	King, part
No. 38	August P. Mardesich	Snohomish, part; Island, part
No. 42	Frank Atwood	Whatcom, part
No. 43	Walter B. Williams	King, part
No. 44	Ted G. Peterson	King, part
No. 45	Michael J. Gallagher	King, part
No. 46	John N. Ryder	King, part
No. 47	Martin J. Durkan	King, part
No. 48	Albert C. Thompson, Jr.	King, part

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of the state of Washington at Olympia, this eleventh day of January, A. D., 1965.

(THE SEAL OF THE STATE OF WASHINGTON)

VICTOR A. MEYERS, Secretary of State.

**ROLL CALL**

The Acting Secretary called the roll of newly re-elected Senators. The following roll was called and all were present:

Robert C. Bailey, Joe Chytil, John L. Cooney, Dewey C. Donohue, Frank W. Foley, Herbert H. Freise, William A. Gissberg, Wilbur G. Hallauer, H. B. Hanna, Al Henry, Karl Herrmann, James Edward Keefe, Reuben A. Knoblauch, George W. Kupka, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, Marshall A. Neill, A. L. Rasmussen, Gordon Sandison, Don L. Talley—21.

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

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

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

The Acting Secretary of the Senate called the following roll of the appointed newly-elected members of the Senate and both were present: Gordon Herr and Fred G. Redmon—2.

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

Justice Weaver of the Supreme Court of the state of Washington thereupon administered the oath of office to each of the appointed newly-elected members.

The Acting Secretary of the Senate called the following roll of the newly-elected Senators and both were present: Harry B. Lewis and Lowell Peterson—2.

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

Justice Weaver of the Supreme Court of the state of Washington thereupon administered the oath of office to each of the newly-elected Senators.

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

Justice Weaver of the Supreme Court of the state of Washington was escorted to his chamber by the special committee.

**MOTION**

At 1:05 p. m., on motion of Senator Greive, the Senate recessed until 2:00 p. m.

**AFTERNOON SESSION**

At 2:00 p. m., the Senate was called to order by President Cherberg.

The President declared the Senate to be at ease.

The President called the Senate to order at 2:10 p. m.

The Acting Secretary called the roll and announced to the President that all Senators were present except Senators Durkan, Henry and Washington.



**CALL OF THE SENATE**

Senators Greive, Connor and Knoblauch demanded a Call of the Senate. A Call of the Senate was ordered.

The Acting Sergeant at Arms locked the doors of the Senate Chamber.

The Acting Secretary commenced to call the roll on the Call of the Senate:

**PARLIAMENTARY INQUIRY**

Senator Moriarty Jr.:

"Mr. President, point of parliamentary inquiry."

The President:

"The Senator will state his parliamentary inquiry."

Senator Moriarty, Jr.:

"Will the President advise me under what rules we are now operating that provide for a Call of the Senate?"

**MOTIONS**

Senator Greive:

"Mr. President:

"I move that this Body be governed by majority rule."

Senator Moriarty, Jr.:

"Mr. President:

"I move that the Senate be at recess until 3:15."

**POINT OF ORDER**

Senator Greive:

"Since there are no rules, the majority rule motion will have to be put first."

Senator Moriarty, Jr.:

"Answering Senator Greive, I would like to point out that by parliamentary law and custom, motions to recess take precedence."

**RULING BY THE PRESIDENT**

The President:

"It is the ruling of the President that inasmuch as the Senate is conducting a roll call, no interruptions shall be permitted."

The Acting Secretary continued with the roll call, and all Senators were present.

**MOTION**

Senator Greive moved that the Senate be at recess for one hour.

**POINT OF INQUIRY**

The President:

"For what purpose does Senator Woodall rise?"

Senator Woodall:

"To find out if it would be all right with the majority if some of us went over and observed the House during this recess."

Senator Greive:

"It not only would be all right, we would be very happy to see them go."

**RULING BY THE PRESIDENT**

The President:

"The President must remind the members of the Senate that the Senate is still under the Call of the Senate and, for that reason, permission cannot be granted for the Senators to leave the Chamber to observe the House of Representatives and its procedure."

The motion was carried and at 2:20 p. m. the Senate recessed under the Call of the Senate until 3:20 p. m.

**SECOND AFTERNOON SESSION**

At 3:20 p. m., the Senate was called to order by President Cherberg.

The President declared the Senate to be at ease.

The President called the Senate to order at 3:45 p. m.

The Acting Secretary called the roll and announced to the President that all Senators were present except Senator Greive.

On motion of Senator Keefe, Senator Greive was excused for one hour from under the Call of the Senate.

The President:

"With the approval of the Senate, the Senate will proceed in order subject to roll call."

Senator Moriarty, Jr.:

"Objection."

The President:

"Senator Moriarty has registered an objection."

**MOTION**

It was moved by Senator Bailey that the Senate proceed in order subject to roll call.

Senator Moriarty, Jr., demanded a roll call and the demand was sustained by Senators Raugust, Woodall, Neill, Chytil, England, Lennart, Ryder and Freise.

**POINT OF ORDER**

Senator Dore:

"Point of order, Mr. President:

"Do we have any rules under which this vote can be called for? I am not aware that we have passed any rules either temporary or permanent. As I recall, the Constitution provides in the final passage of bills, one-sixth of the members of the Senate may call for a roll call. This is not a bill. This is merely a motion. I wonder if Senator Moriarty might advise me what provision he is relying on."

**RULING BY THE PRESIDENT**

The President:

"The President believes Article II, Section 21 of the State Constitution covers the point of order raised by Senator Dore in that it provides that the yeas or nays of either House shall be entered on the journal on the demand of one-sixth of the members present. The President believes that Senator Moriarty has the right to demand a roll call. The demand for the roll call has been sustained.

"The question before the Senate is, it has been moved by Senator Bailey that the Senate proceed in order subject to roll call. The Secretary will call the roll."

The Acting Secretary called the roll and the motion to proceed in order subject to roll call was carried by the following vote: Yeas, 31; Nays, 17; excused, 1.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMullan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—31.

Those voting nay were: Senators Atwood, Chytil, England, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Stender, Thompson, Jr., Williams, Woodall—17.

Excused: Senator Greive—1.

#### MOTION

Senator Guess moved that the Senate dispense with further proceedings under the Call of the Senate.

Senator Moriarty, Jr., demanded a roll call and the demand was sustained by Senators Raugust, Woodall, Neill, Chytil, Lennart, England, Ryder and Freise.

#### ROLL CALL

The Acting Secretary called the roll on the motion by Senator Guess to dispense with the Call of the Senate, and the motion was lost by the following vote: Yeas, 18; nays, 30; excused, 1.

Those voting yea were: Senators Atwood, Chytil, Cowen, England, Freise, Guess, Lennart, Lewis, Moriarty Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Stender, Thompson, Jr., Williams, Woodall—18.

Those voting nay were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMullan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—30.

Excused: Senator Greive—1.

#### MOTIONS

It was moved by Senator Thompson, Jr. that the Senate recess until 8:00 p.m.

On motion of Senator Gallagher, the motion by Senator Thompson, Jr. was laid on the table.

#### COMMITTEE FROM THE HOUSE

A committee from the House comprised of Representatives Moos, Epton and Savage appeared before the bar of the Senate to notify the Senate that the House was organized and ready to do business.

The report was received and the committee retired.

#### ELECTION OF OFFICERS

The President declared the first order of business to be nominations for the office of President Pro Tempore.

Senator Knoblauch:

"Mr. President and members of the Senate:

"We like to think that some of the most able and capable people of the state of Washington are among these state Senators; those who have the ability to serve their state in a very fine manner.

"I had the privilege of entering the Senate in 1953 with a young man from Lake Stevens, serving his first term in the state Legislature. Throughout the years, this young man grew in ability and in respect among the members of both political parties. He is a young man whom we know to be fair, a young man whom we have known through the years to be extremely sincere and hard working, one who could do a most able job as a presiding officer of the state Senate.

"I would like to place in nomination the name of my seat mate who entered the Senate with me in 1953, one of our most capable Senators, for the office of President Pro Tempore, Senator William A. Gissberg of the Thirty-ninth District."

Senator Riley:

"Mr. President, Senator Morgan, and gentlemen of the Senate:

"I rise to second the nomination of Senator William Gissberg as President Pro Tempore.

"In the 1953 Legislature, we welcomed a new Senator, William A. Gissberg, who came to us from the area of the Thirty-ninth District. He brought enthusiasm with him. His natural qualifications for this office were noticeable immediately.

"Since his first session, Senator Gissberg has been recognized as a man of integrity, a man of abundant knowledge of matters in the science of government. Senator Gissberg is a keen competitor, and he is known throughout the Senate as one who is completely fair on all occasions. Daily he has shown his leadership qualifications. He has the respect of all the Senators. I personally feel that Senator Gissberg meets all the required specifications to assume the duties of President Pro Tempore."

Senator England:

"Mr. President:

"I have the distinct pleasure this afternoon of placing in nomination for President Pro Tempore of this Senate the name of one of the respected members of our side of the aisle from the Forty-eighth District, Senator Albert C. Thompson, Jr.

"I do believe I met Senator Thompson long before most of those here. In fact, I first knew his mother before I knew Senator Thompson, many years ago. I will say this about Senator Thompson: I think there is no one who has given more effort to the office of Senator, who has taken the office more sincerely. Although this afternoon he was a holdover and did not have to take the oath of office again, I am sure that every time that oath of office was repeated, he repeated it also. There is no one on the floor of this Senate who is more dedicated to upholding the laws and the Constitution of the United States, and I submit there is no one more qualified as a leader than our Senator Thompson.

"Senator Thompson first entered politics on the school board of his local school district in Bellevue. He served there with distinction and then was elected to the Senate in 1958, and 1962. He is a leader. I submit this because, for example, he is one out of four men who have been voted a life membership in the Washington State School Directors' Association. He has also been given the distinct honor of being voted a life member of the Washington Congress of Parents and Teachers Association.

"It is a distinct pleasure again to submit the name of Senator Albert C. Thompson, Jr., of the Forty-eighth District, for the office of President Pro Tempore of the Senate."

There being no further nominations, the President declared the nominations closed.

#### ROLL CALL

The Acting Secretary called the roll on the election of President Pro Tempore of the Senate, and Senator Gissberg was elected by the following vote: Senator Gissberg, 31; Senator Thompson, Jr. 17; excused, 1.

Those voting for Senator Gissberg were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Thompson, Jr., Washington—31.

Those voting for Senator Thompson, Jr. were: Senators Atwood, Chytil,

England, Freise, Gissberg, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Stender, Williams, Woodall—17.

Excused: Senator Greive—1.

The President declared that, Senator Gissberg having received the constitutional majority vote of the Senate, was elected President Pro Tempore of the Senate.

#### PERSONAL PRIVILEGE

Senator Thompson, Jr.:

"Mr. President:

"I rise to a point of personal privilege. I think this body used excellent wisdom in choosing the fine Senator they have elected as President Pro Tempore of the Senate. I, too, have had the privilege of serving with Senator Gissberg. I think the man is certainly well qualified, and it is a pleasure to sit in this body with him."

#### PERSONAL PRIVILEGE

Senator Bailey:

"Mr. President, point of personal privilege:

"I would like to ask Senator Thompson if the Democratic Party as a whole doesn't use better wisdom and judgment?"

#### PERSONAL PRIVILEGE

Senator Moriarty, Jr.:

"Point of personal privilege, Mr. President:

"If you have thirty-two votes, it is very easy to show good judgment. While I am here, I would also like to congratulate Senator Gissberg and comment that our nominee never had a chance."

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate, Ladies and Gentlemen:

"Justice Weaver is on his way to the Senate Chamber to administer the oath of office to Senator William A. Gissberg. With your approval, Senator Gissberg, the Senate will proceed with nominations for the office of Pro Tempore Vice President of the Senate of the state of Washington."

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

Senator Knoblauch:

"Mr. President and members of the Senate:

"It's a rare occasion when a man has the privilege to nominate two very fine, capable Senators for offices in this Senate.

"It is most difficult to find the words that I want to use in nominating the man who will serve us as Vice President Pro Tempore of the Washington State Senate. How can one really describe the very fine Senator from the Forty-seventh District, Spokane, who, when he completes his present term, will have served thirty-two years in the State Legislature, nearly half the length of time that Washington has been a state—a man who is most beloved by every member of the Senate, both Democrats and Republicans, a man who has served—and this will be his fifth time as the Vice President Pro Tempore, a man most able in this position. He has done this for a long time and I am sure we will all agree that he does an outstanding job.

"This man I am about to nominate is the Senior Legislator in the state of Washington; and, when he finishes his present term, he will have served longer as a legislator than any man in the history of our state.

"Of course, I am talking about that likeable, lovable, and very fine Senator from Spokane. I would like to place in nomination for Vice President Pro Tempore, the name of our beloved Senator Dr. David Cowen."

Senator Gissberg:

"Mr. President, Lady and Gentlemen of the Senate:

"I rise to second the nomination of Dr. Senator David C. Cowen to the position of Vice President Pro Tempore. I can recall over the years in serving with Dr. Dave that he has on many occasions been called to the rostrum to preside, and on most of the occasions that he has been so ordered, it has been under circumstances where time was of the essence, when this body had to act and act expeditiously, when the sixtieth day was here upon us and perhaps there were seven or eight hours left, and much vital legislation needed to be passed during those seven or eight hours.

"Dr. David knows how to preside over this body. He knows how to use the gavel. He knows how to get things done in a hurry. It would be my fond hope that Dr. David might be able to show us now how to get things done in a hurry, in view of what I suspect is turning out to be somewhat of a mild filibuster.

"What I am trying to say is that Dr. Cowen is eminently qualified to serve as he has in the past, as Vice President, and I think, more than that, this is a demonstration to the Senate and to the state of Washington that Dr. David C. Cowen has earned the honors which we have given to him over the years, and he is going to receive a lot more before he leaves this Senate. I think there is no one present who has ever shown more courtesy and understanding to each of us as individuals than Dr. Dave. He is always thinking of the welfare of all of us. Particularly, individually, he shows us the many little courtesies that have made this State Senate so nice a place to come to."

Senator Guess:

"Mr. President, members of the Senate:

"I would like to place in nomination the name of not the eldest Senator, but one who is approaching the years and stature of the good Dr. David Cowen. This Senator first came to serve in the House in 1941. He served three terms and then, after a recess of about four years, he came back to serve another term, and finally he is serving his third term in the Senate.

"This gentleman was born in Sweden and, as so often is the case, when a person comes to the United States and studies the background of our country and knows whereof it is great, he becomes a stronger and a truer citizen of his adopted land than those of us who were fortunate enough to have been born here. This Senator is a true student of American history. He knows well many passages from the writings of Abraham Lincoln. He has stood before this body on numerous occasions to deliver the Lincoln Day address, and he certainly held us all spellbound Lincoln's Day 1963 when he appeared before us.

"In addition to being a historian, a student, he is also an artist, and his artistry has been the subject of several paintings, one of which was presented on the floor during the last session.

"Beside being a historian, an artist and a student, he is also one of the very strongest exponents of the free enterprise system, having founded his own company and having experimented in the field of seed production. He has made quite a name for himself in the field of agriculture. When you want certified seed, or when you want knowledge of seed crops, Senator Lennart is an able and learned authority.

"Because of his long service in both Houses, because of the ability that is native to his own makeup, I would like to place the name of Senator Lennart before the body for Vice President Pro Tempore."

Senator Raugust:

"Mr. President, members of the Senate:

"I am very happy to second the nomination of Senator Lennart. Senator Lennart came to this Senate about the same time I did. I have had the pleasure of serving with him before in the House. As was mentioned before, he is an adopted son of the United States, but when the time came during World War I, he did not hesitate, and he was one of the U.S. Marines that were on the battlefields of France, and his record speaks for itself. He holds degrees from two universities in the United States, plus one university in Europe. He has been a successful business man, as was pointed out somewhat by Senator Guess. He believes in the free enterprise system. On many occasions we have asked him to speak before the Senate, and he has spoken before the House as well.

"I do not know of any man that sits on this floor of the Senate that is better qualified for the position for which he was nominated than Senator Lennart."

There being no further nominations, the President declared the nominations for Vice President Pro Tempore closed.

#### ROLL CALL

The Acting Secretary called the roll on the election of Vice President Pro Tempore, and Senator David C. Cowen was elected by the following vote: Senator Cowen, 32; Senator Lennart, 16; excused, 1.

Those voting for Senator Cowen were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Stender, Talley, Washington—32.

Those voting for Senator Lennart were: Senators Atwood, Chytil, Cowen, England, Freise, Guess, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Thompson, Jr., Williams, Woodall—16.

Excused: Senator Greive—1.

Senator Cowen, having received the constitutional majority vote of the Senate, was elected Vice President Pro Tempore of the Senate.

#### PERSONAL PRIVILEGE

Senator Lennart:

"Mr. President, personal privilege:

"All of the very wonderful things that were said about me, I think equally could be said about my very good friend, Senator Cowen. I could think no higher of any man, and this time I take defeat very kindly."

The special committee, consisting of Senators Neill and Hanna and the Acting Sergeant at Arms escorted The Honorable Justice Frank P. Weaver to a seat upon the rostrum.

The president appointed Senators Atwood, Gallagher and Hallauer as a committee of honor to escort Senator Gissberg to the rostrum.

The Acting Sergeant at Arms and the honor committee escorted Senator Gissberg to the rostrum and Justice Weaver administered the oath of office.

The President:

"Members of the Senate, Ladies and Gentlemen:

"The members of the Senate and the President wish to extend to you, Senator Gissberg, the heartiest and warmest congratulations. The President should like to add personally that having a tried and true friend in William A. Gissberg gives him a deep sense of satisfaction and pride. The President has had the opportunity over the years to introduce many fine people. Certainly Senator William A. Gissberg is one of the finest. Senator Gissberg, would you favor the members of the Senate and those present with your remarks?"

Senator Gissberg:

"Justice Weaver, Mr. President, my very fine friends and colleagues:

"I think that I can probably best express my feeling by saying that over the years as I have been sitting where you have been sitting on the opening day, I have perhaps not been as conscious of the real honor that is bestowed upon somebody who comes to the rostrum, until it has actually happened, and I feel that way now. It means so much to me, that I hardly know how to express the feeling that is so very deep within me.

"During the last campaign, I said to a lot of people, really I don't know why I am running except for the fact that I do know, and I said to my friends, that one of the redeeming features, in addition to the public service that we all think that

we can provide to our people, and probably over a long period of time even more so, is the very fine comradeship, the wonderful friends that we make here in the Senate with one another on both sides of the aisle. I think some of my best friends are sitting on the Republican side of the aisle, as well as on the Democratic side of the aisle. I think we all have that feeling down deep within us that it is the personal contacts that we have with one another that is so redeeming to all of us.

"I will do what I can to my limited ability to uphold the oath that I just took, and to that extent I hope that I will have the wisdom and the judgment, when the occasion arises for me to assume the responsibility of this chair, to carry out in a limited sense, in some small part, as well as our Lieutenant Governor has done over the years.

"Thank you for having honored me so."

The President:

"Thank you very much, Bill, and I'm very happy that you have been chosen for this honor."

The honor committee escorted Senator Gissberg from the rostrum.

The President appointed Senators Knoblauch, Keefe and Guess to act as a committee of honor to escort Senator Cowen to the rostrum.

The committee escorted Senator Cowen to the rostrum.

The Honorable Frank P. Weaver, Justice of the Supreme Court, administered the oath of office to Senator Cowen.

The President:

"Members of the Senate, Ladies and Gentlemen:

"The President is sure that all would agree that it would be impossible to exaggerate the love, the affection, and the admiration that the people of the state of Washington have for Senator Dr. David C. Cowen. To attempt to enumerate his many acts of generosity and kindness would be impossible. The President has a deep personal affection for Senator Cowen and takes the greatest pride in having the privilege of presenting to you at this time the Honorable Dr. David C. Cowen, Vice President Pro Tempore of the Washington State Senate."

Senator Cowen:

"Justice Weaver, Lieutenant Governor Cherberg, my colleagues in the Senate:

"I am deeply grateful, and with all humility from everything I possess, for the great honor that you have bestowed upon me for the fifth consecutive time. I will do my very best and my very utmost as to the running of the Senate and preserving the decorum, as I have in the past.

Senator Redmon, would you please stand for a moment? Senator Redmon, this is your first day in the Senate, and, being a young man, I sincerely hope and pray that you will serve as long as I have in the Washington State Legislature. You being a kid, I'm sure you will live long enough to serve as long as I have. I hope and pray God will protect you and keep you well. And may you sit in this Senate for thirty-two long consecutive years.

"Members of the Senate, again, I am deeply grateful and humble, and I shall always cherish this moment as I have always cherished the last four sessions. Again, thank you."

The President:

"Thank you very much, David Cowen. We are all privileged to have the honor of serving with you. Now, Davey, a very dear friend of yours, Mrs. John Happy, among others, has noticed your ability as a short baton twirler. Mrs. Happy called me last evening and requested the privilege of presenting to you, through the members of the Senate and the President, this box of fifty short batons."

The committee of honor escorted Senator Cowen from the rostrum.

The President called for nominations for the office of Secretary of the Senate.



Senator Gissberg:

"Mr. President, Gentlemen and Lady of the Senate:

"I think that there is no better way of expressing a man's qualifications for any office than to comment upon the fact that he has been doing it for a long time and doing it well. Ward Bowden is a man whom I would like to nominate as Secretary of this Senate again. As I have said before on the many occasions I have had the pleasure of nominating him, and I don't really know what it would be like to serve here in the Senate without Ward as our Secretary of the Senate. He has always done a very fair job for Republicans and Democrats alike. Ward knows how to make this place run!

"I think that the reason we have had such an outstanding Senate over the years and the reason we have proceeded so well mechanically, with our employees and so on, is because of the fine work that Ward Bowden has done for us. We could do no better job in any circumstances, regardless of the number of Republicans on that side of the aisle or the number of Democrats on this side of the aisle, than to nominate and elect Ward Bowden Secretary of the Senate."

Senator Neill:

"Mr. President and members of the Senate:

"One of the oldest political axioms is that when you are short of votes, you talk. When you've got the votes, you vote. So I'll get around to the subject matter in a half hour or so.

"You know, we have built a country and a system of government in America on a strong, two-party system. This was not by design of our forefathers. We don't find this written into our Constitution. But it has developed, and I would submit for your consideration it is probably one of the things that has made this country great. You only need to think of some of the other nations on the face of this earth who have tried to emulate our system of government, but they have not been successful in installing with their written constitution or even their unwritten constitution the framework of a strong, two-party system. You saw what happened in the Weimar Republic in post World War I Germany when our country attempted to tell the Germans how to run a democracy; but they developed a one-party system, as you will recall, with failure as the result. We have seen France try to develop a constitutional form of government without the framework of a strong two-party system, and we have seen governments rise and fall in France almost weekly.

"Now this is all appropos of the subject matter before us, believe me, because we see fit on our side of the aisle to recognize the two-party system as the essence of American government; therefore, when it comes time to elect purely political officers, we in the minority feel that it is our duty to this system of government to nominate people from the minority, knowing full well that you gentlemen on the majority side of the aisle are aware that there is nothing personal in this. I know my good friend, Senator Gissberg, was not offended when we saw fit to nominate a man from our side of the aisle and did not vote for Senator Gissberg. I know Senator Gissberg realizes that we hold him in the highest esteem. But we feel this is a responsibility of our system of government.

"Now on a hot July afternoon in Philadelphia, nearly two hundred years ago, the very existence of American government hung in the balance. It hung in the balance on one basic issue, an issue which is really before this Senate today; and, in due time, will come to the floor. For three weeks during that hot summer in July in Philadelphia, the question of whether we could form a United States of America hung on the question of representative government. Now you all can go back and remember your high school civics and your history and remember the things I am reminding you of today for they are still important and worth recalling. When the large, populous states insisted on a legislative branch of government elected by population, when the small rural states insisted that there be an element of geography built into representative government, the greatest compromise in American government was made at that Constitutional Convention which permitted this country to come into existence. That great compromise resulted in a bicameral national legislature under which one body was representative of the people on a population basis, and one body was representative of the states, to-wit: geography and area. Throughout the history of America, this country grew and prospered under this philosophy of government.

"Suddenly, almost overnight, by decision of the United States Supreme Court, we see a new era. I'm not enough of a student of history, I'm not enough of a political scientist to stand here and attempt to forecast for you the real import of this historic decision. All I feel in my bones is that this is a change in the fundamental precepts of a government that has been successful such as no other government on the face of this earth, and we suddenly find this fundamental change which is going to have far reaching effects, not just in these halls—we are temporary—I'm here today and gone tomorrow—somebody else will take my place. This building will be replaced by some other building—but a system of government that has proven successful has been tampered with.

"Why am I talking about these things? Because of two points which I think are so fundamental that we've got to remind ourselves about them. I'm talking about the principle that minorities have always had a right to representation in America government. But apparently minorities are no longer going to have a right to representation in the legislative branch of American government.

"I'm talking about these facts because one of the things that I think we are going to see happening in these halls in the near future (as I at least hear the rumors and try to separate the facts from the fiction in these halls) is going to be basic to the question of whether the state of Washington retains this heritage of a two-party system of government. You know it's very easy for a majority to run absolutely roughshod over a minority. I'm not complaining personally. I have no cause for complaint. I have sat in these halls for a good number of years. I have enjoyed fine associations with each and every one of you, ladies and gentlemen across the aisle and in my prior service in the House of Representatives. When the chips were down, we have always found ourselves able to sit down and ignore purely party political alliances and find an answer to the very serious problems that have faced the people of the state of Washington.

"But one of the reasons we have been able to do this is because we operated under a two-party system. There have been times I have been here when, believe it or not—and you fellows may not remember this, but I can remember—we were in the majority. This thing works both ways throughout history, you know, and what I am talking about now is the preservation of something that I think is near and dear to everyone of us; that, we cannot completely ignore the rights of the minority—and I talk about the rights of minorities in this body. I talk about the rights of minorities who are minorities only because they happen to live in rural areas of a state. When it comes to someone speaking for this group, in a system of government where people do not speak directly for themselves, in a legislative branch of government—we operate under a representative system of government, not a democracy—I'm not telling you anything new—but reminding you of some of the problems we are going to have face us in the next few hours or days, depending on the circumstances, and I think we've got to be a little objective about this approach. So I reiterate, feeling so strongly about this as I do, I firmly believe that if you gentlemen were in our position, you would feel the same way we do, and I know you respect our position in this regard. We feel it is incumbent upon us, when purely political offices are at stake, that we disregard our personal feelings and high esteem for certain members on the other side of the aisle, and put our own people up in nomination for offices, because this is the way American government works.

"But now I want to address myself to another segment of the operation of the legislative body. We, out here on the floor of the Senate, operate in a political arena. We are all aware of this. It's give and take. We get bloodied once in a while, but we live through it and go home and laugh about it later. But while we're out here doing this and making our purely political plays or partisan plays, or geography plays or whatever you may want to call them, somebody has to keep the ship going. Somebody has to keep the back room operating.

"Now, I told you I'd get down to the subject here pretty quick. We on this side of the aisle have enjoyed working with Mr. Ward Bowden, and we have not seen fit to nominate anyone in opposition to Ward Bowden for the very reasons I have just outlined. I might reiterate those in just a few minutes, just to make sure they sink in. His is not a political office. Our offices in this arena are political. Our presiding officer is a politician, and I mean this in the highest sense, Mr. President. Our Temporary President, when he presides, is a political officer. But the person who keeps the wheels of state operating and makes the administrative machinery go is not exactly a political officer. That person serves all of us, whether Republican or Democrat. I don't think it makes very much difference. In fact, I know it makes no

difference in the Secretary's office. He has served us well in his time here. We have no complaint whatsoever in spite of the fact that we have felt it necessary and I think proper, to recognize the rightful position of the minority party. (And, believe me, gentlemen, it looks pretty bad to me at the moment—thirty-two to seventeen—but you know, the political winds have a funny way of turning and one of these days I'm going to sit here and listen to you give this same speech, so I hope you are taking notes.)

"Now, having gotten past that point, it is with extreme pleasure on our side of the aisle that we rise and second the nomination of Ward Bowden for Secretary of the Senate.

"But, before I sit down, I want to go back and address myself one moment more to that which I think is so important; this question of the position of any minority in our particular system of government; and, I reiterate again to those of you who I think know me pretty well, you have never heard me give any personal complaints about this. I have no complaints. I'm merely standing up here and taking a few minutes of your valuable time because I want to make it absolutely clear—I was going to say 'crystal clear', but I'd have Senator Riley on his feet if I did—I want to make it absolutely clear that what we do here in the next few hours or the next few days has a meaning far beyond the pure question of who fills these seats. We are dealing with a fundamental principle of a system of government that has never seen its equal on the face of this globe; and, gentlemen, let's remember our responsibility when we take our action in the forthcoming hours.

"Thank you."

Senator Riley:

"Mr. President and Senators:

"I want to make it crystal clear that I am completely satisfied with the administration of the office of the Secretary of the Senate, the position held by Ward Bowden, and for which, at this moment, I want to second his nomination. We have always charged Ward Bowden with the responsibility of maintaining the show behind the scenes. He has done it well, ably and capably for everyone. Therefore, it is a proud moment for me to second his nomination."

Senator Gissberg:

"Mr. President and members of the Senate:

"I would like to commend Senator Neill for that wonderful oration and comment that that is probably the longest seconding speech that has ever been made or ever will be made in this Senate."

The President:

"The President would like to exercise the privilege of remarking, Senator Neill, that he does not take the slightest exception to your remarks, as they were very well chosen. However, he much prefers to be described as a statesman, rather than a politician."

There being no further nominations, the President declared the nominations for Secretary of the Senate to be closed.

#### ROLL CALL

The Acting Secretary called the roll on the election of Secretary of the Senate, and Ward Bowden was elected by the following vote: Ward Bowden, 48; absent and excused, 1.

Those voting for Ward Bowden were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Excused: Senator Greive—1.

Ward Bowden, having received the constitutional majority vote of the Senate, was elected Secretary of the Senate.

The President appointed an honor committee consisting of Senators Gissberg and Freise to escort Ward Bowden to the rostrum.

Justice Weaver administered the oath of office of Secretary of the Senate to Ward Bowden.

The President:

"Members of the Senate, Ladies and Gentlemen:

"The President wishes to express his deep appreciation to the members of the Senate for the wisdom they have just shown. Everyone associated with the Senate is certainly aware of the tremendous job Ward Bowden does in serving the Senate. I think it's worthy of note to mention that he makes a remarkable contribution to all of the people of the state of Washington.

"Ward, I'm sure everyone joins me in extending to you their heartiest congratulations and best wishes, and if you believe you're going to escape from this without making an address to the Senate at this time, you're mistaken. It is with great pleasure and pride that the President presents to you, Lady and Gentlemen of the Senate, the Honorable Ward Bowden."

#### PERSONAL PRIVILEGE

Mr. Bowden:

"Justice Weaver, Mr. President, and members of the Senate:

"I haven't prepared any remarks. The only thing I want to say to you is that I am extremely flattered and gratified at the result of the election that was just held. I want to thank you all very much especially Senators Gissberg and Neill for the wonderful speeches they made. I understand records were broken here today, and this is interesting, too.

"I think you have heard a new voice in the Senate, and I'm referring now to the voice of our Reading Clerk. I would like to introduce him to you at this time. Many of you already know him. His name is Verne Sawyer. He comes from Woodallville—I mean, Toppenish. Of course, many of you served at the time Verne was Reading Clerk in the House of Representatives in 1949 and 1951. Verne Sawyer.

"We have another new face on the rostrum this year, that of Rosalie Kneeland of Olympia, who is our Docket Clerk.

"And of course you all know our beloved Assistant Secretary, Don Wilson.

"And our lovely Minute Clerk, Pat Martin.

"And of course last but not least we have our O'Brien, too. Pat O'Brien of Seattle, at the public address system.

"Now, you have met all the staff and you have seen many young pages around here to serve you. We have a fine staff of stenographers employed, bill clerks, committee clerks, and many other attaches here in the Senate to make your stay here more pleasant and easy along the way, so let's get at the business at hand.

"Thank you, Gentlemen and Lady, very much."

The President:

"Ward, the President should like to add that all of the girls in the back room were invited to the rostrum to observe the oath of office being administered, and although they were highly desirous of coming, they still were somewhat concerned about your reaction."

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

Senator Herrmann:

"Mr. President and members of the Senate:

"I rise to place in nomination for Sergeant at Arms the name of a man who, for many years has been a resident of this community in Olympia. He has served as a member of the House of Representatives. He has also served as Sergeant at Arms in the House and was considered one of the best Sergeant at Arms that they ever had in the House, and I believe we can all say the same in regard to his performance here in the Senate.

"When we are speaking about hard work, when we are speaking about a man being on the job and doing the job without favor, without prejudice, without any other consideration but serving the members of the Senate and this body with dignity and decorum, a man who has always been on the job, and is always willing to even go out of his way to serve individual members of this Senate. I think that Charlie Johnson has performed well. I think he has done an excellent job as Sergeant at Arms, and it is indeed an honor and privilege for me to place his name in nomination."

Senator Henry:

"Mr. President, members of the Senate:

"If, as in the case of Senator Neill's very fine speech, my remarks had been recorded for posterity over the last five or six or seven sessions, it would be almost a complete replay. I served in the House as a member of the Legislature, and had the privilege of nominating Charlie Johnson for Sergeant at Arms of the House. I have either nominated or seconded his nomination every time he has been Sergeant at Arms of either body.

"I think there is no doubt in anybody's mind that he has done a very good job and that he has, regardless of party or personalities, always been anxious and willing to serve not only during the Legislature, but between sessions when the members would come to Olympia. He has performed various privileges, even to the point of helping them with their housing problems.

"It is a great pleasure for me to second the nomination of Charles Johnson for Sergeant at Arms."

Senator Woodall:

"Mr. President and members of the Senate:

"I would feel remiss if I did not express the fact that the Reading Clerk of this Session comes from Toppenish. It is rather unique, of course, to get a Reading Clerk from our area. Most of them are people of few words, likened to myself.

"It is a pleasure to stand and place a nomination for the office of Sergeant at Arms. I was honored to have attended a meeting or conference of legislative leaders where one of the main questions for discussion was the question of improving the legislative image with the public and the press. One of the things that they were unanimous on was the fact that in too many of our legislative bodies, the proper decorum is not always maintained.

"The main officer in that regard would, of course, be the Sergeant at Arms, and I think that we should bear this in mind in our selection, and choose a man that we feel can be a very fine, splendid representative of the Senate, one we are happy to have listed wherever he may go as the representative of the presiding officer of the Senate. He should conduct himself with dignity and decorum and with fairness at all times.

"Now there has been a lot of thought and a lot of conversation given to the rights of minorities and for the protection of minorities, and I know there are many dedicated Senators on this floor who feel very keenly about minorities—Senator Dore and many, many others. We feel on this side of the aisle that a minority group has a very vital interest in the office of the Sergeant at Arms, that we should select someone who will deal justly and fairly with us, someone who will give us our just dues and desserts, and someone who will, we feel, properly represent the area, which has been discussed.

"I have the pleasure of thinking of a man who comes from Southeastern Washington, a man who comes from an area that is about to become lost out at being a represented unit, a man who served in the House of Representatives when I served there, and I must state that in looking around the room here, there are not very many people present here who came the first session I came to the House, which was in 1939, other than Senator Ed Riley and Dr. Cowen. This man I served with, and I learned to esteem and highly regard him. He is a farmer, a fine citizen, a former member of the House and later its Sergeant at Arms, a man who has been an Assistant Sergeant at Arms in this body, a man who has on so many, many occasions, done so many, many fine things for all of us over here that we would like now, in this year when everyone wants to get together, when we want harmony and unity, when we want to show again that the majority wants to do, in its graciousness, something for the minority, we would like to present for your consideration and prove to you that we on this side of the aisle think above the demarcation of

Democrat and Republican, but are thinking in consideration of a minority and an agricultural area, the Southeastern part of the state—it is my honor to present to you the name of Newton Fry.”

Senator Freise:

“Mr. President and members of the Senate:

“I would like to second the nomination of Newton Fry. Newt comes from Dayton, Washington, the home district of Senator Donohue, and I am hoping that Senator Donohue will also join me in seconding the nomination of Newt Fry.

“This is my fifth session in the legislature, and Newt Fry has been Assistant Sergeant at Arms for these five sessions. I don’t think a single one of us Senators can complain as to whether or not he did or did not treat us fairly, whether he did or did not treat us with utmost consideration, and whether he was or was not an excellent employee of this august body. As Senator Woodall said, he has been a former County Commissioner, he was a former legislator, a former employee of the House, an excellent employee of the Senate, and at this time, I am wondering if Senator Donohue would also join with me in seconding the nomination of Newt Fry for Sergeant at Arms.”

Senator Dore:

“Would Senator Woodall yield to a question?”

Senator Woodall:

“I yield.”

Senator Dore:

“I wonder if you have conferred with Mr. Fry to see whether or not he would be willing to accept this august position in the event we selected him?”

Senator Woodall:

“I have not conferred with him. I can only say that you know and I know that when a man runs for the House, he will run for the Senate; and, anyone who is an assistant will take the main job if he can get it.”

Senator Dore:

“That’s not true in my district, I’m sure. May I ask a second question? Senator, you said you have not consulted with Mr. Fry at all, yourself, personally. Do you know if any other Republicans or any of the other minority members have consulted with Mr. Fry?”

Senator Woodall:

“I do not. I do not know of any person who has discussed this matter with him. It would be my feeling that probably they have not because they would not want to embarrass him by going to him first. I do not know of anyone who has.”

Senator Dore:

“Will Senator Woodall yield to one further question?”

Senator Woodall:

“I yield for the third and final time.”

Senator Dore:

“Don’t you think it is rather foolish to nominate someone when you are not quite sure he would accept if you elected him? Don’t you think you should consult with him first?”

Senator Woodall:

“I do not think he would need to be consulted, and I have never made a foolish nomination in my life. I would be willing that we recess for the purpose of consulting with him for a period of time and perhaps, if you’d care to make such a motion, I would be happy to join with you, Senator, and we could return after a period of time.”

Senator Durkan:

"Mr. President:

"I have just now talked with Mr. Fry, and he said that under no circumstances would he wish to be Sergeant at Arms at this time. He has great respect for Mr. Johnson and he would hope that his wisdom would carry across the aisle to some of our brothers."

There being no further nominations, the President declared the nominations for Sergeant at Arms to be closed.

#### ROLL CALL

The Secretary called the roll on the election of Sergeant at Arms of the Senate and Charles Johnson was elected by the following vote: Charles Johnson, 32; Newton Fry, 17.

Those voting for Charles Johnson were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—32.

Those voting for Newton Fry were: Senators Atwood, Chytil, England, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Stender, Thompson, Jr., Williams, Woodall—17.

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

The President appointed an honor committee consisting of Senators Henry and Herrmann to escort Charles Johnson to the rostrum.

Justice Weaver administered the oath of office of Sergeant at Arms to Charles Johnson.

The President:

"Justice Weaver, members of the Senate, Sergeant at Arms Johnson, and Ladies and Gentlemen:

"Charles, the members of the Senate and the President wish to express to you their heartiest congratulations. Your election to this high ranking office is a true indication of their appreciation for your wonderful work. We wish you the very best of success in the continuing years. Would you please favor us with a few words?"

Mr. Johnson:

"Justice Weaver, Lieutenant Governor, members of the Senate:

"I appreciate the vote that I received, and I will continue serving the forty-nine Senators, Republicans and Democrats, to the best of my ability.

"Thank you very much."

The honor committee escorted Charles Johnson from the rostrum.

#### PRESIDENT'S PRIVILEGE

The President:

"Would the committee of honor now come forward to escort our respected Justice to his chambers?"

"Justice Weaver, the members of the Senate and the President wish to express their deep appreciation for your very kind and generous cooperation here today. Thank you very much."

Justice Weaver of the Supreme Court of the state of Washington was escorted to his chamber.

The Secretary read:

**SENATE RESOLUTION**

No. 1965 -1

By Senators Greive and Moriarty, Jr.:

*Resolved*, That a committee of three be appointed to notify the House that the Senate is now organized and ready to transact business.

On motion of Senator Greive, the resolution was adopted.

**APPOINTMENT OF SPECIAL COMMITTEE**

The President appointed Senators Herr, Redmon and Lowell Peterson to serve as a committee of three to notify the House that the Senate was organized and ready for business.

The committee retired.

**INTRODUCTION AND FIRST READING OF SENATE BILL**

The following was introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 1**, by Senators Durkan, Neill, Gissberg and Moriarty, Jr.

An Act relating to elected public officials of the state of Washington and political subdivisions thereof; establishing a code of ethics; and providing penalties.

**MOTION**

Senator Greive moved that all bills be held in the possession of the Secretary until the Senate committees are appointed.

Debate ensued.

The motion was carried, and Senate Bill No. 1 was ordered retained in the possession of the Secretary.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., January 11, 1965.

MR. PRESIDENT:

The House has adopted: House Concurrent Resolution No. 1; also

House Concurrent Resolution No. 2; also

House Concurrent Resolution No. 3; also

House Concurrent Resolution No. 4 and the same are herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

**FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

The following were read first time by title and acted upon as indicated:

**House Concurrent Resolution No. 1**, by Representative O'Brien:

Relating to committee to notify the Governor that the Legislature is organized.

On motion of Senator Greive, the resolution was adopted.

**MOTION**

Senator Greive:

"Mr. President:

"Until such time as we have temporary rules, I move that the rule of this body be majority rule."



**POINT OF PARLIAMENTARY INQUIRY**

Senator Moriarty, Jr.:

"Mr. President:

"I would like to raise a parliamentary question at this point. I ask the Chair for a ruling specifically on the rules under which we are operating at the present time, whether we are operating only with the Constitution of this state and the rules set out therein, or whether we are operating within the tradition of the body of parliamentary law built up over the centuries, including Reed's Rules of Order."

The President:

"Senator Moriarty, would you kindly repeat your remarks?"

Senator Moriarty, Jr.:

"Mr. President:

"It is my feeling—I do not know that there has been a ruling on this point in the history of this body; my research has found none—however, it is my belief and my understanding and my feeling, as I say, that the Senate of this state is a continuing body, inasmuch as only one-half of its membership is elected every two years, and the remaining half of the membership continues in office. Now, if it be true that the Senate of the state of Washington is a continuing body, then it must also be true that the rules under which it operates continue. If it be true that the rules under which the Senate operates continue, my question of the Chair is: What are those rules?"

Senator Greive:

"Mr. President:

"Senator Moriarty is not speaking on the motion presently before this body, which is namely that we operate under the Constitution by majority rule, period. Incidentally, that would be consistent also with Reed's Rule 23, but we are not making it under Reed's or any other rule."

**RULING OF THE PRESIDENT**

The President:

"Senator Greive, the President can answer Senator Moriarty's inquiry and also advise you that the President already ruled that until such time as temporary rules or permanent rules have been adopted, the rule of the majority would prevail in the Washington State Senate subject to certain provisions of the Washington State Constitution."

The Secretary read:

**House Concurrent Resolution No. 2**, by Representative O'Brien:

Relating to joint session for the purpose of canvassing the vote of constitutional elective state officers.

On motion of Senator Greive, the resolution was adopted.

**House Concurrent Resolution No. 3**, by Representative O'Brien:

Relating to joint session to receive message of Governor Albert D. Rosellini.

On motion of Senator Greive, the resolution was adopted.

**House Concurrent Resolution No. 4**, by Representative O'Brien:

Relating to joint session for inaugurating Governor Daniel J. Evans, receive his message and administer the oaths of office to the constitutional elective state officers.

On motion of Senator Greive, the resolution was adopted.

**MOTIONS**

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 6:00 p.m., on motion of Senator Greive, the Senate recessed until 7:30 p.m.

### EVENING SESSION

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At 7:30 p.m., the Senate was called to order by President Cherberg. The President declared the Senate to be at ease.

The President called the Senate to order at 8:55 p.m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Bailey, Chytil, Stender and Thompson, Jr.

Senators Greive, Henry and McCutcheon demanded a Call of the Senate. A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

#### MOTION

Senator Greive moved that the temporary rules be that of majority rule.

#### POINT OF ORDER

Senator Atwood:

"Point of order, Mr. President:

"What is majority rule as interpreted by the Chair in regards to any proceeding here tonight?"

#### RULING OF THE PRESIDENT

The President:

"The President believes that a majority of the membership elected to the Senate, which, in the minimum, would consist of twenty-five votes."

#### POINT OF ORDER

Senator Moriarty, Jr.:

"Point of order, Mr. President:

"Under the ruling the President made earlier this afternoon, the motion by Senator Greive is out of order."

The President:

"The motion is somewhat redundant."

Senator Moriarty, Jr.:

"May I have a ruling, Mr. President?"

The President:

"In essence, the President did rule that it is redundant. The President believes that the motion is superfluous. However, if the Senate wishes to consider it once again, the President is willing to put the question. The question is: It has been moved that the will of the majority shall prevail."

The motion was carried.

#### POINT OF PARLIAMENTARY INQUIRY

Senator Moriarty, Jr.:

"Point of inquiry, Mr. President:

"Am I correct that neither the House nor the Governor has been notified formally and officially that this Senate is organized?"

**REPLY BY THE PRESIDENT**

The President:

"To the best of the President's knowledge, the House has not as yet been advised of the organization of the Senate due to the fact the House has adjourned until 10:30 a. m., tomorrow.

**POINT OF ORDER**

Senator Moriarty, Jr.:

"Point of order, Mr. President:

"My point of order is that this legislature is not properly constituted as yet for the reason that neither the Governor nor the House has been formally notified of the organization of the Washington State Senate; therefore, the Senate does not yet possess the legal power to consider legislation at this time."

The President:

"Senator, would you direct the President to that portion of the Constitution which so states?"

Senator Moriarty, Jr.:

"Would you give me a moment to read the Constitution?"

**MOTION**

Senator Woodall moved that the Senate recess for one hour to permit all Senators to read the Constitution.

Debate ensued.

The motion was lost.

Senator Greive:

"Mr. President:

"May I respectfully remind Senator Moriarty that today he said we were a continuing body. Now he seems to feel we are no longer a continuing body. If we are a continuing body, we are now organized and ready to do business. We must wait for no one."

Senator Moriarty, Jr.:

"I think the point is, yes, we are a continuing body. My point is, this legislature is a bicameral legislature composed of a House of Representatives and a Senate. The Senate has organized. We have received advice that the House has been organized. We have not yet, however, advised the House we are organized. If this be the case, the legislature is not properly constituted. We have not officially advised the House that we exist. If we have not advised the House that we exist nor have we advised the Governor we exist, how then, sir, can we pass legislation? At this time, I again request a ruling."

Senator Greive:

"I move we proceed in order, Mr. President."

Senator Moriarty, Jr.:

"I again request a ruling on my point of order."

The President:

"The President first, Senator Moriarty, has requested that you direct him to that portion of the Constitution which upholds your argument. Before ruling on your point of order, the President wishes you to study the Constitution and direct the President to the proper portion."

Senator Gissberg:

"Mr. President, speaking on the point of order:

"Obviously the House is ready to do business. They have appointed a committee that has reported to the Senate and advised us that they are ready to do business. We have organized earlier in the day. We are now ready to do business. The validity of the action of this Senate is not dependent upon any communication which this house might

make to the other house with respect to the fact that we have organized and are ready to do business. The communication that one house makes to the other is one of courtesy, and one of courtesy alone, and the validity of our action is in no way dependent upon the communication, either to the House or the Governor."

Senator Greive:

"Mr. President:

"I renew my motion to proceed in order. I'm sure there is going to be a great deal of time expended before the evening is over, and Senator Moriarty will have a lot of time to read the Constitution and he can renew his motion. And, if he finds we are in error, I'm sure we'll be glad to abandon the procedure ad initium."

Senator Moriarty, Jr.:

"I think the point is important. I think the point is of the utmost importance and I think this body should consider the point of order and we should have a ruling before proceeding."

The President:

"The President agrees with you, Senator Moriarty, on that particular statement, and wishes to give you a reasonable amount of time in which to peruse the Constitution."

Senator Moriarty, Jr.:

"Mr. President:

"Referring to Article II, Section 1, 'Legislative Powers, Where Vested—The legislative authority of the state of Washington shall be vested in the legislature, consisting of a senate and a house of representatives, which shall be called the legislature of the state of Washington.'

"Now, the legislature shall consist of the Senate and the House. The House does not as yet know that the Senate exists. If the House does not know that the Senate exists, there cannot be a legislature, because we could simply be a group of people who decided to come down here on January 11, 1965, and pass a redistricting bill. But we do not yet exist insofar as the House is concerned. We may exist insofar as we are concerned, but we haven't bothered to advise the House, nor have we bothered to advise the Governor.

"How can the legislature, which by the Constitution consists of a House and Senate, exist as a legal entity as yet when we haven't told the House, which is an essential part of the legislature, that we are here?"

#### RULING BY THE PRESIDENT

The President:

"It is the President's ruling on the point of order as presented by Senator Moriarty that the members of the Senate have been duly elected and qualified. The members of the Senate have met and completed their organization. They have set their rules of procedure and have also seen fit to have a committee appointed to notify the House of its organization, as is customary. The President finds nothing in the Constitution which would prevent the Senate from proceeding in order."

#### AMENDMENT TO THE SENATE RULES

Senator Woodall moved the adoption of the following amendment to the Senate rules:

"Add a new rule:

"The guiding rule in the conduct of the majority party shall be the tried and true axiom, 'Whatever is fair.'"

Debate ensued.

Senators Greive, Herrmann and Kupka demanded the previous question and the demand was sustained.

The motion was lost and the amendment was not adopted.

The Senate advanced to the sixth order of business.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 2**, by Senators Greive, Cooney and Dore.

An Act relating to the legislature; providing for the redistricting and reapportionment thereof; repealing chapter 5, Laws of 1957, chapter 289, Laws of 1957 and chapter 44.06 RCW; and declaring an emergency.

On motion of Senator Greive, Senate Bill No. 2 was read in full.

On motion of Senator Greive, the Senate was at ease for a Republican caucus.

The President declared the Senate to be at ease at 10:25 p. m.

The President called the Senate to order at 10:52 p. m.

**MOTIONS**

It was moved by Senator Moriarty, Jr. that Senate Bill No. 2 hold its place on the Secretary's desk until the appointment of the appropriate standing committee of the Senate; that the bill then be referred to that committee with instructions to report back to the Senate within a period of twenty-four hours.

It was moved by Senator Greive that the motion be laid upon the table.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Neill, Chytil, Atwood, Redmon, Lennart, Ryder, Freise, Thompson, Jr., Kupka and Greive.

**ROLL CALL**

The Secretary called the roll on the motion by Senator Greive to table the motion by Senator Moriarty, Jr., and the motion was carried by the following vote: Yeas, 28; nays, 21.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Sandison, Talley, Washington—28.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Freise, Guess, Hallauer, Lennart, Lewis, McMillan, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams, Woodall—21.

**MOTION**

It was moved by Senator Lennart that Senate Bill No. 2 be made a special order of business for 2:00 p. m. of the next legislative day.

Debate ensued.

**POINT OF INQUIRY**

Senator England:

"Would Senator Greive yield to a question?"

"Senator, concerning these island groupings, apparently this is because of the taxing districts and the problems that are unique to the various islands of the state. My question then is why have you eliminated from this district one of the most important islands, Mercer Island?"

Senator Greive:

"I would expect that we limit it primarily to salt water islands, Senator."

Debate ensued.

**MOTION**

It was moved by Senator Greive that the motion by Senator Lennart be laid upon the table.

Senator Moriarty, Jr. demanded a roll call, and the demand was sustained by Senators Raugust, Woodall, Neill, Greive, Durkan, Gallagher, Ryder and Riley.

**ROLL CALL**

The Secretary called the roll on the motion by Senator Greive to table the motion by Senator Lennart, and the motion was carried by the following vote: Yeas, 28; nays, 21.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Sandison, Talley, Washington—28.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Freise, Guess, Hallauer, Lennart, Lewis, McMillan, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams, Woodall—21.

On motion of Senator Petrich, the following amendment was adopted:

On page 36, section 62, line 18, after "district" and before "having" insert ", the area shall be a part of the senatorial and representative district"

Senator Neill moved the adoption of the following amendment:

On page 2, section 3, line 16, after "Adams" insert ", Lincoln and Whitman." and strike all of the matter down to and including the period on line 20.

Senators Greive, Riley and Kupka demanded the previous question and the demand was sustained.

The motion was carried and the amendment was adopted.

On motion of Senator Neill, the following amendments were adopted:

On page 32, section 53, line 9, after "the" and before "third" insert "first,"

On line 17 before "5" insert "3,"

On page 32, section 55, line 33, after "sections" strike "3,"

On page 33, line 3, after "follows:" strike all the material down to and including "(2);" on line 5.

On line 5 change "second" to "Second"

Senator Chytil moved the adoption of the following amendment:

On page 11, section 21, line 1, after "Pacific" insert a period and strike the balance of the sentence; and on page 11, section 23, line 29, after "harbor" insert a period and strike the balance of the section.

Debate ensued.

**MOTION**

Senator Greive moved that the amendment by Senator Chytil be laid upon the table.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Woodall, Ryder, Neill, Chytil, England, Atwood, Redmon and Freise.

**ROLL CALL**

The Secretary called the roll on the motion by Senator Greive to lay the amendment on the table, and the motion was carried by the following vote: Yeas, 29; nays, 20.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—29.

Those voting nay were: Senators Atwood, Chytil, Cowen, Dore, England, Freise, Guess, Lennart, Lewis, McMillan, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Stender, Thompson, Jr., Williams, Woodall—20.

Senator Rasmussen moved the adoption of the following amendment:

On page 13, section 29, line 6, after "with" strike all the material down to and including "with" on line 9.

Debate ensued.

The motion was carried on a rising vote and the amendment was adopted.

The President declared the Senate to be at ease.

The President called the Senate to order.

**MOTION TO RECONSIDER**

Having voted on the prevailing side, Senator McCormack moved that the the Senate reconsider the vote by which the amendment by Senator Rasmussen was adopted.

Debate ensued.

Senators Keefe, Kupka and Greive demanded the previous question and the demand was sustained.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators England, Atwood, Redmon, Freise, Williams, Knoblauch, Gallagher, Durkan and Charette.

The Secretary called the roll on the motion by Senator McCormack to reconsider the vote by which the amendment by Senator Rasmussen was adopted. The motion was carried and the Senate voted to reconsider by the following vote: Yeas, 27; nays, 22.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Morgan, Peterson (Lowell), Petrich, Sandison, Talley, Washington—27.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Freise, Guess, Hallauer, Lennart, Lewis, McMillan, Moriarty, Jr., Neill, Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams, Woodall—22.

The President declared the question before the Senate to be the adoption of the amendment by Senator Rasmussen.

Senator Gallagher moved that the amendment be laid upon the table.

Debate ensued.

The motion was carried and the amendment was laid upon the table.

On motion of Senator Gissberg, the following amendment by Senators Gissberg and Greive was adopted:

On page 34, section 59, line 29 after "state" strike the period.

Senator Ryder moved the adoption of the following amendments:

On page 30, section 48, line 3, strike "(1) Representative district 46-A:"

On page 30, section 48, line 18, strike "(2) Representative district 46-B:"

With the consent of the Senate, the Senate postponed consideration of the amendments.

On motion of Senator Herrmann, the following amendment was adopted:

On page 3, section 8, line 20, after "Bertha," add "Blaine,"

On motion of Senator Greive, the Senate resumed consideration of the amendments by Senator Ryder:

On page 30, section 48, line 3, strike "(1) Representative district 46-A:"

On page 30, section 48, line 18, strike "(2) Representative district 46-B:"

Debate ensued.

The motion was carried and the amendments were adopted.

#### MOTION

On motion, of Senator Greive, Senator Raugust was excused from under the Call of the Senate.

On motion of Senator Ryder, the following amendment was adopted:

On page 32, section 53, line 18, after "47," and before "49," insert "48,"

Senator Lennart moved the adoption of the following amendment:

On page 26, section 43, line 7, after "2" insert "The legislators representing the forty-first district shall be furnished with a pass to ride the state ferries without fees."

Debate ensued.

On motion of Senator Greive, the amendment was laid upon the table.

On motion of Senator Ryder, the following amendments were adopted:

On page 32, section 53, line 15, after "forty-fifth," and before "forty-seventh" insert "forty-sixth,"

On page 33, section 55, line 25, after "(2)" strike all the material down to and including "(2)" on line 27.

On motion of Senator Greive, the following amendment was adopted:

On page 15, section 32, line 10, after "intersection with" strike all the material down to and including "282nd" on line 11 and insert "the city limits of the city of Kent; thence generally northerly, easterly and southerly following the city limits of the city of Kent to its intersection with south 272nd Street; thence westerly following south 272nd Street"

On motion of Senator Greive, Engrossed Senate Bill No. 2 was placed on final passage.

#### POINT OF INQUIRY

Senator Atwood:

"Mr. President, would Senator Williams yield to questions?"

Senator Williams:

"Yes."

Senator Atwood:

"Senator Williams, in our brief chance to examine this bill, from what you have seen, in your opinion, or could you point out any instances in this bill of arbitrariness?"



Senator Greive:

"Mr. President:

"I move that the gentleman be permitted to make a speech, or that they be permitted to enter a protest, but not be permitted to conduct an Ev and Charlie show so they can get this in the record."

Senator Moriarty, Jr.:

"Mr. President:

"Senator Greive's point is not well taken. The Senate has granted Senator Atwood the right to ask Senator Williams a question. It seems to me the Senate owes the courtesy to Senator Williams to reply to the question asked of him by Senator Atwood."

Senator Greive:

"I think I have a better solution. I'll move that the privilege of having an answer to his remarks be spread upon the journal and that debate on both sides be spread upon the journal."

Senator Atwood:

"Mr. President:

"Personal privilege, Mr. President: This is not for the purpose of delay. If Senator Greive will bear with us, we are trying to make a record in the event of an appearance in court. This is done in all seriousness, not to conduct an Ev and Charlie show. We'll try to get this over with as soon as possible.

"Senator Williams, in the few hours you have had a chance to look this bill over, some three or four hours now, I'll ask you if there has been a formal adherence to the population plan, in your opinion, without any arbitrariness, and is there freedom from discrimination politically, racially or otherwise?"

Senator Williams:

"Mr. President and members of the Senate:

"In the short time we have had, we still do not have maps on the major population areas of the state, but in the maps that are here that show the more rural areas, there are a number of places which show arbitrariness and action which appears to be clearly beyond the scope of the court order under which we are operating.

"It has already been mentioned previously, but it should be pointed out again that one district shows clearly in the map that it crosses parts of five or six counties, whereas our state constitution and the Supreme Court of the United States has said that these areas should be contiguous. This district extends perhaps a hundred miles in distance but with no highway connecting it. It extends from the Canadian border, approximately half way or more to the Columbla River—across half of that part of the state. It is on any standard an arbitrary district. By reason of this it is squarely in conflict with the Supreme Court decision which says the only basis for deviating from equal population at all is on the basis of being contiguous or a regular political boundary. The United States Supreme Court, in its decision last June, indicated that that was the only basis for moving from exact, equal boundaries.

"It is further arbitrary in that in no regular way have they allocated the representative districts. In other words, in some legislative districts, they have separated the representative districts. In other words, they have divided the districts, and in others they have not. In some districts, they are separated into 'A' and 'B' districts, and in others they are not. This is not based on proximity or the size of the district or any other basis. In some very small, compact districts, they have split it up, and in very large districts such as the nineteenth district, extending over three counties, there is no such division.

"The Attorney General has cautioned this body, in an opinion given recently as to the danger of going beyond a ten percent variation, even if we adhere to the idea of contiguous districts. Here we have not kept contiguous districts and we have gone even beyond a fifteen percent variation. The Supreme Court points out that because we know this bill or whatever bill this legislature passes will go to the courts, it is very important that we stay clearly within the legal boundaries and we have definitely and deliberately, if this bill should pass, gone beyond those boundaries prescribed for us.

"There are undoubtedly other breaches in this bill, but the very fact that it has been rushed through the way it has, I think, becomes a red flag to the Court. The fact that the rules under which this body operated under for many decades were disregarded and all the procedures under which this body has operated were disregarded to push this bill through will further be a red flag to the Court and create a real hazard for the bill."

It was moved by Senator Greive that all remarks made on final passage of Senate Bill No. 2 be recorded.

Senator Dore:

"Mr. President and members of the Senate:

"I felt highly honored to learn while down in the restaurant that I am to present the legal argument to spread on the record to have this bill upheld. I accept that as an honor and privilege. At this time I would like to do that particular honor for the members of the Democratic Party and for the Republican Party.

"First, I would like to incorporate in the record the official opinion of John J. O'Connell, which we received just a few weeks ago, in which he and his assistant, Phil Austin, analyzed the recent decision of the U.S. Supreme Court and gave the guide lines upon which Senator Greive and his staff and his helpers have studied and incorporated in this bill before us. That opinion should be referred to, and perhaps I could get Senator Williams' copy and get the date of it. Under date of December 24, 1964, and under those guidelines it was said that it was not, of course, mathematically possible to have every legislative district exactly even. In other words, they set the norm, some 59,000, as I recall, and said there shall not be a variation of fifteen percent more or less, and if you will examine this bill, that percentage is applied here. There is no district, I think, except one, which exceeds by two hundred votes, something in excess of 66,000 votes, which is the highest amount of population in any one district.

"The Attorney General who issued this opinion later, just in fact yesterday, I think, officially analyzed the bill and publicly announced, to the public and also to the members of the august body that this bill presented a copy of which he had at that time, substantially conforms to the guidelines that he and his assistants set forth in the opinion of December 24th, 1964. So much for the legal arguments. After all, we have to rely upon what the Attorney General of our state tells us to do, and I think we have complied with every particular in that regard.

"In reference to the political aspects of the bill, it is indeed an honor to perhaps offer some remarks to our minority leader, Senator Moriarty, whom I had the honor to work with in his father's office some fifteen years ago and I know at that time he was extremely industrious and very conscious of statutory provisions of the law, and also of rule-making powers; and, I know that having been elected to the minority responsibility that he has in this body, he probably—undoubtedly has studied the rules to a great depth and understanding over the weekend with the hope that he perhaps might be able to promulgate them and explain them to the body on this first redistricting bill, and I know that he must be disappointed that perhaps we didn't adopt them so he might raise these rules in argument here this evening, and also the early hours of the morning, but legally speaking I think Senator Moriarty, excellent lawyer that he is, would agree that of course there being no rules that we have adopted, there is of course no particular hazard in bringing this particular bill forth and passing this particular bill. Those rules just don't apply, so I think his argument before the TV cameras that we have not adopted any rules, therefore, this makes this bill illegal, of course you know and I know has no legal basis in fact, so I think we might set aside that particular legal argument, if it is a legal argument.

"In reference to the fact, then, Senator Moriarty and his cohorts on the right side of the aisle, the far right, have not had the opportunity to study this bill, I think nothing could be more foolish. I think two years ago he studied the same redistricting bill in this same Senate with, I think, two exceptions. We studied it in great detail at that time. We had all the maps, went through all the precincts. We all know exactly what we are doing. I think it is extremely naive, if not dishonest, to suggest that we don't know exactly what we are doing here because we do.

"We are a majority party here in both houses of the legislature. We are operating under court order to expedite at the earliest possible time, to pass this bill. I think

the majority party is resolved. They have decided to expedite this bill at this time, and I think it is commendable that they would take the energy to stay this late in the night and make sure we might be able to pass this within the next twenty-four hours, so I think there is no particular argument against the lateness of the hour. I am informed, looking at the clock, it is 1:30 a.m., in the morning, on the 12th of January, 1964.—'65. I wonder if the clerk could strike the figure four and insert five."

The President:

"There being no objection, so ordered."

Senator Dore:

"Thank you."

Senator Woodall:

"Mr. President:

"It is very obvious that Senator Dore is tired and in fairness I think we ought to allow him some rest, so let's come back and let him finish his remarks tomorrow."

Senator Dore:

"Thank you very kindly. It's an honor to make these legal remarks at this time and in closing I would like to commend Senator Greive for the tremendous effort and job he has done in order to achieve this bill. I think we all should be grateful to him. With that, I would like to close."

Senator Lennart:

"Mr. President and members of the Senate:

"We are now on the final passage of Senate Bill No. 2 or the reapportionment bill, which is supposed to be the working out and applying science of representation that will give all citizens a nearly equal voice in his government, consequences that will determine human affairs a century ahead.

"There is a map on your desk of this proposed bill. Take a good look at it. Whatcom county now comprises two districts, the 41st and 42nd. There is a close identity of interest between these two districts, Bellingham being the 42nd district, as the economy of the county is strongly agricultural. This identity of interest far surpasses political motives. It appears to me that we must lay aside political considerations for the best interest of all.

"The make-up of the new 41st district is unique. Even as now constituted, part of the district, Point Roberts, is located on a peninsula jutting out from the Canadian mainland and can be reached only by a long journey over Canadian soil or else by boat as there are no ferries available to reach it. But behold what is now proposed: The new 41st would take Northwest Whatcom county diagonally and exclude Columbia, Crescent, Deming, Geneva, Glacier, Lawrence, Maple Falls, Marietta, Ten Mile, etc. It would then head out to sea and seduce the lovely San Juans from Skagit county's present moorings. I approve of this change but from now on I part company from what I might term a magnificent conception. The district now bypasses Fidalgo Island, sneaks under the bridge connecting Whidbey with Skagit county, artfully filches Camano Island from Snohomish county. The boundary of the district now heads west, takes in all of Whidbey Island except United States Census Tract 4. From thence the district meanders south into Kitsap county and purloins Bainbridge Island from that county. One must own a boat to represent this district in any manner and I just sold my boat. It would appear that the framers of this bill suffered from intellectual malnutrition.

"Part of this bill is not amendable for it sets the boundaries for all this Island at low water mark, something controlled by the tides of the ocean which ebb and flow by a force which, though remote, always retains its source. I am confident that we here cannot amend out the Celestial Orbit.

Now this rich agricultural area of Whatcom county would perhaps never again elect a Senator to represent them. The all powerful inhabitants of Bainbridge, having absolutely nothing in common with farm population which I represent, will be calling the cards.

"The state constitution has the following to say: 'Senators shall be elected from single districts of convenient and contiguous territory.' Not by any stretch of imagination can this district come under the definition set out by the constitution.

"Considering the errors the majority party is making, we are thankful that they do not have complete control. The Federal Courts have their say and the Governor may use his veto, and properly so."

Senator McCutcheon:

"Mr. President and members of the Senate:

"I'll be very brief. You have been here a long time and this is the end of a long, hard day. You earned your money today, but it's not the end of the world, gentlemen, for you people. You'll have a chance within two years from now to correct all the mistakes and, for a group of men that are kept in complete ignorance, I want to compliment you on that side of the aisle on your terrific intelligence in being able to pick up so much information in such a short time. They even know the precinct lines and the number of votes in the lines in every precinct in the state, some three or four thousand, but in any event, as I said, two years from now if we make mistakes here in drawing boundaries, you will have a chance to correct them. You can't freeze the human mind. And, by the way, as Senator Dore said, he regrets the TV is gone, but I see some faithful reporters up here stayed through.

"This redistricting had to be done by some instrumentality and the only one here is the majority party. If the Republicans were in power, we'd expect them to do the same thing. We're not here—our field of debate is very narrow, Senator Raugust and Senator Lennart. We don't have a chance to talk about the political aspects of this. The Court said it's not interested. It's not interested in parties, persons or percentages, and whether you have fifty percent of the votes of a district.

"You can change this in two years and the Court is not at all interested in our arguments about who shall be top dog or otherwise. The Court has said to us, this is not an essential part of the argument. 'You're a rump caucus here, you're a rump session. You're absolutely unconstitutional.' They said the fourteenth amendment is paramount. The state constitution means nothing. Your state initiative and referendum mean nothing. The fourteenth amendment says: 'One person, one vote.' I may not agree with that philosophy. I voted for that memorial two years ago to keep the Supreme Court out of the place where we had the initiative. But the Court has spoken, and we are confronted with it. We are not here as debaters. We are merely a sterile agency, ordered to carry out the terms of that court order, and this questioning, Senator Atwood, to say that we can consider other matters—we can't in reality do so. You know that. But this is the thing before us. We are confronted with a duty, and I am ready to accept my responsibility.

"You're trying to give us a bad press with voluminous reports and protests, but if you think this press is going to be bad, wait until we have been here thirty days and spent \$400,000 of the taxpayers money, or wait until you have been here sixty days and the prestige and the dignity of the legislature will go down, and the dignity of your new Governor who is coming in, if we get into a dog fight and quarrel—what is to be gained, in Heaven's name, by delay. We almost got into a quarrel on Pierce county this evening over a trivial matter. I talked to friends on all sides here, and Heavens knows I've lost enough of them, but after sixty days, we're not going to have a friend in the place. We'll all be at each other's throats, quarrelling, conniving, double-dealing, fighting with the Executive.

"I believe this solemnly to be true, that this bill that we are passing, we are going to pass in a few minutes, is constitutional and it will be sustained by the Federal Court. Now the crux and center of this argument is this: We don't have to have outside committees to tell us. I hope that we can repeat our oath of responsibility here. The Supreme Court says: 'One man, one vote.' Now we don't have to have any committee or outside advice tell us what that means. They pay me a hundred a month to know that, and they pay you to know that much, and you know it. I know what my duty is. The Court has ordered it, the public expects it. They have a right to expect it. I'll vote for any constitutional bill that comes here in the first thirty minutes. Get it out of here. Rather than months from now.

"You say there is gerrymandering in it and it's being shoved down your necks. I would remind you that your great Governor Nelson Rockefeller did it just yesterday with a lame duck session of the New York legislature. The man in the street wants these lines drawn. He's not particularly concerned about where they are drawn. There's no reserved seats in this body. Some of us will be wiped out by this sort of thing. I sympathize. Now I perhaps am sitting pretty good at the moment, but that doesn't mean it can last forever.

"Now getting back to my notes and I'm going to sit down, because I could have made this twice as good a little earlier in the evening. Some people can't make a decision, and I slip once in a while myself, but this is one that has been fought through and I believe that we have come to the end of the road. We have discussed it with the League of Women Voters. They tried it once and failed. They tried it once and succeeded and they were amended, and tried again and failed, and we talked eighty-two days about it. There isn't a phase of this thing that hasn't been discussed. The public is sick and tired of it. They want us to act and act now, and I predict this: That if we pass this thing and have the courage to do so, do it tonight, and do it as quick as we can and get it through the House, that we'll come back here and won't be defeated by any of these charges that will be made. Now, I think, Senator Dore, this is quibbling, but I think in that long, windy opinion there wasn't one word about fifteen percent or ten percent. The Court said 'an honest effort.' God knows we have made an honest effort. You'd have the same problems if you were in our position, but I think we have kept within the order of the Court and will be sustained."

#### Senator Greive:

"Mr. President, Lady and Gentlemen of the Senate:

"Thirty-nine legislatures have met before us. We may not have any other distinction, but I think we have certainly had the most momentous first day. I'd like to very briefly answer the arguments, first that the Islands generally make a monstrosity, I would like to point out to the gentlemen, as I have done previously, that the Islands have a common interest. I'd like to point out that the same argument that would say you shouldn't permit the Islands to have a representative, when there are almost forty thousand people and a district of their own, could very well be used against Hawaii becoming one of the states. It's three thousand miles from the mainland United States and if you were to follow the logic of that particular type of argument, neither Hawaii nor Alaska would belong as members of the United States.

"There is no question I have had more to do with this piece of legislation, but I deny categorically I drew it as such. As a practical matter it was drawn by a great many people. Senator McCutcheon mentioned he worked on it, Senator Hallauer, Senator Washington, Senator Hanna did some fast overruling of things I wanted to do to get their way as part of this particular legislation. We had troubles with almost every phase and almost every district as we went through it, unless a district happened to be a single county, such as Thurston.

"In other words, this is something that involved a great deal of compromise. Basically, I think that's what the opinion and the courts expect us to do: face our duty and compromise, painful as it may be; and, I want to assure you this is the work of many. It is well within the limits prescribed. I won't bother with this now. It will be submitted as part of the record, the forty-nine districts and the populations which we used, the census and the maps and all of the criteria is available that we used, the Federal Bureau of Census populations studies that we used, and it is well within fifteen percent except one district which is two hundred over in that case. We kept two full counties together, Kittitas and Grant, and I think that was the reason for going over the fifteen per cent.

"Now we come down to the next question of 'A' and 'B' districts. I'd like to remind the body, and I hope it will be brought out forcibly to the Court, this was not Bob Greive's idea. Rather it was an idea spawned by Representative Gorton at the last session. I felt every district should be divided or not divided. But it seems he had more persuasive powers than I. The first thing I knew, a number of Senators insisted they would vote no on the bill unless there were a division to protect certain geographical areas, so we were forced to follow suit, so when we began to draw the bill, what we did was to decide ultimately the aim should be that everybody would represent a single member district. In other words, eventually I hope that no one will vote for two representatives, everybody will vote for one, but it was our judgment and our feeling that it would be impossible to make that kind of jump in one step, so what we have done is to go through as many districts as we could, where it wasn't an unreasonable hardship, but in any event, we tried to divide as many districts as we could and still retain the necessary votes to pass the bill. If we had thought we could get enough votes, we would have divided all the districts, but as a practical matter—and I think the Court expects us to be practical—this was

the only way we could get the bill passed, but it would be my suggestion in coming sessions of the legislature, that we continue to divide these districts, but that it would be done a little bit at a time, and eventually we would in every instance achieve this.

"I was rather amused by the charges that the Republicans didn't have a chance to read this bill. True, they didn't have a great deal of time, but every one of them represented a particular district and each of them knew the number of it very well, judging from the number of amendments that were presented. I didn't see a single Republican reading the bill or following it along while it was being read. I presume they read faster than the Reading Clerk.

"I would like to remind this body that since I have been Senator, I have never known of a bill being read in its entirety, word for word, with no suspension of rules, no hankey-pankey, anything like that. Perhaps a few times when we were dealing with very short bills, but this was a long bill, and every word was read from the podium. There was no subterfuge. Every word was read, section by section.

"Finally, I would like to bring to the members of this body's mind the experience that we had. They said we were arbitrary and we did a lot of things. Last session, the Republicans in the House and the coalition kept under lock and key all of the maps. They wouldn't permit anyone to see them, which we didn't do. They brought a bill out in exactly the same procedure that was followed this evening, and they weren't pressed by time. They had no court order. They did it simply because they felt it would happen. Now we didn't do it that way for that reason. We felt it was expeditious. We want to get this done. Maybe we want to get it done before the Governor is out of office. The point is, we do want to get it done. That's what the Court wants us to do as well. Certainly this is a far superior approach than that conducted by the great Republican Governor Rockefeller, in which he took a lame duck Republican legislature to pass a bill after they were defeated so he could use the veto power to protect whatever it was decided from the majority which was overwhelmingly Democratic, elected at the next election.

"Now we haven't attempted to cut off debate. We have attempted to be reasonable in that. I don't think anyone here can say we have been unreasonable in at least that regard.

"I think what it finally comes down to, the ultimate power here does not lie with this body nor with the House nor with the Governor. The ultimate power lies with the Federal Judiciary. They have issued a decree. I think the real quarrel here, and the real thing we have demonstrated this evening and have demonstrated in any attempt to redistrict is that it is painful, but I don't expect that when Judge Warren wrote his decision, and when Judge Beeks rendered his that he expected for one minute it wasn't going to be painful. They, I think, knew it would be painful. They expected us, in spite of that pain, to do a job. They expected some people to be hurt and perhaps some people to be helped, but the most important thing is they expected us to do the job, the political job we were elected to do. We were elected to do that political job as a political instrument, and I think it's about time we got down to doing it."

Senator Moriarty, Jr.:

"Mr. President:

"I have no wish to prolong the agony, but I do wish to ask Senator Greive to yield to one or two questions which I would like to ask for the benefit of the Court."

The President:

"Does Senator Greive yield?"

Senator Greive:

"I yield."

#### POINT OF INQUIRY

Senator Moriarty, Jr.:

"Senator Greive:

"I'm sure you will answer this with exactitude and I'll ask you to do so for me. Had this bill been law in November of 1960, how many Democratic Senators would have been elected to this body and how many Republican Senators would have been elected?"

Senator Greive:

"In the first place, I would assume that this is very speculative. In my opinion, it does not substantially change the membership of this Senate. I would expect that it does give some advantage to the Democrats in the House. On the other hand, I can think of a number of districts which would depend upon the extent to which the Democrats carried. Now, if we are to take the last election in which President Johnson had such an overwhelming majority, we would have one result. If we are to go back to the election in which President Eisenhower had such an overwhelming majority, we would have a different result. Which is par for the course?"

Senator Moriarty, Jr.:

"I'll ask this question, if Senator Greive will yield:

"In the 1964 election, had this bill been law, how many Democratic Senators would have been elected and how many Republican Senators would have been elected to this body?"

Senator Greive:

"Frankly, I don't know, but I expect thirty-two."

Senator Moriarty, Jr.:

"One more question, again for the benefit of the Federal Court in Seattle, Senator Greive, would you answer me categorically 'yes' or 'no' whether or not this bill is designed to favor the Democratic Party or the Republican Party?"

Senator Greive:

"Senator Moriarty, you and I both practice that noble and honest profession of law, and the first thing we ever tell any client before he takes the stand is never answer 'yes' or 'no.' I have been given a good prompt by Senator Gissberg. He says, let us remind the Republicans the people will answer that question at the next election."

Senator Ryder:

"Mr. President, Lady and Gentlemen of the Senate:

"We have been speaking a great deal here tonight about the rights of political parties. We have been talking about the majority party and about the minority. We have been talking about votes and what this bill does to this individual or that individual.

"I think we have lost sight of the reason why we are down here in Olympia as elected officials of the people of the state of Washington. It's the people we should be thinking about. Rightly or wrongly, the Supreme Court decision under which we are laboring here tonight was made in the interest of the people of the United States of America and of the citizens of each of the states, including the state of Washington.

"Senator Moriarty, rightly, has talked about the right of the Republican Party. We have had thrown up to us a Republican convention held last summer, which, for the life of me, I can't connect with the problem of redistricting here tonight. We have had thrown up to us the actions of a so-called Republican Governor in New York. This, I think, has nothing to do with the actions which we are taking tonight. I think we are forgetting the duty of this Senate towards the people in the state. We are doing nothing here tonight which can't be done after two or three or four or five days, whatever it takes to give this bill a thorough public hearing. There are many people in the state, many groups of people who are interested in this legislation which we are considering. I think we, as responsible Senators, as responsible representatives of our district, owe it to these people to give them a chance, not only for ourselves who haven't had a chance to look at it, but they have not had a chance to look at it, to analyze it, to give us the benefit of their thinking; and then after having had some public hearings on it, after having gone over it in committee, worked it over, then we can sit down and if it takes all night, pass it. We can do it then with a clear conscience, but I do not believe that the Senate tonight, each and every one of us, can with a clear conscience pass this bill and think that we are serving the people of the state of Washington."

Senator Guess:

"Mr. President:

"I came down here a Senator from a city district. Two years ago when I ran for

the Senate, I ran from the purely downtown business area. I have not had the advantage of being raised on a farm.

"Now I find that I am told that I have a farming district. I haven't seen a map except this big one with the big, broad lines on it, and Spokane county is about two by two, and I can't tell where my district lies. Just before I came over here, I received several communications from various bodies, groups within the county, and they said, 'Please, when you go to Olympia, remember for one, the Spokane Valley is a community of almost identical interest,' and now I understand that I have half of the county and my colleague from across the aisle has the other half of it. I find that I end up with an institution of higher learning. Now I have requested, because I thought something like this might come up, a position on the committee of Higher Education. But I was denied the position on Higher Education and yet I hear the statement that this redistricting is done so that we may properly represent those people we are going to be assigned to represent, yet I am not permitted to be on the Committee of Higher Education.

"Now the community of Cheney will now come in my district, I understand. This is the home of Eastern Washington College, and so I will appeal to the committee for an assignment to the Committee on Higher Education. I think that this situation will be repeated many times over, and this is the reason that I think that this bill should have taken many hours longer than fourteen."

Senator Greive:

"Mr. President:

"I would like to very briefly—and I do mean briefly—answer some of the arguments just given by Senator Ryder and Senator Guess, and I do this simply because I appreciate that these remarks are going into the Federal Court and I presume that the judges will be reading them.

"First may I point out to Senator Lennart, which I did earlier, and I didn't think it was necessary again, the island area here of approximately 44,000 people have no representative and have not had any representative except two years of the twenty years, when I finish this term, that I will have been in this body. Only two years of that twenty have they been represented. I think they deserve representation. These are the islands in our Puget Sound. Islands have a lot of interests in common. There are some twenty-seven junior taxing districts. They have common taxing problems, and it seems to me best to give them representation. True, transportation is a problem, but there are other problems which I feel transcend that one particular drawback.

"Second, I would like to point out for the Court if I might that Whatcom county, about which Senator Lennart speaks, is basically too big for one district and too small for two, and this gave us the only way of bringing this area within the requirements of the Court.

"Now I have heard other arguments of representation of farmers, and other arguments of representation of various others. Now these are purely political considerations and I believe, I affirmatively believe, that the courts never intended to interfere with the political complexion of various districts. Lady and gentlemen, that's what we are elected for. It is our responsibility to handle the politics. They only require we represent the proper number of people. Tomorrow we will submit for the record a very careful count made of these districts and I feel that even the most skeptical will agree we have done a wonderful job keeping this within the requirements. Now we have read through the bill, we have considered the bill. Lord only knows, we spent eighty-three days of last session. We've had Legislative Council in between. There's very little new about this. We've studied it. All of us here, with one or two exceptions, were here last session. All of us are familiar with the lines. This isn't a new legislature with fresh new faces. We know what we are doing. The real thing about the Republican opposition, what they are really telling us is they just don't like what we are doing."

#### POINT OF INQUIRY

Senator Riley:

"I wonder if Senator Greive would yield to a question.

"Senator Greive, my question is simply this: Do you think that the people should have the right to read their favorite newspaper tomorrow and find out something about what is going on, so they could communicate with us their viewpoints on this matter, or should we proceed tonight?"



Senator Greive:

"Senator Riley, I think that you and I are the experts. I don't think that the average person or even the very informed person has the slightest perception when it comes to a very complicated matter such as redistricting. I wish they did. At best they generally know what district or area they are in. We are the people elected. We are the people who have studied this. We have heard the discussion. We are the ones who are supposed to understand this thing. They expect us to use our judgment and use it as best we possibly can."

Senators Sandison, McCutcheon and Greive demanded the previous question and the demand was sustained.

The President stated the question before the Senate to be the final passage of Engrossed Senate Bill No. 2.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2, and the bill passed the Senate by the following vote: Yeas, 28, nays, 19; excused, 2.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Morgan, Peterson (Lowell), Petrich, Riley, Sandison, Talley, Washington—28.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Freise, Guess, Hallauer, Lennart, Lewis, McMillan, Moriarty, Jr., Neill, Peterson (Ted), Rasmussen, Redmon, Ryder, Thompson, Jr., Williams, Woodall—19.

Excused: Senators Raugust, Stender—2.

Engrossed Senate Bill No. 2, having received the constitutional majority, was declared passed.

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

#### MOTION

On motion of Senator Greive, Engrossed Senate Bill No. 2 was ordered immediately transmitted to the House.

#### EXPLANATION OF VOTE

We, the undersigned, protest the Democrat railroading of the redistricting bill. By refusing to organize, to adopt time-tested rules of procedure, to activate the standing committees, or to provide any notice or opportunity of anyone other than Democrat legislators to be heard on the redistricting bill, the Democrats abused their power and violated the basic tenets of legislative due process.

It is indispenable to the orderly development of a statute from the conception of the idea to its enactment that it be introduced, printed, circulated, analyzed, discussed, publicized, tested, a process which takes days rather than hours.

We, recognizing our responsibility to the people of this state, condemn the Democrat deprivation of the people, the news media, interested citizen groups, the opportunity to see the bill, to study it, to criticize it, and our right to receive counsel of such people.

We protest the placing of a 36 page bill on our desks at 8:50 p. m. and requiring a vote within a few hours, charging that the Democrats allowed too little time for study, analysis, verification and confirmation of the truth of the contentions of the sponsors.

We point out that this was a technical bill which purported to describe geographic territories and boundary lines in a variety of ways not within the personal knowledge of the Senators, not verifiable in any state office, nor in any one place, since the authors used metes and bounds, street names of municipalities and counties, state highway designations, precinct numbers, presumably of existing precincts in existing

districts, precinct names that are not descriptive of geographic areas, census tracts. To check it out in the orderly, deliberative, legislative fashion required committee consideration denied to us by the Democrat leadership.

We register our protest to this action, now history, and at the same time we pledge our cooperation to Democrats if they are wise enough to take advantage of it, to work out a fair bill without delay.

ALBERT C. THOMPSON, JR.  
CHARLES P. MORIARTY, JR.  
WALTER B. WILLIAMS  
MARSHALL A. NEILL  
PERRY B. WOODALL  
R. FRANK ATWOOD  
JOHN H. STENDER  
JACK ENGLAND  
ERNEST W. LENNART

HERBERT H. FREISE  
JOE CHYTIL  
HARRY B. LEWIS  
FRED G. REDMON  
W. C. RAUGUST  
SAM C. GUESS  
TED G. PETERSON  
JOHN N. RYDER

#### MOTION

At 2:20 a. m., on motion of Senator Greive, the Senate adjourned until 10:00 a. m., Tuesday, January 12, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## SECOND DAY

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### MORNING SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Tuesday, January 12, 1965.

The Senate was called to order at 10:00 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Dore, McCormack and McMillan.

On motion of Senator Bailey, Senator McCormack was excused.

The Color Guard, consisting of pages Curt Leady, Color Bearer, and Teresa Hallauer, presented the Colors.

Reverend Walter A. MacArthur, pastor of the First Methodist Church of Olympia, offered prayer as follows:

"Ours is a world of confusion and bewilderment, O God; we cannot find our way alone—thus, we seek now, in this moment of prayer, Thy guidance. We can take only one step at a time, but, we pray, make that step plain to us! Help us to see where duty and justice lies, then give us a good push that we may start in that direction. Deliver us from petty concern about ourselves. Stand us in the center of the great needs of our beloved State. Discipline us to sharpen our insight; to open our minds to all sides of each issue; to rightly distinguish between truth and half-truth, good, evil, political expediency, justice. Furnish our minds with the daring of faith, the humility of love, the devotion of responsible service, through Christ our Lord. Amen."

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

#### APPOINTMENT OF SPECIAL COMMITTEE

On motion of Senator Greive, the President appointed Senators Lowell Peterson, Lewis and Herr to serve as the three members from the Senate, in

accordance with House Concurrent Resolution No. 1, to notify the Governor that the Legislature was organized and ready to transact business.

The committee retired.

The President declared the Senate to be at ease.

The President called the Senate to order.

#### PARLIAMENTARY INQUIRY

Senator Ryder:

"Mr. President:

"Has the House been informed that the Senate is organized?"

The President:

"The committee has been duly appointed, and the President cannot give a definite answer to your question."

#### REPORT OF SPECIAL COMMITTEE

The special committee consisting of Senators Herr, Lowell Peterson and Lewis appeared before the bar of the Senate and reported that the Governor had been notified that the Legislature was organized and ready to transact business.

The report was received and the committee was discharged.

#### REPORT OF SPECIAL COMMITTEE

The special committee appointed to notify the House that the Senate was organized and ready to transact business returned and Senator Lowell Peterson reported that the committee had fulfilled its mission and had so notified the House.

The President received the report and discharged the committee.

The President declared the Senate to be at ease.

At 10:50 a. m., the Senate retired to the House chamber to meet in Joint Session for the purpose of hearing the message of Governor Albert D. Rosellini.

#### JOINT SESSION

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

The Speaker invited the Senators to seats within the House, and instructed the Sergeants at Arms of the Senate and the House to escort the President of the Senate to a seat upon the rostrum.

The Speaker called the Joint Session to order.

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

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

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

(See Journal of the First Day for content of Message from the Secretary of State.)

The Speaker announced that in view of the election results just read and certified to by the Secretary of State, and there being no protest, the following were declared to be elected to the constitutional elected offices for the state

of Washington and that the Speaker of the House and the President of the Senate would sign the election certificates of these duly elected state officials at the joint session on Wednesday:

Daniel J. Evans.....	Governor
John A. Cherberg.....	Lieutenant Governor
A. L. "Lud" Kramer.....	Secretary of State
Robert S. O'Brien.....	State Treasurer
R. V. "Bob" Graham.....	State Auditor
John J. O'Connell.....	Attorney General
Louis Bruno.....	Superintendent of Public Instruction
Bert Cole.....	Commissioner of Public Lands
Lee I. Kueckelhan.....	Insurance Commissioner

The Speaker declared the Joint Session to be at ease.

The Speaker called the Joint Session to order.

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

The President of the Senate appointed the following committee to escort the Justices of the Supreme Court of the state of Washington to the bar of the House: Senators Hanna and Moriarty, Jr., and Representatives Litchman and Johnston.

The committee retired.

The Sergeant at Arms of the House announced the arrival at the bar of the Justices of the Supreme Court: Chief Justice Hugh J. Rosellini, Justices Richard B. Ott, Matthew W. Hill, Robert T. Hunter, Orris L. Hamilton, Frank P. Weaver, Robert C. Finley, Charles T. Donworth and Frank Hale; and the President of the Senate invited the Justices to seats at the front of the House chamber.

The President of the Senate appointed the following committee to escort the state officials to the bar of the House: Senators Keefe and Ryder, and Representatives Smith and Canfield.

The committee retired.

The Sergeant at Arms of the House announced the arrival of the following state officials at the bar of the House: Secretary of State Victor A. Meyers, State Treasurer Tom Martin, State Auditor Cliff Yelle, Attorney General John J. O'Connell, Superintendent of Public Instruction Louis Bruno, Commissioner of Public Lands Bert Cole, and Insurance Commissioner Lee I. Kueckelhan; and the President of the Senate instructed the committee to escort them to seats in the front of the House.

The President of the Senate appointed the following committee to escort Governor Albert D. Rosellini to the bar of the House in order to receive his message: Senators Atwood and Cowen, and Representatives O'Brien, May and Kull.

The committee retired.

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

President of the Senate:

"Your Excellency, Governor Rosellini, members of the Supreme Court, members of the Washington State Legislature, ladies and gentlemen:

"The members of the legislature are gathered in joint session, Governor Rosellini, for the purpose of receiving your message. The members and others present wish

me to remark that we are delighted to have you with us today. If you care to proceed at this time to deliver your message, it will be a privilege to hear from you."

(See House Journal of 1965 for message of Governor Albert D. Rosellini to the legislature.)

President of the Senate:

"Governor Rosellini, the warm and spontaneous reception given your message is a true reflection of the high regard in which you are held by the members of the state legislature and others present today. The President further believes that the remarkable demonstration just exhibited is a true indication of the high regard and esteem held for you by others present today.

"The President would now like to exercise the pleasure and privilege of presenting a gracious and lovely lady, the beloved wife of our Governor, Mrs. Albert D. Rosellini."

(Applause.)

The President of the Senate directed the Sergeants at Arms of the Senate and the House to escort Secretary of State Victor A. Meyers, State Treasurer Tom Martin, and State Auditor Cliff Yelle to a position before the bar of the House.

The following resolution by Representative O'Brien which had been passed by the House was read by the Clerk of the House:

#### RESOLUTION

WHEREAS, the Honorable Cliff Yelle, the State Auditor of the State of Washington, will retire on January 13, 1965, after a long, distinguished and continuous career in that office since January, 1933 and,

WHEREAS, the Treasurer, the Honorable Tom Martin, of the State of Washington, also will retire on January 13, 1965 after a long and distinguished service as State Treasurer and also as State Representative from Thurston County with distinction and devotion to duty and,

WHEREAS, Secretary of State Victor A. Meyers has served the State of Washington both as Lieutenant Governor and Secretary of State of the State of Washington over a period of many years since 1933, and will retire also on January 13, 1965, having filled both official positions faithfully and with conscientious attention to the duties of his offices,

Now, Therefore, Be It Resolved, by the House, That the House invite these three illustrious state officers, State Auditor Cliff Yelle, State Treasurer Tom Martin, and Secretary of State Victor A. Meyers to attend a Joint Session of the Legislature which will convene at 12:00 noon on January 12 to receive a fitting commendation from the Legislature of the State of Washington for their long careers of public service to the people of the state.

The President of the Senate administered an oath of office as State Auditor Emeritus to the Honorable Cliff Yelle, an oath of office as State Treasurer Emeritus to the Honorable Tom Martin, and an oath of office as Lieutenant Governor Emeritus and Secretary of State Emeritus to the Honorable Victor A. Meyers.

The President of the Senate escorted Secretary of State Victor A. Meyers to the rostrum.

The President of the Senate:

"By popular acclaim and unanimous demand, I have been requested to ask if you would address the members of the Joint Session of the Washington State Legislature and the other ladies and gentlemen present today."

Secretary of State Meyers:

"Well, thank you very much, President Cherberg. I appreciate this very high honor.

"Governor Rosellini, President Cherberg, Mr. Speaker, ladies and gentlemen of the legislature and ladies and gentlemen who are visitors here today:

"You know, I was thinking as I came down the aisle and I was trying to count back. That was the twenty-eighth trip I have made down that main aisle for twenty-eight consecutive times—I am wrong. There were twenty-eight times I presided over a joint session; it wasn't entirely consecutive. I know something happened in 1952—it shocked the world. I was defeated. I think that was the year that thousands of people promised to help me out; they did and I was out for four years.

"But I appreciate this honor very much. I mean there is a lot of sentiment connected with this. I broke in Johnny as presiding officer over at the Senate. He is doing a terrific job. I don't mind telling you I have a very fine young man succeeding me as Secretary of State. You can say what you want; this is an age of youth, and we old-timers, like the members of the Supreme Court and—(indicating Governor Rosellini)—and me; we have had it! You always make a mistake and run once too often. They finally got me. I mean those newspaper guys up in front there.

"But next to the real thing—I would rather have a certificate of election—but next to that, this is very good. The only thing I object to is that it doesn't carry any salary with it—no expense account—no credit card. That's murder!

"Well, I have enjoyed my relationship with you and I have enjoyed a terrific friendship with most of you over a period of thirty-seven years, and this is a high honor and I am very humble and very proud to achieve this fine honor of being elected—what is this thing? It says "emeritus." I should know, because I wrote it.

"We'll break up the dignity of this thing yet.

"Thank you very much, Mr. President. I appreciate this honor from the bottom of my heart. I shall cherish the memory of our fine relationship over all these long years. I know it was a long trip coming down these aisles for twenty-eight years, but I don't mind telling you from the bottom of my heart—it's going to be a long trip back!"

The President of the Senate:

"Vic, your priceless sense of humor and wit are exceeded only by your natty and handsome appearance."

The President of the Senate directed the special committee to escort His Excellency, Governor Albert D. Rosellini, to the Governor's chambers.

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

The President of the Senate appointed the following committee to escort Secretary of State Victor A. Meyers from the rostrum: Senators Riley and Herr, and Representatives Olsen and Witherbee.

The special committee thereupon escorted the Secretary of State from the House chamber.

The President of the Senate directed the special committee to escort the State elected officials from the House chamber to their respective offices.

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

The President of the Senate directed the special committee to escort the Justices of the Supreme Court from the House chamber.

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

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

The Speaker directed the Sergeants at Arms of the Senate and the House to escort the President of the Senate Cherberg and the members of the Senate to the Senate chamber.

The President called the Senate to order at 1:15 p. m.

#### MOTION

At 1:15 p. m., on motion of Senator Greive, the Senate recessed until 2:15 p. m.

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**AFTERNOON SESSION**

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At 2:15 p. m., the Senate was called to order by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Mardesich and Raugust, who were excused.

There being no objection, the Senate advanced to the sixth order of business.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS  
AND RESOLUTIONS**

The following were introduced, read first time by title and retained in the possession of the Secretary pending the appointment of standing committees:

**Senate Bill No. 3**, by Senators Charette, Moriarty, Jr. and Neill:

An Act relating to state and local government; enacting a title of the Revised Code of Washington to be known as Title 35—Cities and Towns; providing penalties; repealing certain acts and parts of acts; and declaring an emergency.

**Senate Bill No. 4**, by Senators Charette, Moriarty, Jr. and Neill:

An Act relating to government; enacting a title of the Revised Code of Washington to be known as Title 43—State Government—Executive; providing penalties; repealing certain acts and parts of acts; and declaring an emergency.

**Senate Bill No. 5**, by Senators Charette, Moriarty, Jr. and Neill:

An Act relating to state and local government; enacting a title of the Revised Code of Washington to be known as Title 29—Elections; providing penalties; repealing certain acts and parts of acts; and declaring an emergency.

**Senate Bill No. 6**, by Senators Petrich, Neill and Gissberg:

An Act establishing a code of probate law and procedure, including the making and probating of wills, administration of estates of deceased persons and appointment of guardians of the persons and estates of minors, insane and mentally incompetent persons and administration of their estates; enacting a title of the Revised Code of Washington to be known as Title 11—Probate Law and Procedure; providing penalties; repealing certain acts and parts of acts; and declaring an effective date.

**Senate Bill No. 7**, by Senators Freise and Lewis:

An Act relating to dependent and delinquent children; providing for the post-institutional placement of juvenile delinquents committed by the juvenile court to the department of institutions; amending section 6, chapter 302, Laws of 1961 and RCW 13.04.095; and adding a new section to chapter 160, Laws of 1913 and to chapter 13.04 RCW.

**Senate Bill No. 8**, by Senators Washington, Neill and Cooney:

An Act relating to vagrancy; defining crimes and prescribing penalties; and amending section 436, chapter 249, Laws of 1909 and RCW 9.87.010.

**Senate Bill No. 9**, by Senators Dore, Freise, Durkan, Connor, Ted Peterson, Thompson, Jr., England, Williams, Riley, Mardesich and Herr (by Interim Committee on Education request):

An Act relating to education; authorizing the establishment of four additional community colleges; and adding a new section to chapter 198, Laws of 1961 and to chapter 28.84 RCW.

**Senate Bill No. 10**, by Senators Guess, McMillan and Atwood:

An Act relating to revenue and taxation; establishing an exemption to the retail sales tax for sales to nonresidents for use outside this state of component parts of buildings to be constructed for the storage of agricultural products or implements; amending section 82.08.030, chapter 15, Laws of 1961, as last amended by section 3, chapter 28, Laws of 1963 extraordinary session and RCW 82.08.030; and declaring an emergency.

**Senate Bill No. 11**, by Senator Freise:

An Act relating to the descent and distribution of property; and amending section 235, page 307, Laws of 1854 as last amended by section 1, chapter 72, Laws of 1945 and RCW 11.04.100.

**Senate Bill No. 12**, by Senators Greive, Cooney, Herrmann, Washington and Rasmussen (by Executive request of Governor Rosellini):

An Act providing for the reporting of campaign contributions and expenditures; repealing section 29.18.140, chapter ....., Laws of 1965 and RCW 29.18.140; and providing penalties.

**Senate Bill No. 13**, by Senators Bailey, Rasmussen, Talley and Charette (by Executive request of Governor Rosellini):

An Act relating to navigation canals; establishing a canal commission; setting forth the power of said commission; and making an appropriation.

**Senate Bill No. 14**, by Senators Sandison, McCormack and Talley (by Executive request of Governor Rosellini):

An Act relating to state government; creating a higher education facilities commission; providing for the selection, term, and reimbursement of certain expenditures of the members of the commission, and conferring rights, powers, duties and prescribing the functions of the commission; and declaring an emergency.

**Senate Bill No. 15**, by Senators McCormack, Hallauer, Ryder, Rasmussen and Kupka (by Executive request of Governor Rosellini):

An Act relating to the development, regulation, and utilization of sources of ionizing radiation; and amending sections 2, 3, 5, 7, 8, 11, 15 and 18, chapter 207, Laws of 1961 and RCW 70.98.020, 70.98.030, 70.98.050, 70.98.070, 70.98.080, 70.98.110, 70.98.150 and 70.98.180.

**Senate Bill No. 16**, by Senators Greive, Durkan, Gallagher, Talley, Kupka and Riley (by Executive request of Governor Rosellini):

An Act relating to taxation; and adding a new section to chapter 82.04 RCW.

**Senate Bill No. 17**, by Senators Durkan, Knoblauch, Hanna, Kupka and Gissberg (by Executive request of Governor Rosellini):

An Act relating to taxation; and amending sections 82.04.240, 82.04.260 and 82.04.440, chapter 15, Laws of 1961 and RCW 82.04.240, 82.04.260 and 82.04.440.

**Senate Bill No. 18**, by Senators Foley, Talley, Durkan, Donohue and Henry (by Executive request of Governor Rosellini):

An Act relating to taxation; amending section 82.08.030, chapter 15, Laws



of 1961 as last amended by section 3, chapter 28, Laws of 1963 extraordinary session; and providing penalties.

**Senate Bill No. 19**, by Senators McCormack, Durkan, Connor, Moriarty, Jr., Kupka, Dore and Riley (by Executive request of Governor Rosellini):

An Act relating to taxation; and adding a section to chapter 82.04 RCW.

**Senate Bill No. 20**, by Senators Rasmussen, Morgan, Sandison, Washington and Connor (by Executive request of Governor Rosellini):

An Act relating to state government; establishing a state law enforcement officers' training commission; providing for its organizational structure; defining its powers and duties; establishing a law enforcement officers' training fund; making an appropriation; and amending section 3, page 421, Laws of 1873 as last amended by section 1, chapter 30, Laws of 1919 and RCW 10.82.070.

**Senate Bill No. 21**, by Senators Foley, Charette and Bailey (by Executive request of Governor Rosellini):

An Act relating to state government and providing of transportation for state officials and employees; creating the division of motor transport in the department of general administration; adding new sections to chapter 43.19 RCW; amending section 43.19.010, chapter ....., Laws of 1965 and RCW 43.19.010; amending section 43.03.060, chapter ....., Laws of 1965 and RCW 43.03.060; repealing sections 43.91.010 through 43.91.080, chapter ....., Laws of 1965 and RCW 43.91.010 through 43.91.080; transferring passenger and general purpose motor vehicles, equipment and other assets from certain state agencies to the department of general administration; and providing penalties.

**Senate Bill No. 22**, by Senators Sandison, Donohue, Knoblauch, Morgan and Petrich (by Executive request of Governor Rosellini):

An Act relating to municipal corporations; providing for the creation of transportation benefit districts; and authorizing the levy of certain taxes by such districts.

**Senate Bill No. 23**, by Senators Greive, Charette and Rasmussen (by Executive request of Governor Rosellini):

An Act relating to industrial insurance; providing for permanent partial disability pensions; amending section 51.16.020, chapter 23, Laws of 1961 as amended by section 6, chapter 274, Laws of 1961, and RCW 51.16.020; amending section 51.44.070, chapter 23, Laws of 1961 as amended by section 5, chapter 274, Laws of 1961, and RCW 51.44.070; adding new sections to chapter 23, Laws of 1961 and to Title 51 RCW; and making an effective date.

**Senate Bill No. 24**, by Senators Sandison, McCormack, Morgan and Washington (by Executive request of Governor Rosellini):

An Act creating a study commission on higher education and setting forth its powers and duties; fixing a date for its termination; and making an appropriation.

**Senate Bill No. 25**, by Senators Durkan, Sandison, Neill, McCormack and Foley (by Executive request of Governor Rosellini):

An Act relating to state colleges; allocating the income derived from lands granted for state normal schools purposes to the bond retirement funds of the state colleges; amending section 4, chapter 13, Laws of 1961 extraor-

inary session and RCW 28.81.085; adding a new section to chapter 14, Laws of 1961 extraordinary session and to chapter 28.81 RCW; and declaring an emergency.

**Senate Bill No. 26**, by Senators Durkan, Neill, Sandison and Donohue (by Executive request of Governor Rosellini):

An Act relating to Washington State University; allocating income derived from lands granted for a scientific school or for an agricultural college; and declaring an emergency.

**Senate Bill No. 27**, by Senators Foley, Charette and Gissberg (by Executive request of Governor Rosellini):

An Act relating to state government; establishing a department of motor vehicles; providing for succession of powers and duties relating to motor vehicles from the director of licenses to the department of motor vehicles; providing for the transfer of certain functions of the state patrol to the department of motor vehicles; defining powers and duties; providing for the transfer of certain records, books, accounts, equipment, funds, appropriations, and property, real, personal and mixed; amending section 46.08.140, chapter 12, Laws of 1961 and RCW 46.08.140; amending section 46.08.090, chapter 12, Laws of 1961 and RCW 46.08.090; amending section 46.08.100, chapter 12, Laws of 1961 as amended by section 1, chapter 85, Laws of 1963, and RCW 46.08.100; creating a new chapter as part of chapter 12, Laws of 1961 and Title 46 RCW and recodifying certain sections herein amended therein; amending section 43.17.010, chapter ....., Laws of 1965 and RCW 43.17.010; amending section 43.17.020, chapter ....., Laws of 1965 and RCW 43.17.020; and providing an effective date.

**Senate Bill No. 28**, by Senators Rasmussen, Bailey and Kupka (by Executive request of Governor Rosellini):

An Act relating to employment security; amending section 3, chapter 35, Laws of 1945 and RCW 50.04.020; amending section 4, chapter 35, Laws of 1945 as amended by section 1, chapter 214, Laws of 1949 and RCW 50.04.030; amending section 33, chapter 35, Laws of 1945 as last amended by section 2, chapter 8, Laws of 1953 extraordinary session and RCW 50.04.320; adding a new section to chapter 35, Laws of 1945 and to chapter 50.04 RCW; amending section 68, chapter 35, Laws of 1945, as last amended by section 3, chapter 266, Laws of 1959 and RCW 50.20.010; amending section 3, chapter 286, Laws of 1955 and RCW 50.20.030; amending section 80, chapter 35, Laws of 1945 as last amended by section 2, chapter 321, Laws of 1959 and RCW 50.20.120; adding a new section to chapter 35, Laws of 1945 and to chapter 50.20 RCW; amending section 89, chapter 35, Laws of 1945 as amended by section 18, chapter 214, Laws of 1949 and RCW 50.24.010; amending section 12, chapter 286, Laws of 1955 and RCW 50.28.030; and making effective dates.

**Senate Bill No. 29**, by Senators Foley, Durkan, Rasmussen and McCormack (by Executive request of Governor Rosellini):

An Act relating to education and the support of the common schools; amending section 3, chapter 276, Laws of 1959 and RCW 28.48.010; amending section 9, chapter 141, Laws of 1945 and RCW 28.48.030; and making an effective date.

**Senate Bill No. 30**, by Senators McCormack, Bailey and Herr (by Executive request of Governor Rosellini):

An Act relating to education and providing for the support of the common schools; and adding two new sections to chapter 28.41 RCW.

**Senate Bill No. 31**, by Senators Morgan, Rasmussen and Riley (by Executive request of Governor Rosellini):

An Act creating the Washington state commission on the status of women; setting forth its powers and duties; and making an appropriation.

**Senate Bill No. 32**, by Senators Greive, Cooney, Rasmussen, Riley and Henry (by Executive request of Governor Rosellini):

An Act relating to fair campaign practices; amending section 468, page 216, Laws of 1854 as last amended by section 702, Code of 1881, and RCW 7.56.010; and providing penalties.

**Senate Bill No. 33**, by Senators Petrich, Rasmussen, Knoblauch, McCutcheon and Kupka (by Executive request of Governor Rosellini):

An Act relating to highways; providing that the Tacoma Narrows bridge shall become toll free; and adding a new section to chapter 13, Laws of 1961 and to chapter 47.56 RCW.

**Senate Bill No. 34**, by Senators McCormack, Greive, Petrich, Neill, Rasmussen, Kupka, Dore and Riley (by Executive request of Governor Rosellini):

An Act relating to nuclear industry; establishing a revolving fund designated the "perpetual maintenance fund"; amending section 43.31.040, chapter ....., Laws of 1965 and RCW 43.31.040; amending section 4, chapter 207, Laws of 1961 and RCW 70.98.040; adding new sections to chapter ....., Laws of 1965 and to chapter 43.31 RCW; and declaring an emergency.

**Senate Bill No. 35**, by Senators Greive, Dore, Talley, Kupka, Hanna, McCormack and Riley (by Executive request of Governor Rosellini):

An Act relating to port districts; declaring industrial development to be a public purpose; authorizing port districts to engage in industrial development and promotion; limiting the use of certain funds for those purposes; and imposing tax liabilities with regard to certain industrial development facilities.

**Senate Bill No. 36**, by Senators McCormack, Hanna and Dore (by Executive request of Governor Rosellini):

An Act relating to state government; creating a state educational television commission and defining its powers and duties; and declaring an emergency.

**Senate Bill No. 37**, by Senators Peterson (Lowell), Gissberg and Durkan (by Executive request of Governor Rosellini):

An Act creating a commission on Indian affairs; setting forth its powers and duties; and making an appropriation.

**Senate Bill No. 38**, by Senators Greive, Gallagher, Durkan, Connor, Riley and Dore (by Executive request of Governor Rosellini):

An Act relating to the participation of counties and cities in the financing, acquisition, construction, operation, or maintenance of an all-purpose or multi-purpose sports stadium; authorizing the acquisition by condemnation or otherwise of necessary property therefor; authorizing an election; authorizing the issuance of bonds and matters incident thereto; prescribing powers, duties, and functions of public officers in relation thereto; and declaring an emergency.

**Senate Bill No. 39**, by Senators Greive, Bailey and Rasmussen (by Executive request of Governor Rosellini):

An Act relating to industrial insurance; amending section 51.32.050, chapter 23, Laws of 1961 as amended by section 1, chapter 274, Laws of 1961 and RCW 51.32.050; amending section 51.32.060, chapter 23, Laws of 1961 as amended by section 2, chapter 274, Laws of 1961, and RCW 51.32.060; and amending section 51.32.090, chapter 23, Laws of 1961 as amended by section 4, chapter 274, Laws of 1961, and RCW 51.32.090.

**Senate Bill No. 40**, by Senators Foley, Durkan, Dore and Talley (by Executive request of Governor Rosellini):

An Act relating to the public schools and the support thereof; authorizing the issuance and sale of state general obligation bonds to provide for needed public school plant facilities; providing ways and means to pay said bonds; and providing for submission of this act to a vote of the people.

**Senate Bill No 41**, by Senators Foley, Durkan and Dore (by Executive request of Governor Rosellini):

An Act relating to state government and the support thereof; authorizing the issuance and sale of state general obligation bonds to provide for needful buildings for institutions of higher education, the department of institutions, the department of fisheries and the department of natural resources; providing ways and means to pay said bonds; making appropriations; and providing for submission of this act to a vote of the people.

**Senate Bill No. 42**, by Senators Foley, Durkan and Dore (by Executive request of Governor Rosellini):

An Act adopting the capital budget and making appropriations for capital improvements.

**Senate Bill No. 43**, by Senators Foley, Durkan and Dore (by Executive request of Governor Rosellini):

An Act adopting the budget and making appropriations for the operation of state agencies for the fiscal biennium beginning July 1, 1965, and ending June 30, 1967.

**Senate Bill No. 44**, by Senator Freise:

An Act relating to probate notices; amending section 63, chapter 156, Laws of 1917, and RCW 11.28.130; amending section 4, chapter 264, Laws of 1951, and RCW 11.52.014; amending section 127, chapter 156, Laws of 1917, and RCW 11:56.060; and amending section 129, chapter 156, Laws of 1917, and RCW 11.56.080.

**Senate Bill No. 45**, by Senators Freise and Lewis:

An Act relating to family courts; amending section 5, chapter 50, Laws of 1949, and RCW 26.12.050.

**Senate Bill No. 46**, by Senator Freise:

An Act relating to claims against the Washington toll bridge authority; and amending section 47.60.250, chapter 13, Laws of 1961 and RCW 47.60.250.

**Senate Bill No. 47**, by Senators Charette, Rasmussen, Kupka, Petrich, Foley, Neill and Moriarty, Jr.:

An Act relating to judges salaries; amending section 1, chapter 144, Laws of 1953 as amended by section 1, chapter 260, Laws of 1957 and RCW 2.04.090;

and amending section 2, chapter 144, Laws of 1953 as amended by section 2, chapter 260, Laws of 1957 and RCW 2.08.090.

**Senate Bill No. 48**, by Senator Freise:

An Act relating to the uniform declaratory judgments act; and adding a new section to chapter 113, Laws of 1935 and to chapter 7.24 RCW.

**Senate Bill No. 49**, by Senators Neill, Foley and Sandison:

An Act relating to institutions of higher learning; authorizing the payment of annuities in lieu of salaries or wages; and amending section 1, chapter 223, Laws of 1937 as last amended by section 1, chapter 256, Laws of 1957, and RCW 28.76.240.

**Senate Bill No. 50**, by Senators Gissberg, Atwood and Hanna:

An Act relating to state government; establishing a state law enforcement officers' training commission; providing for its organizational structure; defining its power and duties; establishing a law enforcement officers' training fund; making an appropriation; and amending section 3, page 421, Laws of 1873 as last amended by section 1, chapter 30, Laws of 1919 and RCW 10.82.070.

**Senate Bill No. 51**, by Senators Washington, Bailey and Raugust:

An Act relating to state government; establishing a department of motor vehicles; providing for succession of powers and duties relating to motor vehicles from the director of licenses to the department of motor vehicles; providing for the transfer of certain functions of the state patrol to the department of motor vehicles; defining powers and duties; providing for the transfer of certain records, books, accounts, equipment, funds, appropriations, and property, real, personal and mixed; amending section 46.08.140, chapter 12, Laws of 1961 and RCW 46.08.140; amending section 46.08.090, chapter 12, Laws of 1961 and RCW 46.08.090; amending section 46.08.100, chapter 12, Laws of 1961 as amended by section 1, chapter 85, Laws of 1963, and RCW 46.08.100; creating a new chapter as part of chapter 12, Laws of 1961 and Title 46 RCW and recodifying certain sections herein amended therein; amending section 43.17.010, chapter ....., Laws of 1965 and RCW 43.17.010; amending section 43.17.020, chapter ....., Laws of 1965 and RCW 43.17.020; and providing an effective date.

**Senate Bill No. 52**, by Senators Guess, Morgan and Atwood:

An Act relating to dependent and delinquent children under the juvenile court law; and adding new sections to chapter 13.04 RCW.

**Senate Bill No. 53**, by Senator Riley:

An Act relating to community colleges; establishing a community college board of regents and setting forth its duties; providing for the transfer of certain functions and duties; amending section 1, chapter 198, Laws of 1961 and RCW 28.84.170; amending section 5, chapter 198, Laws of 1961 as last amended by section 5, chapter 2, Laws of 1963 extraordinary session, and RCW 28.84.210; amending section 10, chapter 2, Laws of 1963 extraordinary session and RCW 28.84.215; amending section 8, chapter 2, Laws of 1963 extraordinary session and RCW 28.84.290; and declaring an emergency.

**Senate Bill No. 54**, by Senators Riley and Ryder:

An Act relating to the administration and management of civic center

properties by cities of the first class; and adding a new section to chapter ....., Laws of 1965, and to chapter 35.22 RCW.

**Senate Joint Memorial No. 1**, by Senators Rasmussen, Gallagher, Henry and Connor (by Executive request of Governor Rosellini):

Requesting federal action placing health needs of retired people under social security.

**Senate Joint Memorial No. 2**, by Senator Riley:

Supporting U. S. stand in U. N. for payment of dues and assessments or loss of vote.

**Senate Joint Memorial No. 3**, by Senator Riley:

Memorializing Congress to end Egyptian aid.

**Senate Joint Resolution No. 1**, by Senators Knoblauch, Rasmussen and Mardesich (by Executive request of Governor Rosellini):

Proposing constitutional amendment permitting school district two year ten mill special levy for operational expenses.

**Senate Joint Resolution No. 2**, by Senators Peterson (Lowell), Gissberg, Mardesich and Hanna (by Executive request of Governor Rosellini):

Proposing constitutional amendment changing residence qualifications for voting to six months in state, thirty days in county, city, town, ward or precinct.

**Senate Joint Resolution No. 3**, by Senators Riley, Knoblauch, Dore, Henry and Morgan (by Executive request of Governor Rosellini):

Proposing constitutional amendment to provide for annual sessions.

The President declared the Senate to be at ease.

The President called the Senate to order.

#### MOTION

At 3:50 p. m. on motion of Senator Bailey, the Senate recessed until 7:00 p. m.

#### EVENING SESSION

At 7:00 p. m., the Senate was called to order by President Cherberg.

The President declared the Senate to be at ease.

The President called the Senate to order at 9:20 p. m.

The Secretary called the roll and announced to the President that all Senators were present.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., January 12, 1965.

MR. PRESIDENT:

The House has passed: House Bill No. 40, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The President called upon Senator Gissberg to preside.

#### FIRST READING OF HOUSE BILLS

The following bill was read the first time by title and acted upon as indicated:

**House Bill No. 40**, by Representatives Uhlman, Johnson, Elder, Chatalas, Valle, Angevine, Grant, Radcliffe, DeJarnatt, Thompson and Litchman:

An Act relating to state government; increasing salaries of elective state officers; amending section 1, chapter 48, Laws of 1949, as last amended by section 1, chapter 5, Laws of 1961, and RCW 43.03.010; and declaring an emergency.

The bill was read the second time by sections.

Senator Riley moved the adoption of the following amendment:

On page 2, strike all of section 3.

Debate ensued.

The motion was lost and the amendment was not adopted.

On motion of Senator Greive, the rules were suspended and House Bill No. 40 was advanced to second reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

Senators Greive, Knoblauch and Gallagher demanded the previous question and the demand was sustained.

The President Pro Tempore declared the question before the Senate to be House Bill No. 40 on final passage.

The Secretary called the roll on the final passage of House Bill No. 40, and the bill passed the Senate by the following vote: Yeas, 40; nays, 9.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—40.

Those voting nay were: Senators Chytil, Gissberg, Hallauer, Herrmann, McCormack, Rasmussen, Raugust, Redmon, Thompson, Jr.—9.

House Bill No. 40, having received the constitutional majority, was declared passed.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Greive, House Bill No. 40 was ordered immediately transmitted to the House.

#### PERSONAL PRIVILEGE

Senator Moriarty, Jr.:

"Mr. President:

"I intended to speak before debate was closed. I wasn't quick enough. Under personal privilege, I should like to advise the Senate that inasmuch as our Governor-elect will benefit from this bill, I made a point of primary responsibility on my part to discuss with him his attitude. I would like to advise the Senate that he has stated that he was elected at a certain salary and that he was not pushing the bill. I do not wish the Republican vote to be interpreted as a feeling on the part of the Governor-elect that his salary should have been increased. I would like to advise the Senate, speaking personally, however, that most of the people on this side of the aisle felt, as most of the people on your side of the aisle did, that our public officials were underpaid; that the time has come for us to recognize the responsibility that the legislature has to establish adequate salaries, and I do think we did a good job tonight."

Senator Greive:

"In brief answer to Senator Moriarty, may I point out, we think any Governor of the state of Washington, whether he be Evans or Rosellini, is worth it and if he

does not desire to take the money, he can do what Senator Cowen does with a great many of his checks: turn it over to charity."

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., January 12, 1965.

MR. PRESIDENT:

The Speaker has signed: House Concurrent Resolution No. 1; also  
House Concurrent Resolution No. 2; also  
House Concurrent Resolution No. 3; also  
House Concurrent Resolution No. 4 and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Greive, the Senate proceeded to consider messages from the governor.

The Secretary read:

**MESSAGES FROM THE GOVERNOR  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS**

State of Washington, Executive Department,  
Olympia, January 10, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to submit the following appointment to the Position of Member, Washington State Aeronautics Commission, subject to your confirmation:

DeWitt C. Rowland, appointed January 4, 1965, for the term ending December 31, 1969, succeeding himself.

Sincerely yours,  
ALBERT D. ROSSELLINI,  
Governor.

**MOTION**

Senator Moriarty, Jr. moved that the permanent rules of the 1963 Washington State Legislature be made the temporary rules of the 1965 Session of the Washington State Legislature.

Debate ensued.

Senator Greive moved that the motion by Senator Moriarty, Jr. be laid upon the table.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Raugust, Woodall, Neill, Chytil, England, Atwood, Ryder, Riley and Greive.

**ROLL CALL**

The Secretary called the roll on the motion by Senator Greive to lay the motion by Senator Moriarty, Jr. on the table, and the motion to table was carried by the following vote: Yeas, 29; nays, 20.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Peterson (Lowell), Petrich, Rasmussen, Sandison, Talley, Washington—29.

Those voting nay were: Senators Atwood, Chytil, England, Freise, Guess, Lennart, Lewis, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams, Woodall—20.



**PARLIAMENTARY INQUIRY**

Senator Moriarty, Jr.:

"Mr. President, point of parliamentary inquiry:

"May I inquire as to the number of votes it will take to confirm Mr. DeWitt Rowland under the rule we're operating with at this time?"

**RULING BY THE PRESIDENT**

The President Pro Tempore:

"It is the understanding of the President it will take a constitutional majority of the Senate, or twenty-five votes."

**MOTION**

It was moved by Senator Moriarty, Jr. that the Republican members of the Senate be excused from voting upon the confirmation of the gubernatorial appointment of DeWitt Rowland to the Position of Member, Washington State Aeronautics Commission.

Debate ensued.

Senator Gallagher moved that the motion by Senator Moriarty, Jr. be laid upon the table.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Raugust, Woodall, Neill, Ryder, Chytil, Peterson and Atwood.

**ROLL CALL**

The Secretary called the roll on the motion by Senator Gallagher to lay the motion by Senator Moriarty, Jr. upon the table. The motion to table was carried by the following vote: Yeas, 29; nays, 18; absent, 2.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Peterson (Lowell), Petrich, Rasmussen, Sandison, Talley, Washington—29.

Those voting nay were: Senators Atwood, Chytil, England, Guess, Lennart, Lewis, Mardesich, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams, Woodall—18.

Absent or not voting: Senators Freise, Morgan—2.

The President Pro Tempore declared the question before the Senate to be the confirmation of the appointment of DeWitt C. Rowland to the Position of Member, Washington State Aeronautics Commission.

**POINT OF INQUIRY**

Senator Woodall:

"Mr. President:

"I would now ask in lieu of the full committee investigation, to have the distinguished Senator with the roll call book read the names of those who voted for Mr. Rowland the last time."

Senator Durkan:

"Mr. President:

"Mr. Rowland was confirmed February 16th by this body in the 1961 session. The vote was forty-two yeas, no nays."

**POINT OF INQUIRY**

Senator Moriarty, Jr.:

"Would Senator Durkan yield to another question?

"Senator Durkan, can you personally tell me today on January 12th of 1965, that Mr. Rowland has the same capacities, the same physical capacity, the same educational background, the same abilities—can you personally tell me this—that he did on that day in 1961?"

Senator Durkan:

"Mr. President:

"I can say that when we interviewed Mr. Rowland, he was a man of vigor. He was a very vigorous man. He exuded much vigor. He was mentally alert. He was physically able, and I can't say that I know any more of his mental or physical ability than I know of the good Senator from the Thirty-sixth District."

#### PERSONAL PRIVILEGE

Senator Ryder:

"Mr. President, personal privilege:

"I intend to vote 'no' on this confirmation. I have several good friends among those on the list which is on our desk here tonight, but I am going to be forced to vote 'no' on each one of them because of the manner in which these names are being brought before the body. I regret this very much. I would like to have it spread upon the record, my reason for voting 'no' on all of the confirmations which will be before us tonight is because of the way in which they are being brought before us and the lack of investigation of any of the nominees."

It was moved by Senator Kupka that the appointment of DeWitt C. Rowland to the Position of Member of the Washington State Aeronautics Commission be now confirmed.

Senators Greive, Durkan and Cooney demanded the previous question and the demand was sustained.

The motion was carried.

#### APPOINTMENT OF DEWITT C. ROWLAND

The Secretary called the roll and the appointment of DeWitt C. Rowland to the Washington State Aeronautics Commission was confirmed by the Senate by the following vote: Yeas, 33; nays, 12; absent or not voting, 1; excused, 3.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington—33.

Those voting nay were: Senators Atwood, Chytil, Freise, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Williams—12.

Absent or not voting: Senator Morgan—1.

Excused: Senators England, Guess, Woodall—3.

During the roll call, the following proceedings were had:

Senator England:

"Mr. President:

"I ask to be excused from voting."

The President Pro Tempore:

"Senator England, you have the privilege of making a motion to that effect. The President does not have the power to excuse anyone."

#### MOTIONS

Senator England:

"I move I be excused from voting. I do not wish to be counted as being absent. I wish to be counted as being excused, and I want to be excused."

The President Pro Tempore:

"The motion by Senator England is that he be excused from voting on the roll call vote for the confirmation of DeWitt Rowland. Are there any remarks?"

Senator Bailey:

"Mr. President:

"I would just like to ask if it would be possible in the future that we make a motion Senator England be excused from voting on the bills?"

The President Pro Tempore:

"I would say, Senator, it would be possible for anyone here to make a motion, if you have the votes to do so. The question before the Senate is the motion by Senator England that he be excused from voting on the confirmation of DeWitt Rowland."

The motion was carried, and Senator England was excused.

Senator Guess moved that he be excused from voting, and the motion was carried.

Senator Woodall moved that he be excused from voting, and the motion was carried.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., January 12, 1965.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 40, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

The President resumed the Chair.

**SIGNED BY THE PRESIDENT**

**The President has signed: House Bill No. 40; also**

**House Concurrent Resolution No. 1; also**

**House Concurrent Resolution No. 2; also**

**House Concurrent Resolution No. 3; also**

**House Concurrent Resolution No. 4.**

The President called upon President Pro Tempore Gissberg to preside.

**PERSONAL PRIVILEGE**

Senator McCutcheon:

"Personal privilege, Mr. President:

"I want to thank the members of both sides of the aisle for confirming the appointment of DeWitt Rowland, who was my law partner many years and is now a municipal judge in Tacoma. I have just learned he is a distant relative of Senator Thompson, and Senator Thompson, being a man of sterling character, knows his cousin. He voted for him. He is sixty years of age and still flies. I won't, of course, fly with him. He scared the pants off me the last time he took me up, but he is a dedicated non-salaried public servant."

The Secretary read:

**MESSAGES FROM THE GOVERNOR**

**CONFIRMATION OF GUBERNATORIAL APPOINTMENTS**

State of Washington, Executive Department,  
Olympia, January 10, 1965

*To the Honorable, the Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to submit the following appointment to the Position of Member, Washington State Liquor Control Board, subject to your confirmation:

Roy A. Betlach, appointed January 15, 1964, for the term ending January 15, 1973, succeeding Fred Koch.

Sincerely yours,  
ALBERT D. ROSELLINI,  
Governor.

It was moved by Senator Herrmann that the appointment of Roy A. Betlach to the Washington State Liquor Control Board be now confirmed.

#### PERSONAL PRIVILEGE

Senator Herrmann:

"Mr. President:

"I consider it a privilege to move for the confirmation of Mr. Roy A. Betlach."

Senators Gallagher, Greive and Sandison demanded the previous question and the demand was sustained.

#### APPOINTMENT OF ROY A. BETLACH

The Secretary called the roll, and the appointment of Roy A. Betlach to the Washington State Liquor Control Board was confirmed by the Senate by the following vote: Yeas, 31; nays, 12; absent or not voting, 6.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McMillan, Peterson (Lowell), Petrich, Rasmussen, Raugust, Riley, Sandison, Stender, Talley, Washington—31.

Those voting nay were: Senators Atwood, Chytil, England, Freise, Lennart, Moriarty, Jr., Neill, Peterson (Ted), Redmon, Ryder, Thompson, Jr., Williams—12.

Absent or not voting: Senators Guess, Hallauer, McCutcheon, Mardesich, Morgan, Woodall—6.

Having received the approval of the Senate, the appointment of Roy A. Betlach to the Washington State Liquor Control Board was confirmed.

#### PERSONAL PRIVILEGE

Senator Thompson, Jr.:

"Mr. President, personal privilege:

"I rise to a point of personal privilege, Mr. President. It is regrettable that we didn't have an opportunity in the committee system to offer our advice and consent regarding the confirmation of Chief Betlach to the Liquor Control Board.

"I have had the pleasure of knowing Mr. Betlach for the last several months in my capacity as member of the Legislative Council of the Legislature of the state of Washington, and have come to know the gentleman very well. I think that Mr. Betlach is an excellent law enforcement officer and a man who has had a remarkable record in the field of law enforcement. Unfortunately the responsibility of the Liquor Control Board is a job that requires someone who is well versed in the subject of proprietary business such as we are operating in the state of Washington. This is a hundred million dollar business—"

#### POINT OF ORDER

Senator Greive:

"Mr. President, point of order:

"I regret to make this point of order, but he is transgressing personal privilege and I ask Senator Thompson to stick to the point or resume his seat."

#### RULING BY THE PRESIDENT

The President Pro Tempore:

"The point of Senator Greive is well taken. Senator Thompson, will you confine your remarks to your knowledge of Mr. Betlach as pertains to your personal privilege only?"

**PARLIAMENTARY INQUIRY**

Senator Woodall:

"Parliamentary inquiry, Mr. President:

"I would like to know what Senate rules we are using which now defines what is and what is not personal privilege."

The President Pro Tempore:

"We are not using any Senate rules. We are using the President's rule."

Senator Woodall:

"That's 'crystal clear.'"

The President Pro Tempore:

"Senator Thompson will confine his remarks to personal privilege, please."

Senator Thompson, Jr.:

"Well, Mr. President, I am only attempting to relate certain knowledge as a member of the august body that affects a member of this august body, and it is on that basis, I would feel that we should look very carefully at the relationship—"

Senator Greive:

"Mr. President:

"I'm going to have to insist that Senator Thompson resume his seat, or speak about something personal to him."

The President Pro Tempore:

"Senator Thompson, Senator Greive's point is well taken, as has been ruled. The President will have to insist that you confine your remarks to that of personal privilege, or take your seat."

Senator Thompson, Jr.:

"Mr. President:

"It is very difficult to go beyond the premise that I was attempting to speak upon, and that is, I am a member of this body and in relation to trying to serve this body, my contact with Chief Betlach is a personal matter. I don't know how I could proceed to explain these with the lack of understanding that seems to exist under these particular circumstances. I would like to make it perfectly clear that Chief Betlach is a very fine law enforcement officer and I have nothing but the highest regard for his ability as a law enforcement officer, but I think the problem here is the contacts that this gentleman has had with members of this legislature that relate to—"

**POINT OF ORDER**

Senator Riley:

"Point of order, Mr. President:

"I think the gentleman is entirely out of order. We have already confirmed the gentleman he is speaking about."

The President Pro Tempore:

"Does Senator Greive care to make a motion?"

**MOTION**

Senator Greive moved that the Senate proceed in order.

The motion was carried.

The Secretary read:

State of Washington, Executive Department,  
Olympia, January 10, 1965.

To the Honorable, the Senate of the State of Washington.

LADY AND GENTLEMEN:

I have the honor to submit the following appointment to the Position of Member, Washington Utilities and Transportation Commission, subject to your confirmation:

Dayton A. Witten, appointed January 4, 1965, for the term ending January 1, 1971, succeeding Patrick D. Sutherland.

Sincerely yours,  
ALBERT D. ROSELLINI,  
Governor.

Senator Henry moved that the appointment of Dayton A. Witten to the Washington Utilities and Transportation Commission be now confirmed.

Senators Gallagher, Greive and Durkan demanded the previous question, and the demand was sustained.

#### CONFIRMATION OF DAYTON A. WITTEN

The Secretary called the roll, and the appointment of Dayton A. Witten to the Washington Utilities Commission was confirmed by the Senate by the following vote: Yeas, 39; nays, 7; absent or not voting, 2; excused, 1.

During the calling of the roll, Senator England moved that he be excused from voting, and the motion was carried.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Woodall—39.

Those voting nay were: Senators Chytil, Freise, Guess, Moriarty, Jr., Neill, Peterson (T. G. "Ted"), Ryder—7.

Absent or not voting: Senators Atwood, Williams—2.

Excused: Senator England—1.

Having received the approval of the Senate, the appointment of Dayton A. Witten to the Washington Utilities and Transportation Commission was confirmed.

#### PERSONAL PRIVILEGE

Senator Ryder:

"Mr. President, personal privilege:

"I merely want to reiterate the remarks I made earlier. Dayton Witten is a very fine friend of mine. It grieves me very much to have to vote against him, but I am doing it on a matter of principal."

#### POINT OF INQUIRY

The President Pro Tempore:

"For what purpose does Senator Woodall rise?"

Senator Woodall:

"To ask a question."

The President Pro Tempore:

"Of whom?"

Senator Woodall:

"Anyone on the majority side who will answer."

The President Pro Tempore:

"I'm afraid that such a question may not be put. You may direct your inquiry to a specific person."

Senator Woodall:

"May I direct a question to the Chair?"

The President Pro Tempore:

"You may, Senator."

Senator Woodall:

"On the last two matters, there appears to be a pattern whereby one person moves the confirmation and then Senator Gallagher is then recognized to demand the previous question, and all debate is cut off with no chance to ask a question. If this procedure is going to be followed for the balance of the evening, then, of course, there is no point of any of us remaining here except twenty-five members of the majority. I would like to have the Chair tell us at this time, will there be any chance for anyone to ask questions or to be recognized other than Senator Gallagher?"

The President Pro Tempore:

"The Chair will be glad to recognize someone other than Senator Gallagher if the personal privilege is not abused as has already been done, Senator, on one occasion. The Chair will recognize your side of the aisle when you seek to have it for the purpose of legitimate comment."

State of Washington, Executive Department.  
Olympia, January 11, 1965.

*To the Honorable, the Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to submit the following appointments to the Position of Members, State Personnel Board, subject to your confirmation:

John T. Conlin, appointed January 4, 1965, for the term ending January 4, 1971, succeeding himself.

Stanbery Foster, appointed January 11, 1965, for the term ending January 4, 1969, succeeding Max Nicolai.

Sincerely yours,  
ALBERT D. ROSELLINI,  
Governor.

Senator Petrich moved that the appointment of John T. Conlin to the Washington State Personnel Board be now confirmed.

The motion was carried.

#### APPOINTMENT OF JOHN T. CONLIN

The Secretary called the roll and the appointment of John T. Conlin to the Washington State Personnel Board was confirmed by the Senate by the following vote: Yeas, 28; nays, 16; absent, or not voting, 5.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon Mardesich, Peterson (Lowell), Petrich, Rasmussen, Sandison, Talley, Washington—28.

Those voting nay were: Senators Atwood, Chytil, England, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Thompson, Jr., Williams, Woodall—16.

Absent or not voting: Senators Dore, McMillan, Morgan, Riley, Stender—5.

Having received the approval of the Senate, the appointment of John T. Conlin to the Washington State Personnel Board was confirmed.

Senator Gallagher moved that the appointment of Stanbery Foster to the Washington State Personnel Board be now confirmed.

#### PERSONAL PRIVILEGES

Senator Woodall:

"Mr. President and members of the Senate:

"I am not going to oppose all of these appointments. I intend to vote for some. It is a new appointment. If you respect the advice of your own Attorney General,

it will make no difference to hold this over and refer it to the proper committee before we vote on it. This is an instance where the appointment should clearly go to a committee. We are being asked to confirm an appointment of a man who has not served in this capacity before. We know nothing about him. I certainly feel that this should be referred to a committee."

**Senator Moriarty, Jr.:**

"Mr. President and members of the Senate:

"Some of the appointments which we have been asked to confirm so far are re-appointees. But this appointment was made on January 11, 1965. It is a new appointment. It is clearly a 'lame duck' appointment. It is a clear attempt to impose the personality of the administration of the prior Governor onto the new administration. Gentlemen, this is a raw, raw deal. I am not naive enough to think that my arguments will have any effect upon your vote here. But I would like you to consider that what you are doing here is setting a precedent, and, gentlemen, the worm will turn! I urge you to consider this. We have been deprived of the opportunity to learn something of this appointment by having it referred to the proper committee. This is a raw, raw deal!"

#### POINT OF INQUIRY

**Senator Riley:**

"Would Senator Durkan or Senator Gallagher or any of the members of the committee yield to a question?"

**Senator Gallagher:**

"If the question is brief."

**Senator Riley:**

"My question, Senator Gallagher, is simply this:

"It has been said that there was a committee of three Senators who reviewed all nominees. In view of the fact this appointment came up yesterday, did your sub-committee meet with Mr. Foster? I have never seen Mr. Foster to my knowledge, and if your committee met with him, please give me some more information."

**Senator Gallagher:**

"As one of our distinguished colleagues who used to be here used to say, 'I'm glad you asked that question.' Yes, the committee met with Mr. Foster this afternoon. He is a high type gentleman. I'm sure he'll do his best to uphold the civil service system and never let it go back to the spoils system; therefore, at this time, may I demand the previous question?"

Senators Knoblauch, Talley and Gallagher demanded the previous question, and the demand was sustained.

The motion was carried.

#### APPOINTMENT OF STANBERY FOSTER

The Secretary called the roll, and the appointment of Stanbery Foster to the Washington State Personnel Board was confirmed by the Senate by the following vote: Yeas, 28; nays, 14; absent, 7.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Peterson (Lowell), Petrich, Riley, Sandison, Talley, Washington—28.

Those voting nay were: Senators Atwood, Chytil, England, Guess, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Stender, Thompson, Jr., Williams, Woodall—14.

Absent or not voting: Senators Freise, Hallauer, Lennart, Lewis, McMillan, Morgan, Rasmussen—7.

Having received the approval of the Senate, the appointment of Stanbery Foster to the Washington State Personnel Board was confirmed.



The Secretary read:

**MESSAGE FROM THE HIGHWAY COMMISSION**

Washington State Highway Commission,  
January 6, 1965.

*The Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

In accordance with the provisions of Section 6, Chapter 1, Laws of 1961 (RCW 41.06.060), the Washington State Highway Commission respectfully submits for confirmation of the Washington State Senate the following appointments to the Highway Department Personnel Board:

- (1) Mr. Donald Van Fredenberg

Securities Building  
Seattle, Washington

Appointed on June 19, 1963, to fill the time remaining in the term vacated by the resignation of Mr. Howard J. Thompson. Said term runs to January 2, 1967.

- (2) Mr. Ernest G. Jones

Skagit Corporation  
Sedro Woolley, Washington

Reappointed on December 18, 1964, to a six-year term running to January 2, 1971.

Very truly yours,  
Washington State Highway Commission  
ERNEST A. COWELL, Chairman.

Senator Gallagher moved that the Senate do now confirm the appointment of Donald Van Fredenberg to the Washington State Highway Department Personnel Board.

Senators Greive, Bailey and Hanna demanded the previous question and the demand was sustained.

The motion was carried.

**APPOINTMENT OF DONALD VAN FREDENBERG**

The Secretary called the roll, and the appointment of Donald Van Fredenberg to the Washington State Highway Department Personnel Board was confirmed by the Senate by the following vote: Yeas, 30; nays, 11; absent, 7; excused, 1.

During the roll call, Senator England moved that he be excused from voting, and the motion was carried.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Morgan, Peterson (Lowell), Rasmussen, Riley, Sandison, Stender, Talley, Washington—30.

Those voting nay were: Senators Atwood, Chytil, Guess, Lewis, Moriarty, Jr., Peterson (Ted), Raugust, Redmon, Ryder, Thompson, Jr., Williams—11.

Absent or not voting: Senators Freise, Hallauer, Lennart, Lewis, McMillan, Neill, Petrich, Woodall—7.

Excused: Senator England—1.

Having received the approval of the Senate, the appointment of Donald Van Fredenberg to the Washington State Highway Department Personnel Board was confirmed.

Senator Gallagher moved that the Senate do now confirm the appointment of Ernest G. Jones to the Washington State Highway Department Personnel Board.

Senators Greive, Keefe and Gallagher demanded the previous question and the demand was sustained.

**APPOINTMENT OF ERNEST G. JONES**

The Secretary called the roll, and the appointment of Ernest G. Jones to the Washington State Highway Department Personnel Board was confirmed by the Senate by the following vote: Yeas, 30; nays, 12; absent, 6; excused, 1.

During the roll call, Senator England moved that he be excused from voting, and the motion was carried.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—30.

Those voting nay were: Senators Atwood, Chytil, Freise, Guess, Lewis, Moriarty, Jr., Peterson (Ted), Raugust, Redmon, Ryder, Thompson, Jr., Woodall—12.

Absent or not voting: Senators Lennart, McMillan, Morgan, Neill, Stender, Williams—6.

Excused: Senator England—1.

Having received the approval of the Senate, the appointment of Ernest G. Jones to the Washington State Highway Department Personnel Board was confirmed.

The Secretary read:

**MESSAGES FROM THE GOVERNOR  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS**

State of Washington, Executive Department,  
Olympia, January 10, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to submit the following appointments to the Board of Regents of the University of Washington, subject to your confirmation:

Judge Robert J. Willis, appointed March 10, 1964, for the term ending March 9, 1970, succeeding himself.

Dr. Leo Rosellini, appointed December 16, 1964, for the term ending March 9, 1970, succeeding Dr. E. A. Addington.

Sincerely yours,  
ALBERT D. ROSELLINI,  
Governor.

Senator Sandison moved that the Senate do now confirm the appointment of Dr. Leo Rosellini to the Board of Regents, University of Washington.

The motion was carried.

**APPOINTMENT OF DR. LEO ROSELLINI**

The Secretary called the roll, and the appointment of Dr. Leo Rosellini to the Board of Regents of the University of Washington was confirmed by the Senate by the following vote: Yeas, 29; nays, 14; absent or not voting, 6.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—29.

Those voting nay were: Senators Atwood, Chytil, England, Freise, Guess, Lewis, Moriarty, Jr., Peterson (Ted), Raugust, Redmon, Ryder, Thompson, Jr., Williams, Woodall—14.

Absent or not voting: Senators Hallauer, Lennart, McMillan, Morgan, Neill, Stender—6.

Having received the approval of the Senate, the appointment of Dr. Leo Rosellini to the Board of Regents of the University of Washington was confirmed.

Senator McCormack moved that the Senate do now confirm the appointment of Judge Robert J. Willis to the Board of Regents of the University of Washington.

#### PERSONAL PRIVILEGE

Senator Ryder:

"Mr. President:

"I just want to reiterate the remarks I made earlier. I know Judge Willis to be a fine, intelligent man of fine percipience. As proof of this, he passed his approval upon the Ryder bills. It certainly grieves me a very great deal to have to vote against him."

The motion was carried.

#### APPOINTMENT OF JUDGE ROBERT J. WILLIS

The Secretary called the roll, and the appointment of Judge Robert J. Willis to the Board of Regents of the University of Washington was confirmed by the Senate by the following vote: Yeas, 27; nays, 11; absent or not voting, 11.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—27.

Those voting nay were: Senators Atwood, Chytil, Freise, Guess, Lewis, Moriarty, Jr., Peterson (Ted), Raugust, Ryder, Thompson, Jr., Williams—11.

Absent or not voting: Senators England, Foley, Hallauer, Lennart, McCutcheon, McMillan, Morgan, Neill, Redmon, Stender, Woodall—11.

Having received the approval of the Senate, the appointment of Judge Robert J. Willis to the Board of Regents of the University of Washington was confirmed.

State of Washington, Executive Department,  
Olympia, January 10, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMAN:

I have the honor to submit the following appointment to the Position of Member, Board of Prison Terms and Paroles, subject to your confirmation:

Russell S. Gideon, appointed April 1, 1963, for the term ending April 15, 1966, succeeding Philip Burton.

Sincerely yours,  
ALBERT D. ROSELLINI,  
Governor.

Senator Dore moved that the Senate do now confirm the appointment of Russell S. Gideon to the Washington State Board of Prison Terms and Paroles.

#### PERSONAL PRIVILEGE

Senator Dore:

"Mr. President:

"I would just like to speak briefly about my good friend Russell S. Gideon. He has served in this capacity on the Board of Prison Terms and Paroles for the last two

years and did an outstanding job. He is a member of a number of national societies such as the National Council on Crime and Delinquency, the National Rehabilitation Association, and the National Association of Parole Authorities; and, he has done excellent work."

Senator Riley:

"Would Senator Dore yield to a question?"

Senator Dore:

"Certainly."

Senator Riley:

"Senator Dore:

"I do not know Mr. Gideon. I have never heard a word about him up until your comments this minute. Do you know how he stands on the general philosophy of rehabilitation? In other words, my point is this: I hear so much about giving everybody a chance. It doesn't make any difference what crime they're convicted of. So many people have the attitude, give them another chance at rehabilitation. I'd like to have your comment on that."

Senator Dore:

"Mr. President:

"I'd be very happy to answer. I, too, believe in giving every person another chance. I think even among ourselves down here, we may be defeated, but if we rehabilitate ourselves, the people give us another chance and we are able to serve again and represent our districts. I notice in the information sheet that Mr. Gideon is a member of the National Council on Crime and Delinquency and the National Association of Parole Authorities. I assume he believes in rehabilitation, just as we do."

Senator Riley:

"Mr. President:

"In answer to Senator Dore, if he wants to rehabilitate himself, that's his business, but at the present time I am concerned about my responsibility on how I should vote for a nominee or appointee. So far as I am concerned, I did not get an answer from Senator Dore. I therefore can't in conscience vote for somebody of whom I have no knowledge, or certainly no knowledge that fits my specifications."

Senator Keefe:

"Mr. President:

"Mr. Gideon is in every hotel room."

The motion was carried.

#### APPOINTMENT OF RUSSELL S. GIDEON

The Secretary called the roll, and the appointment of Russell S. Gideon to the Washington State Board of Prison Terms and Paroles was confirmed by the Senate by the following vote: Yeas, 29; nays, 11; absent or not voting, 9.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Marde-sich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Sandison, Talley, Wash-ington—29.

Those voting nay were: Senators Atwood, Chytil, England, Freise, Guess, Lewis, Moriarty, Jr., Peterson (Ted), Raugust, Riley, Thompson, Jr.—11.

Absent or not voting: Senators Foley, Lennart, McMillan, Neill, Redmon, Ryder, Stender, Williams, Woodall—9.

Having received the approval of the Senate, the appointment of Russell S. Gideon to the Washington State Board of Prison Terms and Paroles was confirmed.

**PERSONAL PRIVILEGE**

Senator Freise:

"Mr. President, I would like to speak on personal privilege:

"Members of the Senate, I speak in all sincerity. I voted against Mr. Gideon, not because he is not a fine man, a man of great integrity. I know him personally. When he comes to Walla Walla to interview inmates of the various cases, I frequently have breakfast or lunch with him, so I can honestly say that he is a person of real integrity. But I will say that Mr. Gideon is completely unqualified for the particular job he has, but so are all of the other members of the Board of Prison Terms and Paroles. They are completely unqualified for this job to which they have been appointed. Now when you have worked with this situation as long as I have, you will realize that legislation is long overdue in the state of Washington whereby we set the minimum qualifications for Parole Board Members and by reason of the failure of the legislature in adopting legislation to this effect, it is costing the state of Washington millions and millions of dollars, and it is going to cost millions and millions of dollars more.

"Now I have worked very closely with the staff at the Penitentiary and I can assure you that the people who are interested in rehabilitation and others on the national level as well feel the same way about it, and my vote against Mr. Gideon is not on the basis he isn't a man of integrity and honesty and a fine person, but by the fact of the very nature of this system which allows appointments of men who are completely unqualified for this particular job."

Senator Dore:

"Mr. President, I rise to point of personal privilege:

"I am shocked at these remarks of Senator Freise—absolutely shocked. Because the libel laws do not extend to this body that extend to others, he saw fit to rise in this chamber here tonight and call Mr. Gideon completely unqualified for this position. This is, in my opinion, not only lack of judgment on his part, but totally untrue. I have known Mr. Gideon personally for some twenty years."

Senator Gallagher:

"Mr. President:

"I would like to move that we proceed in order. I can understand the honorable Senator's concern at the charges made by Senator Freise, but I think he is falling into a little trap, as we say, and I hope we can proceed in order here and confirm the rest of these appointments."

Senator Dore:

"I do not consider this a trap. I think the record should be qualified so Mr. Gideon's qualifications are put in perspective here. However, in view of the wishes of the members here, I withdraw my remarks at this time and shall make my remarks of record tomorrow."

State of Washington, Executive Department,  
Olympia, January 10, 1965.

*To the Honorable, The Senate of the State of Washington,*

LADY AND GENTLEMEN:

I have the honor to submit the following appointments to the Position of Members, Central Washington State College Board of Trustees, subject to your confirmation:

Roy Patrick Wahle, appointed June 28, 1963, for the term ending June 26, 1969, succeeding himself.

Joseph Panatoni, appointed January 4, 1965, for the term ending March 8, 1970, succeeding V. J. Bouillon.

Archie S. Wilson, appointed June 28, 1963, for the term ending June 26, 1969, succeeding Clarence O. Nurmi.

Sincerely yours,  
ALBERT D. ROSELLINI,  
Governor.

It was moved by Senator Knoblauch that the appointment of Roy Patrick Wahle to the Central Washington State College Board of Trustees be now confirmed.

**PERSONAL PRIVILEGE**

Senator Thompson, Jr.:

"Mr. President:

"I rise to second the confirmation of Dr. Wahle. He is a deputy superintendent of the Bellevue public schools. He is a very fine gentleman, well thought of in our community. It is a great pleasure to join with Senator Knoblauch in moving his confirmation."

The motion was carried.

**APPOINTMENT OF ROY PATRICK WAHLE**

The Secretary called the roll, and the appointment of Roy Patrick Wahle to the Central Washington State College Board of Trustees was confirmed by the Senate by the following vote: Yeas, 30; nays, 13; absent or not voting, 5; excused, 1.

During the roll call, Senator England moved that he be excused from voting, and the motion was carried.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Marde-sich, Morgan, Peterson (Lowell), Petrich, Riley, Sandison, Talley, Thompson, Jr., Washington—30.

Those voting nay were: Senators Atwood, Chytil, Freise, Guess, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Williams, Woodall—13.

Absent or not voting: Senators Hallauer, Lennart, McMillan, Rasmussen, Stender—5.

Excused: Senator England—1.

Having received the approval of the Senate, the appointment of Roy Patrick Wahle to the Central Washington State College Board of Trustees was confirmed.

It was moved by Senator Washington that the appointment of Joseph Panatoni to the Central Washington State College Board of Trustees be now confirmed.

**PERSONAL PRIVILEGE**

Senator Washington:

"Mr. President:

"Joseph Panatoni is a long time friend of mine. He was raised in Kittitas County. He is a real booster for Central Washington State College. It has long been a tradition that a graduate of Central Washington State College and a resident of that area be on the Board of Trustees. He is certainly well qualified. He has the interests of the college at heart and he has the support of the people of the community. I urge you to support his confirmation."

Senator Atwood:

"Will Senator Washington yield?"

Senator Washington:

"Yes."

Senator Atwood:

"Senator, I notice that Joseph Panatoni is Prosecuting Attorney in Kittitas County. Is there any conflict of interest between his duties as an officer of the Central Washington State College and his duties as Prosecuting Attorney? Is there any legal question as to his ability to serve?"

Senator Washington:

"There is no legal disqualification, no."

The motion was carried.

#### APPOINTMENT OF JOSEPH PANATONI

The Secretary called the roll, and the appointment of Joseph Panatoni to the Central Washington State College Board of Trustees was confirmed by the Senate by the following vote: Yeas, 28; nays, 13; absent or not voting, 8.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, Mardesich, Peterson (Lowell), Petrich, Riley, Sandison, Talley, Washington—28.

Those voting nay were: Senators Atwood, Chytil, England, Freise, Guess, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Ryder, Thompson, Jr., Williams, Woodall—13.

Absent or not voting: Senators Lennart, McCutcheon, McMillan, Morgan, Rasmussen, Raugust, Redmon, Stender—8.

Having received the approval of the Senate, the appointment of Joseph Panatoni to the Central Washington State College Board of Trustees was confirmed.

It was moved by Senator McCormack that the appointment of Archie S. Wilson to the Central Washington State College Board of Trustees be now confirmed.

#### PERSONAL PRIVILEGE

Senator McCormack:

"Mr. President, members of the Senate:

"I have known Dr. Wilson fairly intimately at Hanford Laboratories where he has been Senior Scientist in Chemical Research. He is not a medical doctor, but has a Ph. D. in Chemistry. He was a technical advisor at the Second International Conference on the Peaceful Uses of Atomic Energy at Geneva and he was one of four U. S. participants in the United States-United Kingdom Conference on Ruthenium Chemistry. He is a man of national and international reputation, and I urge you to confirm this appointment."

Senators Herrmann, Cooney and Durkan demanded the previous question.

Senator Woodall demanded a roll call, and the demand was sustained by Senators Ryder, Moriarty, Jr., Chytil, England, Atwood, Raugust and Redmon.

The Secretary called the roll on the demand for the previous question, and the demand was sustained by the following vote: Yeas, 31; nays, 15; absent or not voting, 3.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Stender, Talley, Washington—31.

Those voting nay were: Senators Atwood, Chytil, England, Freise, Guess, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Thompson, Jr., Williams, Woodall—15.

Absent or not voting: Senators Lennart, McMillan, Morgan—3.

The motion was carried.

**APPOINTMENT OF ARCHIE S. WILSON**

The Secretary called the roll, and the appointment of Archie S. Wilson to the Central Washington State College Board of Trustees was confirmed by the Senate by the following vote: Yeas, 30; nays, 13; absent or not voting, 4; excused, 2.

During the roll call, Senator England moved that he be excused from voting, and the motion was carried.

During the roll call, Senator Guess moved that he be excused from voting, and the motion was carried.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—30.

Those voting nay were: Senators Atwood, Chytil, Freise, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Stender, Thompson, Jr., Williams—13.

Absent or not voting: Senators Lennart, McMillian, Morgan, Woodall—4.

Excused: Senators England, Guess—2.

Having received the approval of the Senate, the appointment of Archie S. Wilson to the Central Washington State College Board of Trustees was confirmed.

State of Washington, Executive Department,  
Olympia, January 10, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to submit the following appointments to the Position of Members, State Parks and Recreation Commission, subject to your confirmation:

James W. Whittaker, appointed December 16, 1964, for the term ending December 31, 1970, succeeding himself.

Joe W. Hamel, appointed December 16, 1964, for the term ending December 31, 1970, succeeding himself.

Sincerely yours,  
ALBERT D. ROSELLINI,  
Governor.

It was moved by Senator Durkan that the appointment of James W. Whittaker to the Washington State Parks and Recreation Commission be now confirmed.

The motion was carried.

**APPOINTMENT OF JAMES W. WHITTAKER**

The Secretary called the roll, and the appointment of James W. Whittaker to the Washington State Parks and Recreation Commission was confirmed by the Senate by the following vote: Yeas, 27; nays, 16; absent or not voting, 6.

Those voting yea were: Senators Bailey, Charette, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—27.

Those voting nay were: Senators Atwood, Chytil, Freise, Gissberg, Guess, Lewis, Mardesich, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Stender, Thompson, Jr., Williams—16.



Absent or not voting: Senators Connor, England, Lennart, McMillan, Morgan, Woodall—6.

Having received the approval of the Senate, the appointment of James W. Whittaker to the Washington State Parks and Recreation Commission was confirmed.

The President resumed the Chair.

It was moved by Senator Lowell Peterson that the appointment of Joe W. Hamel to the Washington State Parks and Recreation Commission be now confirmed.

#### PERSONAL PRIVILEGE

Senator Lowell Peterson:

"Mr. President:

"I have known Joe Hamel for a number of years. This is a reappointment. He has served our state ably and well, traveling from British Columbia to Oregon, and Idaho to the Olympic Peninsula. I'm sure he will continue to do a wonderful job on the State Parks and Recreation Commission."

The motion was carried.

#### APPOINTMENT OF JOE W. HAMEL

The Secretary called the roll, and the appointment of Joe W. Hamel to the Washington State Parks and Recreation Commission was confirmed by the Senate by the following vote: Yeas, 31; nays, 14; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Stender, Talley, Washington—31.

Those voting nay were: Senators Chytil, Freise, Gissberg, Guess, Lewis, Mardesich, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Thompson, Jr., Williams—14.

Absent or not voting: Senators England, Lennart, McMillan, Woodall—4.

Having received the approval of the Senate, the appointment of Joe W. Hamel to the Washington State Parks and Recreation Commission was confirmed.

#### PARLIAMENTARY INQUIRY

Senator Moriarty, Jr.:

"Mr. President:

"May I inquire, is it now the third legislative day, it being 12:02 a. m., the 13th day of January, 1965?"

Senator Gallagher:

"I just wish to correct the gentleman. My watch shows we have about ten minutes to twelve."

Senator Durkan:

"Mr. President:

"May I inquire, what difference does it make what time it is now?"

Senator Moriarty, Jr.:

"I just wanted to check my watch. I thought probably the President has better information than either you or I."

The President:

"Senator, when you directed your inquiry to the President, the Senate clock showed 12:01½. But the President does not guarantee the accuracy of that particular timepiece."

Senator Gallagher:

"I might add, Mr. President, if I may, that Senator Kupka is a jeweler, an excellent jeweler, and he has taken charge of my watch and watched over it a long period of time, and he guarantees that it is in good running condition; and, as I look at it, it is about twelve minutes of midnight."

Senator Stender:

"Mr. President:

"Could I suggest to Senator Gallagher that he check with Senator Kupka and have his watch fixed so it keeps time. It's running backwards."

State of Washington, Executive Department,  
Olympia, January 11, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to submit the following appointments to the Position of Members, Eastern Washington State College Board of Trustees, subject to your confirmation:

Harvey Erickson, appointed September 30, 1963, for the term ending July 29, 1969, succeeding himself.

Melvin B. Voorhees, appointed September 30, 1963, for the term ending July 29, 1969, succeeding himself.

Thomas F. Meagher, appointed December 16, 1964, for the term ending March 9, 1970, succeeding Joe M. Smith.

Sincerely yours,  
ALBERT D. ROSELLINI,  
Governor.

It was moved by Senator Cooney that the appointment of Harvey Erickson to the Eastern Washington State College Board of Trustees be now confirmed.

#### PERSONAL PRIVILEGE

Senator Cooney:

"Mr. President:

"Harvey Erickson has served two terms on the Board of Trustees of Eastern Washington State College with distinction, and I ask that his reappointment be confirmed at this time."

The motion was carried.

#### APPOINTMENT OF HARVEY ERICKSON

The Secretary called the roll, and the appointment of Harvey Erickson to the Eastern Washington State College Board of Trustees was confirmed by the Senate by the following vote: Yeas, 31; nays, 11; absent or not voting, 5; excused, 2.

During the roll call, Senator England moved that he be excused from voting, and the motion was carried.

During the roll call, Senator Guess moved that he be excused from voting, and the motion was carried.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Stender, Talley, Washington—31.

Those voting nay were: Senators Atwood, Chytil, Freise, Lewis, Moriarty, Jr., Peterson (Ted), Raugust, Redmon, Ryder, Thompson, Jr., Williams—11.

Absent or not voting: Senators Lennart, McMillan, Morgan, Neill, Woodall—5.

Excused: Senators England, Guess—2.

Having received the approval of the Senate, the appointment of Harvey Erickson to the Eastern Washington State College Board of Trustees was confirmed.

It was moved by Senator Henry that the appointment of Melvin B. Voorhees to the Eastern Washington State College Board of Trustees be now confirmed.

#### PERSONAL PRIVILEGE

Senator Henry:

"Mr. President and members of the Senate:

"Politically, Melvin Voorhees, when he was Editor of the Columbia Basin News, was my enemy. He never said a kind word about me. But I moved for his confirmation four years ago, and I do so again because he is a very capable man."

The motion was carried.

#### APPOINTMENT OF MELVIN B. VORHEES

The Secretary called the roll, and the appointment of Melvin B. Voorhees to the Eastern Washington State College Board of Trustees was confirmed by the Senate by the following vote: Yeas, 30; nays, 12; absent or not voting, 7.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—30.

Those voting nay were: Senators Atwood, Chytil, Freise, Guess, Lewis, Moriarty, Jr., Peterson (Ted), Raugust, Redmon, Ryder, Thompson, Jr., Williams—12.

Absent or not voting: Senators England, Lennart, McMillan, Morgan, Neill, Stender, Woodall—7.

Having received the approval of the Senate, the appointment of Melvin B. Voorhees to the Eastern Washington State College Board of Trustees was confirmed.

It was moved by Senator Cowen that the appointment of Thomas F. Meagher to the Eastern Washington State College Board of Trustees be now confirmed.

#### PERSONAL PRIVILEGE

Senator Cowen:

"Mr. President, members of the Senate:

"This is one appointment that Senator Ryder and Senator Moriarty can vote for. Tom Meagher is President of the Federal Home Loan Bank of the Federal Government for the states of Oregon, Washington, California, Idaho and Montana. He is an outstanding man and I'm sure the Republicans can go along with this one."

The motion was carried.

#### APPOINTMENT OF THOMAS F. MEAGHER

The Secretary called the roll, and the appointment of Thomas F. Meagher to the Eastern Washington State College Board of Trustees was confirmed by the Senate by the following vote: Yeas, 28; nays, 13; absent or not voting, 8.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Washington—28.

Those voting nay were: Senators Atwood, Chytil, England, Guess, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Thompson, Jr., Williams—13.

Absent or not voting: Senators Freise, Hanna, Lennart, McMillan, Morgan, Stender, Talley, Woodall—8.

Having received the approval of the Senate, the appointment of Thomas F. Meagher to the Eastern Washington State College Board of Trustees was confirmed.

#### PERSONAL PRIVILEGE

Senator Guess:

"Mr. President, speaking on personal privilege:

"I voted 'no' on this appointment, although Mr. Thomas Meagher is a very close personal friend of mine. I voted 'no' on the point of principle."

State of Washington, Executive Department.  
Olympia, January 10, 1965.

*To the Honorable, the Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to submit the following appointment to the Position of Member, Western Interstate Commission for Higher Education, subject to your confirmation:

Dr. Charles E. Odegaard, appointed June 10, 1963, for the term ending June 9, 1967, succeeding himself.

Sincerely yours,  
ALBERT D. ROSELLINI,  
Governor.

It was moved by Senator Sandison that the appointment of Dr. Charles E. Odegaard to the Western Interstate Commission for Higher Education be now confirmed.

#### PERSONAL PRIVILEGE

Senator Sandison:

"Mr. President and members of the Senate:

"Dr. Odegaard, as you know, is President of the University of Washington and one of the leading educators in the United States. He has given this state good service by being on this Commission and should be reappointed."

The motion was carried.

#### APPOINTMENT OF DR. CHARLES E. ODEGAARD

The Secretary called the roll, and the appointment of Dr. Charles E. Odegaard to the Western Interstate Commission for Higher Education was confirmed by the Senate by the following vote: Yeas, 39; nays, 2; absent or not voting, 7; excused, 1.

During the roll call, Senator England moved that he be excused from voting, and the motion was carried.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington—39.

Those voting nay were: Senators Guess, Moriarty, Jr.—2.

Absent or not voting: Senators Freise, Lennart, McMillan, Redmon, Ryder, Williams, Woodall—7.

Excused: Senator England—1.

Having received the approval of the Senate, the appointment of Dr. Charles E. Odegaard to the Western Interstate Commission for Higher Education was confirmed.

State of Washington, Executive Department,  
Olympia, January 10, 1965.

To the Honorable, the Senate of the State of Washington.

LADY AND GENTLEMEN:

I have the honor to submit the following appointments to the Position of Members, Western Washington State College Board of Trustees, subject to your confirmation:

David G. Sprague, appointed July 1, 1963, for the term ending June 12, 1969, succeeding himself.

Bernice Hall, appointed July 1, 1963, for the term ending June 12, 1969, succeeding herself.

Joseph T. Pemberton, appointed July 1, 1963, for the term ending June 12, 1969, succeeding himself.

Sincerely yours,  
ALBERT D. ROSELLINI,  
Governor.

It was moved by Senator Dore that the appointment of David G. Sprague to the Western Washington State College Board of Trustees be now confirmed.

#### PERSONAL PRIVILEGE

Senator Dore:

"Mr. President:

"David G. Sprague is an excellent man. He has served one term and deserves another."

The motion was carried.

#### APPOINTMENT OF DAVID G. SPRAGUE

The Secretary called the roll, and the appointment of David G. Sprague to the Western Washington State College Board of Trustees was confirmed by the Senate by the following vote: Yeas, 31; nays, 7; absent or not voting, 11.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Thompson, Jr., Washington—31.

Those voting nay were: Senators Atwood, Chytil, Guess, Lewis, Peterson (Ted), Redmon, Ryder—7.

Absent or not voting: Senators England, Freise, Lennart, McCutcheon, McMillan, Moriarty, Jr., Neill, Raugust, Stender, Williams, Woodall—11.

Having received the approval of the Senate, the appointment of David G. Sprague to the Western Washington State College Board of Trustees was confirmed.

It was moved by Senator Bailey that the appointment of Bernice Hall to the Western Washington State College Board of Trustees be now confirmed.

The motion was carried.

#### APPOINTMENT OF BERNICE HALL

The Secretary called the roll and the appointment of Bernice Hall to the Western Washington State College Board of Trustees was confirmed by the Senate by the following vote: Yeas, 30; nays, 12; absent or not voting, 6; excused, 1.

During the roll call, Senator England moved that he be excused from voting, and the motion was carried.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—30.

Those voting nay were: Senators Chytil, England, Guess, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Redmon, Ryder, Stender, Thompson, Jr., Williams—12.

Absent or not voting: Senators Freise, Lennart, McCutcheon, McMillan, Raugust, Woodall—6.

Excused: Senator Atwood—1.

Having received the approval of the Senate, the appointment of Bernice Hall to the Western Washington State College Board of Trustees was confirmed.

It was moved by Senator Sandison that the appointment of Joseph T. Pemberton to the Western Washington State College Board of Trustees be now confirmed.

#### PERSONAL PRIVILEGE

Senator Sandison:

"Mr. President and members of the Senate:

"Joseph T. Pemberton served as a previous trustee for the school. He has had a great deal to do with the fine progress this institution is making."

The motion was carried.

#### APPOINTMENT OF JOSEPH T. PEMBERTON

The Secretary called the roll, and the appointment of Joseph T. Pemberton to the Western Washington State College Board of Trustees was confirmed by the Senate by the following vote: Yeas, 30; nays, 9; absent or not voting, 9; excused, 1.

During the roll call, Senator Stender moved that he be excused from voting, and the motion was carried.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—30.

Those voting nay were: Senators Chytil, Guess, Lewis, Neill, Peterson (Ted), Redmon, Ryder, Thompson, Jr., Williams—9.

Absent or not voting: Senators England, Freise, Lennart, McCutcheon, McMillan, Morgan, Moriarty, Jr., Raugust, Woodall—9.

Excused: Senator Stender—1.

Having received the approval of the Senate, the appointment of Joseph T. Pemberton to the Western Washington State College Board of Trustees was confirmed.

State of Washington, Executive Department,  
Olympia, January 10, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to submit the following appointments to the Position of Members, Washington State Aeronautics Commission, subject to your confirmation:

J. Donald Sullivan, appointed January 2, 1964, for the term ending December 31, 1969, succeeding himself.

Benjamin F. Smith, appointed January 1, 1964, for the term ending December 31, 1969, succeeding himself.

Sincerely yours,  
ALBERT D. ROSELLINI,  
Governor.

It was moved by Senator Gallagher that the appointment of Benjamin F. Smith to the Washington State Aeronautics Commission be now confirmed.

#### PERSONAL PRIVILEGE

Senator Gallagher:

"Mr. President and members of the Senate:

"Mr. Smith is a long time Republican who has been interested in aeronautics for a long period of time. I think, if I recall correctly, he was originally appointed to this Board by Governor Langlie and the Democrats, in attempting to be as fair as possible, reappointed him. I recommend his appointment be confirmed at this time."

The motion was carried.

#### APPOINTMENT OF BENJAMIN F. SMITH

The Secretary called the roll, and the appointment of Benjamin F. Smith to the Washington State Aeronautics Commission was confirmed by the Senate by the following vote: Yeas, 29; nays, 10; absent or not voting, 8; excused, 2.

During the roll call, Senator England moved that he be excused from voting, and the motion was carried.

During the roll call, Senator Guess moved that he be excused from voting, and the motion was carried.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Stender, Talley, Washington—29.

Those voting nay were: Senators Atwood, Chytil, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Redmon, Ryder, Thompson, Jr., Williams—10.

Absent or not voting: Senators Freise, Lennart, McCormack, McCutcheon, McMillan, Morgan, Raugust, Woodall—8.

Excused: Senators England, Guess—2.

Having received the approval of the Senate, the appointment of Benjamin F. Smith to the Washington State Aeronautics Commission was confirmed.

It was moved by Senator Dore that the appointment of J. Donald Sullivan to the Washington State Aeronautics Commission be now confirmed.

The motion was carried.

#### APPOINTMENT OF J. DONALD SULLIVAN

The Secretary called the roll, and the appointment of J. Donald Sullivan to the Washington State Aeronautics Commission was confirmed by the Senate by the following vote: Yeas, 29; nays, 11; absent or not voting, 8; excused, 1.

During the roll call, Senator England moved that he be excused from voting, and the motion was carried.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack,

Mardesich, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—29.

Those voting nay were: Senators Atwood, Chytil, Guess, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Redmon, Ryder, Thompson, Jr., Williams—11.

Absent or not voting: Senators Freise, Lennart, McCutcheon, McMillan, Morgan, Raugust, Stender, Woodall—8.

Excused: Senator England—1.

Having received the approval of the Senate, the appointment of J. Donald Sullivan to the Washington State Aeronautics Commission was confirmed.

State of Washington, Executive Department,  
Olympia, January 10, 1965.

*To the Honorable, the Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to submit the following appointments to the Position of Members, State Public Assistance Advisory Committee, subject to your confirmation:

Harry E. Mason, appointed September 29, 1963, for the term ending June 10, 1969, succeeding John S. Thorburn.

Fred C. Ashley, appointed September 29, 1963, for the term ending June 10, 1969, succeeding Stephen F. Bayne, Jr.

Elsie Wedekind, appointed September 29, 1963, for the term ending June 10, 1969, succeeding Robert M. Christiansen.

Sincerely yours,  
ALBERT D. ROSELLINI,  
Governor.

It was moved by Senator Greive that the appointment of Harry E. Mason to the Washington State Public Assistance Advisory Committee be now confirmed.

The motion was carried.

#### APPOINTMENT OF HARRY E. MASON

The Secretary called the roll, and the appointment of Harry E. Mason to the Washington State Public Assistance Advisory Committee was confirmed by the Senate by the following vote: Yeas, 29; nays, 12; absent or not voting, 8.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—29.

Those voting nay were: Senators Atwood, Chytil, England, Guess, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Redmon, Ryder, Thompson, Jr., Williams—12.

Absent or not voting: Senators Dore, Freise, Lennart, McCutcheon, McMillan, Raugust, Stender, Woodall—8.

Having received the approval of the Senate, the appointment of Harry E. Mason to the Washington State Public Assistance Advisory Committee was confirmed.

It was moved by Senator Greive that the appointment of Fred C. Ashley to the Washington State Public Assistance Advisory Committee be now confirmed.

#### POINT OF INQUIRY

Senator Riley:

"I wonder if Senator Greive would yield to a question?"

"Senator Greive, I want to ask this in a most serious vein. What are the emoluments of this office and for how long are they appointed?"



Senator Greive:

"Senator, I'm still redistricting! As I understand it, what we are speaking of here today is the Advisory Commission to the Welfare Department, and I understand that they are appointed for two year terms. I understand that they are an advisory body to work out details of general policy in the administration of the Welfare Department and make recommendations to future sessions of the legislature. I understand they work very closely with the staff, advise the Director, and from time to time make suggestions for legislation. It is a non-paying job that has to be confirmed by the Senate."

The motion was carried.

#### APPOINTMENT OF FRED C. ASHLEY

The Secretary called the roll, and the appointment of Fred C. Ashley to the Washington State Public Assistance Advisory Committee was confirmed by the Senate by the following vote: Yeas, 29; nays, 13; absent or not voting, 7.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—29.

Those voting nay were: Senators Atwood, Chytil, England, Guess, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Redmon, Ryder, Thompson, Jr., Williams, Woodall—13.

Absent or not voting: Senators Foley, Freise, Lennart, McCutcheon, McMillan, Raugust, Stender—7.

Having received the approval of the Senate, the appointment of Fred C. Ashley to the Washington State Public Assistance Advisory Committee was confirmed.

It was moved by Senator Greive that the appointment of Elsie Wedekind to the Washington State Public Assistance Advisory Committee be now confirmed.

#### PERSONAL PRIVILEGE

Senator Greive:

"Mr. President, members of the Senate:

"Mrs. Wedekind is the widow of the late House member from my district. I have known her for many years. She has previously served on this particular committee. She is very proud of her work. She is active and diligent, and I'm sure she will continue to do a good job."

The motion was carried.

#### APPOINTMENT OF ELSIE WEDEKIND

The Secretary called the roll and the appointment of Elsie Wedekind to the Washington State Public Assistance Advisory Committee was confirmed by the Senate by the following vote: Yeas, 28; nays, 10; absent or not voting, 11.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Morgan, Peterson (Lowell), Rasmussen, Riley, Sandison, Washington—28.

Those voting nay were: Senators Chytil, Guess, Lewis, Moriarty, Jr., Peterson (Ted), Raugust, Redmon, Ryder, Thompson, Jr., Williams—10.

Absent or not voting: Senators Atwood, England, Foley, Freise, Lennart, McMillan, Neill, Petrich, Stender, Talley, Woodall—11.

Having received the approval of the Senate, the appointment of Elsie Wedekind to the Washington State Public Assistance Advisory Committee was confirmed.

#### EXPLANATION OF VOTE

We, the undersigned Republicans, wish to make the following explanation of our negative vote on the confirmation of Rosellini appointees on this 12th day of January, 1965.

The vote is no reflection on the personal qualifications of the appointees. It is a protest to the failure and refusal of the Democrats to proceed in order under Rule 70 or its equivalent. The Democrats refuse to refer the names of such appointees to the appropriate standing committee, or any committee of the Senate, for hearing, findings and recommendations.

Dated this 12th day of January, 1965.

Sam C. Guess, Marshall A. Neill, R. Frank Atwood, Ted G. Peterson, Joe Chytil, John N. Ryder, Walter B. Williams, Herbert H. Freise, Perry B. Woodall, Albert C. Thompson, Jr., Jack England, Fred G. Redmon, Harry B. Lewis, W. C. Raugust, Charles P. Moriarty, Jr., John H. Stender, Ernest W. Lennart.

#### MOTION

At 1:00 a.m., Wednesday, January 13, 1965, on motion of Senator Greive, the Senate adjourned until 10:00 a.m., Wednesday, January 13, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## THIRD DAY

### MORNING SESSION

#### SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, January 13, 1965.

The Senate was called to order at 10:00 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Gissberg and Hanna.

On motion of Senator Keefe, Senators Gissberg and Hanna were excused.

The Color Guard, consisting of Pages Curt Leady, Color Bearer, and Teresa Hallauer, presented the Colors.

Reverend Walter A. MacArthur, pastor of the First Methodist Church of Olympia, offered prayer as follows:

"Today we come, O God, for light enough to walk by. Direct us to sources of moral and ethical energy so that Thy completeness may be linked to the limitations of our unaided strength.

"Solemnize us with the responsibility of elected duty as we face decisions affecting the lives if not the fortunes of the citizens of this great State.

"They have a right to look eagerly to this Chamber for the wise word and the just action.

"Let not mean partisanship nor the temptation of privilege block the way to equitable and righteous determination, we pray in the name of Christ. Amen."

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

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, January 12, 1965.

*To the Honorable, the Senate of the State of Washington.*

LADY AND GENTLEMEN:

Under the provisions of the Constitution of the State of Washington, Article 3, Section 11, the following cases of Executive Clemency are hereby reported:

DONALD ANTHONY WHITE, sentenced January 11, 1957, from the Superior Court of King County, for the crime of Murder in the First Degree. Reprieve was granted on March 23, 1964, to allow further legal proceedings.

BETTY TURNBULL, sentenced by the King County Superior Court to imprisonment in the Washington State Penitentiary for a period of 20 years, for the crime of Murder in the Second Degree. Executive Clemency recommended by the trial judge and issued January 11, 1965, on the grounds of mental and physical condition.

FRANCIS A. JOHNSON, sentenced July 10, 1959, from King County for the crime of Grand Larceny and Uttering Forged Instruments. Pardon granted on January 10, 1965, by reason of complete rehabilitation.

FRANK BELL, sentenced in the Superior Court in the County of Grant, for the crime of Perjury. Pardon granted on December 18, 1964, on the grounds of complete rehabilitation.

DAVID D. BECK, sentenced February 20, 1958, from the King County Superior Court, for the crime of Grand Larceny. Pardon granted on January 10, 1965, by reason of complete rehabilitation.

JACK O'NEIL, sentenced March 8, 1948, from the County of Klickitat, for the crime of Grand Larceny. Pardon granted on December 18, 1964, by reason of rehabilitation.

Sincerely yours,  
BURTON R. JOHNSON,  
Legal Administrative Assistant  
for the Governor.

The President declared the Senate to be at ease.

At 10:55 a. m., the Senate retired to the House chamber to meet in Joint Session for the purpose of hearing the inaugural message of Governor Daniel J. Evans.

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**JOINT SESSION**

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

The Speaker invited the Senators to seats within the House and instructed the Sergeants at Arms of the Senate and the House to escort the President of the Senate to a seat on the rostrum beside the Speaker.

The President of the Senate, presiding, called the joint session to order.

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

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

The President of the Senate appointed the following committee to escort Chief Justice Hugh J. Rosellini to the rostrum: Senators Talley and Freise, and Representatives Rogers and Clark.

The committee retired.

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

The President of the Senate appointed the following committee to escort the justices of the supreme court of the State of Washington to the bar of the House: Senators Petrich, Connor, Charette and Dore, and Representatives Uhlman, Elder, O'Dell and Harris.

The committee retired.

The Sergeant at Arms of the House announced the arrival at the bar of the House of the justices of the supreme court: Justices Frank Hale, Robert C. Finley, Robert T. Hunter, Richard B. Ott, Orris L. Hamilton, Matthew W. Hill, Frank P. Weaver and Charles T. Donworth; and the President of the Senate invited the justices to seats at the front of the House chamber.

The President of the Senate appointed the following committee to escort the elected state officials from the reception room to the bar of the House: Senators Sandison, Gallagher and Riley, and Representatives Smith, Olsen, Wang and Eldridge.

The committee retired.

The Sergeant at Arms of the House announced the arrival of the following elected state officials at the bar of the House, Secretary of State A. L. "Lud" Kramer, State Treasurer Robert S. O'Brien, State Auditor R. V. "Bob" Graham, Attorney General John J. O'Connell, Superintendent of Public Instruction Louis Bruno, Commissioner of Public Lands Bert Cole, and Insurance Commissioner Lee I. Kuckelhan; and the President of the Senate instructed the committee to escort them to seats at the front of the House Chamber.

The President of the Senate announced that the Honorable Catherine May, Congresswoman from the Fourth District of the state of Washington, was present and appointed the following committee to escort her to a seat on the rostrum: Senator Atwood and Representatives Lynch and Kull.

The committee retired.

The Sergeant at Arms of the House announced the arrival of the Honorable Catherine May and the President of the Senate instructed the committee to escort her to a seat on the rostrum.

The President of the Senate appointed the following committee to escort Governor Daniel J. Evans from his chambers to the rostrum: Senators Cowen, Neill and Moriarty, Jr. and Representatives King (Chet), Taylor and Gorton.

The committee retired.

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

Prayer was offered by Dr. Dale Turner of the University Congregational Church of Seattle:

"Almighty God, our Father, Who has given us this good land as our heritage, we humbly beseech Thee that we may always prove ourselves a people mindful of Thy favor and glad to do Thy will. May those whom we have chosen to lead us be concerned most of all in pleasing Thee.

"Especially now we pray Thy hand upon Daniel Evans. We thank Thee for all of the gracious influences in home and training that have prepared him for this high hour of leadership and responsibility. Deliver him from love of power and from motives of personal gain and from consideration of men and money in place of the demands of justice and truth. Guide him to an ever larger vision of the truth and an even deeper sense of the demands of righteousness, that through his faithfulness the lives of our people may be guided through wise policies and lifted to higher ideals and nobler achievements.

"Deliver us all from every influence that would break down our reverence for law and corrupt our sense of corporate responsibility. Help us, oh God, to put right before self interest, the attainment of noble ends before the enjoyment of present pleasures, principle before selfish power, and to put Thee before all else, that we may know the truth, revealed to us through Jesus Christ, Who alone can set men free, for it is in His spirit of love for all that we offer this prayer. Amen."

The President of the Senate announced that the Joint Session was called for the purpose of signing the election certificates, administering the oath of office to the constitutional elective officials of the state of Washington and receiving the inaugural address of the Governor.

#### SIGNING OF ELECTION CERTIFICATES

There being no objection, the Speaker and the President announced that they were about to sign the certificates of election of the following elective officials of the state of Washington:

Daniel J. Evans	Governor
John A. Cherberg	Lieutenant Governor
A. L. "Lud" Kramer	Secretary of State
Robert S. O'Brien	State Treasurer
R. V. "Bob" Graham	State Auditor
John J. O'Connell	Attorney General
Louis Bruno	Superintendent of Public Instruction
Bert Cole	Commissioner of Public Lands
Lee I. Kueckelhan	Insurance Commissioner

#### OATH OF OFFICE TO ELECTIVE OFFICIALS

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

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

Lieutenant Governor John A. Cherberg (President of the Senate):

"Governor Evans, Representative May, Dr. Turner, Speaker Schaefer, my good friend Speaker Pro Tempore Avery Garrett, Judge Rosellini, my good friend Davey Cowen, my friends of the state elected officials, members of the legislature, ladies and gentlemen:

"I should like to extend my heartiest congratulations to Governor Evans and to the other elected state officials and also to express my appreciation to the people of the state of Washington for granting me the opportunity to serve them once again. I should also like to express my appreciation to my wife, Betty—why don't you stand up? (Applause)—and to my children, to my brothers and sisters, and to my many friends whose loyalty and determination and above all patience have culminated in my presence here today.

"As the Speaker handed me this gavel and Certificate of Election, it also called to mind the grave responsibility which is attached to our work in Olympia. This is the time for each of us to resolve firmly that the 39th legislative session will provide economic and social improvements which our constituents so richly deserve.

"Governor Evans, ladies and gentlemen, we are resolved to enact legislation which will benefit the state of Washington. We will follow the guidelines of our Constitution, which we recognize as being established by well-reasoned and time-honored precedents, but we will not follow blindly any pattern merely for the sake of precedent or conformity if good conscience dictates to the contrary. The success of the 39th legislative session will be derived from unity of purpose that comes from the desire of its members to fulfill their obligation to the citizens of the state of Washington.

"Thank you very much."

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

Justice Robert T. Hunter administered the oath of office to State Treasurer Robert S. O'Brien, and the President presented him his Certificate of Election.

Justice Richard B. Ott administered the oath of office to State Auditor Robert V. Graham, and the President presented him his Certificate of Election.

Justice Orris L. Hamilton administered the oath of office to Attorney General John J. O'Connell, and the President presented him his Certificate of Election.

Justice Frank P. Weaver administered the oath of office to Commissioner of Public Lands Bert Cole, and the President presented him his Certificate of Election.

Justice Matthew W. Hill administered the oath of office to Superintendent of Public Instruction Louis Bruno, and the President presented him his Certificate of Election.

Justice Charles T. Donworth administered the oath of office to Insurance Commissioner Lee I. Kueckelhan, and the President presented him his Certificate of Election.

The President of the Senate:

"Ladies and gentlemen and members of the Legislature, before requesting Chief Justice Rosellini to administer the oath of office to Governor Daniel J. Evans, the President is sure the members of the legislature will grant him the privilege of presenting the very lovely, gracious and gentle wife of Governor Evans, Mrs. Nancy Evans. Will you please stand in order that you may be properly recognized.

"The President would like also to present Mrs. Evans' mother, Mrs. Bell. Mrs. Bell, would you please stand in order that you may be properly recognized.

"The President is sure it would make everyone happy to learn that the beloved parents of Governor Evans are also present. It is with great pride and pleasure that the President presents Mr. and Mrs. Daniel L. Evans.

"On an occasion such as this, the best way to proceed is in the shortest possible manner. It is with great pride that the President requests of Governor Evans that he permit Chief Justice Rosellini to administer the oath of office. Ladies and gentlemen, His Excellency, Daniel J. Evans, Governor of the State of Washington."

#### THE OATH OF OFFICE OF THE GOVERNOR

Chief Justice Hugh J. Rosellini administered the oath of office to Governor Daniel J. Evans, and the President presented him his Certificate of Election.

The President of the Senate:

"At this time the members of the joint session of the 39th session of the legislature will receive the inaugural address of His Excellency, Governor Evans."

**(SEE HOUSE JOURNAL OF 1965 FOR MESSAGE OF GOVERNOR DANIEL J. EVANS TO THE LEGISLATURE.)**

The President of the Senate:

"Governor Evans, this position gives me the advantage of being the first to congratulate you upon your inspiring and challenging address. During the next several weeks, within the framework of the guide of our Constitution framed through the reason and foresight of the pioneering minds of our predecessors and used to the advantage of the citizens of the state of Washington, we will in unity so far as possible render assistance to you in your endeavors in behalf of the state of Washington."

The President of the Senate directed the special committee to escort His Excellency, Governor Daniel J. Evans, to the Governor's chambers.

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

The President of the Senate directed the special committee to escort the Honorable Catherine May to the State Reception Room.

The special committee thereupon escorted Representative May from the House chamber.

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

The special committee thereupon escorted Chief Justice Hugh J. Rosellini from the House chamber.

The President of the Senate directed the special committee to escort the justices of the supreme court to the State Reception Room.

The special committee thereupon escorted the justices from the House chamber.

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

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

On motion of Mr. Sawyer, the joint session was dissolved.

The Speaker requested the Sergeant at Arms of the House and the Sergeant at Arms of the Senate escort the President of the Senate and the Senators to the Senate chamber.

The President called the Senate to order at 1:00 p. m.

There being no objection, the Senate advanced to the sixth order of business.

#### INTRODUCTION AND FIRST READING OF BILLS

The following were introduced and read the first time by title and retained in possession of the Secretary.

**Senate Bill No. 55**, by Senators Lewis and Henry:

An Act relating to state government; increasing mileage allowance; and amending section 43.03.060, chapter ....., Laws of 1965 and RCW 43.03.060.

**Senate Bill No. 56**, by Senator Freise:

An Act relating to criminal procedure; amending section 78, page 114, Laws of 1854, as last amended by section 1034, Code 1881, and RCW 10.19.040; adding a new section to chapter 19.72 RCW; and adding a new section to chapter 10.19 RCW.

**Senate Bill No. 57**, by Senators Atwood, Gissberg, and Petrich:

An Act relating to personal exemptions; and amending section 253, page 178, Laws of 1854, as last amended by section 1, page 96, Laws of 1886, and RCW 6.16.020; and repealing section 114, chapter 235, Laws of 1945 and RCW 33.20.140.

**Senate Bill No. 58**, by Senator Riley:

An Act relating to nominating and election campaigns; providing penalties; and repealing section 29.18.140, chapter ....., Laws of 1965 and RCW 29.18.140.

**Senate Bill No. 59**, by Senator Riley:

An Act relating to taxation; and adding a new section to chapter 82.04 RCW.

**Senate Bill No. 60**, by Senator Riley:

An Act relating to state memorials and providing for the erection of a statue of Louisa Boren Denny in Statuary Hall at the national capitol.

**Senate Bill No. 61**, by Senators Atwood, Gissberg and Woodall.

An Act relating to the appointment and payment of counsel and the payment of certain costs and expenses for the accused in a criminal case who by reason of poverty is unable to employ counsel; amending section 53, chapter 249, Laws of 1909, as amended by section 1, chapter 151, Laws of 1941 and RCW 10.01.110; amending section 5, chapter 126, Laws of 1913 as last amended by section 4, chapter 244, Laws of 1957, and RCW 2.32.240; and adding a new section to chapter 10.01 RCW.

**Senate Bill No. 62**, By Senators Lewis and McCormack:

An Act relating to state government; increasing per diem allowances; and amending section 43.03.050, chapter ....., Laws of 1965 and RCW 43.03.050.

**Senate Bill No. 63**, By Senators Atwood, Hanna and Williams:

An Act relating to municipal corporations; adding a new section to chapter 35.67 of chapter ....., Laws of 1965 and to chapter 35.67 RCW; amending section 35.67.340, chapter ....., Laws of 1965 and RCW 35.67.340, and repealing sections 35.67.320 and 35.67.330, chapter ....., Laws of 1965 and RCW 35.67.320 and 35.67.330.

**MOTION**

At 1:05 p. m., on motion of Senator Greive, the Senate adjourned until noon, Thursday, January 14, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

**FOURTH DAY****NOON SESSION**

SENATE CHAMBER,

OLYMPIA, WASH., Thursday, January 14, 1965.

The Senate was called to order at noon by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Curt Leady, Color Bearer, and Teresa Hallauer, presented the Colors.

Reverend Walter A. MacArthur, pastor of the First Methodist Church of Olympia, offered prayer as follows:

"Before we turn this day to perplexing affairs of state, Great God, we would bring our hearts and minds to Thee for Thy touch of wisdom and understanding.

"Forgive us that we talk so much and are silent so seldom, that we are in such constant motion and are so rarely still, that we depend so implicitly on the effectiveness of our manipulations and so little on the power of Thy Spirit.



"Assist us to be patient in argument, charitable in judgment, slow to wrath and anger, that by Thy grace we may be transformed by the renewing of our minds and go forth this day to live more nearly as we pray, in the name of Christ our Lord. Amen."

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

The Secretary read:

**SENATE RESOLUTION**

No. 1965 -2

By Senators Gissberg, Gallagher, Keefe and Greive:

WHEREAS, The Honorable Albert D. Rosellini served the people of the state of Washington with distinction and wisdom for eighteen years as one of our legislative colleagues; and

WHEREAS, The Honorable Albert D. Rosellini gave to the people of the state of Washington eight years devoted service and outstanding leadership as their governor; and

WHEREAS, The Honorable Albert D. Rosellini through his constant and unrelenting efforts did bring about for the state of Washington dramatic improvements in the economic and social well-being of its people; and

WHEREAS, The Honorable Albert D. Rosellini through his election as chairman of the national governors' conference and as president of the council of state governments brought great credit to himself and to his state; and

WHEREAS, The Honorable Albert D. Rosellini through his genuine humanitarian concern for the best interests of all people, particularly the afflicted and the troubled, has brought credit to himself, his office, and the very term "public servant"; and

WHEREAS, The Honorable Albert D. Rosellini through his affection and devotion to his lovely wife and fine children, has given added meaning and strength to the importance of the family in the American way of life;

Now, Therefore, Be It Resolved, That the Senate extend its commendation, praise, and gratitude to the Honorable Albert D. Rosellini for all that he has done and represented as an individual, a legislator, a chief executive, and as a dedicated American citizen;

Be It Further Resolved, That the Secretary of the Senate suitably enroll a copy of this resolution and transmit the same to the Honorable Albert D. Rosellini; and

Be It Further Resolved, That a copy of this resolution be entered in the Senate Journal.

On motion of Senator Gissberg, the resolution was adopted.

**MOTION**

At 12:30 p.m., on motion of Senator Greive, the Senate recessed until 1:30 p.m.

**AFTERNOON SESSION**

At 1:30 p.m., the Senate was called to order by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Lennart and Moriarty, Jr.

On motion of Senator Ryder, Senators Lennart and Moriarty, Jr. were excused.

The President declared the Senate to be at ease.

The President called the Senate to order at 3:00 p.m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Bailey, Foley and Peterson (Ted).

On motion of Senator Woodall, Senator Peterson was excused.

On motion of Senator Gallagher, Senators Bailey and Foley were excused.

The President declared the Senate to be at ease.

The President called the Senate to order at 5:35 p.m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Dore and Petrich.

#### MOTION

At 5:37 p.m., on motion of Senator Bailey, the Senate recessed until 6:00 p.m.

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### SECOND AFTERNOON SESSION

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At 6:00 p.m., the Senate was called to order by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

#### INTRODUCTION AND FIRST READING OF BILLS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 64**, by Senators Durkan, Gissberg and Guess:

An Act relating to gross weight fees for motor trucks or truck tractors; amending section 13, chapter 7, Laws of 1961 extraordinary session and RCW 46.16.075.

Retained in possession of Secretary in accordance with motion made January 12, 1964 (pending appointment of committees).

**Senate Bill No. 65**, by Senators McCutcheon, Charette, Greive and Morgan:

An Act relating to state government; providing for the subsistence and lodging of members of the legislature and the president of the senate; amending section 1, chapter 173, Laws of 1941 as last amended by section 1, chapter 3, Laws of 1957, and RCW 44.04.080; making an appropriation; and declaring an emergency.

On motion of Senator Greive, Senate Bill No. 65 was placed on final passage.

Senators McCutcheon, Talley and Greive demanded the previous question and the demand was sustained.

#### PERSONAL PRIVILEGE

Senator Rasmussen:

"Mr. President, personal privilege:

"My point of personal privilege is that I made the mistake of announcing I was going to speak against this bill. This is why they raised the previous question. I am perfectly satisfied with the vote. I just want to make it known why this hasty action was taken."

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 65 and the bill passed the Senate by the following vote: Yeas, 30; nays, 19.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, McCormack, Mc-

Cutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr. Neill, Peterson (Lowell), Stender, Talley, Washington—30.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Foley, Guess, Herrmann, Lewis, Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Thompson, Jr., Williams, Woodall—19.

Senate Bill No. 65, having, received the constitutional majority, was declared passed.

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

On motion of Senator Greive, Senate Bill No. 65 was ordered immediately transmitted to the House.

**Senate Bill No. 66**, by Senators Foley and McCutcheon:

An Act relating to the expenses and costs of the legislature; making appropriations therefor; and declaring an emergency.

On motion of Senator Greive, Senate Bill No. 66 was placed on final passage.

Senators McCutcheon, Greive and Durkan demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 66, and the bill passed the Senate by the following vote: Yeas, 49; nays, 0.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—49.

Senate Bill No. 66, having received the constitutional majority, was declared passed.

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

On motion of Senator Greive, Senate Bill No. 66 was ordered immediately transmitted to the House.

#### MOTION

At 6:30 p.m., on motion of Senator Greive, the Senate adjourned until 10:00 a.m., Friday, January 15, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## FIFTH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Friday, January 15, 1965.

The Senate was called to order at 10:00 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Charette and Lennart.

On motion of Senator Keefe, Senator Charette was excused.

On motion of Senator Neill, Senator Lennart was excused.

The Color Guard, consisting of Pages Curt Leady, Color Bearer, and Susan Harris, presented the colors.

Reverend Walter A. MacArthur, pastor of the First Methodist Church of Olympia, offered prayer as follows:

"In this quiet moment of devotion, Great God, with all other voices stilled—breathe on us, Breath of God.

"We pause to thank Thee for the glories of the world in which we live, for the work Thou has given us to do, for the strength and wisdom with which to do it. We seek Thy blessing upon all who labor here with true purpose of heart, for the purification of public life, for the removal of all that betrays or denies democracy, for good government and just laws, for sound education and a clean press, for sincerity and honesty in our relations with one another, for the spirit of service which will abolish pride of place and make possible equal opportunities to all in a human brotherhood without frontiers.

"We pray in the Name of Christ. Amen."

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

#### MOTION

It was moved by Senator Rasmussen that the President of the Senate appoint a committee to draft a new rule to be included in the Senate rules covering the registration of lobbyists.

Debate ensued.

#### POINT OF INQUIRY

Senator Riley:

"I wonder if at this stage of the proceedings I might ask Senator Rasmussen to submit to a question.

"Senator, I wasn't able to get to Rule 26 to read it, but I would like to ask this question: Is it possible that the rule might cover employees who are also, likewise, lobbyists or suspected of being lobbyists?"

Senator Rasmussen:

"Senator Riley, at the present time we do have a rule covering employees, and they are not permitted to lobby and are subject to discipline or removal from their jobs. This would primarily occur if we find lobbyists attempting to influence employees and get them to lobby. Then the lobbyists would be guilty and we would be able to take action against them. Now the privilege of appearing before a committee is important. Most lobbyists are reliable people. Once in a while you get someone who isn't and at the present time, you can stumble over forty thousand lobbyists. You don't even know who they are or who they represent, if you want to prefer charges

against them to the President. He has no means of knowing who they are, so this would be important."

Debate ensued.

The motion was carried.

#### INTRODUCTION AND FIRST READING OF BILLS AND RESOLUTIONS

The following were introduced, read first time by title and retained in the possession of the Secretary:

**Senate Bill No. 67**, by Senators Guess, McMillan and Herr:

An Act relating to the safety of persons employed in the construction or operation of tunnels, quarries, caissons and subways, excepting in connection with mines; and amending section 1, chapter 194, Laws of 1941 and RCW 49.24.080.

**Senate Bill No. 68**, by Senators Herrmann, Cooney and Gallagher:

An Act relating to inheritance taxes; and adding a new section chapter 15, Laws of 1961 and to chapter 83.20 RCW.

**Senate Bill No. 69**, by Senator Hallauer:

An Act relating to firearms; amending section 77.16.250, chapter 36, Laws of 1955 and RCW 77.16.250; and adding a new section to chapter 36, Laws of 1955 and to chapter 77.16 RCW.

**Senate Bill No. 70**, by Senator Neill:

An Act relating to public lands; and authorizing the board of regents of Washington State University to exchange certain lands owned by the state for certain lands privately owned.

**Senate Bill No. 71**, by Senators Gallagher, Rasmussen and Gissberg:

An Act relating to metropolitan transportation functions of metropolitan municipal corporations and adding a new section to chapter ....., Laws of 1965, and to chapter 35.58 RCW.

**Senate Bill No. 72**, by Senators Freise, Lewis and Kupka:

An Act relating to epileptics; and amending sections 72.25.010, 72.25.020, 72.25.030 and 72.25.040, chapter 28, Laws of 1959, and RCW 72.25.010, 72.25.020, 72.25.030 and 72.25.040.

**Senate Bill No. 73**, by Senators Gallagher, Freise and Durkan.

An Act relating to the duties of the county auditor; amending section 2734, Code 1881 and RCW 65.04.110; and adding a new section to chapter 65.04 RCW.

**Senate Bill No. 74**, by Senators Riley and Williams:

An act relating to employee requirements and regulations; repealing section 81.40.020, chapter 14, Laws of 1961, and 81.40.020; and amending section 81.40.030, chapter 14, Laws of 1961, and RCW 81.40.030; and providing penalties.

**Senate Bill No. 75**, by Senators Freise and Lewis:

An Act relating to state government; establishing within the department of institutions a division of probation and parole and providing for the transfer of certain powers and duties of the state board of prison terms and paroles, thereto; providing for the transfer of certain personnel, books, documents and other writings, office equipment and motor vehicles, and other tangible property; amending section 72.01.030, chapter 28, Laws of 1959 and RCW 72.01.030; amending section 3, chapter 114, Laws of 1935 and RCW 9.95.170;

amending section 7, chapter 114, Laws of 1935 and RCW 9.95.260, amending section 3, chapter 227, Laws of 1957 and RCW 9.95.200, amending section 4, chapter 227, Laws of 1957 and RCW 9.95.210; amending section 8, chapter 227, Laws of 1957 and RCW 9.95.250; adding a new chapter to Title 72 RCW; and providing an effective date; and transferring funds.

**Senate Bill No. 76**, by Senators Freise, Lewis and Kupka:

An Act relating to the criminally insane; and amending section 8, chapter 30, Laws of 1907 as amended by section 1, chapter 48, Laws of 1957 and RCW 10.76.060; amending section 6, chapter 30, Laws of 1907 as amended by section 2, chapter 48, Laws of 1957 and RCW 10.76.070; and repealing section 10, chapter 30, Laws of 1907 as amended by section 3, chapter 48, Laws of 1957 and RCW 10.76.090.

**Senate Bill No. 77**, by Senators Guess, Redmon and Riley:

An Act relating to public service companies; amending section 81.80.060, chapter 14, Laws of 1961 and RCW 81.80.060.

**Senate Bill No. 78**, by Senators Herrmann, Cooney and Gallagher:

An Act relating to fire protection districts; establishing the number of voters necessary for an election to authorize excess property tax levies; amending section 84.52.052, chapter 15, Laws of 1961, as amended by section 1, chapter 112, Laws of 1963, and RCW 84.52.052.

**Senate Bill No. 79**, by Senators Hallauer and Hanna:

An Act relating to the disqualification of judges of the superior courts; amending section 1, chapter 121, Laws of 1911 as last amended by section 1, chapter 303, Laws of 1961 and RCW 4.12.040; and amending section 2, chapter 121, Laws of 1911 as last amended by section 1, chapter 148, Laws of 1941 and RCW 4.12.050.

**Senate Joint Resolution No. 4**, by Senator Riley:

Providing by Constitutional amendment for four year terms for representatives.

**Senate Joint Resolution No. 5**, by Senator Riley:

Providing by Constitutional amendment for annual legislative sessions.

**Senate Joint Resolution No. 6**, by Senators Gallagher, Moriarty, Jr. and McCutcheon:

Eliminating uncontested judicial positions from ballot.

**Senate Joint Resolution No. 7**, by Senators Guess, Redmon and Herr:

Proposing constitutional amendment allowing special residence requirement for presidential elections.

**Senate Joint Resolution No. 8**, by Senators Freise and McCormack:

Removing prohibition against raising salaries during terms of office.

The President declared the Senate to be at ease.

The President called the Senate to order at 12:10 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Freise, Gissberg, Henry, Mardesich and Morgan.

On motion of Senator Knoblauch, Senator Morgan was excused.

On motion of Senator Moriarty, Jr., Senator Freise was excused.

On motion of Senator Bailey, Senators Gissberg, Henry and Mardesich were excused.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., January 15, 1965.

**MR. PRESIDENT:**

The House has passed: Senate Bill No. 65; also Senate Bill No. 66, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*

**SIGNED BY THE PRESIDENT**

**The President has signed: Senate Bill No. 65; also Senate Bill No. 66.**

**PERSONAL PRIVILEGE**

Senator Herrmann:

"Mr. President and members of the Senate:

"As a long time paleface friend of the Indians, I would like to announce that I believe, Mr. President, that you are known as Chief Rap-um-Down, or something, of the Yakimas, and Senator Keefe is a three-father-chief, and I believe Senator Woodall has been recognized, and now to that great, distinguished fraternity we have a new member added. Mr. Verne Sawyer, President of the Toppenish Chamber of Commerce, and our distinguished Reader, has been granted the honor and title of Chief Leather Lungs of the Yakima tribe. I think this article should be read into the record in order to substantiate my statements."

The President:

"To comply with the request of Senator Herrmann, the President will request of Chief Leather Lungs that he read the communication from the Toppenish Review. Chief Leather Lungs."

The Secretary read:

**SAWYER NAMED 'LEATHER LUNGS'**

Verne Sawyer, president of the Toppenish Chamber of Commerce and reader for the Washington State Senate during the 1965 legislative session, Tuesday was nicknamed "leather lungs" by legislators in Olympia.

Sawyer read the redistricting bill in one hour and 15 minutes. The reading was the longest ever carried out in the history of the Washington legislature for one bill. Most legislators felt the bill would take at least two hours to read and, according to one spokesman, were amazed that Sawyer could read the measure in a shorter period of time.

**MOTION**

At 12:20 p. m., on motion of Senator Greive, the Senate adjourned until 12:00 noon, Monday, January 18, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## EIGHTH DAY

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### NOON SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Monday, January 18, 1965.

The Senate was called to order at noon by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of pages Don Beardin, Color Bearer, and Susan Harris, presented the Colors.

Reverend T. Eugene Turner, pastor of the First Christian Church of Olympia, offered prayer as follows:

"Our Father, how frail we are, how inadequate, even the strongest, the keenest, the most clever of us, and yet Thou hast invited us to be co-workers with Thee. Stab us wide awake then that all life is sacred, all decent work magnificent, all honorable occupations and professions sublime. Make known to us then, once again, clearly and sharply, Lord of all the earth, that in the market place, in the courts of justice, in the hall of legislation, as well as in cathedrals and before altars, we may do, we are doing, Thy true work.

"We know, Righteous God, the times are strange and hard, that man may have to stumble and grope, fall and rise again. But so did our fathers before us in other times and in other places. Save us then from despair in a time when there are no easy answers and when we cannot expect to come suddenly upon the end of the rainbow.

"Remind us of the ultimate decency of all life under Thy sovereign rule. Give us grace to light even small candles and to refrain from the easy way of cursing the darkness. Let this spirit, our Divine Parent, be in those whose essential ministry is here in this Senate chamber, and in all of us as citizens of this nation and of the world.

"And unto Thee be the glory, the majesty, the dominion and the power, both now and forever. Amen."

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

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., January 15, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 65; also  
Senate Bill No. 66, and the same are herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

#### INTRODUCTION AND FIRST READING OF BILLS

The following were introduced, read first time by title and retained in the possession of the Secretary:

**Senate Bill No. 80**, by Senators Guess, Keefe and Woodall:

An Act relating to elections; and amending sections 29.10.120 and 29.10.080, chapter ....., Laws of 1965 and RCW 29.10.120 and 29.10.080.

**Senate Bill No. 81**, by Senators Guess, Keefe and Woodall:

An Act relating to elections; and amending sections 29.30.040 and 29.30.050, chapter ....., Laws of 1965 and RCW 29.30.040 and 29.30.050.



**Senate Bill No. 82**, by Senator Riley:

An Act relating to the state legislative building; authorizing the state arts commission to contract for murals; and making an appropriation.

**Senate Bill No. 83**, by Senators Guess, Riley, Atwood and Keefe:

An Act relating to elections; and amending sections 29.04.040, 29.04.055 and 29.33.160, chapter ....., Laws of 1965 and RCW 29.04.040, 29.04.055 and 29.33.160.

**Senate Bill No. 84**, by Senators Gallagher, Moriarty, Jr. and Kupka:

An Act relating to taxation; amending section 82.36.275, chapter 15, Laws of 1961, as last amended by section 1, chapter 187, Laws of 1963, and RCW 82.36.275; and amending section 82.40.047, chapter 12, Laws of 1961, as last amended by section 2, chapter 187, Laws of 1963, and RCW 82.40.047.

**Senate Bill No. 85**, by Senators Gissberg, Atwood and Rasmussen:

An Act relating to mentally ill persons; establishing a procedure for involuntary commitment of mentally ill persons; and amending section 71.02.090, chapter 25, Laws of 1959 and RCW 71.02.090.

**Senate Bill No. 86**, by Senators Gissberg, Cowen and Atwood:

An Act relating to county sheriffs; and amending section 36.28.010, chapter 4, Laws of 1963, and RCW 36.28.010.

**Senate Bill No. 87**, by Senator Hanna:

An Act relating to cities and towns; increasing the salaries of mayors and commissioners in cities and towns under the commission form of government; amending section 35.17.110, chapter ....., Laws of 1965 and RCW 35.17.110.

**Senate Bill No. 88**, by Senators Rasmussen, Gissberg and Moriarty, Jr.:

An Act relating to children; requiring reporting by physicians and others of child abuse; providing penalties; declaring an emergency; and adding a new chapter to Title 26 RCW.

**Senate Bill No. 89**, by Senator Riley:

An Act relating to the consolidation of counties; and adding a new section to chapter 4, Laws of 1963 and to Title 36 RCW.

**Senate Bill No. 90**, by Senators Sandison, Ryder and Riley:

An Act relating to safe deposit boxes; and repealing sections 2 through 6, chapter 274, Laws of 1957 and RCW 22.28.100 through 22.28.150.

**Senate Bill No. 91**, by Senators Gissberg and Cowen:

An Act relating to county treasurer's listing of manifest errors to the board of equalization; amending section 84.56.390, chapter 15, Laws of 1961 and RCW 84.56.390, and section 84.56.400, chapter 15, Laws of 1961 and RCW 84.56.400.

**Senate Bill No. 92**, by Senators Thompson, Jr., Riley and Sandison:

An Act relating to intoxicating liquors; and adding a new section to chapter 62, Laws of 1933, extraordinary session, and to chapter 66.12 RCW.

**Senate Bill No. 93**, by Senators Dore, Petrich, Riley, Neill, Ryder, Hallauer, Charette, McCutcheon, Washington, Bailey, Foley and Lennart:

An Act relating to charities; and providing penalties for violations thereof.

**Senate Bill No. 94**, by Senators Woodall, Greive and Petrich (by Legislative Council request):

An Act relating to police judges in cities of the third class; amending section 35.24.450, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.24.450; and amending section 35.24.460, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.24.460.

**Senate Bill No. 95**, by Senators Woodall, Greive and Petrich (by Legislative Council request):

An Act relating to justices of the peace; and amending section 113, chapter 299, Laws of 1961 and RCW 3.66.020.

**Senate Bill No. 96**, by Senators Woodall, Greive and Petrich (by Legislative Council request):

An Act relating to justices of the peace; and amending section 23, page 226, Laws of 1854, as last amended by section 19, chapter 11, Laws of 1955 and RCW 3.20.020.

#### MOTION

At 12:15 p. m., on motion of Senator Greive, the Senate adjourned until 11:00 a. m., Tuesday, January 19, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## NINTH DAY

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### MORNING SESSION

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#### SENATE CHAMBER,

OLYMPIA, WASH., Tuesday, January 19, 1965.

The Senate was called to order at 11:00 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Gissberg, Petrich and Rasmussen.

On motion of Senator Greive, Senators Gissberg, Petrich and Rasmussen were excused.

The Color Guard, consisting of Pages Don Beardin, Color Bearer, and Susan Harris, presented the Colors.

Reverend T. Eugene Turner, pastor of the First Christian Church of Olympia, offered prayer as follows:

"This day, our Divine Parent, we come to Thee about our beloved State. We come in gratitude, not in petition. We come not to wring our hands in despair but to thank Thee for the privilege of being a living, dynamic part of the United States of America. We are grateful for those who have led us in the past and are leading us now into responsible Statehood.

"In a time of unrest, when bigotry is easy and violence envelops our best dreams, we pray Thee for insight and courage to move ahead by the ways of law and order to a true fellowship of all our people based on righteousness, justice and human dignity.

"Bless and sustain our Chief Executive, Governor Evans. Uphold the members of this legislative body. Preserve and maintain for us the freedom and greatness of our people. Save for us, O God, in our time, all that is honorable, true, just, lovely and of good report. Amen."

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

#### MOTION

It was moved by Senator Greive that the standing committees of the Senate be:

1. Agriculture and Horticulture (8).
2. Banks, Financial Institutions and Insurance (11).
3. Cities, Towns and Counties (18).
4. Commerce, Manufacturing and Licenses (14).
5. Constitution, Elections and Legislative Processes (22).  
Subcommittee on Redistricting (11).
6. Education (17).
7. Fisheries, Game and Game Fish (10).
8. Higher Education and Libraries (11).
9. Highways (30).
10. Judiciary (19).
11. Labor and Social Security (11).
12. Liquor Control (8).
13. Medicine, Dentistry, Public Health, Air and Water Pollution (6).
14. Natural Resources (10).
15. Parks, Capitol Grounds and Public Buildings (6).
16. Public Institutions (9).
17. Public Utilities (15).
18. Rules and Joint Rules (17).
19. State Government and Veterans' Affairs (10).
20. Ways and Means (31).  
Subcommittee on Appropriations (19).  
Subcommittee on Revenue and Regulatory (11).  
Subcommittee on Claims and Auditing (7).

Debate ensued.

The motion was carried.

#### POINT OF INQUIRY

Senator Dore:

"Mr. President:

"Would Senator Moriarty yield to a question?"

"Senator Moriarty, I wonder when we might expect Governor Evans' proposed budget. I think if it were in the next few days, we could perhaps hold hearings and proceed with it. However, we are in a lapse state waiting for it. If we cannot expect it in the next few days, it may be necessary to have a special session to consider it. I just wonder if you could advise us what legislative day we might expect to receive the budget."

Senator Moriarty, Jr.:

"Now that the Democratic majority has decided that committees are a good thing after all, I think Governor Evans will do his part. Seriously, I think you can expect the budget some time next week."

Senator Dore:

"May I ask one further question? What legislative day do you believe Governor Evans' budget will be prepared to be presented?"

Senator Moriarty, Jr.:

"To the best of my knowledge, Senator Dore, it would be some time between next Monday and next Friday. I don't know which legislative days they are."

Senator Dore:

"In other words, about thirty days after we have commenced?"

Senator Moriarty, Jr.:

"Not thirty days after we have commenced, no. Somewhere between fifteen and eighteen days after we commenced."

**POINT OF INQUIRY**

Senator Woodall:

"Would Senator Dore yield to a question?"

"Senator Dore, do you have any idea when we will have committees named that will receive the budget, when we get the budget?"

Senator Dore:

"You're putting the cart before the horse. First we need the budget. Then we will need committees."

Senator Woodall:

"Will Senator Dore yield to a second question?"

"Can you tell me, Senator Dore, when we will know what committees we are on and when we can have stationery? We used to get our stationery fairly early in the session. Do you anticipate we will have our stationery before the thirtieth day?"

Senator Dore:

"Answering your question, I think that's more in the realm of Senator Greive or Senator Bailey."

Senator Greive:

"We thought Senator Woodall should find out if he was a member of this body before we gave him stationery."

The Secretary read:

**MESSAGES FROM THE GOVERNOR**

State of Washington, Office of Governor,  
January 19, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bill, entitled:

**Senate Bill No. 65:**

"An Act relating to state government; providing for the subsistence and lodging of members of the legislature and the president of the senate."

Very truly yours,

RAYMOND W. HAMAN,  
Legal Counsel to the Governor.

State of Washington, Office of Governor,  
January 19, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bill, entitled:

**Senate Bill No. 66:**

"An Act making an appropriation for the expenses and costs of the legislature."

Very truly yours,

RAYMOND W. HAMAN,  
Legal Counsel to the Governor.

**INTRODUCTION AND FIRST READING OF BILLS AND RESOLUTIONS**

The following were introduced, read first time by title and retained in the possession of the Secretary:

**Senate Bill No. 97**, by Senators Kupka, Durkan and Thompson, Jr.:

An Act relating to state institutions; and adding a new section to chapter 27, Laws of 1963 extraordinary session (Referendum Bill No. 13) and to chapter 72.19 RCW.

**Senate Bill No. 98**, by Senators Knoblauch and Woodall:

An Act relating to the practice of chiropody; amending section 14, chapter 52, Laws of 1957 and RCW 18.22.060; amending section 6, chapter 149, Laws of 1955 and RCW 18.22.120; and adding a new section to chapter 38, Laws of 1917 and to chapter 18.22 RCW.

**Senate Bill No. 99**, by Senators Knoblauch and Lewis:

An Act relating to health care services; and adding new sections to chapter 48.44 RCW.

**Senate Bill No. 100**, by Senator Gissberg:

An Act relating to the site, construction, and establishment of a state college.

**Senate Bill No. 101**, by Senators Lewis and McMillan:

An Act relating to state government; establishing a suggestion awards board; and providing for the payment of cash awards to certain state employees.

**Senate Bill No. 102**, by Senators Riley and Connor:

An Act relating to legal holidays; declaring Good Friday to be a legal holiday; and amending section 1, chapter 51, Laws of 1927 as amended by section 1, chapter 20, Laws of 1955 and RCW 1.16.050.

**Senate Bill No. 103**, by Senator Riley:

An Act relating to elections; amending section 29.13.070, chapter ....., Laws of 1965 (Senate Bill No. 5) and RCW 29.13.070; and amending section 29.18.030, chapter ....., Laws of 1965 (Senate Bill No. 5) and RCW 29.18.030.

**Senate Bill No. 104**, by Senator Gissberg:

An Act relating to state parks and recreation; establishing Wallace Falls State Park; and providing for the acquisition of certain lands for park purposes.

**Senate Bill No. 105**, by Senator Gissberg:

An Act relating to salmon fishing; adding a new section to chapter 12, Laws of 1955 and to chapter 75.18 RCW; and providing penalties.

**Senate Bill No. 106**, by Senators Gissberg, Williams and Riley:

An Act relating to real property and authorizing the use of deeds of trust in security transactions and providing for the foreclosure thereof.

**Senate Bill No. 107**, by Senator Riley:

An Act relating to cities, towns, and municipal corporations; providing that street railways or transit systems thereof may extend fifteen miles beyond the limits thereof; amending section 35.84.060, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.84.060; and amending section 35.92.060, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.92.060.

**Senate Bill No. 108**, by Senator Riley:

An Act relating to motor vehicle operators; and amending section 46.20.390, chapter 12, Laws of 1961 and RCW 46.20.390.

**Senate Bill No. 109**, by Senators Petrich, Durkan and Dore:

An Act relating to foreclosure of real estate mortgages; amending sections 1, 2, and 3, chapter 34, Laws of 1963, and RCW 61.12.093, RCW 61.12.094, and RCW 61.12.095; amending section 8, chapter 53, Laws of 1899, as amended by section 1, chapter 196, Laws of 1961, and RCW 6.24.140; and amending section 16, chapter 53, Laws of 1899, and RCW 6.24.220.

**Senate Joint Resolution No. 9**, by Senator Riley:

Changing the date of election of the governor and lieutenant governor.

**Senate Concurrent Resolution No. 1**, by Senator Riley:

Directing a study of the feasibility of publishing a state magazine.

#### MOTION

At 11:20 a. m., on motion of Senator Greive, the Senate adjourned until 11:00 a. m., Wednesday, January 20, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## TENTH DAY

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### MORNING SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Wednesday, January 20, 1965.

The Senate was called to order at 11:00 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Durkan, Gissberg and Rasmussen.

On motion of Senator Keefe, Senators Durkan and Gissberg were excused.

The Color Guard, consisting of Pages Curt Leady, Color Bearer, and Sherry Busby, presented the Colors.

Reverend T. Eugene Turner, pastor of the First Christian Church of Olympia, offered prayer as follows:

"We stand today, our Divine Parent, cognizant of the greatness of events in which our destinies are all involved. We remember before Thee the President and Vice President of our United States who this day have entered into a deep personal covenant with Thee and with us to defend and preserve the inalienable rights of the people of this land. May the passing days confirm and make true their commitments and ours.

"To this end, we pray that Thy Divine Presence may be freely acknowledged in the thinking and the doing of this legislative body. We realize that no State 'is an island' complete unto its self. So enlighten the minds of the men and women in this Senate that the whole body politic shall be strengthened by the wise and honorable decisions which they make here.

"If any of you lacks wisdom, let him ask God who gives to all men generously and without reproaching, and it will be given him. Amen."

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

The Secretary read:

**SENATE RESOLUTION**  
No. 1965 - 3

By Senator Greive:

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

On motion of Senator Greive, the resolution was adopted.

**SENATE RESOLUTION**  
No. 1965 - 4

By Senators Bailey and Neill:

RESOLVED, That the Secretary of the Senate be and he is hereby instructed to purchase and deliver to each of the members and officers of the Senate seventy-five dollars (\$75.00) worth of postage.

On motion of Senator Bailey, the resolution was adopted.

**APPOINTMENT OF STANDING COMMITTEES**

The President announced the appointment of the Standing Committees of the Senate, and the Secretary read the following appointments:

*Agriculture and Horticulture*—(8)—Senator Donohue, Chairman; Senators Chytil, Freise, Hanna, Knoblauch, McMillan, Peterson (Lowell), Raugust.

*Banks, Financial Institutions and Insurance*—(11)—Senator Herrmann, Chairman; Senator Mardesich, Vice Chairman; Senators Charette, Dore, Foley, Kupka, McCutcheon, Moriarty, Jr., Neill, Redmon, Ryder.

*Cities, Towns and Counties*—(18)—Senator Talley, chairman; Senators Atwood, Charette Chytil, Connor, Donohue, Gallagher, Guess, Henry, Keefe, Kupka, Morgan, Peterson (Lowell), Peterson (Ted), Raugust, Riley, Thompson, Jr., Williams.

*Commerce, Manufacturing and Licenses*—(14)—Senator Kupka, Chairman; Senators Connor, Cooney, Cowen, Dore, England, Gallagher, Greive, Guess, Keefe, Knoblauch, Lewis, Mardesich, Peterson (Ted).

*Constitution, Elections and Legislative Processes*—(22)—Senator McCutcheon, Chairman; Senators Donohue, Gallagher, Henry, Herr, Keefe, Lennart, Morgan, Raugust, Ryder, Washington, Williams.

*Subcommittee on Redistricting*—Senator Greive, Chairman; Senators Bailey, Cooney, Dore, Hallauer, Herrmann, McCutcheon, McMillan, Neill, Redmon, Stender.

*Education*—(17)—Senator McCormack, Chairman; Senators Charette, Chytil, Dore, Freise, Herrmann, Knoblauch, McCutcheon, McMillan, Morgan, Peterson (Ted), Petrich, Rasmussen, Stender, Talley, Thompson, Jr., Washington.

*Fisheries, Game and Game Fish*—(10)—Senator Charette, Chairman; Senators Lennart, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Sandison, Stender, Talley.

*Higher Education and Libraries*—(11)—Senator Sandison, Chairman; Senators Atwood, Foley, Hallauer, Herrmann, Lewis, McCormack, Neill, Ryder, Talley, Washington.

*Highways*—(30)—Senator Washington, Chairman; Senator Henry, Vice Chairman; Senators Bailey, Donohue, Dore, Durkan, Foley, Freise, Gissberg, Guess, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Lennart, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Sandison, Stender, Talley, Williams.

*Judiciary*—(19)—Senator Petrich, Chairman; Senators Atwood, Charette, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Hanna, Herrmann, McCutcheon, Mardesich, Moriarty, Jr., Neill, Washington, Williams, Woodall.

*Labor and Social Security*—(11) Senator Rasmussen, Chairman; Senators Bailey, Connor, Durkan, England, Guess, Kupka, Mardesich, McCutcheon, Riley, Stender.

*Liquor Control*—(8)—Senator Connor, Chairman; Senators Henry, Kupka, Lewis, Riley, Talley, Thompson, Jr., Woodall.

*Medicine, Dentistry, Public Health, Air and Water Pollution*—(6)—Senator McMillan, Chairman; Senators Cooney, Cowen, Greive, Thompson, Jr., Woodall.

*Natural Resources*—(10)—Senator Peterson (Lowell), Chairman; Senators Chytil, Gissberg, Hallauer, Herr, Lewis, McCormack, Mardesich, Redmon, Sandison.

*Parks, Capitol Grounds and Public Buildings*—(6)—Senator Herr, Chairman; Senators England, Hallauer, Hanna, Peterson (Lowell), Thompson, Jr.

*Public Institutions*—(9)—Senator Morgan, Chairman; Senators Chytil, Freise, Keefe, Knoblauch, Kupka, Peterson (Lowell), Redmon, Sandison.

*Public Utilities*—(15)—Senator Mardesich, Chairman; Senators Bailey, Charette, Chytil, Cooney, Cowen, Hanna, Herrmann, Keefe, Lewis, McCormack, Rasmussen, Riley, Thompson, Jr., Washington.

*Rules and Joint Rules*—(17)—President Cherberg, Chairman (ex officio); Senators Bailey, Cooney, Cowen, Gallagher, Gissberg, Greive, Hallauer, Hanna, Keefe, Knoblauch, Lennart, Neill, Raugust, Riley, Ryder, Woodall.

*State Government and Veterans' Affairs*—(10)—Senator Henry, Chairman; Senators Atwood, Donohue, Durkan, Kupka, McCutcheon, Morgan, Moriarty, Jr., Rasmussen, Woodall.

*Ways and Means*—(31)—Senator Foley, Chairman; (*Appropriations*)—Senator Dore, Chairman; Senators Atwood, Bailey, Chytil, Cowen, Donohue, England, Gallagher, Guess, Hallauer, Lennart, McCormack, Mardesich, Morgan, Moriarty, Jr., Neill, Petrich, Riley, Sandison. (*Revenue and Regulatory*)—Senator Durkan, Chairman; Senators Connor, Cooney, Gissberg, Greive, McMillan, Rasmussen, Ryder, Thompson, Jr., Williams, Woodall. (*Committee on Claims and Auditing*)—Senators Dore, Durkan, Gallagher, Greive, Neill, Petrich, Woodall.

#### MOTION

It was moved by Senator Greive that the standing committee appointments as announced be confirmed.

Senator Ryder:

"Mr. President:

"I would like to take exception to one committee. Some changes have been made which throws the committee politically out of balance. This is the Public Utilities Committee. Originally there were three Republicans on this committee and eight Democrats, which was a little out of balance, but we felt we could go along with this. But now they have added some four Democrats to the committee, so it makes it now a balance of three Republicans and twelve Democrats, which we feel is a little bit lopsided, although we do recognize that three Republicans are a match for almost any number on the other side. But I would like to take exception to this one committee. I think the other committees are all in line with our understanding in caucus and have the approval of the Republican caucus."

Senator Bailey:

"I'd like to reply, Mr. President, to Senator Ryder's remarks. As chairman of the Committee on Committees, he may have impugned my motives. The situation actually is this. Very bluntly, the Democratic Party is a party of public power, this is a stacked committee, and we hope we have a public power committee."

Senator Ryder:

"Nevertheless, Mr. President, we have both sides over here, and we would like to have you stack it with a little more of our people. This would be all right with us. Nevertheless, I would like to take exception, as a matter of record, to the balance of this one particular committee."

The motion was carried, and the committee appointments were confirmed.

#### REFERENCE OF SENATE BILLS

The President announced that the Senate bills, memorials and resolutions previously introduced would be referred to the following committees:

Senate Bill No. 1, referred to Judiciary Committee.

Senate Bill No. 3, referred to Committee on Cities, Towns and Counties.



Senate Bill No. 4, referred to Committee on State Government and Veterans' Affairs.

Senate Bill No. 5, referred to Committee on Constitution, Elections and Legislative Processes.

Senate Bill No. 6, referred to Judiciary Committee.

Senate Bill No. 7, referred to Committee on Public Institutions.

Senate Bill No. 8, referred to Judiciary Committee.

Senate Bill No. 9, referred to Committee on Higher Education and Libraries.

Senate Bill No. 10, referred to Committee on Ways and Means.

Senate Bill No. 11, referred to Judiciary Committee.

Senate Bill No. 12, referred to Judiciary Committee.

Senate Bill No. 13, referred to Committee on Natural Resources.

Senate Bill No. 14, referred to Committee on Higher Education and Libraries.

Senate Bill No. 15, referred to Committee on State Government and Veterans' Affairs.

Senate Bill No. 16, referred to Committee on Ways and Means.

Senate Bill No. 17, referred to Committee on Ways and Means.

Senate Bill No. 18, referred to Committee on Ways and Means.

Senate Bill No. 19, referred to Committee on Ways and Means.

Senate Bill No. 20, referred to Committee on Cities, Towns and Counties.

Senate Bill No. 21, referred to Committee on State Government and Veterans' Affairs.

Senate Bill No. 22, referred to Committee on Cities, Towns and Counties.

Senate Bill No. 23, referred to Committee on Labor and Social Security.

Senate Bill No. 24, referred to Committee on Higher Education and Libraries.

Senate Bill No. 25, referred to Committee on Higher Education and Libraries.

Senate Bill No. 26, referred to Committee on Higher Education and Libraries.

Senate Bill No. 27, referred to Committee on State Government and Veterans' Affairs.

Senate Bill No. 28, referred to Committee on Labor and Social Security.

Senate Bill No. 29, referred to Committee on Education.

Senate Bill No. 30, referred to Committee on Education.

Senate Bill No. 31, referred to Committee on Labor and Social Security.

Senate Bill No. 32, referred to Judiciary Committee.

Senate Bill No. 33, referred to Committee on Highways.

Senate Bill No. 34, referred to Committee on State Government and Veterans' Affairs.

Senate Bill No. 35, referred to Committee on Cities, Towns and Counties.

Senate Bill No. 36, referred to Committee on State Government and Veterans' Affairs.

Senate Bill No. 37, referred to Committee on State Government and Veterans' Affairs.

Senate Bill No. 38, referred to Committee on Cities, Towns and Counties.

Senate Bill No. 39, referred to Committee on Labor and Social Security.

Senate Bill No. 40, referred to Committee on Education.

Senate Bill No. 41, referred to Committee on State Government and Veterans' Affairs.

Senate Bill No. 42, referred to Committee on Ways and Means.

Senate Bill No. 43, referred to Committee on Ways and Means.

Senate Bill No. 44, referred to Judiciary Committee.

Senate Bill No. 45, referred to Judiciary Committee.

Senate Bill No. 46, referred to Judiciary Committee.

Senate Bill No. 47, referred to Judiciary Committee.

Senate Bill No. 48, referred to Judiciary Committee.

Senate Bill No. 49, referred to Committee on Higher Education and Libraries.

Senate Bill No. 50, referred to Committee on State Government and Veterans' Affairs.

Senate Bill No. 51, referred to Committee on State Government and Veterans' Affairs.

#### MOTION

It was moved by Senator Washington that Senate Bill No. 51 be referred to the Committee on Highways.

Debate ensued.

#### POINT OF INQUIRY

Senator Woodall:

"Would Senator Washington yield to a question?"

"Does this bill have anything to do with crimes or penalties, or anything of that nature?"

Senator Washington:

"No, only that the Department of Licenses would become a part of the Department of Motor Vehicles. It does not change the responsibilities in that regard. It does put it in the Motor Vehicle Department."

Senator Woodall:

"In other words, there is nothing in it that changes procedure or anything of that nature?"

Senator Washington:

"No, not as far as courts are concerned or anything of that nature. Very possibly there will be bills along that line, and we'll try to work it out with the Judiciary Committee as we have in the past."

The motion was carried and Senate Bill No. 51 was referred to the Committee on Highways.

Senate Bill No. 52, referred to Judiciary Committee.

Senate Bill No. 53, referred to Committee on Higher Education and Libraries.

Senate Bill No. 54, referred to Committee on Cities, Towns and Counties.

Senate Bill No. 55, referred to Committee on State Government and Veterans' Affairs.

Senate Bill No. 56, referred to Judiciary Committee.

Senate Bill No. 57, referred to Judiciary Committee.

Senate Bill No. 58, referred to Committee on Constitution, Elections and Legislative Processes.

Senate Bill No. 59, referred to Committee on Ways and Means.

Senate Bill No. 60, referred to Committee on Parks, Capitol Grounds and Public Buildings.

Senate Bill No. 61, referred to Judiciary Committee.

Senate Bill No. 62, referred to Committee on State Government and Veterans' Affairs.

Senate Bill No. 63, referred to Committee on Cities, Towns and Counties.

Senate Bill No. 64, referred to Committee on Highways.

Senate Bill No. 67, referred to Committee on Labor and Social Security.

Senate Bill No. 68, referred to Committee on Ways and Means.

Senate Bill No. 69, referred to Committee on Fisheries, Game and Game Fish.

Senate Bill No. 70, referred to Committee on Higher Education and Libraries.

Senate Bill No. 71, referred to Committee on Cities, Towns and Counties.

Senate Bill No. 72, referred to Judiciary Committee.

Senate Bill No. 73, referred to Judiciary Committee.

Senate Bill No. 74, referred to Committee on Labor and Social Security.

Senate Bill No. 75, referred to Committee on Public Institutions.

Senate Bill No. 76, referred to Committee on Public Institutions.

Senate Bill No. 77, referred to Committee on Highways.

Senate Bill No. 78, referred to Committee on Cities, Towns and Counties.

Senate Bill No. 79, referred to Judiciary Committee.

Senate Bill No. 80, referred to Committee on Constitution, Elections and Legislative Processes.

Senate Bill No. 81, referred to Committee on Constitution, Elections and Legislative Processes.

Senate Bill No. 82, referred to Committee on Parks, Capitol Grounds and Public Buildings.

Senate Bill No. 83, referred to Committee on Constitution, Elections and Legislative Processes.

Senate Bill No. 84, referred to Committee on Cities, Towns and Counties.

Senate Bill No. 85, referred to Judiciary Committee.

Senate Bill No. 86, referred to Committee on Cities, Towns and Counties.

Senate Bill No. 87, referred to Committee on Cities, Towns and Counties.

Senate Bill No. 88, referred to Judiciary Committee.

Senate Bill No. 89, referred to Committee on Cities, Towns and Counties.

Senate Bill No. 90, referred to Committee on Ways and Means.

Senate Bill No. 91, referred to Committee on Cities, Towns and Counties.

Senate Bill No. 92, referred to Committee on Liquor Control.

Senate Bill No. 93, referred to Judiciary Committee.

Senate Bill No. 94, referred to Judiciary Committee.

Senate Bill No. 95, referred to Judiciary Committee.

Senate Bill No. 96, referred to Judiciary Committee.

Senate Bill No. 97, referred to Committee on Public Institutions.

Senate Bill No. 98, referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

Senate Bill No. 99, referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

Senate Bill No. 100, referred to Committee on Higher Education and Libraries.

Senate Bill No. 101, referred to Committee on State Government and Veterans' Affairs.

Senate Bill No. 102, referred to Committee on State Government and Veterans' Affairs.

Senate Bill No. 103, referred to Committee on Constitution, Elections and Legislative Processes.

Senate Bill No. 104, referred to Committee on Parks, Capitol Grounds and Public Buildings.

Senate Bill No. 105, referred to Committee on Fisheries, Game and Game Fish.

Senate Bill No. 106, referred to Judiciary Committee.

Senate Bill No. 107, referred to Committee on Cities, Towns and Counties.

Senate Bill No. 108, referred to Judiciary Committee.

Senate Bill No. 109, referred to Judiciary Committee.

Senate Joint Memorial No. 1, referred to Committee on Labor and Social Security.

Senate Joint Memorial No. 2, referred to Committee on State Government and Veterans' Affairs.

Senate Joint Memorial No. 3, referred to Committee on State Government and Veterans' Affairs.

Senate Joint Resolution No. 1, referred to Committee on Education.

Senate Joint Resolution No. 2, referred to Committee on Constitution, Elections and Legislative Processes.

Senate Joint Resolution No. 3, referred to Committee on Constitution, Elections and Legislative Processes.

Senate Joint Resolution No. 4, referred to Committee on Constitution, Elections and Legislative Processes.

Senate Joint Resolution No. 5, referred to Committee on Constitution, Elections and Legislative Processes.

Senate Joint Resolution No. 6, referred to Committee on Constitution, Elections and Legislative Processes.

Senate Joint Resolution No. 7, referred to Committee on Constitution, Elections and Legislative Processes.

Senate Joint Resolution No. 8, referred to Committee on Constitution, Elections and Legislative Processes.

Senate Joint Resolution No. 9, referred to Committee on Constitution, Elections and Legislative Processes.

Senate Concurrent Resolution No. 1, referred to Committee on Commerce, Manufacturing and Licenses.

#### MOTIONS

On motion of Senator Washington, Senate Bill No. 27 was referred to the Committee on Highways.

On motion of Senator Riley, Senate Bill No. 74 was referred to the Committee on Public Utilities.

On motion of Senator Petrich, Senate Bills No. 3, 4, and 5 were referred to the Judiciary Committee.

On motion of Senator Foley, Senate Bill No. 41 was referred to the Committee on Ways and Means.

#### INTRODUCTION AND FIRST READING OF BILLS AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 110**, by Senators Keefe, Kupka and Woodall:

An Act relating to state institutions and the transfer and detention of inmates; providing for the establishment, operation and administration of a correctional institution for women; adding new sections to chapter 28, Laws

of 1961 and to Title 72 RCW; amending section 72.68.080, chapter 28, Laws of 1959 and RCW 72.68.080; and amending section 72.68.100, chapter 28, Laws of 1959 and RCW 72.68.100.

Referred to Committee on Public Institutions.

**Senate Bill No. 111**, by Senators Ryder, Riley, Moriarty, Jr., Sandison and Lewis (by State Public Pension Commission request):

An Act relating to public pension systems and public funds; prescribing powers and duties of certain officers and employees in relation thereto; creating a state advisory investment council; amending section 5, chapter 229, Laws of 1937, as amended by section 1, chapter 192, Laws of 1959, and RCW 2.12.050; 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 4, chapter 91, Laws of 1947, and RCW 41.16.040; amending section 3, chapter 261, Laws of 1945, as last amended by section 1, chapter 116, Laws of 1957, and RCW 41.24.030; amending section 9, chapter 207, Laws of 1939, and RCW 41.28.080; amending section 8, chapter 274, Laws of 1947, as last amended by section 5, chapter 174, Laws of 1963, and RCW 41.40.070; amending section 9, chapter 274, Laws of 1947, as last amended by section 6, chapter 174, Laws of 1963, and RCW 41.40.080; amending section 10, chapter 71, Laws of 1947, as last amended by section 1, chapter 158, Laws of 1957, and RCW 41.44.100; amending section 43.33.020, chapter ....., Laws of 1965, and RCW 43.33.020; amending section 43.33.030, chapter ....., Laws of 1965, and RCW 43.33.030; amending section 43.43.170, chapter ....., Laws of 1965, and RCW 43.43.170; amending section 43.43.175, chapter ....., Laws of 1965, and RCW 43.43.175; adding a new section to chapter 80, Laws of 1947, and chapter 41.32 RCW; repealing certain sections; making an appropriation; and declaring an effective date.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 112**, by Senators Ryder, Riley and Moriarty, Jr. (by State Public Pension Commission request):

An Act relating to volunteer firemen's relief and pensions; amending section 2, chapter 261, Laws of 1945, and RCW 41.24.020; amending section 3, chapter 261, Laws of 1945, as last amended by section 1, chapter 116, Laws of 1957, and RCW 41.24.030; amending section 8, chapter 261, Laws of 1945, as amended by section 9, chapter 263, Laws of 1955, and RCW 41.24.080; amending section 15, chapter 261, Laws of 1945, as last amended by section 1, chapter 159, Laws of 1957, and RCW 41.24.150; amending section 16, chapter 261, Laws of 1945, as last amended by section 1, chapter 57, Laws of 1961, and RCW 41.24.160; amending section 18, chapter 261, Laws of 1945, as amended by section 3, chapter 57, Laws of 1961, and RCW 41.24.180; amending section 22, chapter 261, Laws of 1945 as last amended by section 5, chapter 57, Laws of 1961 and RCW 41.24.220; amending section 7, chapter 263, Laws of 1955, and RCW 41.24.300; amending section 8, chapter 263, Laws of 1955, and RCW 41.24.310; adding new sections to chapter 261, Laws of 1945, and to chapter 41.24 RCW; and declaring an effective date.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 113**, by Senators Foley, Charette and Freise:

An Act relating to the health and welfare of children; and providing penalties.

Referred to Judiciary Committee.

**Senate Bill No. 114**, by Senators Knoblauch, Peterson (Ted) and Durkan:

An Act authorizing payroll deductions for certain purposes by employees of the state of Washington, and its political subdivisions, and institutions supported by them; and amending section 1, chapter 70, Laws of 1947 and RCW 41.04.020 and section 2, chapter 70, Laws of 1947 as amended by section 1, chapter 260, Laws of 1953 and RCW 41.04.030.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 115**, by Senators Charette, Kupka and Lewis:

An Act relating to crime and punishment; unlawful issuance of checks or drafts; and prescribing penalties; amending section 1, chapter 156, Laws of 1915 and RCW 9.54.050; and adding sections to chapter 249, Laws of 1909 and chapter 9.54 RCW.

Referred to Judiciary Committee.

**Senate Bill No. 116**, by Senators Guess, Peterson (Ted), England, Durkan, Chytil, Petrich, Williams, Foley, Riley and Charette (by Executive request):

An Act relating to the appraisalment of decedents' estates; amending section 95, chapter 156, Laws of 1917, as last amended by section 8, chapter 202, Laws of 1939 and RCW 11.44.010; and amending section 83.16.040, chapter 15, Laws of 1961, and RCW 83.16.040.

Referred to Judiciary Committee.

**Senate Bill No. 117**, by Senators Hanna, England and Herr:

An Act relating to court reporters; and amending section 1, chapter 210, Laws of 1951, as last amended by section 1, chapter 121, Laws of 1961 and RCW 2.32.210.

Referred to Judiciary Committee.

**Senate Bill No. 118**, by Senators Ryder and Dore:

An Act relating to the business of selling, issuing or delivering checks, drafts, money orders, or other instrument for the transmission or payment of money as a service or for a fee or other consideration; providing for the licensing and regulation of such business; and prescribing penalties.

Referred to Committee on Banks, Financial Institutions and Insurance.

**Senate Bill No. 119**, by Senators Moriarty, Jr., Ryder and Riley:

An Act relating to condominiums; and amending sections 1, 5, 10, 12, 17, 20 and 23, chapter 156, Laws of 1963 and RCW 64.32.010, 64.32.050, 64.32.100, 64.32.120, 64.32.170, 64.32.200 and 64.32.230.

Referred to Judiciary Committee.

**Senate Bill No. 120**, by Senators Moriarty, Jr., Neill and Foley:

An Act relating to materialmen's liens and the enforcement thereof; amending section 1, chapter 45, Laws of 1909 as last amended by section 1, chapter 278, Laws of 1959, and by section 2, chapter 279, Laws of 1959, and RCW 60.04.020; and consolidating said 1959 amendments.

Referred to Judiciary Committee.

**Senate Bill No. 121**, by Senators Hanna, Talley and Atwood:

An act relating to instruments to be recorded or filed; amending section 1, page 26, Laws of 1865 as last amended by section 1, chapter 182, Laws of 1919 and RCW 65.04.030; and amending section 1, chapter 125, Laws of 1919 as amended by section 1, chapter 254, Laws of 1959 and RCW 65.04.040.

Referred to Judiciary Committee.

**Senate Bill No. 122**, by Senators Woodall, Dore, Bailey, Atwood, Petrich and Neill (by Legislative Council request):

An Act relating to commercial transactions; enacting a Uniform Commercial Code; repealing certain acts and parts of acts; and declaring an effective date.

Referred to Judiciary Committee.

**Senate Joint Resolution No. 10**, by Senators Riley, Lewis and Sandison (by State Public Pension Commission request):

Authorizing the investment of public pension fund moneys in corporate securities.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Concurrent Resolution No. 2**, by Senators Stender, Lennart, Morgan, McCutcheon and Gallagher:

Providing ferry system become part of state highway system.

#### MOTIONS

It was moved by Senator Stender that Senate Concurrent Resolution No. 2 be placed on final passage and adopted.

Debate ensued.

It was moved by Senator Washington that Senate Concurrent Resolution No. 2 be referred to the Committee on Highways.

Debate ensued.

#### POINT OF ORDER

Senator Moriarty, Jr.:

"Mr. President:

"Isn't there a motion pending, and wouldn't it be necessary to have Senator Stender's motion put to the body first?"

Senator Greive:

"Senator Moriarty, in any precedence of motions, the motion to refer to a particular committee is a higher motion than to adopt."

Senator Moriarty, Jr.:

"Mr. President:

"I would like to remind Senator Greive that we operate under rules that very few of us understand, that do not seem to have anything except a sort of fluid motion in this body; that unless there is something in the Constitution, Senator Greive, I would suggest we are governed by majority rule and these rules you are quoting simply don't have a basis at this time. If they do, and if I have missed a motion to adopt certain rules, I'd be very, very happy to find it out. However, at the present time, as I understand it, whatever this group wants to do, it can do. There is no precedent, so I suggest that Senator Stender's motion in the normal course of events should be put first."

Senator Greive:

"Mr. President:

"Senator Moriarty will soon find out what we want to do."

The President declared the question before the Senate to be: It has been moved by Senator Washington that Senate Concurrent Resolution No. 2 be referred to the Committee on Highways.

Debate ensued.

The motion was carried, and Senate Concurrent Resolution No. 2 was referred to the Committee on Highways.

At 11:40 a. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Thursday, January 21, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## ELEVENTH DAY

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### MORNING SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Thursday, January 21, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Dore.

On motion of Senator Herrmann, Senator Dore was excused.

The Color Guard, consisting of Pages Curt Leady, Color Bearer, and Dianne Catterson, presented the Colors.

Reverend T. Eugene Turner, pastor of the First Christian Church of Olympia, offered prayer as follows:

"O Thou, who dost require mercy and not sacrifice, righteousness rather than long prayers, and integrity of purpose rather than vain professions, so rule within our lives this day, through our willing acknowledgment of Thy Divine power and authority, that the affairs of our State may be pleasingly ordered before Thee and our state of affairs become more akin to Thy Divine Will. Amen."

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

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., January 20, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 2 with the following amendments: On page 2, section 3, line 14, after "Sec. 3." and before "—" strike "First" and insert "Ninth"

On page 2, section 3, line 15, before "counties of" strike "(1) Representative district 1-A: The" and insert "the"

On page 3, section 6, line 8, after "414," and before "601;" insert "422, 423, 439, 440,"

On page 3, section 8, beginning on line 25, after "Waverly," strike "422, 423, 439, 440,"

On page 5, section 11, line 19, after "Sec. 11." and before "— (1)" strike "Ninth" and insert "First"

On page 7, section 14, line 27, after "Twelfth—" insert "the counties of Chelan and Douglas." and beginning on line 28 strike all of the matter down to and including the period following "beginning" on page 8, line 21.

On page 12, section 26, line 1, after "Twenty-fourth—" insert "the counties of



Clallam, Jefferson and Mason." and beginning on line 2 strike all of the matter down to and including the period following "Mason"

On page 20, section 37, subsection (2), line 18, after "inclusive," insert "Bridle Trails,"

On page 28, section 46, line 27, after "Northwest" and before "Street" strike "119th" and insert "110th."

On page 32, section 52, line 7, after "elected from" and before "representative" strike "sixty-four" and insert "fifty-nine"

On page 32, section 53, line 10, after "ninth," and before "thirteenth" insert "twelfth,"

On page 32, section 53, line 11, after "twenty-second," and before "twenty-fifth" insert "twenty-fourth,"

On page 32, section 53, line 16, after "11," and before "15" insert "14,"

On page 32, section 53, line 17, after "24," and before "27" insert "26,"

On page 33, section 55, line 1, before "18" strike "14,"

On page 33, section 55, line 1, after "18," and before "36" strike "26,"

On page 33, section 55, line 9, after "13 (2);" strike all of the matter down to and including the semicolon following "14 (2)" on line 10

On page 33, section 55, line 12, after "18 (2);" strike all of the matter down to and including the semicolon following "26 (2)" on line 13

On page 36, section 62, line 25, strike the period after "districts" and insert ": *Provided*, That this subsection shall not apply to any territory deleted by veto of the Governor from any district created by this act."

On page 38 add a new section following section 63 as follows:

"**NEW SECTION.** Sec. 64. (1) The various senatorial and representative districts, or legislative districts, are declared to be severable from one another for the purposes of this act.

(2) If any provision of this act, including the designation or representation of any one or more of the various senatorial and representative districts, or legislative districts, or its application to any person or circumstances is held invalid, the remainder of the act, including the designation and representation of any of the other senatorial and representative districts, or legislative districts, or its application to any other person or circumstance is not affected."

Renumber "Sec. 64." as "Sec. 65." and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### MOTION

Senator Greive moved that Engrossed Senate Bill No. 2, as amended by the House, be made a special order of business for 10:30 a. m., Friday, January 22, 1965.

Debate ensued.

The motion was carried.

#### INTRODUCTION AND FIRST READING OF BILLS AND RESOLUTION

The following were introduced, read first time by title, and acted upon as indicated:

**Senate Bill No. 123**, by Senators Hallauer and Sandison:

An Act relating to timber on public lands; and adding a new section to chapter 255, Laws of 1927 and to chapter 79.01 RCW.

Referred to Committee on Natural Resources.

**Senate Bill No. 124**, by Senators Hallauer and McCutcheon:

An Act relating to transfers of timber and the instruments incident thereto; and declaring certain of said instruments void.

Referred to Committee on Natural Resources.

**Senate Bill No. 125**, by Senators Charette, Bailey and Lennart:

An Act relating to industrial insurance; amending section 51.12.010, chapter 23, Laws of 1961 and RCW 51.12.010; and amending section 51.12.020, chapter 23, Laws of 1961 and RCW 51.12.020.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 126**, by Senators Petrich, Gallagher, Dore and Moriarty, Jr.:  
An Act relating to justices of the peace; and providing increases in salaries; and amending section 100, chapter 299, Laws of 1961 and RCW 3.58.010.  
Referred to Judiciary Committee.

**Senate Bill No. 127**, by Senator Talley:  
An Act making an appropriation for operation of the Westport Ferry.  
Referred to Committee on Highways.

**Senate Bill No. 128**, by Senators Hallauer and Riley:  
An Act relating to state government; and providing that the separate houses of the legislature shall refer any bill having a financial impact upon the funds of the state to the ways and means committee of that house in which it is introduced.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 129**, By Senators Dore, Mardesich and Petrich:  
An Act relating to the jurisdiction of the supreme court of the state of Washington; and providing for federal court local law certificate procedure.  
Referred to Judiciary Committee.

**Senate Bill No. 130**, by Senators Hallauer and Hanna:  
An Act relating to state government and the support thereof; and providing for the future procurement of all permits, authorizations, fees or taxes by carriers engaged in casual or occasional interstate movements from the state patrol.

Referred to Committee on Highways.

**Senate Bill No. 131**, by Senator Mardesich (by Interim Committee on Education request):

An Act relating to education; authorizing school district membership in certain self-insurance plans; and declaring an effective date.

Referred to Committee on Education.

**Senate Bill No. 132**, by Senators Ryder, Riley, Moriarty, Jr. and Sandison (by State Public Pension Commission request):

An Act relating to fees of public officers; amending section 36.18.020, chapter 4, Laws of 1963, and RCW 36.18.020; adding a new section to chapter 229, Laws of 1937, and to chapter 2.12 RCW; and declaring an effective date.

Referred to Judiciary Committee.

**Senate Bill No. 133**, by Senators Ryder, Riley, Moriarty, Jr. and Sandison (by State Public Pension Commission request):

An Act relating to the judges' retirement fund; prescribing certain powers and duties of certain officers in relation thereto; amending section 1, chapter 229, Laws of 1937, as amended by section 1, chapter 221, Laws of 1943, and RCW 2.12.010; amending section 2, chapter 229, Laws of 1937, and RCW 2.12.020; amending section 5, chapter 229, Laws of 1937, as amended by section 1, chapter 192, Laws of 1959, and RCW 2.12.050; amending section 6, chapter 229, Laws of 1937, as last amended by section 2, chapter 243, Laws of 1957, and RCW 2.12.060; amending section 8, chapter 229, Laws of 1937, as amended by section 1, chapter 221, Laws of 1955, and RCW 2.12.070; adding new sections to chapter 229, Laws of 1937, and to chapter 2.12 RCW; adding

new sections to chapter 274, Laws of 1947, and to chapter 41.40 RCW; and declaring an effective date.

Referred to Judiciary Committee.

**Senate Bill No. 134**, by Senators Hallauer and Charette:

An Act relating to game and game fish; and adding a new section to chapter 36, Laws of 1955 and to chapter 77.12 RCW.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 135**, by Senators Talley, McCutcheon and Durkan:

An Act relating to employment conditions in school districts.

Referred to Committee on Education.

**Senate Bill No. 136**, by Senators Freise and McCormack:

An Act relating to highways; and amending section 47.20.180, chapter 13, Laws of 1961, and RCW 47.20.180.

Referred to Committee on Highways.

**Senate Bill No. 137**, by Senators Peterson (Ted) and Herrmann:

An Act relating to crime and punishment; and prescribing penalties for sex offenders.

Referred to Judiciary Committee.

**Senate Bill No. 138**, by Senators Lewis, Williams, Freise, Riley, Mardesich, Connor, Dore, Woodall, Peterson (Ted), Raugust, Redmon and Durkan (by Executive request):

An Act relating to vocational rehabilitation of certain nondisabled vocationally handicapped persons; and amending section 74.11.040, chapter 26, Laws of 1959 as amended by section 4, chapter 118, Laws of 1963 and RCW 74.11.040.

Referred to Committee on Education.

**Senate Bill No. 139**, by Senators Sandison, Dore, England, Morgan, Williams, Chytil, Lewis and Peterson (Ted) (by Interim Committee on Education request):

An Act relating to the establishment of a commission on higher education; prescribing powers, duties, and functions; and making an appropriation.

Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 140**, by Senators Ryder, Riley, Moriarty, Jr. and Sandison (by State Public Pension Commission request):

An Act relating to public employment and retirement; and declaring an emergency.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 141**, by Senators Dore, Mardesich and England (by Interim Committee on Education request):

An Act relating to mentally or physically deficient persons; authorizing the superintendent of public instruction to enter into agreements for the payment of all, or a part, of the cost of the care, maintenance, support, and training of mentally or physically deficient persons accepted for admission to state residential schools, in day training centers or group training homes or a combination thereof which have been approved by the superintendent; authorizing payments to be made by the superintendent not in excess of one hundred dollars per month to supplement payment by parents or guardians of mentally or physically deficient persons; providing authorization to make

rules and regulations for such supplementary payments; authorizing determination of type and extent of care and training and payments therefor; adding a new chapter to Title 28 RCW; and repealing chapter 251, Laws of 1961 and RCW 72.33.800 through 72.33.820.

Referred to Committee on Education.

**Senate Bill No. 142**, by Senators Peterson (Ted), Knoblauch and England:

An Act relating to taxation; providing an exemption; and adding new section to chapter 84.36 RCW.

Referred to Committee on Ways and Means.

**Senate Bill No. 143**, by Senators Dore, Williams and Mardesich (by Interim Committee on Education request):

An Act relating to education and apportionment of state funds; adding new sections to chapter 28.41 RCW; adding new sections to chapter 28.24 RCW; repealing section 1, chapter 282, Laws of 1953 as amended by section 2, chapter 187, Laws of 1955 and RCW 28.41.010; repealing section 2, chapter 282, Laws of 1953 as amended by section 3, chapter 187, Laws of 1955 and RCW 28.41.060; repealing section 4, chapter 187, Laws of 1955 as last amended by section 1, chapter 175, Laws of 1961 and RCW 28.41.070; repealing section 5, chapter 187, Laws of 1955 and RCW 28.41.075; repealing section 3, chapter 282, Laws of 1953 as amended by section 7, chapter 187, Laws of 1955 and RCW 28.41.080; repealing section 8, chapter 187, Laws of 1955 and RCW 28.41.090; repealing section 4, page 322, Laws of 1909 and RCW 28.41.100; repealing section 1, chapter 217, Laws of 1947 and RCW 28.41.110; repealing section 2, chapter 217, Laws of 1947 and RCW 28.41.120; repealing section 12, page 314, Laws of 1909 as last amended by section 1, chapter 148, Laws of 1959 and RCW 28.48.070; repealing section 16, chapter 2, Laws of 1963 Ex. Sess. and RCW 28.84.140; repealing section 10, chapter 21, Laws of 1917 as last amended by section 12, chapter 141, Laws of 1945 and RCW 28.24.010; repealing section 13, chapter 141, Laws of 1945 and RCW 28.24.060; repealing section 1, chapter 53, Laws of 1941 and RCW 28.24.070; and repealing section 2, chapter 53, Laws of 1941 and RCW 28.24.071.

Referred to Committee on Education.

**Senate Bill No. 144**, by Senators Keefe, Guess and Kupka:

An Act relating to institutions; and authorizing preliminary negotiations for purchase and remodeling of a facility for use as a home for retarded children.

Referred to Committee on Public Institutions.

**Senate Bill No. 145**, by Senators Durkan, Gallagher and Keefe:

An Act relating to revenue and taxation; adding a new section to chapter 84.36 RCW; providing penalties; and making an effective date.

Referred to Committee on Ways and Means.

**Senate Bill No. 146**, by Senator Durkan:

An Act relating to taxation; amending section 84.36.040, chapter 15, Laws of 1961 and RCW 84.36.040; adding a new section to chapter 15, Laws of 1961 and to chapter 84.36 RCW; and providing an effective date.

Referred to Committee on Ways and Means.

**Senate Bill No. 147**, by Senators McCutcheon, Kupka and Peterson (Ted):

An Act relating to the selection of jurors in the superior court; amending

section 3, chapter 57, Laws of 1911, as last amended by section 1, chapter 287, Laws of 1961 and RCW 2.36.060.

Referred to Judiciary Committee.

**Senate Bill No. 148**, by Senators McCormack, Williams and Sandison:

An Act relating to public lands; and authorizing the sale of certain property by the board of regents of the University of Washington.

Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 149**, by Senators Freise, Petrich, Moriarty, Jr. and Dore (by Departmental request):

An Act relating to state government; the department of licenses, the director and his power and duties; amending sections 43.24.010, 43.24.020, 43.24.060, 43.24.080 and 43.24.110, chapter ....., Laws of 1965 and RCW 43.24.010, 43.24.020, 43.24.060, 43.24.080 and 43.24.110; adding a new section to chapter ....., Laws of 1965 and chapter 43.24 RCW; and repealing sections 43.24.050, 43.24.070 and 43.24.100, chapter ....., Laws of 1965 and RCW 43.24.050, 43.24.070 and 43.24.100.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 150**, by Senators Hanna, Bailey and Freise:

An Act relating to port districts and providing for the payment of expenses of port commissioners and employees incurred on behalf of the port district.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 151**, by Senators Herrmann, Guess and Hallauer:

An Act relating to the leasing of county property; and amending section 36.34.145, chapter 4, Laws of 1963 and RCW 36.34.145.

Referred to Committee on Agriculture and Horticulture.

**Senate Bill No. 152**, by Senators McCormack, Washington and Riley:

An Act relating to port districts and authorizing port districts acquisition and operation of certain park and recreational facilities.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 153**, by Senator Talley:

An Act relating to state colleges; establishing a new state college in Cowlitz county; providing for certain boards and commissions; providing certain powers and duties; adding new sections to chapter 28.81 RCW; and making an appropriation.

Referred to Committee on Higher Education and Libraries.

**Senate Joint Resolution No. 11**, by Senators England, Herr and Peterson (Ted):

Calling a session by a petition of legislators.

Referred to Committee on Constitution, Elections and Legislative Processes.

At 11:25 a. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Friday, January 22, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## TWELFTH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Friday, January 22, 1965.

The Senate was called to order at 10:30 a.m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Cowen.

On motion of Senator Keefe, Senator Cowen was excused.

The Color Guard, consisting of Pages Don Beardin, Color Bearer, and Susan Harris, presented the Colors.

Reverend T. Eugene Turner, pastor of the First Christian Church of Olympia, offered prayer as follows:

"Grant, O Lord, that the members of this Senate may see the true proportions of all claims made on them, and may deal justly with their time, their affections, their positions, and the power of their words.

"Give us all a vision of justice illumined by the insights of intelligent goodwill. Grant that neither indolence nor prejudice, self-seeking nor favoritism shall so blind us as to make us unjust to others.

"Assist us in becoming worthy citizens of this State in which our lives and destinies are now being lived out. Help us to place our ultimate loyalty to Thee above all earthly allegiance and so prove that in word and in deed, 'In God we trust.'

"So, help us, God, that we may continue to seek justice and pursue that which makes for righteousness. Amen."

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

### SPECIAL ORDER OF BUSINESS

The time having arrived, the President stated the special order of business is: Engrossed Senate Bill No. 2 as amended by the House.

On motion of Senator Greive, the Senate resolved itself into a Committee of the Whole, President Pro Tempore Gissberg in the Chair, for the purpose of receiving an opinion from Attorney General John J. O'Connell regarding Engrossed Senate Bill No. 2 as amended by the House.

### COMMITTEE OF THE WHOLE

On motion of Senator Greive, the Sergeant at Arms was directed to escort Attorney General John J. O'Connell to the rostrum to deliver an opinion.

### MESSAGE OF ATTORNEY GENERAL O'CONNELL

"Senator Gissberg, Governor Cherberg, members of the Senate:

"My real purpose in being here this morning is to attend a budget meeting, and I find myself suddenly in a place usually reserved for the leaders of the Senate and, on appropriate occasions, the Governor, so my being here should not necessarily be construed as wishful thinking.

"We have been asked to give our opinion on the constitutionality of a redistricting proposal passed by the members of the Senate, amended and passed thereafter by the House, and submitted back to this body for concurrence or non-concurrence in the amendments. We have drafted a letter, and with your indulgence, I will read it. It is addressed to the Speaker, Mr. Robert Schaefer, Senator Robert C. Bailey, Senator R. R. (Bob) Greive, and Representative Gary Grant.  
Gentlemen:

By letter dated January 21, 1965 you have submitted to us for review Engrossed Senate Bill No. 2, a bill providing for reapportionment of the Washington state legislature in compliance with the order entered on October 26, 1964 by the United States District Court in the case of *Thigpen et al. v. Meyers et al.* This bill, we are advised, was passed by the Senate on January 12, 1965 and, with certain amendments, by the House of Representatives on January 20, 1965.

In addition to submitting the plan in bill form, as aforesaid, you have at our request supplied us with certain findings as to the population of each proposed newly aligned senatorial and representative district, based upon 1960 federal census data. Your findings, upon which the plan is predicated, are summarized in the appendix hereto.<sup>1</sup> You have requested that we provide you with an opinion relating to the constitutional validity of this plan.

<sup>1</sup>See Appendices A and B.

Notably, the reapportionment plan contained in Engrossed Senate Bill No. 2 is substantially the same plan as was considered by this office some ten days ago in response to an opinion request submitted by State Representative Gary Grant. Of that plan we said:

" \* \* \* it is our considered opinion that the plan can be defended on both state and federal constitutional grounds. With particular reference to the latter, the basic criterion of constitutionality was laid down by the United States Supreme Court in *Reynolds v. Sims*, 377 U. S. 553, 84 S. Ct. 1362 (June 15, 1964) as follows (377 U. S. at 577):

"By holding that as a federal constitutional requisite both houses of a state legislature must be apportioned on a population basis, we mean that the *Equal Protection Clause* requires that a State make an honest and good faith effort to construct districts, in both houses of its legislature, as nearly of equal population as is practicable. We realize that it is a practical impossibility to arrange legislative districts so that each one has an identical number of residents, or citizens, or voters. *Mathematical exactness or precision is hardly a workable constitutional requirement.* \* \* \* (Emphasis supplied.)

"Of course, review of the district-by-district population breakdown set forth in the appendix hereto reveals the achievement of something less than mathematical perfection; on the other hand we believe that it does reveal

" \* \* \* an honest and good faith effort to construct districts, in both houses, \* \* \* as nearly of equal population as is practicable \* \* \* "

In particular regard to the plan's use of some single-member representative districts and some multi-member representative districts, we commented as follows:

" \* \* \* this approach very definitely appears to be sanctioned by the United States Supreme Court. See again, *Reynolds v. Sims*, *supra*, in which the court, speaking of the constitutionally permissible flexibility in regard to the composition of the two houses of a bicameral state legislature, said *inter alia* (377 U. S. at 577):

" \* \* \* One body could be composed of single-member districts while the other could have at least some multi-member districts \* \* \* "

"Again in this area as in the case of the proposed senatorial districts, the crucial factor of substantial equality of population appears to be present."

In conclusion, we said:

"Obviously, the final decision as to the validity of your proposal (if enacted into law) will be with the courts, and no one can guaranty with certainty the court's decision. We do not purport to do so. We do believe, however, that if your proposal does become the law of this state, it stands an excellent chance of being upheld."

Insofar as the fundamental relationship between population and representation is concerned, the several modifications in the plan that have been made by the senate or house amendments since our original review have resulted in no significant change. As a matter of fact, of these several modifications only one has altered the population of proposed senatorial districts—reducing the population of the proposed sixth senatorial district (Spokane, part) from 57,651 to 56,083 inhabitants and increasing the population of the adjacent fourth senatorial district (Spokane, part) from 51,036 to 52,604 inhabitants. If anything, this minor change is a change for the better because it takes the proposed fourth senatorial district out of the less desirable fifteen percent "over and under" population range category and brings it well within the preferable ten percent "over and under" class. See our letter to Mr. James Dolliver on behalf of Governor Evans, dated December 24, 1964.

All of the other substantive modifications in the reapportionment plan originally reviewed have simply involved the transformation of single-member representative districts into two-member districts in certain instances where for various reasons the "sub-district" device was apparently deemed to be less suitable. Where this feature of the original plan remains in use, the requisite equality in population between representative districts within a single senatorial district is still present.<sup>2</sup>

<sup>2</sup>Since the date of our previous review of this matter the United States Supreme Court has given a further indication of its willingness to allow use of this device on a piece-meal basis in regard to the apportionment of state legislatures. See *Fortson v. Dorsey et al.*, 25 S. Ct., Bulletin 591 (January 18, 1965).

Accordingly, on the basis of the criteria laid down by the United States Supreme Court in *Reynolds v. Sims*, *supra*, and companion cases of June 15, 1964—as discussed in our letter to Mr. Dolliver, *supra*—it is our opinion that the apportionment plan contained in Senate Bill No. 2, as amended, is constitutionally valid.

In thus concluding we are aware that opposition has been expressed to this bill on partisan political grounds. However, our study of the pertinent Supreme Court decisions leads us to believe that such considerations are not regarded by the Court to be germane to the ultimate constitutional issue of whether a state's legislative apportionment assures that " \* \* \* The vote of any citizen is approximately equal in weight to that of any other citizen in the State." *Reynolds v. Sims*, *supra*.

The plan you have submitted does meet this criteria. Such minor discrepancies as exist in the text of amendments to the original bill—and we have noted one or two upon reading them over in connection with your request<sup>3</sup>—do not appear upon considering the bill as a whole to be material to the question of constitutional validity of the plan.

<sup>3</sup>e.g., the apparent misplacement of an amendatory proviso relating to the significance of a partial veto by the Governor, in section 62; and the inclusion of a cross-reference to section 48 in both sections 53 and 55 rather than merely section 53.

We trust that the foregoing will be of assistance to you.

Very truly yours,  
JOHN J. O'CONNELL,  
Attorney General.

"There are three things I would like to say very briefly. For several years we have been on the firing line in this case. We succeeded in persuading this three judge Federal Court to allow this very Session to come into being. We succeeded in persuading them to let us hold our regular election and have one more convening of our Legislature to resolve this plan. Our only wish is to present this court—and we are the ones that are going to have to do it—a defensible apportionment plan. We think Engrossed Senate Bill No. 2 fits the bill. The partisan political aspects are in your hands. They are of no concern of ours.

"Second, I want to congratulate the members of the Legislature for having come this far in reapportionment in such a short period of time. I know that even within the working ground of a majority party, this is not easily done, and I hope that this problem will be resolved as soon as possible so that you can devote full time to the other pressing matters affecting the citizens of the state of Washington.

"Number three, I have been in contact with this three judge court as late as last evening. This is a special court convened for this one purpose, this one case. It consists of three judges who sit in various jurisdictions. I asked them when they would be available to consider the acts of this Legislature. They said first they would be available the latter part of next week. They will not be available, probably, again until about Lincoln's Birthday. They will scatter around the western United States and sit on cases that have been long set for their deliberation. After about February 12 or 13, they were unable to tell me when this three man court could be convened, although they will do all in their power to accommodate themselves to this matter.

"Please consider our office always at the disposal of the Legislature and particularly in this matter because, as I indicated, I consider this not only of grave importance to you, but of grave importance to the office of the Attorney General because it is our office that will have to bring what you have done to the Federal Court for its approval. Thank you."



## APPENDIX A

## SENATORIAL DISTRICTS

(One Senator Per District)

No.	General Location (By County)	Population
1	Snohomish (part) and King (part)	53,681
2	Okanogan, Ferry, Stevens and Pend Oreille	54,207
3	Spokane (part)	57,027
4	Spokane (part)	52,604
5	Spokane (part)	57,254
6	Spokane (part)	56,083
7	Spokane (part)	55,095
8	Snohomish (part) and King (part)	53,527
9	Adams, Lincoln, Whitman	52,111
10	Walla Walla, Asotin, Columbia and Garfield	62,649
11	Benton (part) and Yakima (part)	53,550
12	Chelan and Douglas	55,634
13	Grant and Kittitas	66,944
14	Yakima (part)	65,104
15	Yakima (part)	60,512
16	Franklin and Benton (part)	51,158
17	Klickitat, Skamania and Clark (part)	56,929
18	Cowlitz and Wahkiakum	61,227
19	Lewis, Pacific and Grays Harbor (part)	61,881
20	King (part)	61,441
21	Grays Harbor (part)	49,116
22	Thurston	55,049
23	Kitsap (3 Representatives)	74,540
24	Clallam, Jefferson and Mason	55,912
25	Pierce (part)	59,510
26	Pierce (part)	55,000
27	Pierce (part)	61,000
28	Pierce (part)	59,000
29	Pierce (part)	56,000
30	King (part)	52,518
31	King (part)	59,780
32	King (part)	51,947
33	King (part)	59,750
34	King (part)	65,831
35	King (part)	52,348
36	King (part)	53,367
37	King (part)	66,013
38	Snohomish (part)	55,867
39	Snohomish (part)	51,673
40	Skagit	51,350
41	Whatcom (part), San Juan, Island and Kitsap (part)	51,802
42	Whatcom (part)	50,661
43	King (part)	53,395
44	King (part)	61,887
45	King (part)	55,054
46	King (part)	61,099
47	King (part)	51,697
48	King (part)	54,300
49	Clark (part)	55,542

## APPENDIX B

## REPRESENTATIVE DISTRICTS

No.	General Location (By County)	Population	Reps. Per District
1	King (part), Snohomish (part)	53,681	2
2A	Okanogan	25,520	1
2B	Ferry, Stevens, Pend Oreille	28,687	1
3	Spokane (part)	57,027	2

No.	General Location (By County)	Population	Reps. Per District
4	Spokane (part)	52,604	2
5	Spokane (part)	57,254	2
6	Spokane (part)	56,083	2
7	Spokane (part)	55,095	2
8A	King (part), Snohomish (part)	26,729	1
8B	King (part)	26,798	1
9	Adams, Lincoln, Whitman	52,111	2
10A	Asotin, Columbia, Garfield and Walla Walla (part)	30,884	1
10B	Walla Walla (part)	31,765	1
11A	Benton (part)	25,105	1
11B	Benton (part) and Yakima	28,445	1
12	Chelan and Douglas	55,634	2
13	Grant and Kittitas	66,944	2
14	Yakima (part)	65,104	2
15	Yakima (part)	60,512	2
16A	Benton (part)	27,816	1
16B	Franklin	23,342	1
17	Klickitat, Skamania and Clark (part)	56,929	2
18	Cowlitz and Wahkiakum	61,227	2
19	Lewis, Pacific and Grays Harbor (part)	61,881	2
20	King (part)	61,441	2
21	Grays Harbor (part)	49,116	2
22	Thurston	55,049	2
23	Kitsap (part)	74,540	3
24	Clallam, Jefferson and Mason	55,912	2
25	Pierce (part)	59,510	2
26	Pierce (part)	55,000	2
27	Pierce (part)	61,000	2
28	Pierce (part)	59,000	2
29	Pierce (part)	56,000	2
30	King (part)	52,518	2
31	King (part)	59,780	2
32	King (part)	51,947	2
33	King (part)	59,750	2
34A	King (part)	32,016	1
34B	King (part)	33,815	1
35A	King (part)	27,800	1
35B	King (part)	24,548	1
36A	King (part)	26,295	1
36B	King (part)	27,072	1
37	King (part)	66,013	2
38	Snohomish (part)	55,867	2
39	Snohomish (part)	51,673	2
40	Skagit	51,350	2
41A	Whatcom (part), San Juan, Island (part)	23,921	1
41B	Island (part) and Kitsap (part)	27,881	1
42	Whatcom (part)	50,661	2
43A	King (part)	26,754	1
43B	King (part)	26,641	1
44	King (part)	61,887	2
45	King (part)	55,054	2
46	King (part)	61,099	2
47	King (part)	51,697	2
48	King (part)	54,300	2
49	Clark (part)	55,542	2

Chairman Gissberg:

"Thank you, Mr. O'Connell, for your message to the Committee of the Whole. I know your words, particularly with respect to the time that the Court will be in session, are welcome on both sides of the aisle, so far as the mechanics of any future action might be concerned."

Senator Greive:

"Mr. Chairman:

"Pursuant to a communication sent to me through Mr. O'Connell's office in the last two or three minutes, I understand that he is desirous, informally, of answering questions of the minority. I move that he might be permitted to answer informal questions."

Chairman Gissberg:

"If there are no objections, it is so ordered."

#### POINTS OF INFORMATION

Senator Moriarty, Jr.:

"I have a question I would like to address to the witness.

"Mr. O'Connell, if the alternative redistricting plan which was presented to the members of the House should be presented to you, would your office be able to give the Senate and the Legislature an opinion as to the constitutionality of that plan and, if so, would you be able to give us that opinion within the same period of time as you have been able to deliver this opinion?"

Mr. O'Connell:

"I assume you refer to the reapportionment plan of the minority of the House. We have never seen this plan. We have been aware of this plan for almost a month, and the proponents of this plan have met with us regularly and we have discussed it in detail. But we would be more than happy at any time to evaluate the plan you referred to and I don't think it would take too much time to issue an opinion on its constitutionality."

Senator Williams:

"Mr. O'Connell, you referred briefly to your prior opinion of December 24th setting down guide lines as to what would be a constitutional redistricting plan. At some length you discussed the problem of equality of population and pointed out there could be slight variations because of political boundaries or historical patterns, but in your last sentence you said that any over-population of a district should only be in an urban or suburban area. Now I understand the bill before us has the largest district and one even beyond population boundaries in a completely rural area in eastern Washington. How do you reconcile your statement now with your statement of December 24th on that point?"

Mr. O'Connell:

"I think we indicated, Senator, we would prefer, if there were any over-population factor, that it be in an urban or suburban area. However, you have to take each district separately, and I think the one you refer to, the only way it can be sensibly put together is in such a fashion as to make it slightly over-populated. The court will consider the plan as a whole and consider what to do with the particular district referred to if you tried to bring it down to a more acceptable norm. But in an over-all evaluation of the constitutionality of this proposal, we thought it could be defended as an over-all plan before the Federal Court."

Senator Woodall:

"Mr. O'Connell, realizing we are getting the services of a higher paid attorney than we used to get a few days ago, I'm going to ask a question now. I believe in the court decision there was something about invidious discrimination, or words to that effect. Have you checked this bill to see whether or not there was any evidence of invidious discrimination with the purpose of discriminating against the minority group, namely the Republican Party?"

Mr. O'Connell:

"No, Senator, I have not. The reason we have not is this: Political disposition or the disposition of political parties in a district is not one of the criteria for a con-

stitutional apportionment act. At least it isn't right now. The current decisions of the Supreme Court do not give this as one of the standards, so we have not checked it from that standpoint."

Senator Woodall:

"One further question: Would your office be willing to present that to the Court and point out to the Court that possibly that thing has happened in this particular bill?"

Mr. O'Connell:

"I have had some discussion with Republican leaders over the past few days concerning that, and it is just a question of how the apportionment act should be put together. If the Legislature passed a bill and it was signed into law by the Governor as being a reapportionment act of this state, I would not be adverse to contacting the Federal Court and saying, 'Look, the minority party claims that these districts are aligned in such a way as to discriminate against the Republicans. Would the Court be willing to hear argument on this question?' I would then present argument so that if the Court wanted to hear it, it could be presented by a capable person whose selection could be made by the minority party."

Senator Lennart:

"Mr. O'Connell, along the same lines, are you aware—surely you are—that the essence of our government is a two-party system?"

Mr. O'Connell:

"Yes, I am, but of course we have to take our law as we find it from the Supreme Court of the United States, and from the Federal Courts, and they haven't considered this to be a standard in reapportioning a state, and the reason for it is easy to see.

"How can anybody look into the minds of fifty-thousand people and say twenty-six thousand of them are Republicans and twenty-four thousand of them are Democrats. It's an impossibility. You can see the color of an individual, for example, but his political disposition is a factor that would be hard to be concerned with because, as you well know, in our state, political complexions change from election to election, and it is not a constant factor so this is probably the reason they didn't use the political criterion as one of the standards for reapportionment."

Senator Herrmann:

"Mr. Chairman:

"I would just like to call to Senator Woodall's attention that we have higher paid questioners than we have ever had before."

Senator Woodall:

"Senator Herrmann, may I merely state I did not vote to raise the pay of the questioners."

#### MOTION

Senator Greive:

"I move that the Committee of the Whole do now rise and report back to the full Senate and that the report of the Attorney General be spread upon the journal and that a copy be made available on each Senator's desk."

The motion was carried, and the Committee of the Whole reported back to the Senate with the recommendation that the opinion delivered by Attorney General O'Connell, together with the questions and answers submitted during the Committee of the Whole, be spread upon the journal.

On motion of Senator Gissberg, the report of the Committee of the Whole was adopted.

#### MOTIONS

It was moved by Senator Greive that the Senate do concur in all of the House amendments to Engrossed Senate Bill No. 2 except the amendment to section 62, page 36, line 25, and that the House be asked to recede therefrom.

Debate ensued.

It was moved by Senator Moriarty, Jr. that Engrossed Senate Bill No. 2, together with the House amendments thereto, be referred to the Committee on Constitution, Elections and Legislative Processes.

With the consent of the Senate, Senator Moriarty's motion was placed first. Debate ensued.

Senators Greive, Gallagher and Gissberg demanded the previous question and the demand was sustained.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Chytil, England, Atwood, Redmon, Greive, Bailey and Sandison.

#### ROLL CALL

The Secretary called the roll on the motion by Senator Moriarty, Jr. to refer Engrossed Senate Bill No. 2, together with the House amendments thereto, to the Committee on Constitution, Elections and Legislative Processes. The motion was lost by the following vote: Yeas, 18; nays, 30; excused, 1.

Those voting yea were: Senators Atwood, Chytil, England, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams, Woodall—18.

Those voting nay were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Sandison, Talley, Washington—30.

Excused: Senator Cowen—1.

The President declared the question before the Senate to be: It has been moved by Senator Greive that the Senate do concur in the House amendments to Engrossed Senate Bill No. 2, except the amendment to section 62, page 36, line 25, and ask the House to recede from that amendment.

Senators Greive, Gallagher and Herrmann demanded the previous question and the demand was sustained.

The motion carried and the Senate concurred in the house amendments to Engrossed Senate Bill No. 2 except the amendment to section 62, page 36, line 25 and asked the House to recede from said amendment.

On motion of Senator Greive, Engrossed Senate Bill No. 2 was ordered immediately transmitted to the House.

On motion of Senator McCormack, Senate Bill No. 53 was referred to the Committee on Education.

#### INTRODUCTION AND FIRST READING OF BILLS AND RESOLUTION

The following were introduced, read first time by title, and acted upon as indicated:

**Senate Bill No. 154**, by Senators England, Durkan and Peterson (Ted):

An Act relating to motor vehicles; and adding a new section to chapter 12, Laws of 1961, and to chapter 46.37 RCW.

Referred to Committee on Highways.

**Senate Bill No. 155**, by Senators Moriarty, Jr., Atwood, Petrich and McCutcheon (by request of Secretary of State):

An Act Relating to initiative and referendum petitions; and prescribing penalties; and adding new sections to chapter ....., Laws of 1965 (Senate Bill No. 5) and to chapter 29.79 RCW.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 156**, by Senators Rasmussen, Gissberg and Stender:

An Act relating to counties; establishing an initiative and referendum procedure; adding a new section to chapter 4, Laws of 1963 and chapter 36.32 RCW; and adding a new section to chapter 4, Laws of 1963 and chapter 36.01 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 157**, by Senators Talley, Lewis and Sandison:

An Act relating to port districts and providing for their consolidation; amending sections 1, 2, and 3, chapter 26, Laws of 1961 and RCW 53.46.010, 53.46.020, 53.46.030; and adding four new sections to chapter 26, Laws of 1961 and to chapter 53.46 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 158**, by Senators McCormack, Bailey and Ryder:

An Act relating to education; limiting the total dues assessment by the school directors' association; and amending section 5, chapter 169, Laws of 1947 as last amended by section 1, chapter 281, Laws of 1957 and RCW 28.58.360.

Referred to Committee on Education.

**Senate Bill No. 159**, by Senators Hallauer, Knoblauch and Lennart:

An Act relating to education; and authorizing school districts to jointly finance area vocational and/or technical facilities.

Referred to Committee on Education.

**Senate Bill No. 160**, by Senators Freise, Woodall, Chytil, Atwood, Herrmann, Cooney, Knoblauch, Stender and Redmon:

An Act relating to taxation; providing for the exemption of admission charges by agricultural fairs from the business and occupation tax; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Ways and Means.

**Senate Bill No. 161**, by Senators Durkan, Gallagher, Keefe and Gissberg:

An Act relating to insurance; and amending section .19.04, chapter 79, Laws of 1947 and RCW 48.19.040.

Referred to Committee on Banks, Financial Institutions and Insurance.

**Senate Bill No. 162**, by Senators Foley, Lennart and Riley:

An Act relating to municipal fiscal, budgeting, and accounting procedures; creating a temporary committee; providing for the functions thereof, and for the selection, term, duties, powers, and reimbursement of the members thereof; setting an expiration date for the act; and declaring an emergency.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 163**, by Senators Cooney and McMillan:

An Act relating to that lake on the Spokane river which is immediately upstream of Long Lake dam located at township 27, North Range 39e, section 13.

Referred to Committee on Parks, Capitol Grounds and Public Buildings.

**Senate Bill No. 164**, by Senator Charette:

An Act relating to higher education; providing for the creation of a four year college; and making an appropriation.

Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 165**, by Senators Atwood, Gissberg and Hanna:

An Act relating to municipal government, junior taxing districts, and other political subdivisions; providing for intergovernmental cooperation and contracting for the rendition of governmental services.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 166**, by Senators Cooney and McMillan:

An Act relating to highways; and amending section 47.20.220, chapter 13, Laws of 1961 as last amended by section 11, chapter 3, Laws of 1963, extraordinary session, and RCW 47.20.220.

Referred to Committee on Highways.

**Senate Bill No. 167**, by Senators Kupka, Redmon and Gallagher:

An Act relating to public transportation systems; and authorizing municipal tax subsidies therefor.

Referred to Committee on Highways.

**Senate Bill No. 168**, by Senators Kupka, McCutcheon and Rasmussen:

An Act relating to the payment by the state for the care and custody of mentally retarded children in nonsectarian children's institutions.

Referred to Committee on Public Institutions.

**Senate Joint Resolution No. 12**, by Senators McCormack, Bailey and McCutcheon:

Revising publication requirements for referendum bills.

Referred to Committee on Constitution, Elections and Legislative Processes.

#### MOTION

At 12:25 p. m., on motion of Senator Greive, the Senate recessed until 1:30 p. m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:30 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Cowen, Freise, Guess and Hallauer.

On motion of Senator Atwood, Senators Freise and Guess were excused.

On motion of Senator Keefe, Senator Cowen was excused.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., January 22, 1965.

MR. PRESIDENT:

The House has receded from its amendment to section 62, page 36, line 25 to Engrossed Senate Bill No. 2 and has passed the bill without the amendment, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 28; nays, 16; absent or not voting, 2; excused, 3.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herr-

mann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Marde-sich, Morgan, Peterson (Lowell), Petrich, Riley, Sandison, Talley, Wash-ing-ton—28.

Those voting nay were: Senators Atwood, Chytil, England, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Rasmussen, Raugust, Redmon, Ryder, Stender, Thompson, Jr., Williams, Woodall—16.

Absent or not voting: Senators Dore, Hallauer—2.

Excused: Senators Cowen, Freise, Guess—3.

Engrossed Senate Bill No. 2, as amended by the House, having received the constitutional majority, was declared passed.

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

#### MOTION

It was moved by Senator Greive that the Senate adjourn until noon, Monday, January 25, 1965.

#### POINT OF INQUIRY

Senator Moriarty, Jr.:

"Mr. President:

"I want to ask Senator Greive a question, if he will yield. Senator Greive, in view of the fact that gubernatorial veto of Engrossed Senate Bill No. 2 is imminent, would it not be your idea that we should stay in session over the weekend?"

Senator Greive:

"Mr. President:

"I think Senator Moriarty may have a pipeline to the Governor. He undoubtedly has. But this is the first time I have had any notice of the Governor's intention to veto. I think it would be well for him to take time to consider it over the weekend."

#### POINT OF ORDER

Senator Gallagher:

"Point of order, Mr. President:

"A motion to adjourn has been made. I think the motion should be put."

The President:

"The point of order is well taken. It has been moved that the Senate do ajourn until twelve noon, Monday, January 25, 1965."

Senator Moriarty, Jr., demanded a roll call and the demand was sustained by Senators Raugust, Woodall, Neill, Ryder, Washington, Greive, Durkan and Gallagher.

#### ROLL CALL

The Secretary called the roll on the motion to adjourn, and the motion was carried by the following vote: Yeas, 29; nays, 15; absent or not voting, 2; excused, 3.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Dono-hue, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herr-mann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Marde-sich, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Stender, Talley, Washington—29.

Those voting nay were: Senators Atwood, Chytil, England, Lennart, Lewis, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Thompson, Jr., Williams, Woodall—15.

Absent or not voting: Senators Dore, Hallauer—2.

Excused: Senators Cowen, Freise, Guess—3.



**MOTION**

At 1:40 p. m., on motion of Senator Greive, the Senate adjourned until noon, Monday, January 25, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**FIFTEENTH DAY**


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**NOON SESSION**

SENATE CHAMBER,  
OLYMPIA, WASH., Monday, January 25, 1965.

The Senate was called to order at noon by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Woodall.

On motion of Senator Freise, Senator Woodall was excused.

The Color Guard, consisting of Pages Tim Donohue, Color Bearer, and Diana Catterson, presented the Colors.

Reverend Arthur I. Anderson, pastor of the Gloria Dei Lutheran Church of Olympia, offered prayer as follows:

"Our Father God, we thank you that when a wrong wants righting or a work wants doing or a truth wants proclaiming or a world wants freedom, you send a babe to be born.

"Today, we especially thank you for the birth of a boy, ninety years ago. We thank You that WINSTON LEONARD SPENCER CHURCHILL grew up, not only knowing WHEN he was born, but WHY. To be the free world's foremost spokesman of unflinching courage; its unmatched messenger of encouragement; a burning and a shining light in a day when lights were going out.

"May we now honor this 'Man of the Century,' SIR WINSTON CHURCHILL, not only with the banners of Christian statesmanship unfurled in this but in all legislative assemblies wherever there are freedom loving men.

"To this end let us now dedicate our lives in a moment of silent reverence.

"Hear these our prayers in the Name of Him who was born long, long ago as Babe of Bethlehem and who in manhood said: 'If you abide in My word \* \* \* you shall know the truth and the truth shall make you free.' Amen."

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

The Secretary read:

**SENATE RESOLUTION**

No. 1965 -5

By Senators Gallagher and Sandison:

WHEREAS, The members of the Senate of the state of Washington of the United States of America join with the people of the entire world in mourning the death of the former British Prime Minister, Sir Winston Churchill; and

WHEREAS, The career of this great statesman has served as a beacon to freedom-loving men everywhere; and

Whereas, His efforts, his courage, and above all his inspirational example contributed substantially to the victory of the Allies in the Second World War; and

WHEREAS, His record as a soldier, author, and distinguished political leader is without parallel in our time;

*Now Therefore, Be It Resolved*, That the members of the Senate of the state of Washington of the United States of America extend their deepest sympathy to the people of Great Britain in their hour of loss.

*And Be It Further Resolved*, That copies of this resolution be submitted to the Department of State, Washington, D. C., for such action as may be deemed proper.

On motion of Senator Sandison, the resolution was adopted.

#### SENATE RESOLUTION

No. 1965 -6

By Senator Talley:

WHEREAS, The Longview-Kelso Junior Drum and Bugle Corps was prominently displayed as the representative of the state of Washington at the inauguration ceremonies for the Honorable Lyndon B. Johnson, President of the United States; and

WHEREAS, The Longview-Kelso Junior Drum and Bugle Corps did perform with great skill and represented the state of Washington with great distinction; and

WHEREAS, The members of the corps demonstrated laudible initiative in financing their trip to the nation's capitol through the fruits of their own labor;

*Now Therefore, Let It Be Resolved*, That the Senate commend the Longview-Kelso Junior Drum and Bugle Corps for its initiative, congratulate the members of this corps for their outstanding performance, and thank them for upholding the honor and dignity of the state of Washington in the Presidential inauguration ceremonies.

*Be It Further Resolved*, That a copy of this resolution be presented to the leader of the Longview-Kelso Junior Drum and Bugle Corps.

On motion of Senator Talley, the resolution was adopted.

#### MOTIONS

On motion of Senator Freise, the Committee on State Government and Veterans' Affairs was relieved of further consideration of Senate Bill No. 149.

On motion of Senator Freise, Senate Bill No. 149 was referred to the Judiciary Committee.

Senator Kupka moved that the Judiciary Committee be relieved of further consideration of Senate Bill No. 93.

Debate ensued.

The motion was lost.

On motion of Senator Greive the Senate considered Concurrent Resolution No. 3 on first reading.

**Senate Concurrent Resolution No. 3**, by Senators Greive, McCutcheon, Bailey, Gissberg and Sandison:

Requesting the governor to confer with certain members of the legislature.

Senator Greive moved the adoption of the resolution.

Debate ensued.

Senator Mardesich moved the adoption of the following amendment:

"After the last 'Whereas,' insert: and, Whereas, the United States District Court has imposed its jurisdiction and retains jurisdiction over this matter, including any action which may be taken by or may be required of the Governor in the matter of redistricting; NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate, the House concurring, does hereby petition the U. S. District Court that it enjoin the Governor from vetoing said redistricting bill.'"

Debate ensued.

With the consent of the Senate, the amendment was withdrawn.

The motion by Senator Greive was carried, and the resolution was adopted.

On motion of Senator Greive, Senate Concurrent Resolution No. 3 was ordered immediately transmitted to the House.

**SIGNED BY THE PRESIDENT**

**The President has signed: Senate Bill No. 2.**

**MOTION**

At 1:05 p. m., on motion of Senator Greive, the Senate recessed until 4:00 p. m.

**AFTERNOON SESSION**

The President Pro Tempore Gissberg called the Senate to order at 4:00 p. m. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present except Senators Bailey, Greive, Moriarty, Jr., Neill and Woodall.

On motion of Senator Riley, the absent members were excused.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., January 25, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 2, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,

Olympia, Wash., January 25, 1965.

MR. PRESIDENT:

The House has apoted: Senate Concurrent Resolution No. 3, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**INTRODUCTION AND FIRST READING OF BILLS AND RESOLUTIONS**

The following were introduced, read first time by title, and acted upon as indicated:

**Senate Bill No. 169**, by Senators Thompson, Jr., Mardesich and Williams (by Departmental request):

An Act relating to school district boundaries; amending section 5, chapter 266, Laws of 1947, as last amended by section 1, chapter 208, Laws of 1963, and RCW 28.57.150; and declaring an emergency.

Referred to Committee on Education.

**Senate Bill No. 170**, by Senators Knoblauch and Peterson (Ted):

An Act relating to motor vehicles; and amending section 46.48.270, chapter 12, Laws of 1961 and RCW 46.48.270.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 171**, by Senators Talley, Knoblauch and Raugust:

An Act relating to compensation of city and town officers; amending sections 35.24.090 and 35.27.130, chapter ....., Laws of 1965 and RCW 35.24.090 and 35.27.130.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 172**, by Senators Thompson, Jr., Charette and Gallagher:

An Act relating to advancement in classification of cities and towns; and amending section 35.06.080, chapter ....., Laws of 1965 and RCW 35.06.080.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 173**, by Senators Knoblauch, Freise and McMillan:

An Act relating to third and fourth class municipalities; amending section 35.24.200, chapter ....., Laws of 1965 and RCW 35.24.200; and amending section 35.27.280, chapter ....., Laws of 1965 and RCW 35.27.280.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 174**, by Senators Woodall, Henry and Cooney:

An Act relating to the appointment of a police judge pro tempore in third class cities and towns; and adding a new section to chapter 35.24 RCW, and a new section to chapter 35.27-RCW and to chapter ....., Laws of 1965.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 175**, by Senators Thompson, Jr., Charette and Hallauer:

An Act relating to municipal corporations; amending section 35.21.010 and 35.21.160, chapter ....., Laws of 1965, and RCW 35.21.010 and 35.21.160.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 176**, by Senators Raugust, Donohue and Hanna:

An Act relating to firemen's relief and pensions; and amending section 9, chapter 382, Laws of 1955 as amended by section 5, chapter 255, Laws of 1961 and RCW 41.18.080.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 177**, by Senators Sandison, Talley and Hanna:

An Act relating to local improvements in cities and towns and unpaid local improvement bonds and warrants issued in relation thereto; and adding new sections to chapter ....., Laws of 1965 and to Title 35 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 178**, by Senators Peterson (Ted) Mardesich and Williams:

An Act relating to grades of milk and milk products which may be sold; amending section 15.36.470, chapter 11, Laws of 1961 and RCW 15.36.470.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 179**, by Senators Riley, Ryder and Keefe:

An Act relating to the authority of cities to acquire, operate and maintain off-street parking facilities; amending sections 35.86.040 and 35.86.070, chapter ....., Laws of 1965 and RCW 35.86.040 and 35.86.070.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 180**, by Senators Talley, Charette and Mardesich:

An Act relating to the election of councilmen in cities and towns; and amending section 29.21.017, chapter ....., Laws of 1965 and RCW 29.21.017.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 181**, by Senators Kupka, Washington and Raugust:

An Act relating to cities and towns; amending sections 35.27.560, 35.27.570, and 35.86.020, chapter ....., Laws of 1965 and RCW 35.27.560, 35.27.570, and 35.86.020.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 182**, by Senators Knoblauch, Atwood and Talley:

An Act relating to systems of sewerage of cities and towns; amending section 35.67.010, chapter ....., Laws of 1965 and RCW 35.67.010; and repealing section 35.67.192, chapter ....., Laws of 1965 and RCW 35.67.192.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 183**, by Senators Sandison, Bailey and Chytil (by Departmental request):

An Act relating to forest protection; amending section 10, chapter 142, Laws of 1955, as last amended by section 1, chapter 151, Laws of 1959, and RCW 76.04.250.

Referred to Committee on Natural Resources.

**Senate Bill No. 184**, by Senators Sandison, Bailey and Chytil (by Departmental request):

An Act relating to forest protection; amending section 8, chapter 125, Laws of 1911, as last amended by section 2, chapter 24, Laws of 1953, and RCW 76.04.150; and providing penalties.

Referred to Committee on Natural Resources.

**Senate Bill No. 185**, by Senators Sandison, Charette and Chytil (by Departmental request):

An Act relating to forest protection; repealing section 1, chapter 67, Laws of 1921 and RCW 76.04.450; repealing section 2, chapter 67, Laws of 1921 as amended by section 1, chapter 143, Laws of 1923 and RCW 76.04.460; repealing section 3, chapter 67, Laws of 1921, as amended by section 2, chapter 143, Laws of 1923 and RCW 76.04.470; repealing section 4, chapter 67, Laws of 1921 as amended by section 3, chapter 67, Laws of 1923 and RCW 76.04.480.

Referred to Committee on Natural Resources.

**Senate Bill No. 186**, by Senators Sandison, Bailey and Chytil (by Departmental request):

An Act relating to abatement of fire hazard on state owned lands.

Referred to Committee on Natural Resources.

**Senate Bill No. 187**, by Senators Kupka, Woodall and Greive:

An Act relating to the legislature and the state legislative council; and amending section 7, chapter 36, Laws of 1947 as amended by section 3, chapter 206, Laws of 1955 and RCW 44.24.070.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 188**, by Senators Ryder and Herrmann:

An Act relating to court orders directed to banks, mutual savings banks, or savings and loan associations in actions involving domestic relations; adding a new section to chapter 215, Laws of 1949 and to chapter 26.08 RCW; and adding a new section to chapter 50, Laws of 1949 and to chapter 26.12 RCW.

Referred to Committee on Banks, Financial Institutions and Insurance.

**Senate Bill No. 189**, by Senators Ryder and Herrmann:

An Act relating to the issuance and service of writs of garnishment; amending section 8, chapter 56, Laws of 1893, as last amended by section 1, chapter 267, Laws of 1959, and RCW 7.32.120; amending section 9, chapter 56, Laws of 1893, as amended by section 2, chapter 44, Laws of 1933 extraordinary session and RCW 7.32.130; amending section 6, chapter 160, Laws of 1909, as last amended by section 1, chapter 218, Laws of 1961, and RCW 12.32.060; amending section 7, chapter 160, Laws of 1909, and RCW 12.32.070; and amending section 8, chapter 160, Laws of 1909, and RCW 12.32.080.

Referred to Committee on Banks, Financial Institutions and Insurance.

**Senate Bill No. 190**, by Senators Petrich and Dore:

An Act relating to supreme court fees; and amending section 1, chapter 51, Laws of 1951 and RCW 2.32.070.

Referred to Judiciary Committee.

**Senate Bill No. 191**, by Senators Petrich and Dore:

An Act relating to judges of the superior court; and amending section 11, page 343, Laws of 1890 and RCW 2.08.180.

Referred to Judiciary Committee.

**Senate Bill No. 192**, by Senators Dore and Petrich:

An Act relating to the appointment and payment of counsel and the payment of certain costs and expenses for the accused in a criminal case who by reason of poverty is unable to employ counsel and amending section 53, chapter 249, Laws of 1909, as amended by section 1, chapter 151, Laws of 1941 and RCW 10.01.110; amending section 5, chapter 126, Laws of 1913 as last amended by section 4, chapter 244, Laws of 1957, and RCW 2.32.240.

Referred to Judiciary Committee.

**Senate Bill No. 193**, by Senators Petrich and Dore:

An Act relating to criminal procedure in justice courts; and amending section 174, page 260, Laws of 1854, as last amended by section 2, chapter 11, Laws of 1891 and RCW 10.04.100.

Referred to Judiciary Committee.

**Senate Bill No. 194**, by Senators Petrich and Dore:

An Act relating to courts of limited jurisdiction; and authorizing the chief justice of the supreme court to provide for special conferences and interim study committees of judges of courts of limited jurisdiction and allowing reimbursement for subsistence and travel.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 195**, by Senators Durkan, Cowen and Gissberg:

An Act relating to waters and watersheds; amending section 290, chapter 249, Laws of 1909 and RCW 70.54.010; repealing sections 35.88.010 and 35.88.020, chapter ....., Laws of 1965 and RCW 35.88.010 and 35.88.020; and providing penalties.

#### MOTION

It was moved by Senator Kupka that Senate Bill No. 195 be referred to the Committee on Public Utilities.

Debate ensued.

The motion was lost, and Senate Bill No. 195 was referred to the Committee on Natural Resources.

**Senate Bill No. 196**, by Senators Foley, Cooney, Hanna and Keefe:

An Act relating to the business and occupation tax; adding a new section to chapter 15, Laws of 1961 and to chapter 82.04 RCW; and providing an expiration date.

Referred to Committee on Ways and Means.

**Senate Bill No. 197**, by Senators Foley, Chytil and Dore:

An Act relating to state government; appropriating funds for the legislative council, the legislative budget committee, and the joint committee on education of the legislature; and declaring an emergency.

The bill was read the second time by sections.

**MOTION**

On motion of Senator Foley, the rules were suspended and Senate Bill No. 197 was advanced to third reading, and the second reading considered the third.

It was moved by Senator Foley that the Senate do now consider Senate Bill No. 197 on final passage.

The motion was carried.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 197 and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; Excused, 5.

Those voting yea were: Senators Atwood, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Peterson (Ted), Petrich Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams—44.

Excused: Senators Bailey, Greive, Moriarty, Jr., Neill, Woodall—5.

Senate Bill No. 197, having received the constitutional majority, was declared passed.

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

**Senate Joint Resolution No. 13**, by Senators Stender, Woodall, Peterson (Ted), Moriarty, Jr., Morgan, Lennart, Riley, England, Atwood, Redmon and Rasmussen:

Establishing apportionment commission if legislature fails to act.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Joint Resolution No. 14**, by Senator Riley:

Changing the date of commencement of terms of office of state-wide elected officials.

Referred to Committee on Constitution, Elections and Legislative Processes.

**SIGNED BY THE PRESIDENT**

**The President Pro Tempore has signed:**

**Senate Concurrent Resolution No. 3.**

The President Pro Tempore declared the Senate to be at ease.

The President Pro Tempore called the Senate to order at 5:50 p.m.

**MOTION**

At 5:50 p.m., on motion of Senator Bailey, the Senate adjourned until 10:00 a.m., Tuesday, January 26, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## SIXTEENTH DAY

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### MORNING SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Tuesday, January 26, 1965.

The Senate was called to order at 10:00 a.m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Curt Leady, Color Bearer, and Joy Rutledge, presented the Colors.

Reverend Arthur I. Anderson, pastor of the Gloria Dei Lutheran Church of Olympia, offered prayer as follows:

"O Thou Almighty, all wise and all gracious God and Father of us all, in whom we all live and move and have our being, in Thy Name we begin the tasks of this new day. We need Thee every hour but especially do we need Thee for the tremendous tasks of building and rebuilding the ship of State.

"Bless, therefore, we pray Thee our President and the Congress; the Governor, the Lieutenant Governor and the Legislature of this Commonwealth; and all our Judges and Magistrates. Sustain them by Thy grace, guide them by Thy truth, and help them to acknowledge and obey Thy Holy will.

"May Thy Holy Spirit warm our cold and selfish hearts with the glow and gladness of living under Thee in Thy Kingdom and serving Thee and our fellowmen, through Jesus Christ our Lord. Amen."

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

The Secretary read:

#### SENATE RESOLUTION

No. 1965 -7

By Senator Hallauer:

WHEREAS, The Federal Power Commission has scheduled a hearing on the Oroville Project for April 6, 1965, to examine the inclusion of provisions in the federal license which could make necessary the building of costly fish ladder and protection facilities; and

WHEREAS, The inclusion of such provisions would no doubt result in the abatement by the Okanogan Public Utility District of its Oroville Dam, rather than an acceptance of the license with such provisions; and

WHEREAS, Such abatement would seriously affect the feasibility of developing multi-purpose storage on the Similkameen River as well as adversely affecting the proposed two hundred seventy foot project at Shanker's Bend; and

WHEREAS, A prime need of the Similkameen-Okanogan Basin is storage for the control of floods (as evidenced by the devastating flood of 1948) and for the augmentation of low flows; and

WHEREAS, The Corps of Engineers and other federal and state agencies within a year will undertake a detailed review of the development plans for the Columbia River and its tributaries;

Now, Therefore, Be It Resolved by the Senate that the Federal Power Commission is requested to hold in abeyance further action on the Oroville Project until the studies of the comprehensive development of the Columbia River and its tributaries are completed; and

Be It Further Resolved, That copies of this Resolution be made and transmitted by the Secretary of the Senate to the Federal Power Commission and to each member of the Washington State Legislature.



It was moved by Senator Hallauer that the resolution be adopted.

Debate ensued.

It was moved by Senator Charette that the resolution be referred to the Committee on Fisheries, Game and Game Fish.

Debate ensued.

With the consent of the Senate, the motion by Senator Charette was withdrawn.

On motion of Senator Gissberg, the resolution was made a special order of business under the first order of business for tomorrow.

#### MOTION

At 10:20 a.m., on motion of Senator Greive, the Senate recessed until 10:50 a.m.

The Secretary called the roll and announced to the President that all Senators were present.

The Secretary read:

#### MESSAGE FROM THE GOVERNOR

Office of the Governor,  
January 26, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I am returning herewith, without my approval, Senate Bill No. 2, entitled:

"An Act relating to the legislature; providing for the redistricting and reapportionment thereof; repealing chapter 5, Laws of 1957, chapter 289, Laws of 1957 and chapter 44-06 RCW; and declaring an emergency."

In my inaugural message on January 13, 1965, I urged the legislature to pass promptly a constitutional redistricting bill which would insure that the party which wins a majority of votes would win a majority of the seats in the legislature. Senate Bill No. 2 totally fails to meet this goal. I have reached this conclusion after a great deal of thought and after meeting with the chief proponents of the bill in the House and Senate.

After considering all of the facts I am convinced that this bill would thwart the will of the majority and guarantee perpetual control of the legislative process by one party.

As Governor, I have a responsibility to all the people of the state, Republicans, Democrats and Independents alike, to see that they have the right to choose by majority vote, the party which will lead the legislature. This bill would deprive the people of the fundamental goal of the two party system.

For these reasons I have vetoed Senate Bill No. 2.

Yesterday I called together the legislative leaders of both parties and urged them to lay aside partisan considerations and to negotiate in good faith a redistricting bill which will be fair to all of the people of the state. When such a bill is presented to me, I will approve it promptly.

It is now the 16th day of the legislative session. The public business is pressing and demands immediate action.

Respectfully submitted,

DANIEL J. EVANS, Governor.

#### MOTION

It was moved that the message of Governor Evans be referred to the Committee on Rules and Joint Rules with instructions to consider the contents of the message and report back to the Senate.

Debate ensued.

The motion was carried.

**APPOINTMENT OF SPECIAL COMMITTEE**

Senator Washington announced the presence within the Senate Chamber of Dairy Princess Janet Pierce.

The President appointed a special committee consisting of Senators Kupka, Knoblauch and Moriarty, Jr. to escort Princess Janet Pierce to a place of honor upon the rostrum and to address the Senate.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., January 26, 1965.

**MR. PRESIDENT:**

The Speaker has signed: Senate Concurrent Resolution No. 3, and the same is herewith transmitted.  
S. R. HOLCOMB, Chief Clerk.

House of Representatives,  
Olympia, Wash., January 26, 1965.

**MR. PRESIDENT:**

The House has passed: Senate Bill No. 197, and the same is herewith transmitted.  
S. R. HOLCOMB, Chief Clerk.

**SIGNED BY THE PRESIDENT**

**The President has signed: Senate Bill No. 197.**

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIAL AND RESOLUTION**

The following were introduced, read first time by title, and acted upon as indicated:

**Senate Bill No. 198**, by Senators Hallauer, Hanna and Chytil:

An Act relating to joint operating agencies; amending section 43.52.250, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.52.250; amending section 43.52.300, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.52.300; and amending section 43.52.3411, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.52.3411.

Referred to Committee on Public Utilities.

**Senate Bill No. 199**, by Senators Talley, Redmon and Bailey:

An Act relating to delivery of the tax rolls and duties relating thereto; amending section 84.52.080, chapter 15, Laws of 1961, and RCW 84.52.080; and section 84.56.010, chapter 15, Laws of 1961, and RCW 84.56.010.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 200**, by Senators Redmon, Charette and Foley:

An Act relating to investment of funds and service fees; amending section 1, chapter 123, Laws of 1961 and RCW 28.58.440; and amending section 36.29.020, chapter 4, Laws of 1963 and RCW 36.29.020.

Referred to Committee on Banks, Financial Institutions and Insurance.

**Senate Bill No. 201**, by Senators Hanna, Gallagher and Atwood:

An Act relating to regulation of outdoor advertising upon lands adjacent to certain state highways; adding new sections to chapter 96, Laws of 1961 and to chapter 47.42 RCW; and declaring an emergency.

Referred to Committee on Highways.

**Senate Bill No. 202**, by Senators Raugust, Donohue and Peterson (Lowell):

An Act relating to fire districts and fire district commissioners; amending section 22, chapter 34, Laws of 1939 as last amended by section 4, chapter

237, Laws of 1959 and RCW 52.12.010; and amending section 30, chapter 34, Laws of 1939 and RCW 52.12.080.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 203**, by Senators Hallauer, Neill and Ryder:

An Act relating to community colleges; providing for community college boards of directors; setting forth powers and duties; transferring certain functions, property and funds; amending section 1, chapter 198, Laws of 1961 and RCW 28.84.170; amending section 5, chapter 198, Laws of 1961 as last amended by section 5, chapter 2, Laws of 1963 extraordinary session and RCW 28.84.210; amending section 10, chapter 2, Laws of 1963 extraordinary session and RCW 28.84.215; and amending section 8, chapter 2, Laws of 1963 extraordinary session and RCW 28.84.290; and declaring an emergency.

Referred to Committee on Education.

**Senate Bill No. 204**, by Senators Henry, Knoblauch, Stender and Rasmussen:

An Act relating to labor; and amending section 14, chapter 174, Laws of 1913 as amended by section 1, chapter 195, Laws of 1949 and RCW 49.12.120; and amending section 5, chapter 18, Laws of 1961 extraordinary session and RCW 49.46.025.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 205**, by Senators Knoblauch, Keefe and Freise:

An Act relating to state employees; and amending section 43.01.040, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.01.040.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 206**, by Senators Lennart, Riley and Hallauer:

An Act relating to administrative rules and regulations; and amending section 5, chapter 234, Laws of 1959 and RCW 34.04.050.

Referred to Judiciary Committee.

**Senate Bill No. 207**, by Senators Freise and Donohue:

An Act relating to highways; and amending section 47.16.030, chapter 13, Laws of 1961 and RCW 47.16.030.

Referred to Committee on Highways.

**Senate Bill No. 208**, by Senators Keefe, Cooney, Herrmann and Stender:

An Act relating to railroad full crew laws; amending section 81.40.020, chapter 14, Laws of 1961 and RCW 81.40.020; and adding a new section to chapter 81.40 RCW.

Referred to Committee on Public Utilities.

**Senate Bill No. 209**, by Senators Neill, Moriarty, Jr. and Atwood:

An Act relating to state government; providing for the payment of certain legislative expenses; amending section 1, chapter 173, Laws of 1941 as last amended by section 1, chapter 2, Laws of 1965, and RCW 44.04.080; and declaring an emergency.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 210**, by Senator Mardesich:

An Act relating to higher education; providing for the creation of a four year college; and making an appropriation.

Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 211**, by Senator Mardesich:

An Act relating to contracts of public hospital districts; amending section 17, chapter 264, Laws of 1945, and RCW 70.44.140.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 212**, by Senator Mardesich:

An Act relating to sewer district contracts; and amending section 44, chapter 210, Laws of 1941 and RCW 56.08.070.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 213**, by Senator Mardesich:

An Act relating to county contracts; amending section 36.32.250, chapter 4, Laws of 1963 and RCW 36.32.250.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 214**, by Senators Freise and Lewis:

An Act relating to the board of prison terms and paroles; amending section 9, chapter 340, Laws of 1955 as amended by section 1, chapter 32, Laws of 1959 and RCW 43.67.020 (as recodified).

Referred to Committee on Public Institutions.

**Senate Bill No. 215**, by Senators Kupka, Keefe and Cooney:

An Act relating to criminal procedure; providing for the clearing of detainers based on untried indictments, informations and complaints lodged against persons incarcerated in this state and in other jurisdictions; adopting the agreement on detainers; prescribing penalties; and declaring an emergency.

Referred to Judiciary Committee.

**Senate Bill No. 216**, by Senator Mardesich:

An Act relating to water districts; amending section 21, chapter 114, Laws of 1929, as amended by section 2, chapter 216, Laws of 1947, and RCW 57.08.050.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 217**, by Senators Washington, Petrich and Raugust (by Highway Interim Committee request):

An Act relating to the judiciary; and to justices of the peace and other inferior courts; amending section 2, chapter 299, Laws of 1961 and RCW 3.30.020; amending section 123, chapter 299, Laws of 1961 and RCW 3.70.010; amending section 125, chapter 299, Laws of 1961 and RCW 3.70.030; amending section 174, page 260, Laws of 1854 as last amended by section 2, chapter 11, Laws of 1891 and RCW 10.04.100; and repealing section 1, chapter 11, Laws of 1955 and RCW 3.04.010, section 4, page 120, Laws of 1888 as amended by section 2, chapter 11, Laws of 1955, and RCW 3.04.030, section 3, page 223, Laws of 1854 as last amended by section 3, chapter 11, Laws of 1955, and RCW 3.04.040, section 4, page 223, Laws of 1854 as last amended by section 4, chapter 11, Laws of 1955, and RCW 3.04.050, section 5, page 223, Laws of 1854 as last amended by section 5, chapter 11, Laws of 1955, and RCW 3.04.060, section 6, page 223, Laws of 1854 as last amended by section 6, chapter 11, Laws of 1955, and RCW 3.04.070, section 7, page 224, Laws of 1854 as last amended by section 7, chapter 11, Laws of 1955, and RCW 3.04.080, section 20, page 226, Laws of 1854 as last amended by section 14, chapter 156, Laws of 1951, and RCW 3.04.090, section 10, page 224, Laws of 1854 as amended by section 1703, Code of 1881, and RCW 3.04.100, section 25, page

227, Laws of 1854 as last amended by section 8, chapter 11, Laws of 1955, and RCW 3.04.110, section 12, chapter 187, Laws of 1919 and RCW 3.04.120, section 11, page 224, Laws of 1854 as last amended by section 15, chapter 156, Laws of 1951 and RCW 3.04.130, section 12, page 224, Laws of 1854 as amended by section 1705, Code of 1881, and RCW 3.04.140, section 21, page 226, Laws of 1854 as last amended by section 1708, Code of 1881, and RCW 3.04.150, section 3, page 120, Laws of 1888 as amended by section 11, chapter 11, Laws of 1955, and RCW 3.12.010, section 1, chapter 156, Laws of 1951 as last amended by section 1, chapter 203, Laws of 1957, and RCW 3.12.021, section 6, chapter 156, Laws of 1951 and RCW 3.12.041, section 2, chapter 156, Laws of 1951 as amended by section 2, chapter 203, Laws of 1957, and RCW 3.12.071, section 1, chapter 63, Laws of 1931 and RCW 3.12.080, section 8, chapter 7, Laws of 1891 as last amended by section 1, chapter 21, Laws of 1943 and RCW 3.12.090, sections 9, 10 and 13, chapter 156, Laws of 1951 and RCW 3.14.050, 3.14.020 and 3.14.060, section 3, chapter 156, Laws of 1951 as amended by section 5, chapter 206, Laws of 1953, and RCW 3.16.002, section 4, chapter 156, Laws of 1951 and RCW 3.16.004, section 5, chapter 156, Laws of 1951 as amended by section 13, chapter 11, Laws of 1955, and RCW 3.16.008, section 1, chapter 66, Laws of 1893 as last amended by section 1, chapter 143, Laws of 1919, and RCW 3.16.070, section 2, chapter 66, Laws of 1893 and RCW 3.16.080, section 3, chapter 66, Laws of 1893 and RCW 3.16.090, section 181, page 379, Laws of 1863 as amended by section 1901, Code of 1881, and RCW 3.16.160, section 22, page 226, Laws of 1854 as last amended by section 1, chapter 89, Laws of 1941 and RCW 3.20.010, section 23, page 226, Laws of 1854 as last amended by section 19, chapter 11, Laws of 1955 and RCW 3.20.020, section 24, page 227, Laws of 1854 as last amended by section 1711, Code of 1881, and RCW 3.20.030, section 171, page 279, Laws of 1860 as last amended by section 1, chapter 98, Laws of 1909, and RCW 3.20.040, section 9, page 224, Laws of 1854 as last amended by section 2, chapter 89, Laws of 1941, and RCW 3.20.050, section 1, chapter 40, Laws of 1899 as last amended by section 2, chapter 206, Laws of 1953, and RCW 3.20.060, section 1, chapter 264, Laws of 1927 as amended by section 2, chapter 75, Laws of 1929, and RCW 3.20.070, section 3, chapter 75, Laws of 1929 and RCW 3.20.080, section 2, chapter 65, Laws of 1901 as last amended by section 4, chapter 89, Laws of 1941, and RCW 3.20.090, section 2, page 88, Laws of 1867 as last amended by section 1, chapter 126, Laws of 1943, and RCW 3.20.100, section 68, page 252, Laws of 1860 as last amended by section 1881, Code of 1881, and RCW 3.20.110, section 1, chapter 4, Laws of 1933 extraordinary session as amended by section 1, chapter 135, Laws of 1935, and RCW 3.20.120, section 4, chapter 206, Laws of 1953 and RCW 3.20.131, sections 1, 3, 4, 5, 6, 7, 8 and 9, chapter 14, Laws of 1923 and RCW 3.24.010, 3.24.060, 3.24.030, 3.24.040, 3.24.050, 3.24.070, 3.24.080, and 3.24.090 and section 2, chapter 14, Laws of 1923 as amended by section 1, chapter 201, Laws of 1927, and RCW 3.24.020; section 96, chapter 299, Laws of 1961 and RCW 3.50.470; section 6, chapter 29, Laws of 1891 and RCW 10.10.010; section 8, chapter 29, Laws of 1891 and RCW 10.10.040; section 7, chapter 29, Laws of 1891 and RCW 10.10.060; sections 35.22.420 through 35.22.560, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.22.420 through 35.22.560; sections 35.23.590 through 35.23.670, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.23.590 through 35.23.670; sections 35.24.450 through 35.24.470, chapter ....., Laws of 1965 (Senate Bill No. 3)

and RCW 35.24.450 through 35.24.470; sections 35.27.520 through 35.27.540, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.27.520 through 35.27.540; and adding new sections to chapter 10.10 RCW.

Referred to Judiciary Committee.

**Senate Bill No. 218**, by Senator Mardesich:

An Act relating to marine employees of the state of Washington; amending section 47.64.010, chapter 13, Laws of 1961 and RCW 47.64.010; amending section 47.64.030, chapter 13, Laws of 1961 and RCW 47.64.030; amending section 47.64.040, chapter 13, Laws of 1961 and RCW 47.64.040; amending section 47.64.050, chapter 13, Laws of 1961 and RCW 47.64.050; amending section 47.64.090, chapter 13, Laws of 1961 and RCW 47.64.090; adding three new sections to chapter 13, Laws of 1961 and to chapter 47.64 RCW; and repealing section 47.64.020, chapter 13, Laws of 1961 and RCW 47.64.020.

Referred to Committee on Highways.

**Senate Bill No. 219**, by Senator Mardesich:

An Act relating to cities and towns; amending section 35.23.352, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.23.352.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 220**, by Senators Freise and Donohue:

An Act authorizing the conveyance of certain lands in Walla Walla county to Percy S. Aldrich and Arlene K. Aldrich, husband and wife.

Referred to Committee on Public Institutions.

**Senate Bill No. 221**, by Senators Kupka, Talley and McCutcheon (by request of State Auditor):

An Act relating to claims against municipal corporations and political subdivisions; prescribing penalties; and repealing section 1, chapter 126, Laws of 1891 and RCW 42.24.010, section 3, chapter 126, Laws of 1891 and RCW 42.24.020, section 1, chapter 339, Laws of 1955 as last amended by section 1, chapter 205, Laws of 1961 and RCW 42.24.030, section 9, chapter 76, Laws of 1909 as last amended by section 1, chapter 185, Laws of 1939 and RCW 42.24.040, section 1, chapter 65, Laws of 1899 as last amended by section 1, chapter 104, Laws of 1929 and RCW 42.24.050, and section 2, chapter 65, Laws of 1899 as amended by section 2, chapter 104, Laws of 1929 and RCW 42.24.060.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 222**, by Senators Kupka, Talley and McCutcheon (by request of State Auditor):

An Act relating to cities and towns; amending section 35.33.150, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.33.150.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 223**, by Senators Bailey, Freise and Knoblauch (by request of State Employees' Retirement Board):

An Act relating to the state employees' retirement system; amending section 1, chapter 274, Laws of 1947, as last amended by section 1, chapter 174, Laws of 1963, and by section 1, chapter 225, Laws of 1963, and RCW 41.40.010; amending section 13, chapter 274, Laws of 1947, as last amended by section 1, chapter 210, Laws of 1963, and by section 2, chapter 225, Laws of 1963, and RCW 41.40.120; amending section 16, chapter 274, Laws of 1947, as last amended by section 8, chapter 174, Laws of 1963, and RCW 41.40.150;

amending section 28, chapter 274, Laws of 1947, as last amended by section 13, chapter 174, Laws of 1963, and RCW 41.40.270; amending section 30, chapter 274, Laws of 1947, as last amended by section 10, chapter 291, Laws of 1961, and RCW 41.40.290; amending section 32, chapter 274, Laws of 1947, as last amended by section 14, chapter 174, Laws of 1963, and RCW 41.40.310; adding a new section to chapter 41.40 RCW; repealing section 8, chapter 274, Laws of 1947, as last amended by section 5, chapter 174, Laws of 1963, and RCW 41.40.070; and declaring an emergency.

Referred to Committee on Labor and Social Security.

**Senate Joint Memorial No. 4**, by Senators Bailey and Lennart:  
Recognizing fire fighters.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Joint Resolution No. 15**, by Senators Kupka, Connor and Talley:  
Authorizing urban renewal tax allocations.

Referred to Committee on Cities, Towns and Counties.

#### MOTION

At 11:50 a.m., on motion of Senator Greive, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Atwood, Durkan, Stender and Williams.

The President declared the Senate to be at ease.

The President called the Senate to order at 2:05 p.m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Atwood, Durkan and Henry.

On motion of Senator Neill, Senator Atwood was excused.

#### MOTION

On motion of Senator Woodall, Senate Bill No. 174 was referred to the Judiciary Committee.

#### INTRODUCTION AND FIRST READING OF SENATE MEMORIAL

The following was introduced and read in full:

**Senate Joint Memorial No. 5**, by Senators Gissberg, Greive and Bailey:  
Memorializing the federal district court to adopt Senate Bill No. 2 as the apportionment plan for the state and allow the legislature to conduct normal business.

It was moved by Senator Greive that the memorial be passed.

Debate ensued.

#### MOTION

At 2:25 p.m., on motion of Senator Neill, the Senate recessed until 3:00 p.m.

## SECOND AFTERNOON SESSION

The President called the Senate to order at 3:00 p.m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Atwood and Durkan.

On motion of Senator Neill, Senator Atwood was excused.

On motion of Senator Greive, Senator Durkan was excused.

The Senate resumed consideration of Senate Joint Memorial No. 5.

On motion of Senator Moriarty, Jr., the following amendment was adopted:

On page 2, line 24, after "it" and before the semicolon, insert "by message to the Senate dated January 26, 1965, the terms of which are incorporated herein as though set forth in full"

Senator Moriarty, Jr. moved the adoption of the following amendment:

On page 2, lines 13 and 14 strike the words "Fair and equitable."

Debate ensued.

It was moved by Senator Gallagher that the amendment be laid upon the table.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Raugust, Woodall, Neill, Chytil, England, Redmon, Ryder and Freise.

### ROLL CALL

The Secretary called the roll on the motion to table, and the motion was carried by the following vote: Yeas, 29; Nays, 17; absent or not voting, 1; excused, 2.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—29.

Those voting nay were: Senators Chytil, Cowen, England, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Stender, Thompson, Jr., Williams, Woodall—17.

Absent or not voting: Senator Hallauer—1.

Excused: Senators Atwood, Durkan—2.

The amendment by Senator Moriarty, Jr. was laid upon the table.

Senator Freise moved the adoption of the following amendment:

On page 2, lines 28 to 32, strike lines 28 through 32, inclusive.

Debate ensued.

It was moved by Senator Greive that the amendment be laid upon the table.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Raugust, Woodall, Neill, Chytil, England, Peterson (Ted), Thompson, Jr., Freise and Ryder.

### ROLL CALL

The Secretary called the roll and the amendment was laid upon the table by the following vote: Yeas, 28; nays, 18; absent or not voting, 1; excused, 2.



Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Sandison, Talley, Washington—28.

Those voting nay were: Senators Chytil, Cowen, England, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams, Woodall—18.

Absent or not voting: Senator Dore—1.

Excused: Senators Atwood, Durkan—2.

Senator Moriarty, Jr. moved the adoption of the following amendment:

On page 2, lines 10 and 11, strike all of lines 10 and 11.

Debate ensued.

It was moved by Senator Gallagher that the amendment by Senator Moriarty, Jr. be laid upon the table.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Raugust, Woodall, Neill, Chytil, England, Peterson (Ted), Thompson, Jr., Freise and Ryder.

#### ROLL CALL

The Secretary called the roll and the motion to lay the amendment on the table was carried by the following vote: Yeas, 28; nays, 18; absent or not voting, 1; excused, 2.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Sandison, Talley, Washington—28.

Those voting nay were: Senators Chytil, Cowen, England, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams, Woodall—18.

Absent or not voting: Senator Morgan—1.

Excused: Senators Atwood, Durkan—2.

On motion of Senator Moriarty, Jr., the following amendment was adopted:

On page 2, line 21, after "measure" and before the semicolon, insert "in his opinion"

Senator Moriarty, Jr. moved the adoption of the following amendment:

After the word "court" strike the balance of line 15 and all of lines 16, 17, 18 and 19.

Debate ensued.

It was moved by Senator Gallagher that the amendment by Senator Moriarty, Jr. be laid upon the table.

Senator Greive demanded a roll call and the demand was sustained by Senators Henry, Dore, Connor, Bailey, McCutcheon, Gallagher, Kupka and Charette.

#### ROLL CALL

The Secretary called the roll on the motion by Senator Gallagher, and the amendment was laid upon the table by the following vote: Yeas, 27; nays, 20; excused, 2.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herr,

Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Riley, Sandison, Talley, Washington—27.

Those voting nay were: Senators Chytil, Cowen, England, Freise, Guess, Hallauer, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Ryder, Stender, Thompson, Jr., Williams, Woodall—20.

Excused: Senators Atwood, Durkan—2.

Senator England moved the adoption of the following amendment:

On page 2, lines 17-21, strike lines 17 through 21, inclusive.

Debate ensued.

On motion of Senator Gallagher, the amendment was laid upon the table.

Senator England moved the adoption of the following amendment:

On page 2, line 33, after "pray" insert a period and strike the remainder of the memorial.

Debate ensued.

On motion of Senator Gallagher, the amendment was laid upon the table.

Senator Williams moved the adoption of the following amendment:

On page 3, line 2, after the word "Legislature", insert: "or House Bill 153 which was also declared by the Attorney General to be constitutionally valid or such other plan as the Court deems just and equitable."

Debate ensued.

Senator Gallagher moved that the amendment be laid upon the table.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Woodall, Neill, Chytil, England, Redmon, Williams, Freise and Ryder.

#### ROLL CALL

The Secretary called the roll on the motion by Senator Gallagher and the amendment was laid upon the table by the following vote: Yeas, 30; nays, 17; excused, 2.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—30.

Those voting nay were: Senators Chytil, Cowen, England, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Stender, Thompson, Jr., Williams, Woodall—17.

Excused: Senators Atwood, Durkan—2.

Senator Ryder moved the adoption of the following amendment:

On page 2, line 5, after the word "on" and before the word "January," insert the following: "January 22 and signed by the Speaker and the President on"

Debate ensued.

The motion was lost and the amendment was not adopted.

The President declared the question before the Senate is:

Senate Joint Memorial No. 5, as amended, on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Joint Memorial No. 5 and the memorial passed the Senate by the following vote: Yeas, 29; nays, 18; excused, 2.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Riley, Sandison, Talley, Washington—29.

Those voting nay were: Senators Chytil, Cowen, England, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Rasmussen, Raugust, Redmon, Ryder, Stender, Thompson, Jr., Williams, Woodall—18.

Excused: Senators Atwood, Durkan—2.

Having received the constitutional majority, Engrossed Senate Joint Memorial No. 5 was declared passed.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., January 26, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 197, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

#### MOTION

At 5:00 p.m., on motion of Senator Greive, the Senate adjourned until 10:00 a.m., Wednesday, January 27, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## SEVENTEENTH DAY

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### MORNING SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Wednesday, January 27, 1965.

The Senate was called to order at 10:00 a.m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Durkan and Foley.

On motion of Senator Keefe, Senators Durkan and Foley were excused.

The Color Guard, consisting of Pages Eric Freise, Color Bearer, and Claudia Hawkins, presented the Colors.

Reverend Arthur I. Anderson, pastor of the Gloria Dei Lutheran Church of Olympia, offered prayer as follows:

"Our Father God, we would begin today's tasks in this legislative assembly, looking unto Thee in the simple yet profound words of that great international statesman, the late DAG HAMMARSKJOLD: 'Give us a pure heart that we may see Thee, a humble heart that we may hear Thee, a heart of love that we may serve Thee, a heart of faith that we may love Thee.' Through Jesus Christ, our Lord. Amen."

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

The President declared the Senate to be at ease.

The President called the Senate to order at 11:05 a.m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Durkan and Foley, who were excused.

#### SPECIAL ORDER OF BUSINESS

The time having arrived, the Senate resumed consideration of Senate Resolution No. 1965 -7 by Senator Hallauer.

It was moved by Senator Hallauer that the resolution be adopted.

Debate ensued.

The motion was carried and the resolution was adopted.

The Secretary read:

#### SENATE RESOLUTION

No. 1965-8

By Senator Herrmann:

WHEREAS, Mr. Joel Gould is an experienced and knowledgeable banker; and

WHEREAS, The members of the senate of the state of Washington are often in need of the services of a banker who can accept deposits, furnish necessary supplies and make loans;

Now, Therefore, Be It Resolved, By the Senate that Mr. Joel Gould be appointed Vest Pocket Banker for the members of the Senate and be authorized to accept deposits, furnish supplies and make loans to the members during the 1965 regular and special sessions, if there be special sessions.

Be It Further Resolved, That Mr. Joel Gould be exempt from any and all branch banking laws of this state.

On motion of Senator Herrmann, the following amendment was adopted:

On line 7, after "members" insert "and employees" and on line 9, after "members" insert "and employees"

On motion of Senator Herrmann, the resolution, as amended, was adopted.

The Secretary read:

#### SENATE RESOLUTION

No. 1965-9

By Senators Gallagher, Keefe, Neill, Cowen and Gissberg:

WHEREAS, The Washington state legislature at its thirty-eighth session provided funds for the building of the Coliseum at the World's Fair site which is now operated by the city of Seattle as an indoor sports center; and

WHEREAS, In recent months the Seattle hockey team and the Seattle University basketball team inaugurated the sports uses thereof by scheduling their home games at the Coliseum; and

WHEREAS, On February 6th, under the sponsorship of the Seattle Carroll Club and for the benefit of the Catholic Youth Organization, the Coliseum will be the site of an invitational indoor track meet, a sports spectacular featuring Olympic miler Gerry Lindgren of Washington State University, Olympic broad-jumper Phil Shinnick of Gonzaga University and the University of Washington, Olympic broad-jumper Wariboko West of Nigeria and of the University of Washington, Olympic miler Morgan Groth of Oregon State University, Olympic high-jumper Ed Caruthers of Santa Ana Junior College, pole-vaulter John Uelses of LaSalle College, and others in 13 collegiate and four high school events; and

WHEREAS, This meet constituting as it does the rounding out of the uses of the Coliseum for indoor sports purposes and tying Seattle with Portland, Los Angeles and San Francisco in the West Coast winter indoor track circuit should be fittingly marked as an outstanding event of great civic importance to the city of Seattle and to the state of Washington;

Now, Therefore, Be It Resolved, That the senate of the state of Washington hereby extends its heartiest congratulations to the Carroll Club of Seattle for its sponsorship

of the Seattle Invitational Indoor Track Meet to be held on February 6th at the Seattle Coliseum; and

*Be It Further Resolved*, That the secretary of the senate be directed to transmit copies of this resolution to Mr. Harry Ashmore as president of the Seattle Carroll Club and to the University of Washington track coach Stan Hiserman as director of the meet.

On motion of Senator Guess, the following amendment was adopted:

On page 1, line 11, after "Lindgren" and before "Washington State" insert "Spokane Rogers High School and"

On motion of Senator Gallagher, the resolution, as amended, was adopted.

#### INTRODUCTION AND FIRST READING OF BILLS, MEMORIAL AND RESOLUTION

The following were introduced, read first time by title, and acted upon as indicated:

**Senate Bill No. 224**, by Senator Knoblauch:

An Act relating to motor vehicles and persons engaged in the dismantling and wrecking thereof; and amending section 46.80.130, chapter 12, Laws of 1961 and RCW 46.80.130.

Referred to Committee on Highways.

**Senate Bill No. 225**, by Senators Rasmussen and Herr:

An Act relating to the administration of justice; and providing for public defenders.

Referred to Judiciary Committee.

**Senate Bill No. 226**, by Senator Greive:

An Act relating to solicitation of business by telephone; and prescribing penalties.

Referred to Committee on Public Utilities.

**Senate Bill No. 227**, by Senators McCormack, Thompson, Jr. and Sandison:

An Act relating to the legislature; creating a joint committee on education; prescribing its powers and duties; providing for citizen participation; and repealing chapter 19, Laws of 1963 first extraordinary session and RCW 44.33.010 through 44.33.180.

Referred to Committee on Education.

**Senate Bill No. 228**, by Senators Herrmann, Kupka, Hanna and Cowen:  
Repealing business and occupation tax.

Referred to Committee on Ways and Means.

**Senate Bill No. 229**, by Senator Gissberg:

An Act relating to county commissioners; canceling notice requirement for purchases under five hundred dollars; and amending section 36.32.250, chapter 4, Laws of 1963 and RCW 36.32.250.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 230**, by Senators Ryder, Morgan and Donohue:

An Act relating to the humane slaughter of animals; providing penalties; and repealing chapter 101, Laws of 1959 and RCW 16.50.010 through 16.50.070.

Referred to Committee on Agriculture and Horticulture.

**Senate Bill No. 231**, by Senator Riley:

An Act relating to capital offenses; amending section 12, page 78, Laws of 1854 as last amended by section 1, chapter 112, Laws of 1919 and RCW

9.48.030; and amending section 1, chapter 6, Laws of 1933 extraordinary session and RCW 9.52.010; and prescribing penalties.

Referred to Judiciary Committee.

**Senate Bill No. 232**, by Senators Gissberg, Atwood and Hanna:

An Act relating to cities and towns; and amending sections 35.67.110 and 35.92.080, chapter ....., Laws of 1965 and RCW 35.67.110 and 35.92.080.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 233**, by Senators Hanna, Ryder and Talley:

An Act relating to bonds and obligations of political subdivisions and municipal and quasi-municipal corporations of the state of Washington; amending sections 1 and 3, chapter 151, Laws of 1923 as amended by sections 1 and 2, chapter 141, Laws of 1961 and RCW 39.44.010 and 39.44.030; amending section 2, chapter 151, Laws of 1923 and RCW 39.44.020; and declaring an emergency.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 234**, by Senators Hanna, Ryder and Talley:

An Act relating to bonds and obligations of the state, its agencies, educational institutions, political subdivisions, and municipal and quasi-municipal corporations; and declaring an emergency.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 235**, by Senators Gissberg, Hanna and Atwood:

An Act relating to cities and towns; authorizing the preparation of a code of laws for the government thereof; creating a temporary municipal code committee; allocating to the committee moneys from the cities' and towns' share of excess moneys in the liquor revolving fund; declaring an emergency; and providing that this act shall expire June 30, 1967.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 236**, by Senators Hanna, Gissberg and Woodall:

An Act relating to cities and towns; amending sections 35.18.060, 35.22.280, 35.22.420, 35.22.460, 35.22.480, 35.23.210, 35.23.440, 35.23.600, 35.23.660, 35.24.020, 35.24.290, 35.24.450, 35.24.460, 35.24.470, 35.27.070, 35.27.370, 35.27.520, 35.27.530, and 35.27.540, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.18.060, 35.22.280, 35.22.420, 35.22.460, 35.22.480, 35.23.210, 35.23.440, 35.23.600, 35.23.660, 35.24.020, 35.24.290, 35.24.450, 35.24.460, 35.24.470, 35.27.070, 35.27.370, 35.27.520, 35.27.530, and 35.27.540; and repealing section 35.22.470, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.22.470.

Referred to Judiciary Committee.

**Senate Bill No. 237**, by Senators Greive, McCutcheon and Cooney:

An Act relating to the state legislature; the reapportionment and re-districting thereof; constituting ninety-nine representative districts by position; constituting forty-nine senatorial districts; repealing sections 2 through 10, 12 through 18, 25, 26, 29, 32 through 38, 40 through 50, 52 and 53, Laws of 1957 as amended by sections 2 through 10, 12 through 18, 25, 26, 29, 32 through 38, 40 through 46, 48 through 50, 52 and 53, chapter 289, Laws of 1957 and RCW 44.06.020 through 44.06.100, 44.06.120 through 44.06.180, 44.06.250, 44.06.260, 44.06.320 through 44.06.380, 44.06.400 through 44.06.460, 44.06.480 through 44.06.500, 44.06.520 and 44.06.530; and declaring an emergency.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Joint Memorial No. 6**, to be held for sponsors until January 28, 1965:

Memorializing Congress to amend the United States Constitution to set out the right of the people to choose whether or not they wish to have one house of the legislature of their state apportioned on the basis of factors other than population.

To be referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Joint Resolution No. 16**, by Senators Thompson, Jr., Peterson (Ted), Atwood, Chytil, Stender, Moriarty, Jr., Neill and England (By Executive request):

Providing for "home rule" for cities and towns.

Referred to Committee on Constitution, Elections and Legislative Processes.

#### MOTION

At 12:15 p.m., on motion of Senator Greive, the Senate recessed until 8:00 p.m.

#### EVENING SESSION

The President called the Senate to order at 8:00 p.m.

The President declared the Senate to be at ease.

The President called the Senate to order at 8:40 p.m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Durkan and Mardesich.

On motion of Senator Hallauer, Senators Durkan and Mardesich were excused.

The President declared the Senate to be at ease.

The President called the Senate to order at 9:55 p.m.

The Secretary called the roll and all Senators were present except Senators Durkan and Mardesich, who were excused.

The President declared the Senate to be at ease.

The President called the Senate to order at 10:20 p.m.

Senators Greive, Bailey and Knoblauch demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senators Durkan and Mardesich, who were excused.

#### PARLIAMENTARY INQUIRY

Senator England:

"Point of inquiry, Mr. President."

The President:

"The Senator will state his point of inquiry."

Senator England:

"I believe that when there was a Call of the Senate, you instructed the Sergeant at Arms to lock the doors, is this correct?"

The President:

"That is correct, Senator England."

Senator England:

"Mr. President, I have a parliamentary inquiry:

"Since we are not operating under any rules and the State Constitution, Article II, Section 11 does state that the doors of each House shall be kept open, under what authority, sir, did you order the Sergeant at Arms to lock the doors? The constitution further goes on to say, 'except on matters which require secrecy.' Is this matter here secret or not? Is it open to the public?"

Senator Gissberg:

"May I make inquiry as to the fact, which is a fact, that the doors are always open for the members of the public in both the north and south galleries, and the purpose of locking the doors is to preclude the Senators from leaving the Chamber?"

#### REPLY OF THE PRESIDENT

The President:

"The President should like to refer Senator England to the state constitution, Article II, Section 8. The Secretary will read."

Article II, Section 8 of the Washington State Constitution was read by the Secretary.

The President:

"The President believes this substantially answers your inquiry, Senator England."

Senator Moriarty, Jr.:

"Mr. President:

"I would like to know for my own information just what penalties have been provided for violation of this Call of the Senate the majority has decided to place on this body. Is it a gross misdemeanor?"

The President:

"That would be entirely up to the members of the Senate, Senator Moriarty."

Senator Moriarty, Jr.:

"Am I correct that at the present time there are no penalties?"

The President:

"The President believes that the Senate could perhaps prepare penalties on a moment's notice."

#### SECOND READING OF BILLS

**Senate Bill No. 237**, by Senators Greive, McCutcheon and Cooney:  
Reapportioning the state legislative district.

The Secretary read:

#### REPORTS OF STANDING COMMITTEE

**Senate Bill No. 237:**

Senate Chamber,  
Olympia, Wash., January 27, 1965.

Reapportioning the state legislative district (reported by Committee on Constitution, Elections and Legislative Processes):

Majority recommends that it do pass with the following amendments:

On page 3, section 13, line 20, after "Moab," and before "Mt. Spokane," insert "Moran,".

On page 4, section 15, line 3, after "Medical Lake 1 and 2," and before "Mt. Hope," strike "Moran,".

On page 14, section 81, line 6, after "Skagit" strike the period and insert "except the following precincts: Bessner, Blanchard, Bow, Edison, North Allen, Pt. Williams, and those portions of Lookout and Befast precincts west of interstate highway number five. And the following precincts in the county of Whatcom: Slate-Diablo, Slate-Newhalem."

On page 14, section 82, line 7, after "40-B:" strike the remainder of the line and insert: "The area constituted in section 81 of this act."



On page 14, section 83, line 14, after "2," and before "Lummi" insert "Lawrence 1, 2 and 3,".

On page 14, section 83, line 16, strike the period and insert "Ten Mile 1 through 4 inclusive."

On page 14, section 85, line 23, before "Maple Falls," strike "Lawrence 1, 2 and 3,".

On page 14, section 85, line 24, after "Rome," and before "and Van" strike "Slate-Diablo, Slate-Newhalem, Ten Mile 1 through 4,".

On page 14, section 85, line 25, after "3." insert "The following precincts in Skagit County: Bessner, Blanchard, Bow, Edison, North Allen, Pt. Williams, and those portions of Lookout and Befast precincts East of interstate highway number five."

On page 2, section 3, line 4, after "Sec. 3." and before the colon, strike "1-A" and insert "9-A".

On page 2, section 4, lines 6 and 7, after "Sec. 4." on line 6 strike all the material before "and the" on line 7 and insert "9-B: The counties of Adams and Lincoln".

On page 3, section 13, line 22 after "634," and before "642," strike "367," and insert "637,".

On page 4, section 19, line 28, after "Sec. 19." and before the colon, strike "9-A" and insert "1-A".

On page 4, section 19, lines 30 and 31, after "sections" on line 30 and before "77" on line 31, strike "southern boundaries of the" and after "77 and 79" and before the semicolon, insert "of this act".

On page 4, section 20, line 32, after "Sec. 20." and before the colon, strike "9-B" and insert "1-B".

On page 5, section 23, line 11 after "11-A:" strike the remainder of the section and insert "The following areas within the county of Benton: The city of Richland and all of townships 11, 12, 13 and 14 north inclusive in each of ranges 24, 25, 26, 27 and 28 east, Willamette Meridian, all of township 10 north, range 27 east, Willamette Meridian, township 10 north, range 28 east, Willamette Meridian, those portions of townships 9 north in each of ranges 27 and 28 east, Willamette Meridian, which lie north of the center line of U. S. highway 410 all of township 10 north, range 26 east, Willamette Meridian, sections 1 and 12, township 9 north, range 26 east, Willamette Meridian, and those portions of sections 13 and 24, township 9 north, range 26 east, Willamette Meridian, which lie north of the center line of U. S. highway 410."

On page 5, section 24, line 20 after "11-B:" strike the remainder of the section and insert "The following precincts in the county of Yakima: Belma, Byron, Glade, Grandview Central, Mabton Town, Mabton Rural, North Grandview, South Grandview, Sunnyside Rural 1-4 inclusive, Waneta, Wendell Phillips, and all the precincts in the cities of Grandview and Sunnyside, East Granger, Alfalfa and all of the precincts in the city of Granger."

On page 6, section 26, line 3 after "13-A:" strike the remainder of the section and insert "The counties of Grant and Kittitas."

On page 6, section 28, line 9 after "13-B:" strike the remainder of the section and insert "The area constituted in section 27 of this act."

On page 6, section 29, line 14 after "Riverside," and before "Slavin," insert "Selah Central, Selah Heights, Selah Rural, all the precincts in the city of Selah,"

On pages 6 and 7, section 33, after "16-A:" on page 6, line 23, strike the remainder of the section and insert "In Benton county, those portions of each of townships 8 and 9 north of each of ranges 29 and 30 east, Willamette Meridian and the county of Franklin."

On page 7, section 41, lines 32 and 33 after "Katherine," on line 32 and before "Kilpatrick," on line 33 strike "Kent 1 through 19," and insert "those portions of the city of Kent west of the freeway,"

On page 11, section 61, lines 3, 4 and 5, after "freeway;" on line 3, strike the balance of line 3, all of line 4 and line 5 to and including "with freeway;"

On page 22, section 108, line 16, after "1964" strike the balance of the line.

On page 22, section 108, line 17, before "shall" strike "1969", and after "January, 1969" and before the period, insert "except the term of the senator elected in November, 1964 from the thirty-first Senatorial District as such district was then constituted, which term shall expire in January, 1967".

JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, R. R. (Bob) Greive, Al Henry, Gordon Herr, Karl Herrmann, James Keefe, David E. McMillan, Nat Washington.

**Senate Bill No. 237:**

Senate Chamber,  
Olympia, Wash., January 25, 1965.

Reapportioning the state legislative district (reported by Committee on Constitution, Elections and Legislative Processes):

MINORITY recommends that it do not pass. ...., *Chairman.*

We concur in this report: Wilbur G. Hallauer, Marshall A. Neill, Fred G. Redmon, John N. Ryder, Walter B. Williams.

The bill was read the second time by sections.

It was moved by Senator Greive that the majority report be adopted and that Senate Bill No. 237 be placed on final passage.

On motion of Senator McCutcheon, the committee amendments to pages 3 and 4 were adopted.

On motion of Senator Lennart, the committee amendments to page 14 were adopted.

On motion of Senator McCutcheon the committee amendment on page 2, section 3, line 4 was adopted.

On motion of Senator Washington, the committee amendment on page 2, section 4, lines 6 and 7 was adopted.

On motion of Senator Greive, the committee amendments on page 3, section 13, line 22, on page 4, section 19, line 28, 30, 31 and 32 were adopted.

On motion of Senator McCormack, the committee amendments to page 5 were adopted.

On motion of Senator Washington, the committee amendments to page 6, section 26 and 28, lines 3 and 9 were adopted.

On motion of Senator McCormack, the committee amendments on page 6, section 29, line 14 and pages 6 and 7, section 33 were adopted.

On motion of Senator Ryder, the committee amendment to page 7, section 41, lines 32 and 33 was adopted.

On motion of Senator McCutcheon, the committee amendment on page 11, section 61, lines 3, 4 and 5, also page 22, section 108, lines 16 and 17 were adopted.

Senator Lennart moved the adoption of the following amendment:

On page 14, section 83, line 8, after the number "41" strike the punctuation and letter "-A"; and after the word "Juan" strike the balance of line 8 and line 9 down to "and Whatcom" and strike punctuation ":" on line 9 and balance of section 83; and insert "shall constitute one legislative district for which one senator and three representatives shall be elected."

Debate ensued.

On motion of Senator McCutcheon, the amendment was laid upon the table.

Senator Riley moved the adoption of the following amendment:

On page 12, section 71, line 19, strike the entire section and insert: "35: In the City of Seattle—bounded on the East by the line formed by Stoneway North, North 40th, First Northeast, Lake Union and Fairview North, on the South by Thomas, on the West by Aurora North Waterway, and 22nd Northwest, and on the North by the districts constituted in sections 89 and 91 of this act, together with the territory bounded by the districts constituted in sections 71, 75, 87, 88, 89 and 91 of this act."

Debate ensued.

The motion was carried and the amendment was adopted.

Senator Riley moved that the following amendment be adopted:

On page 12, section 72, line 24, strike "Sec. 72." and renumber the following sections consecutively.

Debate ensued.

On motion of Senator Riley, the amendment was made a special order of business after consideration of all other amendments to Senate Bill No. 237.

Senator Ryder moved the adoption of the following amendment:

On page 4, section 17, line 9, after "8-A:" strike the remainder of the section and insert "The area in Snohomish county bordered on the west by Puget Sound, on the South by the King-Snohomish county line and on the North and East by those districts described in sections 77 and 79 of this act."

Debate ensued.

On motion of Senator Greive, the amendment was laid upon the table.

Senator Guess moved the adoption of the following amendment:

On page 1, section 13, line 28, after the word "road" strike the period and insert: "Bryan, Burton, Daisy, Dawson, Day, Dayton, Detroit, Dixie, 601, 724."

Debate ensued.

On motion of Senator McCutcheon, the amendment was laid upon the table.

Senator Chytil moved the adoption of the following amendment:

On page 7, section 39, line 21, after the numbers "44.06.220" and before the period, insert: "except the following precincts in Grays Harbor County: Arctic Blockhouse, Connie, Cosmopolis 1 and 2, Cosmopolis Rural, Delezene, Fords Prairie, Grayland, Johns River, Malone, Melbourne, Oakville 1, Oakville 2 Rural, Ocosta, Porter, Vesta, Westport, Westport Rural".

Debate ensued.

On motion of Senator Greive, the amendment was laid upon the table.

Senator Hallauer moved the adoption of the following amendment:

On page 24, section 112, line 12, following "Sec. 112." strike the entire section and insert: "This act will take effect immediately following approval by the Federal District Court."

Debate ensued.

On motion of Senator McCutcheon, the amendment was laid upon the table.

#### SPECIAL ORDER OF BUSINESS

The time having arrived, the Senate resumed consideration of the amendment by Senator Riley to page 12, section 72, line 24, strike "Sec. 72." and renumber the following sections consecutively.

Debate ensued.

#### POINT OF INQUIRY

Senator Moriarty, Jr.:

"Senator Greive, if I understood your remarks, you stated that if one of the districts did not have the 'A' and 'B' districts, and the others did, it would jeopardize the constitutionality of the bill?"

Senator Greive:

"Yes, I said if they didn't have the 'A' and 'B' designation. They do not have to have the geographical sub-districts."

Senator Moriarty, Jr.:

"My question really is: Why is the division of the district in this bill, or the elimination of a division of a district in this bill going to jeopardize its constitutionality, where in the previous bill considered on the floor of the Senate several days ago, Engrossed Senate Bill No. 2, some districts were subdivided into 'A' and 'B' districts, and others were not subdivided."

Senator Greive:

"Senator, it is my understanding there are no subdivisions remaining in the thirty-fifth district as designated in this bill. The difficulty now is they are about to try to eliminate the 'A' and 'B' positions and since uniformly we have had 'A' and 'B' positions in all of the districts, this might jeopardize it."

Debate ensued.

On motion of Senator McCutcheon, the amendment was laid upon the table.

On motion of Senator Riley, the following amendments were adopted:

On page 12, section 72, line 24, after "35-B:" strike the remainder of the section and insert "The area constituted in Sec. 71 of this act."

On line 2 of the amendment by Senator Riley, after "35" insert "-A"

On motion of Senator McCutcheon, Senate Bill No. 237, as amended, was placed on final passage.

Debate ensued.

#### POINTS OF INQUIRY

Senator Moriarty, Jr.:

"Would Senator Greive yield to a series of short questions?"

"Senator Greive, I'll try to make these as short as possible. The hour is late and I know we are all tired. Since about all we can do in the minority is keep one eye cocked on the Federal Court, which may act with some alchemy, I would like to ask you first, in view of the provision of page 20, lines 15 through 18 of this bill, which provides that one Senator shall be elected for the second senatorial district created by this act at the general election to be held on the first Tuesday after the first Monday in November of 1966, for a term of two years, and the provision in Article II, Section 6 of the state constitution which states with reference to senatorial districts that senators shall be elected for a term of four years, my question is: How does the provision on page 20 square with the provision of Section 6, Article II of the constitution?"

Senator Greive:

"Senator, this matter, happily, has already been ruled upon by our Supreme Court in the matter of *State ex rel. Christensen*. I'm told it is 169 Washington. My lawyer tells me it is page 9."

Senator Moriarty, Jr.:

"My second question: My information with regard to the population figures in the seventh district under Senate Bill No. 237 is that the district contains a population of 38,592, while the fifth senatorial district contains a population of 61,982, or a disparity of thirty-seven per cent. My question is: How do these two districts meet the population standards set by the Federal Court in their recent decisions and orders?"

Senator Greive:

"Senator, my information is that your figures are in error."

Senator Moriarty, Jr.:

"Senator Greive, the third of my questions is with regard to my own thirty-sixth district. In this bill, I have acquired a part of Bainbridge Island. Now Bainbridge Island is in Kitsap County, while my existing district is in King County and comprises only a part of the city of Seattle. Kitsap County and those portions of my district which are in King County are separated by eight to ten miles of water. In view of the provision in Article II, Section 6 of the state constitution that Senators shall be elected by single districts of convenient and contiguous territory, my question to you is, Senator, how do we meet these standards of convenience and contiguousness with regard to the thirty-sixth senatorial district in this bill?"

Senator Greive:

"I have three parts to this answer. First, let me say that if you were to follow this as a criterion, no island could ever be a part of any district. For instance, the Hawaiian Islands would never be a part of the United States. We have a number of

islands and we had to put them somewhere, so we attempted to choose those areas that we felt they best fitted for economic, political and various other reasons.

"Now in this particular case, it seems that you have a very prominent relative who lives there. You married a very lovely bride from that particular area. You have a summer home in that particular area. It seems the other representative from this district, the House district, also has a summer home there, and it seems to me that the interests are very greatly connected. We understand that people who live in that particular area generally work in the city and commute. Most of them do not drive their cars. They have regular community car-pool systems. There is a strong identity and it was the political judgment of myself, and I think speaking for the authors of the bill, that we all felt this particular section of Kitsap County was far more identified and over the years has become far more a part of the city of Seattle and its environs, than it has of Bremerton.

"So, Senator, under those circumstances, we felt that was the proper place for it and we were sorry we couldn't do it in our first effort, but we were able to do it, since we reduced the size of Kitsap County, or one district, so they would only have two representatives."

Senator Moriarty, Jr.:

"Thank you for the compliments on my bride, Senator. The next question, Senator Greive: I'm sure that you have analyzed the districts as established in Senate Bill No. 237 from the standpoint of their political complexion. Would you kindly advise me, Senator, what your analysis shows would have been the result in the House of Representatives had this reapportionment plan been in effect in the 1964 elections?"

Senator Greive:

"Senator, you have put me a very difficult question. I thought originally that I was a fair analyst of Senate Bill No. 2, and we found that in Senate Bill No. 2 we were in gross error. We found that looking at it from a Republican-Democratic point of view, that Governor Evans would have carried thirteen to forty and Lud Kramer would have carried thirty-two to sixteen. We found it was almost impossible to calculate. Obviously we haven't had the time necessary to calculate under this bill and come up with any definitive political opinion. It has been a matter of compromising with various people, looking carefully at the population and attempting to satisfy the requirements of the Court. I can say to you quite honestly I don't know how this bill will go. My guess, even though it might be an educated guess, would hardly be or should hardly be the subject of any court action, which is the reason you are asking these questions."

Senator Moriarty, Jr.:

"Another question: Had this bill been in effect for the 1964 elections, Senator Greive, what would have been the political complexion of the Washington State Senate during the 1965 Session? I assume your answer would be the same?"

Senator Greive:

"Yes, Senator."

Senator Moriarty, Jr.:

"One other question. Has the Washington State Attorney General given you an opinion on the constitutionality of Senate Bill No. 237?"

Senator Greive:

"No, Senator, he hasn't. We feel several of us, both you and I and several other members of the Senate are lawyers; and, the sole criterion being that of population, we feel this criterion has been satisfied and we feel we will get a favorable opinion. We certainly intend to do so."

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 237, and the bill passed the Senate by the following vote: Yeas, 27; nays, 20; excused, 2.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Peterson (Lowell), Petrich, Riley, Sandison, Talley, Washington—27.

Those voting nay were: Senators Atwood, Chytil, England, Freise, Guess, Hallauer, Lennart, Lewis, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Rasmussen, Raugust, Redmon, Ryder, Stender, Thompson, Jr., Williams, Woodall—20.

Excused: Senators Durkan, Mardesich—2.

Engrossed Senate Bill No. 237, having received the constitutional majority, was declared passed.

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

On motion of Senator Greive, Engrossed Senate Bill No. 237 was ordered immediately transmitted to the House.

#### MOTION

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 12:30 a.m., Thursday, January 28, 1965, on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Thursday, January 28, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## EIGHTEENTH DAY

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### MORNING SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Thursday, January 28, 1965.

The Senate was called to order at 11:00 a.m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Dore.

On motion of Senator Petrich, Senator Dore was excused.

The Color Guard, consisting of Pages Gordon Baker, Color Bearer, and Connie Heinemann, presented the Colors.

Reverend Arthur I. Anderson, pastor of the Gloria Dei Lutheran Church of Olympia, offered prayer as follows:

"Not by might, not by power, but by my Spirit says the Lord of Hosts. Forgive us, O Lord, that we depend so much upon our own maneuverings and manipulations and so little upon the power of Thy Spirit.

"In these hallowed moments before Thy throne of grace: Make us to be still and know that Thou art God, that Thou art good, that Thou art able to do exceeding abundantly above all that we ask or think according to the power that worketh in us.

"Make us to be yielded instruments, that we might be effectively wielded by Thee to accomplish what is just and right and good. Give us the mind of Christ; fill us with His Spirit; lead us this day along the path of the Golden Rule. O Master of all good workmen, set us to work anew. Amen."

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

**APPOINTMENT OF SPECIAL COMMITTEE**

The President announced the presence within the bar of the Senate of Gerry Lindgren, Olympic distance runner, and appointed a special committee consisting of Senators Keefe, Cowen, Guess and Neill to act as a committee of honor to escort Mr. Lindgren to the rostrum.

The Secretary read:

**SENATE RESOLUTION  
No. 1965 -10**

By Senators Keefe, Cowen and Neill:

WHEREAS, Gerry Lindgren, a resident of Spokane, Washington, has brought wide fame to the state of Washington as an outstanding distance runner, and

WHEREAS, Honors too numerous to enumerate throughout the United States and overseas have been given to Gerry for his tremendous achievements in athletic competition, and

WHEREAS, Gerry has brought great credit to John R. Rogers High School in Spokane and to Washington State University at Pullman, Washington, and

WHEREAS, Gerry has set and broken many records in running distances up to 10,000 meters, and

WHEREAS, Gerry brought great accolades to the United States when he defeated the Russian distance runners by more than 150 yards in the Los Angeles Coliseum on July 26, 1964, and

WHEREAS, Gerry served as chairman of the legislative committee for John Rogers Hi-Y and as parliamentarian for the Associated Student Body, displaying his intelligent interest in government, and

WHEREAS, Gerry served as the chairman of the Spokane County March of Dimes Drive for Teens, displaying his concern for the welfare of his fellow men, and

WHEREAS, Gerry's conduct, both in the field of athletics and in his private life, has set a sterling example for the youth of the state of Washington to follow, and

WHEREAS, The members of the senate of the state of Washington are proud that Gerry Lindgren has chosen to live in our great state and desire to pay tribute to him and express gratification on behalf of this state for the honor and recognition which he has brought to it,

*Now, Therefore, Be It Resolved,* By the Senate of the state of Washington that this body hereby acclaim and honor this man who is a splendid example of sportsmanship and who has displayed magnificent athletic ability, and thus brought distinction not only to himself but also to the state of Washington; and

*Be It Further Resolved,* That Gerry Lindgren for his excellent achievements be awarded the Distinguished Citizen Award and the Secretary of State, state of Washington is hereby instructed to prepare a certificate evidencing this award; and

*Be It Further Resolved,* That the Secretary of the Senate shall suitably inscribe copies of this Resolution and forward them to members of the family of Gerry Lindgren.

On motion of Senator Keefe, the resolution was adopted.

The President called upon Senators Keefe and Cowen to present the Distinguished Citizen Award to Gerry Lindgren and, with the consent of the Senate, Mr. Lindgren was permitted to address the Senate.

**APPOINTMENT OF SPECIAL COMMITTEE**

The President announced within the bar of the Senate the presence of Stan Hiserman, Track Coach of the University of Washington, Phil Shinnick, his mother Mrs. Phil Shinnick, Sr., and Wariboko West and appointed a special committee consisting of Senators Gallagher, Moriarty, Jr., Ryder, Connor, Riley and Washington to escort the visitors to a place of honor upon the rostrum.

Each of the honored guests made appropriate remarks when introduced by the President.

The Secretary read:

**SENATE RESOLUTION**  
No. 1965 -11

By Senator Guess:

WHEREAS, The traffic crossing the passes in the Cascade mountains has increased manifold in recent years; and

WHEREAS, The men who operate the state equipment necessary to maintain these roads in driveable condition during the winter months are faced with a problem of ever-growing importance; and

WHEREAS, The devotion to duty of these men has been outstanding, with the result that travel between the east and west portions of the state, as well as travel to the summits of the several passes, is now much easier and safer than in years past;

Now, Therefore, Be It Resolved, That the Highway Commission be, and it is, requested to award certificates of merit to the men whose professional skill and dedication to their work have made this situation possible.

And Be It Further Resolved, That copies of this resolution be transmitted by the Secretary of the Senate to each member of the Highway Commission of the state of Washington.

On motion of Senator Guess, the resolution was adopted.

**INTRODUCTION AND FIRST READING OF BILLS AND RESOLUTIONS**

The following were introduced, read first time by title, and acted upon as indicated:

**Senate Bill No. 238**, by Senators Riley, Peterson (Ted) and Kupka:

An Act relating to crimes and punishment, and amending section 377, chapter 249, Laws of 1909 and RCW 9.45.060; and providing penalties.

**MOTION**

It was moved by Senator Kupka that Senate Bill No. 238 be referred to the Committee on Commerce and Manufacturing.

Debate ensued.

The motion was lost, and Senate Bill No. 238 was referred to the Judiciary Committee.

**Senate Bill No. 239**, by Senators Gallagher, Hanna and Thompson, Jr.:

An Act relating to library local improvement districts; providing for the creation of such by cities and towns; providing for the creation of joint library local improvement districts including both incorporated and unincorporated areas; adding four new sections to chapter 162, Laws of 1961 and to chapter 27.14 RCW; and adding a new section to chapter ....., Laws of 1965 (Senate Bill No. 3), and to chapter 35.43 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 240**, by Senators Cooney and Herrmann:

An Act relating to power of townships to jointly maintain cemeteries; adding a new section to chapter 167, Laws of 1953 and to chapter 45.12 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 241**, by Senators Henry, Guess and Redmon:

An Act relating to state government and providing for the disposition of revenue of certain professional boards and commissions; amending section 11, chapter 283, Laws of 1947 as last amended by section 3, chapter 142, Laws of 1961, and RCW 18.43.080; amending section 16, chapter 283, Laws of 1947 as last amended by section 5, chapter 142, Laws of 1961, and RCW 18.43.130; adding a new section to chapter 18.43 RCW; and repealing section 15, chapter



101, Laws of 1957 and RCW 18.15.170 and section 5, chapter 168, Laws of 1953 and RCW 18.18.280.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 242**, by Senator Petrich:

An Act relating to justices of the peace; and amending section 101, chapter 299, Laws of 1961 and RCW 3.58.020.

Referred to Judiciary Committee.

**Senate Bill No. 243**, by Senator Petrich:

An Act relating to justices of the peace; and amending section 3, chapter 156, Laws of 1951, as amended by section 5, chapter 206, Laws of 1953, and RCW 3.16.002.

Referred to Judiciary Committee.

**Senate Bill No. 244**, by Senators Williams, Ryder and Guess (by Executive request):

An Act relating to unemployment compensation; amending section 3, chapter 35, Laws of 1945 and RCW 50.04.020; amending section 4, chapter 35, Laws of 1945 as amended by section 1, chapter 214, Laws of 1949 and RCW 50.04.030; amending section 68, chapter 35, Laws of 1945 as last amended by section 3, chapter 266, Laws of 1959, and RCW 50.20.010; amending section 80, chapter 35, Laws of 1945 as last amended by section 2, chapter 321, Laws of 1959 and RCW 50.20.120; and providing for an effective date.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 245**, by Senator Foley:

Providing for a four year college in Clark County.

Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 246**, by Senators Talley, Henry and Gissberg:

An Act relating to diking improvement districts; and adding new sections to chapter 85.08 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 247**, by Senators Talley, Henry and Gissberg:

An Act relating to diking improvement districts; increasing the compensation of election officials thereof; and amending section 20, chapter 176, Laws of 1913 as last amended by section 1, chapter 338, Laws of 1955 and RCW 85.08.300.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 248**, by Senators Hallauer and Hanna:

An Act relating to public utility districts; amending section 4, chapter 207, Laws of 1951 as last amended by section 2, chapter 140, Laws of 1957, and RCW 54.12.080.

Referred to Committee on Public Utilities.

**Senate Bill No. 249**, by Senator Dore:

An Act relating to insurance; and establishing an exemption for certain nonprofit organizations which issue annuities.

Referred to Committee on Banks, Financial Institutions and Insurance.

**Senate Bill No. 250**, by Senators Keefe, Guess and Woodall:

An Act relating to motor vehicles, and amending section 46.44.094, chapter 12, Laws of 1961 and RCW 46.44.094.

Referred to Committee on Highways.

**Senate Joint Resolution No. 17**, by Senator Rasmussen:  
Providing for removal of judges.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Concurrent Resolution No. 4**, by Senators Riley, Moriarty, Jr. and Cowen:

Resolution in remembrance of Stub Nelson.

On motion of Senator Riley, Senate Concurrent Resolution No. 4 was placed on final passage and adopted.

The Senate stood one minute in silent tribute to Stub Nelson.

On motion of Senator Gissberg the Secretary read the following:

**MESSAGE FROM THE ATTORNEY GENERAL**

Office of the Attorney General,  
Olympia, Wash., January 28, 1965.

Honorable W. A. Gissberg  
President Pro Tempore of the Senate  
Legislative Building  
Olympia, Washington

Honorable Robert M. Schaefer  
Speaker of the House of Representatives  
Legislative Building  
Olympia, Washington.

**GENTLEMEN:**

We are writing in response to your letter of January 27, 1965, by which you asked to be advised as to what business the committees of the legislature may transact pending the enactment of a redistricting plan which is acceptable to the United States District Court having jurisdiction in *Thigpen, et al., v. Kramer, et al.*

The answer to your question is to be found in the language of the first full paragraph appearing on page four of the Court's decree of October 26, 1964, copy enclosed. As originally drafted by this office in response to the Court's initial ruling on October 5, 1964, this paragraph read:

"IT IS FURTHER ORDERED, ADJUDGED AND DECREED that except for the bills or other measures specifically listed in the preceding paragraph of this decree, no bill shall be introduced, considered or passed by either house of the Washington state legislature or any committee thereof until the legislature shall have enacted into law a legislative apportionment plan that is in compliance with Amendment Fourteen of the United States Constitution to the satisfaction of this Court upon review of the same at a hearing to be held as soon as possible after enactment of such apportionment plan, together with implementing legislation for the election of legislators from the reapportioned districts."

However, between the time of this ruling and the actual entry of the decree a memorandum was submitted to the Court by the defendant William S. Day, then Speaker of the House of Representatives. Among other things, the defendant Day asked that the proposed decree be modified to the extent of permitting bills on all subjects to be introduced and considered by the two houses of the legislature with the committees of the legislature being permitted to function in the normal manner. In support of this request he said, in pertinent part:

" \* \* \* Not to permit the committees of both houses to function while a reapportionment bill is being formulated will extend the legislation session insofar as the work will have to be performed subsequent to the passage of the reapportionment bill. To allow the house and senate committees to regularly function would in no way impede the formulation and passage of a reapportionment measure nor impair the Court's control over the legislature. To grant such permission would however, promote the efficient and orderly operation of the thirty-ninth legislative session. \* \* \*"

After due deliberation, the Court decided to grant this modification and, accordingly, before entering the decree it crossed out certain language so that the decree, when entered, read as follows:

"IT IS FURTHER ORDERED, ADJUDGED AND DECREED that except for the bills or other measures specifically listed in the preceding paragraph of this decree, no bill shall be [introduced, considered or] passed by either house of the Washington state legislature or any committee thereof until the legislature shall have enacted into law a legislative apportionment plan that is in compliance with Amendment Fourteen of the United States Constitution to the satisfaction of this Court upon review of the same at a hearing to be held as soon as possible after enactment of such apportionment plan, together with implementing legislation for the election of legislators from the reapportioned districts."

Subsequently, however, questions arose as to the significance of the phrase "or any committee thereof" which was not crossed out. In order to clarify the matter, we contacted the Court on an informal basis, both last fall and again earlier this week. We were advised that having crossed out "introduced, considered or" the Court regarded "or any committee thereof" to be surplusage. In other words, the true intent of the Court, as aforesaid, was to grant in full the particular modification requested by the defendant Day as above described.

Accordingly with this background we answer the specific points of your question as follows:

(1) The decree does permit the passage of bills out of committees into the Rules Committee;

(2) It further permits the passage of bills out of the Rules Committee onto the floor of the House or Senate for second reading;

(3) However, the decree *does not permit* final passage of a bill by either house for the reason that in this regard the decree clearly states that,

"\* \* \* no bill [except as expressly permitted elsewhere] shall be passed by either house of the Washington state legislature \* \* \* until the legislature shall have enacted into law a legislative apportionment plan that is in compliance with Amendment Fourteen of the United States Constitution \* \* \*"

We trust that the foregoing will be of assistance to you.

Very truly yours,  
 JOHN J. O'CONNELL,  
*Attorney General,*  
 PHILIP H. AUSTIN,  
*Assistant Attorney General.*

#### MOTION

On motion of Senator Gissberg, the message from the Attorney General was ordered spread upon the journal.

It was moved by Senator Stender that the permanent rules of the Senate of the 1963 Session be adopted as the temporary Senate rules of the 1965 Session.

Debate ensued.

On motion of Senator Greive, the motion by Senator Stender was referred to the Committee on Rules and Joint Rules.

On motion of Senator Freise, Senator Keefe's name was added as a sponsor to Senate Bill No. 72.

At 12:20 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Friday, January 29, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## NINETEENTH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Friday, January 29, 1965.

The Senate was called to order at 11:00 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Guess.

On motion of Senator Atwood, Senator Guess was excused.

The Color Guard, consisting of Pages Eric Freise, Color Bearer, and Betsy Helberg, presented the Colors.

Reverend Arthur I. Anderson, pastor of the Gloria Dei Lutheran Church of Olympia, offered prayer as follows:

"O Father of lights, God of love, Thou hast said that if we were to speak with the combined eloquence of men and angels, we should stir men like a fanfare of trumpets or the crushing of cymbals; but unless we had love, we should do nothing more.

"May Thy love flood through our hearts: The love that is slow to lose patience and that looks for a way of being constructive; the love that is not possessive and does not cherish inflated ideas of its own importance; the love that has good manners and does not pursue selfish advantage.

"Grant us all the grace to say with the inspired Apostle Paul: When I was a child, I spoke like a child, I thought like a child, I reasoned like a child; but when I became a man, I gave up childish ways.

"May we this day and all our days, FOLLOW THE WAY OF LOVE, through Jesus Christ our Lord. Amen."

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

#### MOTION

On motion of Senator Hallauer, one thousand additional copies of Senate Bill No. 203 were ordered printed.

The Secretary read:

#### SENATE RESOLUTION No. 1965 -13

By Senators Dore, Bailey, Greive, Moriarty, Jr. and Neill:

WHEREAS, The operations of the Legislature of the state of Washington can be greatly improved by adequate facilities for the members of the legislature, and the public; and

WHEREAS, The present legislative building is overcrowded and office space is drastically needed for the members of the Senate and the House; and

WHEREAS, The legislature is required to handle the state's needs in a relative short period of time;

Now, Therefore, Be It Resolved, That the President of the Senate appoint a bipartisan committee composed of five Senators from each party to investigate and inquire into the need for the following:

- (1) Facilities for the legislators and public;
- (2) Workload of the legislature; and
- (3) Expenditures and economies of legislative operations.

And Be It Further Resolved, That said committee bring its report back to this session of the Legislature and recommend action for this thirty-ninth legislative session.

On motion of Senator Dore, the resolution was adopted.

The Secretary read:

**SENATE RESOLUTION**  
No. 1965 -12

By Senator Hallauer:

WHEREAS, There exists in the state of Washington a practical, simple and expeditious method of registering land titles known as the Torrens Act; and,

WHEREAS, The Torrens method of registering constitutes an economical, equitable and easily understandable method of conveying and recording titles to real estate; and,

WHEREAS, In many other jurisdictions such as the Commonwealth of Australia and in the Dominion of Canada the Torrens method of registering and recording land titles is utilized extensively and has demonstrated its practicability, simplicity of operation, and economy; and,

WHEREAS, In the state of Washington there appears to exist a conspiracy of silence involving title insurance companies, certain lawyers, and real estate brokers resulting in lack of utilization of the Torrens method of title registration; and

WHEREAS, Said conspiracy of silence has caused the citizens of the State of Washington great and needless expense.

Be It Resolved, That the Commissioner of Public Lands cause to be studied the availability of the Torrens system of title registration and advise the Senate within thirty days why said system of title registration is not used more extensively in the State of Washington and that the Land Commissioner make recommendations as to the best methods available to advise and inform the citizens of the Torrens system of registering land titles so as to cause it to be utilized more extensively in the State of Washington.

Senator Hallauer moved the adoption of the resolution.

Debate ensued.

With the consent of the Senate, the resolution was withdrawn.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Washington, January 28, 1965.

MR. PRESIDENT:

The House has adopted: House Concurrent Resolution No. 9, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**INTRODUCTION AND FIRST READING OF BILLS AND MEMORIALS**

The following were introduced, read first time by title, and acted upon as indicated:

**Senate Bill No. 251**, by Senators Williams, Atwood and Mardesich:

Enables cities and towns to annex territory or consolidate with another city in an adjacent county.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 252**, by Senators Peterson (Ted), Petrich and Atwood (by Departmental request):

Repealing the personal commercial fishing license and increasing gear license fees.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 253**, by Senators Hanna and Williams:

An Act relating to medicine; and authorizing the formation of medical professional corporations.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

**Senate Bill No. 254**, by Senators Herrmann, Cooney and Foley:  
An Act relating to justice courts; and amending section 110, chapter 299, Laws of 1961 and RCW 3.62.060.

Referred to Judiciary Committee.

**Senate Bill No. 255**, by Senators Durkan, McCormack and Ryder:  
Revising school district budgetary procedures.

Referred to Committee on Education.

**Senate Bill No. 256**, by Senators Charette, Petrich and Atwood:  
An Act relating to food fish and shellfish; and amending section 75.12.010, chapter 12, Laws of 1955 and RCW 75.12.010.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 257**, by Senators Charette, Herr and Peterson (Ted) (by Departmental request):

An Act relating to food fish and shellfish; adding a new section to chapter 12, Laws of 1955, and to chapter 75.28 RCW; repealing section 75.28.090, chapter 12, Laws of 1955 as amended by section 4, chapter 212, Laws of 1955 and RCW 75.28.090; and providing an effective date.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 258**, by Senators Peterson (Ted) and Herr (by Departmental request):

An Act relating to food fish and shellfish; adding new sections to chapter 75.12 RCW; and providing penalties.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 259**, by Senators Herrmann, Ryder and Cooney:

An Act relating to mutual savings banks; and adding a new section to chapter 13, Laws of 1955 and to chapter 32.08 RCW.

Referred to Committee on Banks, Financial Institutions and Insurance.

**Senate Bill No. 260**, by Senators Williams, Riley and Peterson (Ted):

An Act relating to metropolitan municipal corporations; amending section 35.58.040, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.58.040; amending section 35.58.100, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.58.100; amending section 35.58.180, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.58.180; amending section 35.58.270, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.58.270; amending section 35.58.530, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.58.530; and adding new sections to chapter ....., Laws of 1965 (Senate Bill No. 3) and to chapter 35.58 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 261**, by Senators Freise and Washington:

An Act relating to school districts; authorizing any board of directors thereof to be referred to as the "school district board of education"; and adding a new section to chapter 28.02 RCW.

Referred to Committee on Education.

**Senate Bill No. 262**, by Senators Charette, Thompson, Jr. and Peterson (Ted) (by Departmental request):

An Act relating to food fish; making it unlawful to operate or have aboard any commercial fishing vessel more than one type of commercial salmon

fishing gear in operable condition; adding a new section to chapter 12, Laws of 1955 and to chapter 75.12 RCW; and prescribing penalties.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 263**, by Senators Charette, Herr and Atwood (by Departmental request):

An Act relating to food fish and shellfish; amending section 75.28.380, chapter 12, Laws of 1955 as amended by section 5, chapter 171, Laws of 1957 and RCW 75.28.380; and providing penalties.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 264**, by Senators Charette, Thompson, Jr. and Peterson (Ted) (by Departmental request):

An Act relating to food fish and shellfish; amending section 75.08.230, chapter 12, Laws of 1955 and RCW 75.08.230; and amending section 75.12.130, chapter 12, Laws of 1955 and RCW 75.12.130.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 265**, by Senators Charette, Peterson (Ted) and Petrich (by Departmental request):

An Act relating to food fish and shellfish and adding a new section to chapter 12, Laws of 1955 and to chapter 75.32 RCW.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 266**, by Senators Petrich, Peterson (Ted) and Atwood (by Departmental request):

An Act relating to public lands; amending section 142, chapter 255, Laws of 1927 as last amended by section 1, chapter 79, Laws of 1963 and RCW 79.01.568; amending section 143, chapter 255, Laws of 1927 and RCW 79.01.572; amending section 144, chapter 255, Laws of 1927 as amended by section 40, chapter 271, Laws of 1951 and RCW 79.01.576; amending section 146, chapter 255, Laws of 1927 and RCW 79.01.584; amending section 148, chapter 255, Laws of 1927 and RCW 79.01.588; and amending section 149, chapter 255, Laws of 1927 and RCW 79.01.592.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 267**, by Senators Williams, Thompson, Jr. and Durkan:

An Act relating to municipal corporations, providing that two or more contiguous cities and towns may consolidate by agreement; prescribing procedures; and adding new sections to chapter ....., Laws of 1965 and to chapter 35.10 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 268**, by Senators Washington, McCormack and Neill:

An Act relating to highways; reappropriating certain funds; and making an appropriation.

Referred to Committee on Highways.

**Senate Bill No. 269**, by Senators Talley, Woodall and Durkan:

An Act relating to crimes and punishment; and shoplifting; amending section 3, chapter 229, Laws of 1959, and RCW 9.78.030; and adding a new section to chapter 229, Laws of 1959 and to chapter 9.78 RCW.

Referred to Judiciary Committee.

**Senate Joint Memorial No. 6**, by Senators Gissberg, Neill, Riley, Herrmann, Lennart, Atwood, Raugust, Woodall, McMillan, Henry, Donohue, Lewis, Guess, Talley:

Memorializing Congress to amend the United States Constitution to set out the right of the people to choose whether or not they wish to have one house of the legislature of their state apportioned on the basis of factors other than population.

Read first time January 27, 1965 and held for additional sponsors.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Joint Memorial No. 7**, by Senator Thompson, Jr.:

Requesting that Congress prevent minors from bringing alcoholic beverages into the United States.

Referred to Committee on Liquor Control.

**Senate Joint Memorial No. 8**, by Senator Thompson, Jr.:

Requesting that Congress prevent individuals bringing in duty free alcoholic beverages.

Referred to Committee on Liquor Control.

#### FIRST READING OF HOUSE RESOLUTION

The following was read first time by title and acted upon as indicated:

**House Concurrent Resolution No. 9**, by Representatives Copeland and O'Brien:

Relating to a joint session to receive a further message from the Governor.

On motion of Senator Riley, the resolution was read in full.

On motion of Senator Riley, the resolution was placed on final passage and adopted.

#### MOTION

At 11:30 a. m., on motion of Senator Greive, the Senate adjourned until 10:00 a. m., Saturday, January 30, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*



## TWENTIETH DAY

### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Saturday, January 30, 1965.

The Senate was called to order at 10:00 a.m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Don Beardin, Color Bearer, and Connie Heinemann, presented the Colors.

Reverend Arthur I. Anderson, pastor of the Gloria Dei Lutheran Church of Olympia, offered prayer as follows:

"Our Father God, on this day of deep mourning for England and the entire Free World, we remember and pay tribute to that great statesman and artist, Sir Winston Churchill, who left such large and indelible footprints along the path of freedom.

"We would remember him and pay tribute in the immortal words of the inimitable Rudyard Kipling: 'L'Envoi'

"When Earth's last picture is painted, and the tubes are twisted and dried,  
When the oldest colors of faith and the youngest critic has died,  
We shall rest—and, faith, we shall need it—lie down for an eon or two,  
'Til the Master of All Good Workmanship shall put us to work anew,  
And they that are His shall be happy. They shall sit on the Golden Chair.  
They shall splash at a ten league canvass with brushes of comets' hair.  
They shall have real Saints to draw from; Magdalene, Peter and Paul.  
They shall work an age at a sitting, and never be weary at all.  
And only the Master shall praise us, and only the Master shall blame.  
And no one shall work for money, and no one shall work for fame,  
But each for the joy of working, and each in his separate star  
Shall draw the things as he sees it, for the God of things as they are. Amen."

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

The Secretary read:

#### REPORT OF STANDING COMMITTEE

##### Senate Bill No. 184:

Senate Chamber,

Olympia, Wash., January 29, 1965.

MR. PRESIDENT:

Permitting supervisor of natural resources to designate open areas during normal closed forest season.

(Reported by Committee on Natural Resources)

MAJORITY recommends that it do pass.

LOWELL PETERSON, *Chairman.*

We concur in this report: Joe Chytil, Gordon Herr, Harry B. Lewis, Mike McCormack, August P. Mardesich, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,

Olympia, Wash., January 29, 1965.

MR. PRESIDENT:

The House has adopted: Senate Concurrent Resolution No. 4 and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., January 29, 1965.

MR. PRESIDENT:

The Speaker has signed: House Concurrent Resolution No. 9 and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President has signed: Senate Concurrent Resolution No. 4; also House Concurrent Resolution No. 9.**

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIAL AND RESOLUTION**

The following were introduced, read first time by title, and acted upon as indicated:

**Senate Bill No. 270**, by Senators Talley, Charette and Bailey:

An Act relating to food fisheries and commercial fishing; establishing a hair seal control program; requiring additional fees for gill net licenses; adding a new section to chapter 12, Laws of 1955 and to chapter 75.28 RCW; and making an appropriation.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 271**, by Senator Riley:

An Act relating to industrial insurance; and amending section 51.04.030, chapter 23, Laws of 1961 and RCW 51.04.030.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

**Senate Bill No. 272**, by Senators Thompson, Jr., Knoblauch and Bailey:

An Act relating to the state employees retirement system; amending section 43, chapter 274, Laws of 1947 as last amended by section 16, chapter 174, Laws of 1963 and RCW 41.40.410; and adding a new section to chapter 274, Laws of 1947 and to chapter 41.40 RCW.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 273**, by Senators Riley and Kupka:

An Act relating to the collection and disposition of hotel inspection fees; and amending section 43.22.110, chapter ....., Laws of 1965 (Senate Bill No. 4), and RCW 43.22.110.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 274**, by Senators Washington, Raugust and McCormack (by Highway Interim Committee request):

An Act relating to county arterial highways and farm to market roads in Grant, Franklin and Adams counties; providing for the issuance, sale and retirement of motor vehicle bonds; providing for reimbursement of costs by said counties; making an appropriation; and declaring an emergency.

Referred to Committee on Highways.

**Senate Bill No. 275**, by Senator Rasmussen:

An Act relating to boats; repealing chapter 72, Laws of 1933 and RCW 88.12.010 through 88.12.060; making an appropriation; providing penalties; and declaring an emergency.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Joint Memorial No. 9**, by Senators Bailey, Donohue and Lennart (by Departmental request):

Memorializing Congress to authorize increased capacity flood water detention structures.

Referred to Committee on Natural Resources.

**Senate Joint Resolution No. 18**, by Senators Rasmussen and Dore:

Amending the Constitution to exempt those over 65 from tax on their homes.

Referred to Committee on Constitution, Elections and Legislative Processes.

#### MOTION

At 10:20 a.m., on motion of Senator Greive, the Senate adjourned until noon, Monday, February 1, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## TWENTY-SECOND DAY

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### NOON SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Monday February 1, 1965.

The Senate was called to order at noon by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Christopher J. Seung, Color Bearer, and Mary O'Connell, presented the Colors.

Reverend Charles Loyer, pastor of the Westminster United Presbyterian Church of Olympia, offered prayer as follows:

"Almighty God and Father by whom our nation hath been established in freedom and our State preserved in union, we thank Thee for our public servants and especially for the members of this chamber for their courage in accepting an office which exposes them to misunderstanding and misrepresentation; for their faith in the future of our State; and for their perseverance in the face of frustration and fatigue.

"Guide the Senators in finding answers to the complex problems of this biennial session. Bless with sound legislation the hours given in study, discussion and debate and at day's end grant to each that personal enrichment which attends Thy approval. Amen."

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

#### APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of the Kross Towners Barbershop Quartet and appointed a special committee consisting of Senators Knoblauch, Kupka, McCutcheon, Ryder and Petrich to escort the Quartet to the rostrum to sing for the Senate.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate, Ladies and Gentlemen:

"Governor Evans has requested of the citizens of the state of Washington that they recognize February as Heart Month. The Secretary will read the Governor's proclamation."

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

"This month, February 1 through 28, has been set aside as Heart Month, both in this state and throughout the nation. All the citizens of our state acknowledge the accomplishments in the field of cardiovascular research which have meant longer and fuller lives for so many. I urge each citizen to assist your Heart Association in even greater and more meaningful accomplishments against our number one killer: Heart Disease."

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate, Ladies and Gentlemen:

"The President at this time should like to say 'Kung Hee Fat Choi' to every member of the Senate and every citizen of the state of Washington. Today is the first day of the Chinese New Year, Lunar Year 4,663. The President is not sure that there is any significance to this particular fact, but this is also the year of the Serpent. You may make out of that what you wish.

"Present today to impress upon each of us the significance of Heart Month are Jim Marich of Mercer Island, Dave Morgan of Kirkland, Alan Setherley, Seattle, and Bob Rychard, Bellevue. This group will now take over."

The members of the Kross Towners Barbershop Quartet sang four songs for the Senate.

**APPOINTMENT OF SPECIAL COMMITTEE**

The President announced the presence within the Bar of the Senate of The Honorable Burt Cadeau, member of the Canadian Parliament, and appointed a special committee consisting of Senators Connor, Greive, Neill and Cowen to escort Mr. Cadeau to the rostrum to address the Senate.

The Secretary read:

**SENATE RESOLUTION**

No. 1965 -14

By Senators Riley, Mardesich, Sandison, Moriarty, Jr., Woodall and Lennart:

WHEREAS, In the accidental and untimely passing of Dr. Henry Schmitz, the state of Washington has lost a truly outstanding native son, a gifted scholar and educator of national stature, a notable alumnus, former president and president emeritus of the University of Washington, and a highly honored and respected citizen.

Now, Therefore, Be It Resolved, By the Senate of the state of Washington in legislative session assembled; that public tribute be hereby paid to the memory of Henry Schmitz, gentleman, educator, administrator, public servant and citizen of utmost distinction;

Be It Further Resolved, That this resolution be spread upon the journal of the Senate, and a copy thereof transmitted to his widow, Melba Schmitz, to his daughter, Mary Elizabeth Schmitz Hoff, to his sister, Mrs. Harold Hartman, to his brothers Dietrich and Ferdinand Schmitz, and to his granddaughter Erica Ann Hoff, all of Seattle.

It was moved by Senator Greive that all remarks pertaining to the resolution be entered on the journal of the Senate.

The motion was carried.

It was moved by Senator Riley that the resolution be adopted.

Senator Riley:

"Mr. President, Senator Morgan and Gentlemen of the Senate:

"I don't think there is anything further that could be added. The resolution is written well and properly. It tells exactly how those of us feel who signed the resolution. Dr. Schmitz is, of course, a native son and the first native son to have been President of the University of Washington; and, thinking in terms of the fact that this is a young state and we came into being in 1889, it's rather remarkable that we were to have citizens of the high caliber of the late Dr. Henry Schmitz to be born among us, live with us, and come here to take his rightful position as a scholar and President. I'm certain everyone feels as I do and as the resolution expresses it. We are saddened at this tragic loss."

Senator Greive:

"Mr. President, members of the Senate:

"Speaking on behalf of the resolution, I, too, would like to add a word to what Senator Riley has just said. Dr. Schmitz was born about three blocks from where I live in West Seattle. He comes from a family who has been most generous to the city of Seattle. We have a park preserved by the statutes of this state, Schmitz Park, and many people, possibly members of the Senate, have had the opportunity to enjoy it in the past few years. They have given a large section of waterfront to the city of Seattle to make a waterfront park as a part of a marine drive.

"They have given one son who was President of the University of Washington, Dr. Schmitz. In addition to that, they have another son who was for many years on the school board in Seattle and President of the School Board. It's a family of public service, a family that has always placed its desire to help the community among its individual desires politically, and I think nothing could be more fitting than to express our sympathy at this tragic loss that has befallen them. I believe the mother still lives in the family estate. They are fine people and I think any sympathy we can extend is only fitting and proper."

Senator Ryder:

"Mr. President and members of the Senate:

"The tragedy which happened last Saturday was a tremendous loss not only to the community in Seattle, but to the people of the state of Washington. The service Dr. Henry Schmitz has given as a citizen has been tremendous. He has never turned down an opportunity to serve the people as he saw in his own mind was the way in which they should be served. As Senator Greive has said, he comes from a family which has given of itself unstintingly through the years in public work, and I think the people of the state of Washington have incurred a great loss in this tragedy which happened last Saturday. I would like to join in the resolution as a sponsor."

On motion of Senator Moriarty, Jr., Senator Ryder's name was added as a sponsor to the resolution.

On motion of Senator Riley, Senator Greive's name was added as a sponsor to the resolution.

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

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate, Ladies and Gentlemen:

"Having been associated for a number of years at the University of Washington with Dr. Schmitz, I feel a deep personal loss. The remarks and observations made by the Senators this morning and those contained in the resolution are appropriate. I'm sure Mrs. Schmitz and the members of the doctor's family will receive a great deal of satisfaction from them."

The Senate stood in silence for one minute in reverence for the passing of Dr. Henry Schmitz.

The Secretary read:

**REPORT OF STANDING COMMITTEE**

**Senate Bill No. 169:**

Senate Chamber,  
Olympia, Wash., January 29, 1965.

Removing requirement that school district boundaries be coextensive with city of the first class boundaries (reported by Committee on Education):

MAJORITY recommends that it do pass. MIKE McCORMACK, *Chairman*.

We concur in this report: Robert Charette, Fred H. Dore, Herbert H. Freise, Reuben A. Knoblauch, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, John H. Stender, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**REPORT OF SELECT COMMITTEE**

January 27, 1965.

MR. PRESIDENT:

We, your Special Committee to consider and make recommendations under Senate Rules on the registration of lobbyists, have made and recommend the adoption of the following Rule 71:

**REGULATION OF LOBBYISTS**

Rule 71. Any person who shall be employed for pay or for any consideration for the purpose of attempting to influence the passage or defeat of legislation before the Washington State Legislature shall be designated as a lobbyist, and shall register with the President of the Senate. He shall give in writing, his name, business address and the name and address of the person or organization by whom employed. He shall also state whether he is paid on a permanent basis with a lobbying assignment as a partial, temporary, or incidental part of his duties, or whether his employment is solely for lobbying purposes.

Every person so registering shall receive an admission card signed by the President of the Senate.

If, after initial registration, a lobbyist is retained for compensation by an additional employer or interest, he shall immediately file a written notice of that fact with the President of the Senate.

All lobbying information shall be filed in the President of the Senate's office and be available for inspection by the members.

Any lobbyist not fully complying with the provisions of this rule is subject to having all lobbying privileges canceled by the Senate Committee on Rules and Joint Rules.

WILLIAM A. GISSBERG,  
H. B. HANNA,  
PERRY B. WOODALL.

**MOTION**

On motion of Senator Gissberg, the report of the Select Committee was referred to the Committee on Rules and Joint Rules.

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

State of Washington, Office of the Governor,  
Olympia, Wash., January 27, 1965.

*To the Honorable, the Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bill, entitled:

**Senate Bill No. 197**

"An Act relating to state government; appropriating funds for the legislative council,

the legislative budget committee, and the joint committee on education of the legislature; and declaring an emergency.”

Very truly yours,  
 RAYMOND W. HANAN,  
*Legal Counsel to the Governor.*

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
 Olympia, Wash., January 30, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Concurrent Resolution No. 4, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., January 30, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 196, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**INTRODUCTION AND FIRST READING OF BILLS**

The following were introduced, read first time by title, and acted upon as indicated:

**Senate Bill No. 276**, by Senator Rasmussen:

An Act relating to motor vehicle insurance; amending section 43.17.010, chapter ....., Laws of 1965 and RCW 43.17.010; amending section 43.17.020, chapter ....., Laws of 1965 and RCW 43.17.020; and making an appropriation.

Referred to Committee on Highways.

**Senate Bill No. 277**, by Senators Riley, Kupka and Moriarty, Jr.:

An Act relating to state trade fairs and the support thereof; amending section 9, chapter 55, Laws of 1933 as last amended by section 5, chapter 106, Laws of 1955, and RCW 67.16.100; and repealing sections 15.73.010, 15.73.020, 15.73.030 and 15.73.040, chapter 11, Laws of 1961 and RCW 15.73.010, 15.73.020, 15.73.030 and 15.73.040; directing an apportionment from the state trade fair fund; and declaring an emergency.

Referred to Committee on Commerce, Manufacturing and Licenses.

**FIRST READING OF HOUSE BILL**

The following was read first time by title and acted upon as indicated:

**Engrossed House Bill No. 196**, by Representatives Grant and Elder:

An Act relating to the legislature; providing for the redistricting and reapportionment thereof; repealing sections 1 through 20, 24 through 50, 52 through 58, chapter 5, Laws of 1957 as amended by sections 1 through 20, 24 through 50, 52 through 58, chapter 289, Laws of 1957 and RCW 44.06.010 through 44.06.200, 44.06.240 through 44.06.500, 44.06.520 through 44.06.900; and declaring an emergency.

Referred to Committee on Constitution, Elections and Legislative Processes.

**APPOINTMENT OF SPECIAL COMMITTEE**

Under the provisions of Senate Resolution No. 1965-13, the President appointed the following Senators to serve as a special committee to study remodeling of the legislative building: Senators Dore, Bailey, Greive, Neill, Moriarty, Jr., Freise, Woodall, Chytil, Herr and Gissberg.

On motion of Senator Greive, the committee appointments were confirmed.

**MOTION**

On motion of Senator McCormack, the Committee on Education was relieved of further consideration of Senate Bills No. 29 and 30.

On motion of Senator McCormack, Senate Bills No. 29 and 30 were referred to the Committee on Ways and Means.

The President declared the Senate to be at ease.

The President called the Senate to order at 1:50 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senator Lennart, who was excused.

The President declared the Senate to be at ease.

At 1:55 p. m., the Senate retired to the House chamber to meet in joint session for the purpose of hearing the message of Governor Daniel J. Evans.

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**JOINT SESSION**

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

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort the President of the Senate to a seat on the rostrum, and invited the Senators to seats within the House.

The Speaker turned the gavel over to President of the Senate, John A. Cherberg.

The President of the Senate called the joint session to order.

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

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

The President of the Senate announced that the purpose of the joint session was to receive a message from His Excellency, Governor Daniel J. Evans, and appointed the following committee to escort Governor Evans to the House chamber: Senators Redmon, Cowen and Peterson (Lowell), and Representatives Olsen, Johnston (Elmer E.), and King (Chet).

The committee retired.

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

The President of the Senate:

"Governor Evans, the Washington State Senate and Washington State House of Representatives are gathered in joint session to receive your message. Mr. Speaker, members of the Washington State Legislature, ladies and gentlemen, His Excellency, the Honorable Daniel J. Evans, Governor of the State of Washington."

(See House Journal of 1965 for Budget Message of Governor Daniel J. Evans to the Legislature.)

The President of the Senate requested that the special committee escort Governor Evans from the rostrum to his chambers.

On motion of Mr. Sawyer, the joint session was dissolved.



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

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort the President of the Senate and the Senators from the House chamber back to the Senate.

The President called the Senate to order at 3:00 p. m.

**MOTION**

At 3:05 p. m., on motion of Senator Greive, the Senate adjourned until 11:00 a. m., Tuesday, February 2, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**TWENTY-THIRD DAY**

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**MORNING SESSION**

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SENATE CHAMBER,  
OLYMPIA, WASH., Tuesday, February 2, 1965.

The Senate was called to order at 11:00 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Knoblauch and Rasmussen.

On motion of Senator Bailey, Senators Knoblauch and Rasmussen were excused.

The Color Guard, consisting of Pages Steve Guess, Color Bearer, and Stephanie Craig, presented the Colors.

Reverend Charles Loyer, pastor of the Westminster United Presbyterian Church of Olympia, offered prayer as follows:

"Almighty God who hath given to man the governance of human affairs; guide and direct the course of this assembly today. Bless the legislators with that spirit of unanimity which does not ignore but over-arches party loyalties. To problems which invite no quick and easy solution, help them find answers that will speak to the years to come.

"Grant that the Gordian knot of redistricting may yet yield to the combined wisdom and experience of this body that the peoples' faith in the democratic process may be vindicated. Amen."

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

**APPOINTMENT OF SPECIAL COMMITTEE**

The President observed within the bar of the Senate former State Senator Frank Jackson and appointed a special committee consisting of Senators Keefe, Talley, England and Moriarty, Jr. to escort the former member to a seat upon the rostrum.

**PRESENTATION OF GIFTS**

With leave of the Senate, Senator Frank Jackson was permitted to address the Senate and to present gavels to the President, President Pro Tempore, Vice President Pro Tempore and Secretary of the Senate.

The President called upon Senator Cowen to preside.

The Secretary read:

**SENATE RESOLUTION**

No. 1965 -15

By Senators Riley, Gissberg, Dore, Sandison and Durkan:

WHEREAS, The present administration of the federal government under the leadership of President Lyndon B. Johnson has made a studied and successful effort in reducing the expenses of government; and

WHEREAS, In particular Secretary of Defense Robert S. McNamara has undertaken logical reviews of all defense and military installations of the nation and in the face of great criticism and pressure has courageously ordered the closing of such installations as are not essential to the national security; and

WHEREAS, These efforts and actions of President Johnson and Secretary McNamara have resulted in great tax savings to the people and have the promise of future economies and efficiency in government, while not only maintaining but enlarging the defensive and military capabilities of the United States;

Now, Therefore, *Be It Resolved*, By the Senate, That President Johnson and Secretary of Defense McNamara are commended for and encouraged in their efforts and actions for a more efficient and economical federal government.

*Be It Further Resolved*, That the secretary of the senate shall transmit copies of this resolution to President Lyndon B. Johnson and Secretary of Defense Robert S. McNamara.

On motion of Senator Riley, the resolution was adopted.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 2, 1965.

MR. PRESIDENT:

The House has adopted: House Concurrent Resolution No. 11, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

**REPORTS OF STANDING COMMITTEES****Senate Bill No. 3:**

Senate Chamber,  
Olympia, Wash., February 2, 1965.

Enacting a title of the Revised Code of Washington to be known as Title 35—Cities and Towns (reported by Judiciary Committee):

MAJORITY recommends that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, William A. Gissberg, H. B. Hanna, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 5:**

Senate Chamber,  
Olympia, Wash., February 2, 1965.

Enacting a title of the Revised Code of Washington to be known as Title 29—Elections (reported by Judiciary Committee):

MAJORITY recommends that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, William A.

Gissberg, H. B. Hanna, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 55:**

Senate Chamber,  
Olympia, Wash., February 2, 1965.

Increasing mileage allowance for state employees (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass and be referred to Committee on Ways and Means. AL HENRY, *Chairman.*

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

**MOTION**

On motion of Senator Ryder, the committee report was adopted and Senate Bill No. 55 was referred to the Committee on Ways and Means.

**Senate Bill No. 57:**

Senate Chamber,  
Olympia, Wash., February 2, 1965.

Modernizing the personal exemptions statute (reported by Judiciary Committee):

MAJORITY recommends that it do pass. JOHN A. PETRICH, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, William A. Gissberg, H. B. Hanna, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 62:**

Senate Chamber,  
Olympia, Wash., February 2, 1965.

Increasing state per diem allowance (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass and be referred to Committee on Ways and Means. AL HENRY, *Chairman.*

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

**MOTION**

On motion of Senator Riley, the committee report was adopted and Senate Bill No. 62 was referred to the Committee on Ways and Means.

**Senate Bill No. 187:**

Senate Chamber,  
Olympia, Wash., February 2, 1965.

Providing term of legislative council member terminates on his filing declaration of candidacy for elective state office (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass. AL HENRY, *Chairman.*

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIAL AND RESOLUTION**

The following were introduced, read first time by title, and acted upon as indicated:

**Senate Bill No. 278**, by Senators Peterson (Lowell), Hanna and Lewis:

An Act relating to towns; and amending section 35.27.160, chapter ....., Laws of 1965 and RCW 35.27.160.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 279**, by Senators Donohue, Charette and Neill:

An Act relating to free public libraries; eliminating school district free public libraries; amending section 2, chapter 119, Laws of 1935 as last amended by section 10, chapter 75, Laws of 1947 and RCW 27.12.010; amending section 4, chapter 119, Laws of 1935 as amended by section 3, chapter 65, Laws of 1941 and RCW 27.12.030; amending section 8, chapter 119, Laws of 1935 as last amended by section 2, chapter 133, Laws of 1959 and RCW 27.12.190; amending section 10, chapter 119, Laws of 1935 as last amended by section 9, chapter 65, Laws of 1941 and RCW 27.12.240; amending section 20, chapter 119, Laws of 1935 as amended by section 13, chapter 75, Laws of 1947 and RCW 27.12.320; and repealing section 2, chapter 108, Laws of 1939 and RCW 27.12.230.

Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 280**, by Senators McCutcheon and Talley:

An Act relating to municipal corporations of the fourth class; amending section 35.21.010, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.21.010.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 281**, by Senators Peterson (Ted), Riley, Kupka and Talley:

An Act relating to electricians and electrical installations; and amending section 1, chapter 169, Laws of 1935 as amended by section 1, chapter 207, Laws of 1963 and RCW 19.28.010; amending section 10, chapter 169, Laws of 1935 and RCW 19.28.060; amending section 4, chapter 169, Laws of 1935 as last amended by section 2, chapter 207, Laws of 1963 and RCW 19.28.120; amending section 5, chapter 169, Laws of 1935 and RCW 19.28.180; amending section 8, chapter 169, Laws of 1935 as last amended by section 3, chapter 207, Laws of 1963 and RCW 19.28.210.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 282**, by Senators Rasmussen, Knoblauch, Thompson, Jr. and Stender:

An Act relating to noncertificated school district personnel; and establishing paid vacations therefor.

Referred to Committee on Education.

**Senate Bill No. 283**, by Senators Peterson (Ted), Kupka and Keefe:

Regulating hairdressing and beauty culture establishments and the owners, operators, employees and students thereof.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 284**, by Senators Cooney and Connor:

An Act relating to certain state owned lands; providing for use thereof for recreational, game and fisheries purposes, and withholding it from sale; adding a new section to chapter 255, Laws of 1949 and to chapter 79.01 RCW; and declaring an emergency.

Referred to Committee on Natural Resources.

**Senate Bill No. 285**, by Senators Herrmann, Cooney and Donohue:

An Act relating to irrigation districts; authorizing the acquisition and operation of sanitary sewers and sewer disposal or treatment plants; amending section 2, chapter 138, Laws of 1923 as last amended by section 1, chapter 57, Laws of 1943 and RCW 87.03.015; and amending section 5, chapter 138, Laws of 1923 and RCW 87.03.120, 87.03.125 and 87.03.130.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 286**, by Senators Washington, Henry, Donohue, Bailey, Guess and Raugust (by Highway Interim Committee request):

An Act relating to motor vehicle operators; repealing section 46.56.010, chapter 12, Laws of 1961 and RCW 46.56.010; providing penalties; and providing an effective date.

Referred to Committee on Highways.

**Senate Bill No. 287**, by Senators Morgan, Sandison, Kupka, Raugust, McCutcheon, Greive, Stender, Guess, Washington, Henry, Talley, Cowen, Marde-sich, Donohue, Charette, Peterson (Lowell), Herrmann, Rasmussen, Woodall, Moriarty, Jr., Thompson, Jr., Cooney, Lewis, Herr, Knoblauch, Atwood, Giss-berg, Williams, Chytil, England, Gallagher, Hallauer, Connor, Petrich, Riley, Keefe, Peterson (Ted), Hanna, Bailey and McMillan (by Executive request):

An Act relating to acquisition or lease of certain property in Kitsap county by the department of institutions; providing for the remodeling or repair, and operation thereof as a multi-use facility for the mentally and physically deficient and the mentally ill; and declaring an emergency.

Referred to Committee on Public Institutions.

**Senate Joint Memorial No. 10**, by Senators Peterson (Lowell) and Lennart: Commemorating Pig War.

Referred to Committee on Parks, Capitol Grounds and Public Buildings.

**Senate Concurrent Resolution No. 5**, by Senators Peterson (Ted), Riley and England:

Requesting University of Washington board of regents to proceed with construction of second deck on north side of Husky stadium.

Referred to Committee on Higher Education and Libraries.

#### FIRST READING OF HOUSE RESOLUTION

The following was read first time by title and acted upon as indicated:

**House Concurrent Resolution No. 11**, by Representatives Epton, Swayze and Lux:

Relating to memorial services commemorating deceased members of the legislature.

On motion of Senator Ryder, the resolution was read in full.

On motion of Senator Ryder, the resolution was placed on final passage and adopted.

#### MOTIONS

On motion of Senator Bailey, the names of Senators Riley and McCutcheon were added to the Committee on Labor and Social Security.

At 11:45 a. m., on motion of Senator Greive, the Senate adjourned until 11:00 a. m., Wednesday, February 3, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## TWENTY-FOURTH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Wednesday, February 3, 1965.

The Senate was called to order at 11:00 a.m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Donohue, Rasmussen, Raugust and Washington.

On motion of Senator Neill, Senator Raugust was excused.

On motion of Senator Bailey, Senators Donohue, Rasmussen and Washington were excused.

The Color Guard, consisting of Pages John Burfiend, Color Bearer, and Marcia Williams, presented the colors.

Reverend Charles Loyer, pastor of the Westminster United Presbyterian Church of Olympia, offered prayer as follows:

"Almighty God and Father, we thank Thee for the promise of another day and the privilege of picking up anew the tools of our trade. Bless the legislators as they study, revise, and revise again the blueprints of the future. Help them to find adequate materials for the structure that is needed. Equip them with tools to saw off that which is superfluous and bind that which belongs together. Give them wisdom that they place upon the beams of our economy no greater strain than they can bear. Save us from the pessimist who would build too meanly and from the enthusiast who would shingle outer space.

"And grant, our Father, that when the last nail is driven home and the scaffolding taken down, we'll have a little money left over for heat. Amen."

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

The Secretary read:

#### SENATE RESOLUTION

No. 1965 -16

By Senators Charette, Thompson, Jr., Peterson (Ted) and Peterson (Lowell):

WHEREAS, The federally financed Columbia River Fishery Development Program operated jointly with the states has proven the most effective beneficial means of rebuilding the waning Columbia River fish runs; and

WHEREAS, The installation of the Willamette Falls fishways is the most important development under this program; and

WHEREAS, New Willamette Falls fishways at Oregon City, Oregon, would improve the economy of the states of Washington and Oregon by increasing the annual production of salmon and steelhead trout by some three hundred twenty thousand fish valued at four million dollars; and

WHEREAS, This project is now designed and federally licensed, with construction scheduled to begin with funds made available in fiscal year 1966; and

WHEREAS, The required funds of one million six hundred thousand dollars are not now provided in the fiscal year budget of 1966; and

WHEREAS, It is the consensus of the senate of the state of Washington, in which the legislature of the state of Oregon concurs, that it is essential that these funds be provided in fiscal year 1966 to obtain the maximum benefits of this long planned improvement to the fishery economy of these states; and

WHEREAS, Large numbers of juvenile salmon already have been transplanted above this obstruction from which adult fish will return in 1966, requiring efficient passage at Willamette Falls, Oregon;

*Now, Therefore, Be It Resolved*, By the Senate of the state of Washington that we do respectfully petition the Congress of the United States, and those committees thereof concerned with appropriations, to consider this joint request for restoration of these funds in the Department of the Interior's budget for the Columbia River Fishery Development Program; and

*Be It Further Resolved*, That copies of this Resolution be sent to the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate and Speaker of the House of Representatives of the United States, to each member of Congress from the state of Washington, and to the Secretary of the Department of the Interior.

On motion of Senator Charette, the resolution was adopted.

The Secretary read:

#### REPORT OF STANDING COMMITTEE

##### Senate Bill No. 159:

Senate Chamber,

Olympia, Wash., February 2, 1965.

Authorizing cooperative financing of vocational or technical facilities by school districts (reported by Committee on Education):

MAJORITY recommends that it do pass as amended.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert L. Charette, Herbert H. Freise, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, John H. Stender, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

#### INTRODUCTION AND FIRST READING OF BILLS, MEMORIAL AND RESOLUTION

The following were introduced, read first time by title and acted upon as indicated:

##### Senate Bill No. 288, by Senators Kupka, Dore and Cooney:

An Act relating to school district boundaries; adding new sections to chapter 266, Laws of 1947 and to chapter 28.57 RCW; and repealing section 5, chapter 266, Laws of 1947 as last amended by section 1, chapter 208, Laws of 1963 and RCW 28.57.150.

Referred to Committee on Education.

##### Senate Bill No. 289, by Senators Hallauer, Dore and Cooney:

An Act relating to cities and towns; providing methods of annexation thereto; and amending sections 35.13.171, 35.13.172, 35.13.173, 35.13.174, 35.13.040, 35.13.050, 35.13.060, 35.13.080, 35.13.125, 35.02.150, and 35.13.175, chapter ....., Laws of 1965, (Senate Bill No. 3) and RCW 35.13.171, 35.13.172, 35.13.173, 35.13.174, 35.13.040, 35.13.050, 35.13.060, 35.13.080, 35.13.125, 35.02.150 and 35.13.175, and adding new sections to chapter 35.13 RCW.

Referred to Committee on Cities, Towns and Counties.

##### Senate Bill No. 290, by Senators Kupka, Dore and Cooney:

An Act relating to cities and towns; amending sections 35.10.200, 35.10.210, 35.10.220, 35.10.230, 35.10.240, 35.10.250, 35.10.270, 35.10.280, 35.10.290, 35.10.300, 35.10.310, 35.10.320, 35.10.330, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.10.200, 35.10.210, 35.10.220, 35.10.230, 35.10.240, 35.10.250, 35.10.270, 35.10.280, 35.10.290, 35.10.300, 35.10.310, 35.10.320, 35.10.330; repealing section 35.12.010, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW

35.12.010; and adding new sections to chapter ....., Laws of 1965 (Senate Bill No. 3) and to chapter 35.10 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 291**, by Senators Kupka, Dore and Cooney:

An Act relating to incorporation of cities of the first class in unincorporated areas; amending section 35.02.010, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.03.010; amending section 35.03.020, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.03.020; amending section 35.03.030, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.03.030; amending section 35.03.040, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.03.040; and amending section 35.03.050, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.03.050.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 292**, by Senators Herrmann, Neill and Sandison (by Insurance Commissioner request):

Supplementing and changing insurance law.

Referred to Committee on Banks, Financial Institutions and Insurance.

**Senate Bill No. 293**, by Senators Bailey, McCutcheon and Talley:

An Act relating to education; amending section 3, chapter 68, Laws of 1955 as amended by section 1, chapter 241, Laws of 1961, and RCW 28.67.070; amending section 2, chapter 241, Laws of 1961 and RCW 28.58.450; amending section 7, chapter 241, Laws of 1961 and RCW 28.58.500; adding new sections to chapter 28.58 RCW; and adding a new section to chapter 28.67 RCW; repealing section 3, chapter 241, Laws of 1961 and RCW 28.58.460, section 4, chapter 241, Laws of 1961 and RCW 28.58.470, section 5, chapter 241, Laws of 1961 and RCW 28.58.480, and section 6, chapter 241, Laws of 1961 and RCW 28.58.490.

Referred to Judiciary Committee.

**Senate Bill No. 294**, by Senators Herrmann, Neill and Sandison (by Insurance Commissioner request):

An Act relating to employee welfare trust funds; amending section 2, chapter 8, Laws of 1955 extraordinary session as last amended by section 1, chapter 174, Laws of 1961 and RCW 48.52.020, section 3, chapter 8, Laws of 1955 extraordinary session as last amended by section 2, chapter 174, Laws of 1961 and RCW 48.52.030, section 7, chapter 8, Laws of 1955 extraordinary session and RCW 48.52.070; and adding one new section to chapter 8, Laws of 1955 extraordinary session and to chapter 48.52 RCW.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 295**, by Senators Stender, Washington, Knoblauch and Thompson, Jr.:

An Act relating to cities and towns and permitting the legislative body of certain second, third or fourth class municipalities to construct, operate and maintain certain harbor, marina, dock or other public improvements.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 296**, by Senators Thompson, Jr., Durkan and McCutcheon:

An Act relating to elections; amending sections 29.04.020, 29.13.010, 29.13.020, 29.13.040, 29.13.045, 29.13.050, and 29.21.010, chapter ....., Laws of 1965 (Senate Bill No. 5) and RCW 29.04.020, 29.13.010, 29.13.020, 29.13.040, 29.13.045,



29.13.050 and 29.21.010; adding a new section to chapter 28.58 RCW; and repealing certain acts and parts of acts and RCW sections.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 297**, by Senators McCormack, Woodall and Gissberg:

An Act relating to small loan companies; establishing venue for actions against borrowers in default; and adding a new section to chapter 208, Laws of 1941 and to chapter 31.08 RCW.

Referred to Judiciary Committee.

**Senate Bill No. 298**, by Senators Kupka and Petrich:

An Act relating to certain duties of employers toward employees; and adding a new section to chapter 49.48 RCW.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 299**, by Senators Dore and Talley:

An Act relating to firemen's pensions; amending section 3, chapter 82, Laws of 1957 as amended by section 3, chapter 5, Laws of 1959 and RCW 41-16.090.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 300**, by Senators Hanna and Hallauer:

An Act relating to community colleges; amending section 5, chapter 198, Laws of 1961 as last amended by section 5, chapter 2, Laws of 1963 extraordinary session and RCW 28.84.210; and adding a new section to chapter 198, Laws of 1961 and to chapter 28.84 RCW.

Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 301**, by Senators Gallagher, Freise and McCutcheon:

An Act relating to elections; providing for cancellation of certain registrations; amending section 29.10.110, chapter ....., Laws of 1965 (Senate Bill No. 5) and RCW 29.10.110; and adding new sections to chapter ....., Laws of 1965 (Senate Bill No. 5) and to chapter 29.10 RCW.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 302**, by Senators Peterson (Ted), Keefe and Kupka:

An Act relating to firearms; amending section 7, chapter 172, Laws of 1935 as amended by section 6, chapter 124, Laws of 1961 and RCW 9.41.070.

Referred to Judiciary Committee.

**Senate Bill No. 303**, by Senators Williams, Ryder, Chytil, Woodall, England, and Atwood:

An Act relating to the legislature; providing for the redistricting and reapportionment thereof; repealing chapter 5, Laws of 1957, chapter 289, Laws of 1957 and chapter 44.06 RCW; and declaring an emergency.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Joint Memorial No. 11**, by Senators Riley, Sandison, Dore and Durkan:

Requesting Congress to repeal wartime excise tax on furs, jewelry, travel and other luxury items.

Referred to Committee on Ways and Means.

**Senate Joint Memorial No. 12**, by Senators England and Dore:

Memorializing Congress to cease price supports to tobacco industry.

Referred to Committee on Agriculture and Horticulture.

**Senate Joint Memorial No. 13**, by Senators Stender, Herr, Peterson (Ted), Woodall, Petrich and Redmon:

Memorializing Congress to enact legislation to continue the Manpower Development and Training Act.

Referred to Committee on Labor and Social Security.

**Senate Joint Resolution No. 19**, by Senators Hallauer, McCormack, Williams, Petrich, Hanna, Bailey, Herrmann, Thompson, Jr., Stender, Gallagher, Washington, Dore and Connor:

Rescinding House Joint Memorial No. 1, 1963 Extraordinary Session.

Referred to Committee on Constitution, Elections and Legislative Processes.

#### MOTION

At 11:30 a.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Thursday, February 4, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## TWENTY-FIFTH DAY

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### MORNING SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Thursday, February 4, 1965.

The Senate was called to order at 11:00 a.m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Mardesich and Rasmussen.

On motion of Senator Bailey, Senator Rasmussen was excused.

The Color Guard, consisting of Pages Jay Hunter, Color Bearer, and Cindy Wolstenholme, presented the Colors.

Reverend Charles Loyer, pastor of the Westminster United Presbyterian Church of Olympia, offered prayer as follows:

"Eternal God who dost ask no more than that each of us should accept the responsibilities of his lot in life; bless the Senators as they enter the arena where competing interests must be resolved. Give to each a strong arm to wield the sword of his convictions. Invest them all with a wisdom that knows when to attack, and when to retreat and when to strike up a truce of compromise so that at day's end there will be not only the over-hanging dust of battle and wounds to be licked, but also some real advances made. Amen."

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

#### MOTION

It was moved by Senator Greive that the following rules be adopted as the Temporary Rules of the Senate for the 1965 Session:

DUTIES OF THE PRESIDENT

Rule 1. The president shall take the chair and call the senate to order precisely at the hour appointed for meeting, and, if a quorum be present, shall cause the journal of the preceding day to be read. He shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the chamber, shall order the sergeant at arms to suppress the same, and may order the arrest of any person creating any disturbance within the senate chamber. He may speak to points of order in preference to members, arising from his seat for that purpose, and shall decide all questions of order subject to an appeal to the senate by any member, on which appeal no member shall speak more than once without leave of the senate. He shall, in open session, sign all acts, addresses and joint resolutions. He shall sign all writs, warrants and subpoenas issued by order of the senate, all of which shall be attested by the secretary. In the absence of the president pro tem, he shall have the right to name any senator to perform the duties of the chair, but such substitution shall not extend beyond an adjournment, nor authorize the senator so substituted to sign any documents, requiring the signature of the president.

He shall have charge of and see that all officers, attaches, and clerks perform their respective duties, and he shall have general control of the senate chamber and lobby.

COMMITTEES—APPOINTMENT AND CONFIRMATION

Rule 2. The president shall appoint all conference, special, joint and hereinafter named standing committees on the part of the senate. *Provided, however,* That the appointment of the said conference, special, joint and hereinafter named standing committees shall be subject to the confirmation of the senate.

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

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

1. Agriculture and Horticulture .....	8
2. Banks, Financial Institutions and Insurance .....	11
3. Cities, Towns and Counties .....	18
4. Commerce, Manufacturing and Licenses .....	14
5. Constitution, Elections and Legislative Processes .....	22
Subcommittee on Redistricting .....	11
6. Education .....	17
7. Fisheries, Game and Game Fish .....	10
8. Higher Education and Libraries .....	11
9. Highways .....	30
10. Judiciary .....	19
11. Labor and Social Security .....	11
12. Liquor Control .....	8
13. Medicine, Dentistry, Public Health, Air and Water Pollution .....	6
14. Natural Resources .....	10
15. Parks, Capitol Grounds and Public Buildings .....	6
16. Public Institutions .....	9
17. Public Utilities .....	15
18. Rules and Joint Rules .....	17
19. State Government and Veterans' Affairs .....	10
20. Ways and Means .....	31
Subcommittee on Appropriations .....	(19)
Subcommittee on Revenue and Regulatory .....	(11)
Subcommittee on Claims and Auditing .....	( 7)

ELECTION BY ROLL CALL

Rule 3. In all cases of election by the senate, the votes shall be taken by yeas and nays, and no senator or other person shall remain by the secretary's desk while the roll is being called or the votes are being counted. No senator shall be allowed to vote except when within the bar of the senate, or upon any question upon which he is any way personally or directly interested, nor be allowed to explain his vote or discuss the question while the yeas and nays are being called, nor change his vote after the result has been announced. (See also Art. 2, Sec. 30, State Constitution)

A senator having been absent during roll call may ask to have his name called. *Provided,* He makes such request before the result of the roll call has been announced by the president.

**SECRETARY, SERGEANT AT ARMS  
EMPLOYEES**

**Rule 4.** The senate shall elect a secretary, and a sergeant at arms, who shall perform the usual duties pertaining to their offices, and they shall hold office during the regular session and until their successor has been elected. The secretary shall appoint, subject to the approval of the senate, all other senate employees; and the hours of duty and assignments of all senate employees shall be under his directions and instructions, and they may be dismissed by him at his discretion.

**SUBORDINATE OFFICERS**

**Rule 5.** The subordinate officers of the senate shall perform such duties as usually pertain to their respective positions in legislative bodies under the direction of the president, and such other duties as the senate may impose upon them. Under no circumstances shall the compensation of any employee be increased for past services.

**RESTRICTION OF EMPLOYMENT**

**Rule 6.** No senate employee shall lobby in favor of or against any matter under consideration.

**PRESIDENT PRO TEM**

**Rule 7.** Upon the organization of the senate the members shall select one of their number as president pro tem, who shall have all the powers and authority, and who shall discharge all the duties of the lieutenant governor, acting as president during his absence.

In the event that the lieutenant governor is acting as governor the senate shall also elect one of its members temporary president, who, in the absence or disability of the president elected by the senate, shall have all the power and authority and who shall discharge the duties of such president.

**PURCHASE OF SUPPLIES**

**Rule 8.** All supplies for the use of the senate shall be furnished upon requisition signed by the secretary and approved by the chairman of the committee on claims and auditing.

The committee on claims and auditing shall carefully consider all items of expenditure ordered or contracted on the part of the senate or any of its employees, and report upon the same prior to the voucher being signed by the president and the secretary of the senate, authorizing the payment thereof.

**DAILY CONVENING TIME**

**Rule 9.** The president shall call the senate to order each day of sitting at 10 o'clock a. m., unless the senate shall have adjourned to some other hour.

**QUORUM**

**Rule 10.** A majority of all members elected to the senate shall be necessary to constitute a quorum to do business: *Provided*, That less than a quorum may adjourn from day to day until a quorum can be had.

**CALL OF THE SENATE**

**Rule 11.** Although a roll call be in progress, a call of the senate may be moved by three senators, whose names shall be entered upon the journal, and if carried by a majority of all present the secretary shall call the roll and note the absentees, after which the names of the absentees shall again be called. The doors shall then be closed and the sergeant at arms directed to take into custody all who may be absent without leave, and all the senators so taken into custody shall be presented at the bar of the senate for such action as the senate may deem proper.

**ORDER OF BUSINESS**

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

- |                |  |
|----------------|--|
| <b>FIRST.</b>  | Presentation of petitions, memorials, resolutions and motions. |
| <b>SECOND.</b> | Reports of standing committees.                                |
| <b>THIRD.</b>  | Reports of select committees.                                  |
| <b>FOURTH.</b> | Messages from the governor and other state officers.           |
| <b>FIFTH.</b>  | Messages from the house of representatives.                    |

**SIXTH.** Introduction, first reading, and reference of bills, memorials, and resolutions.

**SEVENTH.** Second reading of bills.

**EIGHTH.** Third reading of bills.

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

**BUSINESS TO BE ANNOUNCED**

**Rule 13.** The president shall, on each day, announce to the senate the business in order, agreeable to the preceding rule, and no business shall be taken up or considered, until the class to which it belongs shall be declared in order.

**SPECIAL ORDER**

**Rule 14.** The president shall call the senate to order at the hour fixed for the consideration of a special order, and announce that the special order is before the senate, which shall then be considered unless it is postponed by a majority vote, and any business before the senate at the time of the announcement of the special order shall take its regular position in the order of business.

**UNFINISHED BUSINESS**

**Rule 15.** The unfinished business at the preceding adjournment shall have preference over all other matters, excepting special orders, and no motion or any other business shall be received without special leave of the senate until the former is disposed of.

**RULES OF DEBATE**

**Rule 16.** When any senator is about to speak in debate, or submit any matter to the senate, he shall rise from his seat, and, standing in his place, respectfully address himself to "Mr. President," and when recognized shall, in a courteous manner, confine himself to the question under debate, avoiding personalities, and when finished shall resume his seat. No senator shall impeach the motives of any other member or speak more than twice (except for explanation) during the consideration of any one question, on the same day or a second time without leave, when others who have not spoken desire the floor, but incidental and subsidiary questions arising during the debate shall not be considered the same question.

**MOTIONS—HOW PRESENTED**

**Rule 17.** No motion shall be entertained or debated until announced by the president and every motion shall be deemed to have been seconded. It shall be reduced to writing and read by the secretary, if desired by the president or any senator, before it shall be debated, and by the consent of the senate may be withdrawn before amendment or action.

**SENATE RESOLUTIONS**

Senate resolutions shall be acted upon in the same manner as motions.

**RECOGNITION BY THE PRESIDENT**

**Rule 18.** When two or more senators rise at the same time to address the chair, the president shall name the one who shall speak first, giving preference, when practicable, to the mover or introducer of the subject under consideration.

**PRIORITY OF BUSINESS**

**Rule 19.** All questions relating to the priority of business shall be decided without debate.

**MESSAGES**

**Rule 20.** Messages from the governor, other state officers and from the house of representatives may be considered at any time by consent of the senate.

**PRECEDENCE OF MOTIONS**

**Rule 21.** When a motion has been made and seconded and stated by the chair the following motions are in order, in the rank named:

## PRIVILEGED MOTIONS

Adjourn or recess  
 Reconsider  
 Demand for call of the senate  
 Demand for roll call  
 Demand for division  
 Question of privilege  
 Orders of the day

## INCIDENTAL MOTIONS

Points of order and appeal  
 Method of consideration  
 Suspend the rules  
 Reading papers  
 Withdraw a motion  
 Division of a question

## SUBSIDIARY MOTIONS

1st Rank: Question of consideration  
 2nd Rank: To lay on the table  
 3rd Rank: For the previous question  
 4th Rank: To postpone to a day certain  
           To commit or recommit  
           To postpone indefinitely  
 5th Rank: To amend

No motion to postpone to a day certain, to commit, to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings, and when a question has been postponed indefinitely it shall not again be introduced during the session.

A motion to lay an amendment on the table shall not carry the main question with it unless so specified in the motion to table.

## OPENING AND CLOSING DEBATE

**Rule 22.** The author of a bill, motion or resolution shall have the privilege of opening and closing debate upon the same, unless the previous question has been moved and sustained.

## CALL FOR DIVISION OF A QUESTION

**Rule 23.** Any senator may call for a division of a question, which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the senate; but a motion to strike out and insert shall not be divided.

## POINT OF ORDER—DECISION APPEALABLE

**Rule 24.** Every decision of points of order by the president shall be subject to appeal by any senator, and discussion of a question of order shall be allowed. In all cases of appeal the question shall be: "Shall the decision of the chair stand as the judgment of the senate?"

## QUESTION OF PRIVILEGE

**Rule 25.** Any senator may rise to a question of privilege and explain a matter personal to himself by leave of the president, but he shall not discuss any pending question in such explanations, nor shall any question of personal privilege permit any senator to introduce any person or persons in the galleries: *Provided*, The president upon notice received may acknowledge the presence of any group without applause from the senate.

## PROTESTS

**Rule 26.** Any senator or senators may protest against the action of the senate upon any question and have such protest entered upon the journal: *Provided*, That such protest does not exceed 200 words. The senator protesting shall file his protest with the secretary of the senate within 48 hours following the action protested.

## READING OF PAPERS

**Rule 27.** When the reading of any paper is called for, and is objected to by any senator, it shall be determined by a vote of the senate, without debate.

## SUSPENSION OF RULES

**Rule 28.** No standing rule or order of this senate shall be rescinded or changed without a majority vote of the members, and one day's notice of the motion thereof: *Provided*, Adoption of permanent rules may be by simple majority without notice, but a rule or order may be temporarily suspended for a special purpose by a majority vote of the members present. When the suspension of a rule is called, and after due notice from the president, no objection is offered, he may announce the rule suspended, and the senate may proceed accordingly.

## SUSPENSION OF RULES—DEBATE

**Rule 29.** A motion for suspension of the rules shall not be debatable, except, however, the mover of the motion may briefly explain the purpose of his motion.

## PREVIOUS QUESTION

**Rule 30.** The previous question shall not be put unless demanded by three senators, whose names shall be entered upon the journal, and it shall then be in this form: "Shall the main question be now put?" When sustained by a majority of senators present it shall preclude all debate, and the roll shall be immediately called on the question or questions pending before the senate, and all incidental question or questions of order arising after the motion is made shall be decided whether on appeal or otherwise without debate.

## RECONSIDERATION, HOW TAKEN

**Rule 31.** After the final vote on any resolution or bill, before the adjournment of that day's session, and at such time only, any member who voted with the prevailing side may give notice of reconsideration. Such motion to reconsider shall be in order only under the order of motions of the day immediately following the day upon which such notice of reconsideration is given, and may be made by any member who voted with the prevailing side.

A motion to reconsider shall have precedence over every other motion, except a motion to adjourn; and when the senate adjourns while a motion to reconsider is pending or before passing the order of motions, the right to move a reconsideration shall continue to the next day of sitting. On and after the fiftieth day of the session a motion to reconsider shall only be in order on the same day upon which notice of reconsideration is given and may be made at any time that day. Motions to reconsider a vote upon amendments to any pending question may be made and decided at once.

## YEAS AND NAYS—WHEN MUST BE TAKEN

**Rule 32.** The yeas and nays shall be taken when called for by one-sixth of all the senators present, and every senator within the bar of the senate shall vote unless excused by the unanimous vote of the senate, and the votes shall be entered upon the journal, and the names of senators demanding the yeas and nays shall also be entered upon the journal. (See also Art. 2, Sec. 21, State Constitution)

When once begun the roll call may not be interrupted for any purpose other than to move a call of the senate. (See also Senate Rule 11)

## TIE VOTE

**Rule 33.** The passage of a bill or action on a question is lost by a tie vote, but when a vote of the senate is equally divided, the lieutenant governor, when presiding, shall have the deciding vote on questions other than the final passage of a bill. (See also Art. 2, Sec. 22, State Constitution)

## ANNOUNCEMENT OF VOTE

**Rule 34.** The announcement of all votes shall be made by the president, and the announcement of the result of any vote shall not be postponed.

## MOTION TO ADJOURN

**Rule 35.** Except when under call of the senate, a motion to adjourn shall always be in order. The name of the senator moving to adjourn and the time when the motion was made shall be entered on the journal.

## REED'S PARLIAMENTARY RULES

**Rule 36.** The rules of parliamentary practice as contained in Reed's Parliamentary Rules shall govern the senate in all cases to which they are applicable, and in which they are not inconsistent with the rules and orders of this senate and the joint rules of this senate and the house of representatives.

## BREACH OF DECORUM

Rule 37. In cases of breach of decorum or propriety, any senator, officer or other person shall be liable to such censure or punishment as the senate may deem proper, and if any senator be called to order for offensive or indecorous language or conduct, the person calling him to order shall report the language excepted to which shall be taken down or noted at the secretary's desk, and no member shall be held to answer for any language used upon the floor of the senate if business has intervened before exception to the language was thus taken and noted.

## TRANSGRESSION OF RULES

Rule 38. If any senator in speaking, or otherwise, transgresses the rules of the senate, the president shall, or any senator may, call him to order, and when a senator shall be so called to order he shall resume his seat and not proceed without leave of the senate, which leave, if granted, shall be upon motion "that he be allowed to proceed in order," when, if carried, he shall confine himself to the question under consideration.

## ABSENCE OF SENATOR WITHOUT LEAVE

Rule 39. No senator shall absent himself from the senate without leave, except in case of accident or sickness, and if any senator or officer shall absent himself his per diem shall not be allowed or paid him, and no senator, officer or attache shall obtain leave of absence or be excused from attendance without the consent of a majority of the members present.

## DECORUM

Rule 40. Indecorous conduct, boisterous or unbecoming language will not be permitted in the senate at any time.

## WITNESSES BEFORE THE SENATE

Rule 41. Witnesses summoned by or on behalf of the senate to appear before the senate, or any of its committees, shall be paid for each day's attendance five dollars, and shall be paid five dollars for maintenance for each day's attendance; for each mile traveled in coming to the place of examination, ten cents: *Provided, however,* No mileage shall be paid except where the witness actually traveled for the purpose of giving testimony.

## USE OF SENATE CHAMBERS

Rule 42. The senate chamber and its facilities shall not be used for any but legislative business, except by permission of the senate.

## ADMISSION TO SENATE

Rule 43. The sergeant at arms and doorkeepers shall not admit to the floor of the senate during the time the senate is not in session, any person other than one requested by a senator, the president or secretary of the senate, in writing.

## SENATE GALLERY

Rule 44. The east section of the south gallery is reserved for the use of the governor and state officers and their families, for the families of senators, and for members of the house of representatives and their families.

## ADMISSION TO FLOOR OF SENATE

Rule 45. The sergeant at arms and doorkeepers shall not admit to the floor of the senate during the session any person other than a member of the senate, except: The governor.

Members of the house of representatives.

State elective officers.

Former members of the senate and state chairmen of the two major political parties.

Officers and employees of the senate.

Representatives of the press or other persons designated by name and holding cards of admission authorized by the rules committee and signed by the president.

*Provided,* That these courtesies shall be rescinded if the privilege is used for the purpose of lobbying when the senate is in session.



### DUTIES OF COMMITTEES

**Rule 46.** The several committees shall fully consider all measures referred to them.

The committees shall acquaint themselves with the interest of the state specially represented by the committee, and from time to time present such bills and reports as in their judgment will advance the interests and promote the welfare of the people of the state.

### RULES COMMITTEE DAILY CALENDAR

The committee on rules and joint rules shall have charge of the daily second and third reading calendar of the senate and shall direct the secretary of the senate the order in which the bills shall be considered by the senate.

The senate may change the order of consideration of bills on the second or third reading calendar.

### RECALLING BILLS FROM COMMITTEES

Any standing committee of the senate may be relieved of further consideration of any bill by a majority vote of the members of the senate. The senate may then make such orderly disposition of the bill as they may direct by a majority vote of the members of the senate.

### WAYS AND MEANS COMMITTEE

The committee on ways and means shall propose and recommend a method of providing sufficient revenues to meet their total recommended appropriations.

### COMMITTEE MEETINGS DURING SESSIONS

No committee shall sit during the daily session of the senate unless by special leave. (See also Rule 48)

### COMMITTEE REPORTS

**Rule 47.** Bills reported to the senate from a standing committee must have a majority report, which shall be prepared upon a printed standing committee report form, shall carry one of the following recommendations, and shall be signed by those members of the committee subscribing thereto:

1. Do pass.
2. Do pass as amended.
3. Without recommendation.
4. Do not pass.
5. That the bill be referred to another committee.
6. That a substitute bill be substituted therefor, and the substitute bill do pass.
7. That the bill be indefinitely postponed.

### MAJORITY REPORTS

A majority report of a committee must carry the signatures of a majority of the members of the committee.

### MINORITY REPORTS

Members of the committee not concurring in the majority report may prepare a written minority report containing a different recommendation, and shall be signed by those members of the committee subscribing thereto.

### FILING COMMITTEE REPORTS

Prior to the 50th day all reports of standing committees must be on the secretary's desk one hour prior to convening of the session in order to be read at said session.

### READING OF REPORTS

The majority report, and minority report, if there be one, together with the names of the signers thereof, shall be read by the secretary, unless the reading be dispensed with by the senate, and all committee reports shall be spread upon the journal.

**BILLS REFERRED TO RULES COMMITTEE**

All bills reported by a committee to the senate shall then be referred to the committee on rules and joint rules for second reading without action on the report unless otherwise ordered by the senate (See also Rule 61, paragraph 4).

**SUBSTITUTE BILLS**

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

A motion for the substitution of the substitute bill for the original bill shall not be in order until the committee on rules and joint rules places the original bill on the second reading calendar.

**ENROLLED AND ENGROSSED BILLS—REPORT ON**

**Rule 48.** The committee on claims and auditing may meet and report at any time during the sitting of the senate.

Any three members of the subcommittee of Ways and Means on Claims and Auditing may submit a report on engrossed and enrolled bills.

**COMMITTEE REFERENCE**

**Rule 49.** When a motion is made to refer a subject, and different committees are proposed, the question shall be taken in the following order:

- FIRST: The committee of the whole senate.
- SECOND: A standing committee.
- THIRD: A select committee.

**COMPARING ENROLLED AND ENGROSSED BILLS**

**Rule 50.** Any senator shall have the right to compare an enrolled bill with the engrossed bill before the president signs the same.

**RULES IN THE COMMITTEE OF THE WHOLE**

**Rule 51.** The rules of the senate shall apply to proceedings in committee of the whole, except that the previous question or the motion to lay on the table, shall not be ordered nor the yeas and nays demanded, but the committee may limit the number of times that any member may speak at any stage of the proceedings during the sitting.

**SUSPEND RULES FOR COMMITTEE OF THE WHOLE**

**Rule 52.** The senate may at any time, by the vote of the majority of the members present, suspend the rules and orders of the senate for the purpose of going into the committee of the whole for the consideration of any bill, memorial or resolution before the senate.

**FORMATION OF COMMITTEE OF THE WHOLE**

**Rule 53.** In forming the committee of the whole, the president shall name a chairman to preside, and all bills considered shall be read by sections and the chairman shall call for amendments and debates thereon at the conclusion of the reading of each section. The body of the bill shall not be defaced or interlined, but all amendments (noting the page and line) shall be duly entered by the secretary on a separate paper as the same shall be agreed to by the committee, and so reported to the senate for action.

**REPORT OF COMMITTEE OF THE WHOLE**

**Rule 54.** A motion that the committee of the whole rise shall always be in order, and shall be decided without debate. (See also Senate Rule 65)

**MESSAGES RECEIVED WHILE COMMITTEE OF THE WHOLE SITS**

**Rule 55.** Messages may be received by the president while the committee of the whole is sitting; in which case the president shall resume the chair, receive the message, and vacate the chair, in favor of the chairman of the committee.

## JOINT RESOLUTIONS AND MEMORIALS

**Rule 56.** Joint resolutions and joint memorials, up to the signing thereof by the president of the senate, shall be subject to the rules governing the course of bills.

## SENATE CONCURRENT RESOLUTIONS

**Rule 57.** Concurrent resolutions shall be subject to the rules governing the course of bills and may be adopted without a roll call: *Provided, however,* That concurrent resolutions authorizing investigations and authorizing the expenditure or allocation of any money must be adopted by roll call and the yeas and nays recorded in the journal.

## INTRODUCTION OF BILLS

**Rule 58.** All bills, resolutions and memorials to be introduced shall be in quintuplet, each shall be endorsed with a statement of the title and the name of the member introducing the same. Not more than three senators may sponsor a bill, except committee bills which shall be in accordance with the joint rules of the senate and house: *Provided, however,* That any member desiring to introduce a bill, joint resolution or memorial shall file the same with the secretary of the senate by five o'clock on the evening of the day before the convening of the session at which said bill, resolution or memorial is to be introduced; and that no bill, resolution or memorial is to be introduced which has not been in the hands of the secretary at the time above stated.

The original bill is for the use of the senate, one copy for the printer, two for the secretary and the other for use by the members of the press.

After the fortieth day of the session no bill shall be introduced, except as the legislature shall direct by a vote of two-thirds of all the members elected to each house, said vote to be taken by yeas and nays and entered upon the journal, or unless the same be at a special session: *Provided,* That the time limitation for introduction of bills shall not apply to substitute bills reported by standing committees for bills pending before such committees, bills relating to redistricting or reapportionment, and general appropriation and revenue bills.

## ONE SUBJECT IN A BILL

**Rule 59.** No bill shall embrace more than one subject, and that shall be expressed in the title.

## AMENDATORY BILLS

**Rule 60.** Bills introduced in the senate intended to amend existing statutes, shall have the words which are amendatory to such existing statutes underlined. Any matter to be deleted from the existing statutes shall be indicated by setting such matter forth in full, enclosed by double parentheses, and such deleted matter shall be lined out with hyphens. No bill shall be printed or acted upon until the provisions of this rule shall have been complied with.

Sections added by amendatory bill to an existing act, or chapter of the official code, need not be underlined but shall be designated "NEW SECTION." in upper case type and such designation shall be underlined. New enactments need not be underlined.

## READING OF BILLS

**Rule 61.** Every bill shall be read on three separate days unless the senate deems it expedient to suspend this rule: *Provided, however,* That after the 49th day of every regular session this rule may be suspended by a majority vote.

The first reading of a bill shall be by title only, unless a majority of the members present demand a reading in full.

After the first reading, bills shall be referred to an appropriate standing committee.

Upon being reported back by committee, all bills shall be referred to the committee on rules and joint rules for second reading, unless otherwise ordered by the senate. (See Rule 47, Sec. 6)

Should there be a two-thirds majority report of the committee membership against the bill, a vote shall be immediately ordered for the indefinite postponement of the bill.

## COMMITTEE BILLS

Committee bills introduced by a standing committee may be filed with the secretary of the senate and introduced, and the signature of each member of the committee shall be endorsed upon the cover of the original bill.

Committee bills shall be read the first time by title, ordered printed, and referred to the committee on rules and joint rules for second reading.

#### SECOND READING

Upon second reading, the bill shall be read section by section, in full, and be subject to amendment.

#### AMENDMENTS

No amendment shall be considered by the senate until it shall have been sent to the desk in writing and read by the secretary, and all amendments on the desk shall be read.

All amendments adopted on the second reading shall then be securely fastened to the original bill.

All amendments rejected by the senate shall be spread upon the journal, and the journal shall show the disposition of all amendments.

When no further amendments shall be offered, the president shall declare the bill has passed its second reading, and shall be referred to the committee on rules and joint rules for third reading.

The bill with the amendments, if there be any attached thereto, shall be sent to the committee on claims and auditing which committee shall see that all amendments are properly engrossed upon the original bill, and the bill returned to the secretary before the opening of the senate on the next succeeding day.

#### THIRD READING

Bills on third reading shall be read in full by sections, and no amendment shall be entertained.

When a bill shall pass, it shall be certified to by the secretary, together with the vote upon final passage, noting the day of its passage thereon.

The vote must be taken by yeas and nays, the names of the senators voting for and against the same to be entered upon the journal and the majority of the members elected to the senate must be recorded thereon as voting in its favor to secure its passage by the senate. (See also Rule 3)

#### SCOPE AND OBJECT OF BILL NOT TO BE CHANGED

**Rule 62.** No amendment to any bill shall be allowed which shall change the scope and object of the bill.

#### HOUSE AMENDMENTS TO SENATE BILLS

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

#### NO AMENDMENT BY MERE REFERENCE TO TITLE OF ACT

**Rule 63.** No act shall ever be revised or amended by mere reference to its title, but the act revised or the section amended shall be set forth at full length.

#### BILLS COMMITTED FOR SPECIAL AMENDMENT

**Rule 64.** A bill may be committed with special instructions to amend at any time before taking the final vote.

#### APPROPRIATION BILLS BUDGET

**Rule 65.** Bills appropriating money shall be considered in committee of the whole senate, and no change in the amount appropriated shall be made outside of the committee of the whole.

No amendment to the general appropriation bill, commonly known as the budget, adding any new item, or items, thereto not incorporated in the bill as reported by the ways and means committee, shall be adopted except by the affirmative vote of two-thirds of the senators elected.

#### PRINTING OF BILLS, ETC.

**Rule 66.** Unless otherwise ordered, 1,500 copies of all bills of general nature originating in the senate, shall be printed for the use of the senate and house of representatives: *Provided*, That upon request of a member of the senate in writing

addressed to the secretary of the senate, up to 1,500 additional copies of such bill shall be printed, but under no circumstances shall more than 2,900 copies be printed without the consent of the senate.

#### FURNISHING FULL FILE OF BILLS

**Rule 67.** Persons, firms, corporations and organizations within the state, desirous of receiving copies of all printed senate bills, shall make application therefor to the secretary of the senate, who shall refer all such requests to the committee on rules and joint rules.

The bill clerk shall send copies of all printed senate bills to such persons, firms, corporations and organizations as may be ordered by the committee on rules and joint rules.

#### QUESTION OF CONSIDERATION

**Rule 68.** When the question of consideration has been raised as to any motion, resolution or amendment, it shall not be put until said motion, resolution or amendment has been read. The question of consideration shall be carried by a majority vote of the senators present.

#### NAMES ON ROLL CALL

**Rule 69.** The order of names on the roll call shall be determined by the committee on rules and joint rules.

#### CONFIRMATION OF GUBERNATORIAL APPOINTEES

**Rule 70.** When the names of appointees to state offices are transmitted to the senate for confirmation, the communication from the governor shall be read in full and entered upon the journal.

The president of the senate shall, after the reading, refer the names of such appointees to the appropriate standing committees of the senate.

The committee shall report to the senate their findings and recommendations within ten days. The committee report will then be referred to the committee on rules and joint rules.

When the committee on rules and joint rules presents the report of the standing committee before the senate, the question shall be the confirmation of the name proposed, and the roll shall then be called and the yeas and nays entered upon the journal. (Article XIII State Constitution)

#### REGULATION OF LOBBYISTS

**Rule 71.** Any person who shall be employed for pay or for any consideration for the purpose of attempting to influence the passage or defeat of legislation before the Washington state legislature shall be designated as a lobbyist, and shall register with the president of the senate. He shall give in writing, his name, business address and the name and address of the person or organization by whom employed. He shall also state whether he is paid on a permanent basis with a lobbying assignment as a partial, temporary, or incidental part of his duties, or whether his employment is solely for lobbying purposes.

Every person so registering shall receive an admission card signed by the president of the senate.

If, after initial registration, a lobbyist is retained for compensation by an additional employer or interest, he shall immediately file a written notice of that fact with the president of the senate.

All lobbying information shall be filed in the president of the senate's office and be available for inspection by the members.

Any lobbyist not fully complying with the provisions of this rule is subject to having all lobbying privileges canceled by the senate committee on rules and joint rules.

Senator Moriarty, Jr., moved the adoption of the following amendment to Proposed Temporary Rule 28:

On line 2 after the words "without a" strike the word "majority" and after the word "vote" insert "of two-thirds".

On line 5 after the words "by a" strike the word "majority" and after the word "vote" insert the words "two-thirds of".

Debate ensued.

Senator Moriarty, Jr. demanded the previous question and the demand was sustained by Senators Raugust, Neill, Chytil, Atwood, Williams, Thompson, Jr., Freise and Ryder.

#### ROLL CALL

The Secretary called the roll on the motion by Senator Moriarty, Jr., and the amendment was not adopted by the following vote: Yeas, 19; nays, 27; absent or not voting, 3.

Those voting yea were: Senators Atwood, Chytil, Cowen, England, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams, Woodall—19.

Those voting nay were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Peterson (Lowell), Petrich, Rasmussen, Sandison, Talley, Washington—27.

Absent or not voting: Senators Durkan, Mardesich, Morgan—3.

Senators Greive, Charette and Knoblauch demanded the previous question and the demand was sustained.

The President stated the question before the Senate is: It has been moved by Senator Greive that the proposed rules be adopted as the Temporary Rules of the thirty-ninth legislative session.

The motion was carried and the rules were adopted.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### Senate Bill No. 38:

Senate Chamber,  
Olympia, Wash., February 2, 1965.

Enabling counties and cities to participate in a sports stadium (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Michael J. Gallagher, Al Henry, George W. Kupka, Lowell Peterson, Ted G. Peterson, Edward F. Riley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 90:

Senate Chamber,  
Olympia, Wash., February 2, 1965.

Eliminating death requirement on safe deposit boxes (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass.

FRANK W. FOLEY, *Chairman*.

....., *Chairman*,

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,

Committee on Revenue & Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, John L. Cooney, David C. Cowen, Jack England, Michael J. Gallagher, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, Ernest W. Lennart, Mike McCormack, David E. McMillan, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 92:**

Senate Chamber,  
Olympia, Wash., February 2, 1965.

Allowing importation of duty free liquor for personal use (reported by Committee on Liquor Control):

MAJORITY recommends that it do pass.

FRANK CONNOR, *Chairman*.

We concur in this report: Al Henry, George W. Kupka, Harry B. Lewis, Edward F. Riley, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 98:**

Senate Chamber,  
Olympia, Wash., February 3, 1965.

Raising chiropody licensing fees (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

Recommends that it do pass.

DAVID E. McMILLAN, *Chairman*.

We concur in this report: John L. Cooney, David C. Cowen, R. R. Bob Greive, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 99:**

Senate Chamber,  
Olympia, Wash., February 3, 1965.

Extending health care services reimbursements (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

Recommends that it do pass.

DAVID E. McMILLAN, *Chairman*.

We concur in this report: John L. Cooney, David C. Cowen, R. R. Bob Greive, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 134:**

Senate Chamber,  
Olympia, Wash., February 3, 1965.

Creating presumption that game code and regulations are necessary for conservation of wild life (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass.

ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Lowell Peterson, Ted G. Peterson, Fred G. Redmon, Gordon Sandison, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 150:**

Senate Chamber,  
Olympia, Wash., February 2, 1965.

Providing necessary expenses for port district commissioners and employees (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Michael J. Gallagher, Al Henry, George W. Kupka, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 157:**

Senate Chamber,  
Olympia, Wash., February 2, 1965.

Allowing consolidation of port districts lying in more than one county (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank

Connor, Michael J. Gallagher, George W. Kupka, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 180:**

Senate Chamber,  
Olympia, Wash., February 2, 1965.

Enabling third class cities and towns to not elect councilmen by position number (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Michael J. Gallagher, Al Henry, George W. Kupka, Lowell Peterson, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 199:**

Senate Chamber,  
Olympia, Wash., February 2, 1965.

Allowing delivery of tax roll directly from the county assessor to the county treasurer (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Michael J. Gallagher, Al Henry, George W. Kupka, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 222:**

Senate Chamber,  
Olympia, Wash., February 2, 1965.

Extending municipal appropriations for services (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Joe Chytil, Michael J. Gallagher, Al Henry, George W. Kupka, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 239:**

Senate Chamber,  
Olympia, Wash., February 2, 1965.

Authorizing the establishment of joint library local improvement districts, including both incorporated and unincorporated areas (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Michael J. Gallagher, Al Henry, George W. Kupka, Lowell Peterson, Ted G. Peterson, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 252:**

Senate Chamber,  
Olympia, Wash., February 3, 1965.

Repealing the personal commercial fishing license and increasing gear license fees (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass.

ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Lowell Peterson, Ted G. Peterson, John A. Petrich, Fred G. Redmon, Gordon Sandison, John H. Stender, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.



**Senate Bill No. 257:**

Senate Chamber,  
Olympia, Wash., February 3, 1965.

Providing for charter boat licenses (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass as amended.

ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Lowell Peterson, Ted G. Peterson, John A. Petrich, Fred G. Redmon, Gordon Sandison, John H. Stender, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 263:**

Senate Chamber,  
Olympia, Wash., February 3, 1965.

Providing for forfeiture of the right to fish commercially under certain circumstances (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass.

ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Lowell Peterson, Ted G. Peterson, Fred G. Redmon, Gordon Sandison, John H. Stender, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Memorial No. 7:**

Senate Chamber,  
Olympia, Wash., February 2, 1965.

Requesting that Congress prevent minors from bringing alcoholic beverages into the United States (reported by Committee on Liquor Control):

Recommends that it do pass.

FRANK CONNOR, *Chairman*.

We concur in this report: Al Henry, George W. Kupka, Harry B. Lewis, Edward F. Riley, Don L. Talley, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**INTRODUCTION AND FIRST READING OF BILLS AND MEMORIAL**

The following were introduced, read first time by title, and acted upon as indicated:

**Senate Bill No. 304**, by Senators Dore and England:

Authorizing the creation of intermediate school districts.

Referred to Committee on Education.

**Senate Bill No. 305**, by Senators McCutcheon, Gissberg and England:

An Act relating to elections; allowing employees time-off from employment to vote; and prescribing a penalty.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 306**, by Senators Peterson (Ted), Williams and Mardesich:

An Act relating to motor boats; amending section 1, chapter 72, Laws of 1933 and RCW 88.12.010; amending section 2, chapter 72, Laws of 1933 and RCW 88.12.020; amending section 3, chapter 72, Laws of 1933 and RCW 88.12.030; amending section 5, chapter 72, Laws of 1933 and RCW 88.12.050; and adding new sections to chapter 72, Laws of 1933 and to chapter 88.12 RCW.

Referred to Judiciary Committee.

**Senate Bill No. 307**, by Senators Woodall, Lennart, Durkan and Raugust:

An Act relating to revenue and taxation; providing an increase in the tax on beer; designating revenues from increase for employment of additional state patrolmen; amending section 24, chapter 62, Laws of 1933, extraordinary

session, and RCW 66.24.290; and adding a new section to chapter 62, Laws of 1933 extraordinary session, and to chapter 66.08 RCW..

Referred to Committee on Ways and Means.

**Senate Bill No. 308**, by Senators Durkan, Freise and Keefe:

An Act relating to revenue and taxation; reducing inheritance tax and gift tax rates on gifts, bequests, devises, legacies and transfers to certain classes of persons; amending section 83.08.030, chapter 15, Laws of 1961, and RCW 83.08.030; and amending section 83.56.040, chapter 15, Laws of 1961, and RCW 83.56.040.

Referred to Committee on Ways and Means.

**Senate Bill No. 309**, by Senators Dore, Herr, Moriarty, Jr., England, Williams and Hallauer (by Executive request), (by Departmental request) (by Interim Committee on Education request):

An Act relating to indebtedness of taxing districts; amending section 1, page 324, Laws of 1909, as last amended by section 1, chapter 163, Laws of 1953, and RCW 28.51.010; and amending section 1, chapter 143, Laws of 1917, as last amended by section 1, chapter 227, Laws of 1959, and RCW 39.36.020.

Referred to Committee on Education.

**Senate Joint Memorial No. 14**, by Senator Riley:

Memorializing Congress to cease aid to Indonesia.

Referred to Committee on State Government and Veterans' Affairs.

#### MOTION

At 11:30 a.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Friday, February 5, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## TWENTY-SIXTH DAY

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### MORNING SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Friday, February 5, 1965.

The Senate was called to order at 11:00 a.m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Guess.

On motion of Senator Atwood, Senator Guess was excused.

The Color Guard, consisting of Pages Vernon Woodall, Color Bearer, and Bede Jordan, presented the Colors.

Dr. Henry S. Rahn, pastor of the First Baptist Church of Olympia, offered prayer as follows:

"Glory belongeth to Thee, O God; majesty is Thine and greatness past our comprehension. Yet Thou hast not hidden Thyself from the heart that truly seeks Thee.

"Help us through this day so to live that we may bring help to others, credit to ourselves and joy to those who love us. Help us to be persevering when things are

difficult, serene when things are irritating, strong when things go wrong. Help us to fashion something good out of the materials the day will provide. Amen."

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

#### APPOINTMENT OF SPECIAL COMMITTEES

The President announced the presence of the members of the Washington State Arts Commission and appointed a special committee consisting of Senators Donohue, Charette, Williams and Atwood to escort the members of the committee to a place before the rostrum.

The President announced the presence of Governor Daniel J. Evans and appointed a special committee consisting of Senators Neill, Moriarty, Jr., Gallagher and Riley to escort the Governor to a place of honor upon the rostrum.

The President appointed a special committee consisting of Senators Keefe, Cooney and Herrmann to escort Senator David C. Cowen to the rostrum.

The President introduced the members of the Washington State Arts Commission to the Senate.

#### PRESENTATION OF AWARD

The President:

"Governor Evans, members of the Senate, Ladies and Gentlemen:

"It was the declaration of the 1961 Legislature that the preservation and development of beauty is essential to the progress and growth of the state of Washington.

"It was also apparent that the growth and development of the arts provides for the general welfare and thus is an appropriate matter of concern to the state government.

"The arts commission was established in 1957 to meet, study, plan and advise the Governor, the various departments of state and the Legislature concerning the beautification and cultural development of the State of Washington.

"Now, seated upon the rostrum with Governor Evans is Mr. Robert Evans, chairman of the Washington State Arts Commission, who is a practicing architect in Tacoma, Washington. The members of the Senate may be interested in learning that Mr. Evans is past president and Founder of the Allied Arts of Tacoma, and was instrumental in converting the old city jail of Tacoma into a handsome art gallery and cultural center.

"Mr. Evans, the members of the Senate would certainly be delighted to hear from you. Incidentally, members of the Senate and ladies and gentlemen, this is a first in two different directions. This is the first time the Arts Commission has seen fit to honor a citizen of this state, and I believe, also, this is the first time, Governor Evans, that you have been presented to the Senate."

Mr. Evans:

"Governor Evans, Mr. President, distinguished Senators, and guests:

"This state of Washington is matchless in what it has to offer in the sense of physical beauty and wealth and resources, some of which are its physical beauties. As citizens and legislators we are all charged with preserving and enhancing and adding to these resources for the economic value, as well as their aesthetic values. This can take many forms and all of us are equally responsible for seeing that things are done in very diverse fields. We are responsible to some degree for what happens to our highways in the way of beautification, in the preservation of our historic buildings, and small things such as murals for this chamber, or large things such as the designing of the Capitol buildings complex. Our business as a Commission is to advise on request the members of the legislature and the Governor in these aesthetic areas.

"Now we have developed this achievement in the arts award which is not necessarily an annual award. It can be given whenever we find it justified to anyone who has given distinguished service or made a contribution of significance in the arts. The first award is to be presented by the Governor. Governor Evans."

## PRESENTATION BY GOVERNOR DANIEL J. EVANS

"Mr. President, Honorable Members of the Senate, Senator Cowen, Distinguished Members of our Washington State Arts Commission, and to the Distinguished Guests on the Floor and in the Gallery:

"It is an honor for me to appear this first time before the Senate of our state as Governor, and I think it is an auspicious occasion to appear in the role that I am appearing. Never before in the history of our state or of our country have more people been as interested in the cultural advancement of their community and of their state than today, and I am confident this will continue in the foreseeable future. People have more time, more ability and more interest in the things about them than they had in the early days of our country where much of their time and effort had to be spent in merely earning a living.

"I think that it is particularly appropriate that the first award of our Washington State Arts Commission for achievement in the arts is to be presented to a member of our legislature, and I would like to read briefly from the official citation of the Commission:

"The Washington State Arts Commission, in pursuing its charge by the Legislature to promote the "beautification and cultural development of the state of Washington," has established an award to commend unusual achievement in the arts by a citizen of our state.

"In presenting this award, the Washington State Arts Commission reaffirms its belief that the preservation and development of beauty is essential to the progress and growth of the state of Washington, and that unusual contributions by citizens toward these goals should be recognized.

"The award can be given in two categories: (1) personal achievement in or unusual contributions to the arts, and (2) buildings, gardens, or areas of great natural beauty which contribute to the rich culture of the state, and because of their aesthetic or historic value need to be preserved.

"The first award that the Commission has chosen to present is for unusual effort by an individual in city beautification. Senator David C. Cowen has given to the city of Spokane, his time, his money, and his personal labor to turn unkempt and unimproved public land into beautifully landscaped properties which are civic assets. At his own expense, he has developed and given to the city of Spokane a three-acre park, complete with landscaping, sprinkler system, recreational facilities, and lighting system. His efforts have beautified the approach to the Maple Street Bridge; an area overlooking Hangman Creek; approximately one-half mile of a scenic drive overlooking the Spokane River known as High Drive, and twenty blocks of landscaping on a major boulevard."

"Therefore, Senator Cowen, I am honored to present to you this award on behalf of the Washington State Arts Commission for your outstanding effort to make Washington a more beautiful place to live, and I am very proud to shake your hand.

"I might say this is a model of the award that will be cast eventually. It was designed by the Washington State Arts Commission Secretary, William Werrbach. It's a pleasure to present this to you, Senator Cowen."

## Senator Cowen:

"Governor Evans, Lieutenant Governor Cherberg, members of the Arts Commission, my fellow Senators, and Ladies and Gentlemen:

"No doubt you would like to know how I got started in this development. It goes back more than thirty years when a little, unfortunate woman came to me and told me her daughter, fourteen years of age, was buried in a little cemetery that was poorly kept with nothing but weeds and garbage around. I went out there one day with the idea of spending a few dollars to beautify this cemetery. It's been more than thirty years ago. I expected to spend fifty or a hundred dollars. Before I got through, it took me three years and I spent more than \$25,000 on that one project, but it made me so happy when completed, I thought I'd go on with my work.

"Somewhere about twenty-eight years ago, when I was a member of the House, a very distinguished gentleman came to the city of Spokane, Kinsey Robinson. He was visiting the House members when I asked him a question about a piece of property which lay on the south end of Spokane. I asked him if there was any chance of buying it. He said, 'No, Davey, we just can't sell it. We have mortgaged everything from pencils to every piece of property we own to build the dams upon the Kootenay River in northern Idaho.' I told Mr. Robinson if there ever came a time when they would

consider selling the property, I hoped they would consider me first. He said, 'After knowing what you have done on the west side of the city, I'll certainly put your name down and if we ever get the title back, we'll be most happy to give it to you or sell it to you, Davey.'

"It was about four years ago when the telephone rang and the secretary said to me, 'There's a Mr. Robinson wishes to speak to you.' I didn't know which Mr. Robinson it was and I got on the phone, and he said, 'Davey, this is Kinsey Robinson of Washington Water Power. I'd like to have you come over.' Now, understand I never said anything in the interim from the time I asked him about it, until the time he called me.

"I got in a cab and went over to the Washington Water Power. He said, 'You remember some twenty-odd years ago, you asked about that piece of property and said you'd like to purchase it.' 'Well, it's now yours. We want to share your joys and the work you are doing, because we understand what you intend to do with this land is develop a park, and we wish to give it to you.'

"I said, 'No, I'll give you a check for what I think it's worth.'

"He said, 'We'd rather just give it you, because we know you're going to put in a lot of money in this project.'

"I said, 'No, I think it's best I pay for the property. I'll just give you a check for what I think it's worth.' I wrote him out a check and he took it, and a few days later I got the title and deed back and I started on a little project. I thought it would amount to a few hundred dollars, but the more I worked on it, the more beautiful it became. Therefore, I figured I might as well go ahead and beautify the entire section of what the Spokane members know as the High Drive. I got help from the missions down on the lower end of Spokane. In the meantime, I hired four gardeners full time. But it took a great deal of manpower to beautify the entire section on which I am now working, and by the end of four more years, I think I'll complete the project. I think it will be one of the most beautiful sites in the city of Spokane. We now have three acres all finished. We're going to use it this summer as a softball field for the youngsters. All of it has beautiful lighting equipment. All of the flower beds are completely lighted, and we are extending now from 29th to 44th Street. The city is putting in the curbing. I'm doing the rest.

"The happiness and good health that I have received out of this, money couldn't buy and words cannot express. Some ten years ago, maybe eight years ago, I was desperately ill. Not one member knew about it except Senator James Keefe. A few of you were here, but only Jim Keefe knew about my serious illness. I sat here sixty days and never said a word. No one in the Senate knew I was desperately ill. By taking on this project, I have regained my health completely. The work I am now doing with the park has made me full of life, vigor and ambition; and, it is my duty and sincere desire before I die that I will complete the wonderful project that I have started in the south end of Spokane.

"Members of the Arts Commission, Governor Evans, Lieutenant Governor Cherberg, I'm delighted to receive this first award by the Arts Commission, and I can assure you members of the Arts Commission you will be more than satisfied with the work when I complete the job. I want you to be as proud of me as I am sure Governor Evans and Governor Cherberg are. Governor Evans and I have a lot in common. It started two years ago. I'm sure you will be proud of me when I get through, just as any other person in the state. If business continues as it has in the last few years, I'm sure it will be a mighty, mighty fine project when I get through.

"Thank you members of the Arts Commission, thank you Governor Evans and Lieutenant Governor Cherberg, for this very fine award. I'm sure you haven't made a mistake!"

Applause:

The President:

"The members of the Senate, and for that matter, every citizen of the state takes great pleasure and pride in this presentation. The members of the Senate and the President should like to express their appreciation to Governor Evans and the members of the Washington State Arts Commission for taking the time and interest to be with us today."

The honor committee consisting of Senators Keefe, Cooney and Herrmann, escorted Senator Cowen from the rostrum.

The honor committee consisting of Senators Moriarty, Jr., Neill, Gallagher and Riley escorted Governor Daniel J. Evans to his chambers.

The honor committee consisting of Senators Donohue, Charette, Williams and Atwood escorted the members of the Washington State Arts Commission from the Senate Chamber.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of Oregon State Senator Tom Monaghan, and appointed a special committee consisting of Senators Peterson (Ted), Peterson (Lowell), Stender and Rasmussen to escort Senator Monaghan to a seat upon the rostrum.

With the consent of the Senate, Senator Monaghan was permitted to address the Senate.

The Secretary read:

#### SENATE RESOLUTION No. 1965 -17

By Senators Hallauer, Woodall and Dore:

WHEREAS, This state, singular in its beauty and its abundance of natural resources, possesses yet a further national distinction, that of a diverse and integrated multiplicity of racial strains, personified more particularly in the great Indian race which stands as straight and tall as the mighty forests of the state; and

WHEREAS, In these days of dubious alliances, questioned allegiance and hypocritical attitudes the action of the Colville Confederated Tribes in seeking the application of this state's criminal and civil jurisdiction over its people, reservation, territory and lands, stands forth as a compliment extraordinary to the citizens and government of this state; and

WHEREAS, The acceptance of such responsibility by the state through a proclamation by the governor on the twenty-ninth day of January, A.D., nineteen hundred and sixty-five, will be a day long remembered and revered by the people of this state;

Now, Therefore. *Be It Resolved*, By the Senate, That our heartfelt hand of welcome be offered to the peoples of the Colville Confederated Tribes, our congratulations for their voluntary assumption of the responsibilities, as well as the privileges, of citizenship, our assurances that theirs shall be a voice heard and respected in the chamber of this Senate;

*And Be It Further Resolved*, That the Secretary of the Senate shall confer with the members of the press, radio and television, to see that this Senate Resolution is brought to the attention of the citizens of this state.

On motion of Senator Hallauer, the resolution was adopted.

#### SENATE RESOLUTION No. 1965 -18

By Senators Dore, Petrich, Connor, Greive, Keefe, Ryder, Riley, Moriarty, Jr., Kupka, Peterson (Ted), Cowen and Morgan:

WHEREAS, The Rev. A. A. Lemieux, S. J., President of Seattle University, will soon be leaving the Pacific Northwest for an assignment outside the area; and

WHEREAS, Father Lemieux has served as President of Seattle University for seventeen years, an unusually long term of office, and a longer period than any of his predecessors; and

WHEREAS, During his term of office, and under his dynamic leadership, Seattle University has grown from a small college to an institution of nearly four thousand students, the largest Catholic University west of the Mississippi; and

WHEREAS, This growth of Seattle University has meant that the district in which it is located has acquired ten new or substantially remodelled buildings, and will soon be the site of Father Lemieux's most cherished project, a two million eight hundred thousand dollar library; and

WHEREAS, These fine buildings and the expansion of the University of which they are a part have meant a veritable transformation of the surrounding area, to the point

where it has become one of urban Seattle's handsomest districts, and an intellectual center for the whole community; and

WHEREAS, Father Lemieux himself, by his tireless and successful fund-raising campaigns for worthy causes, by his dedicated service in the Urban League, and in many other civic organizations, and especially by the impact of his genial and outgoing personality, has won the affection and respect of countless men and women in Seattle, both within the Catholic community and outside it.

Now, Therefore, *Be It Resolved*, That we, the members of the Senate of the state of Washington, in legislative session assembled, warmly commend Father Lemieux for his vision and for his notable service to the cause of education, express our feeling that he will be deeply missed, and wish him well in whatever future endeavors he may undertake; and

*Be It Further Resolved*, That we wish his successor, the Rev. John A. Fitterer, S. J., the same kind of distinguished career in office that has made Father Lemieux's administration so renowned and memorable.

On motion of Senator Dore, the resolution was adopted.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**Senate Bill No. 86:**

Senate Chamber,  
Olympia, Wash., February 4, 1965.

Removing county immunity for acts of sheriffs (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Lowell Peterson, Ted G. Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 172:**

Senate Chamber,  
Olympia, Wash., February 4, 1965.

Authorizing special election to elect officers upon cities' advancement in classification (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Lowell Peterson, Ted G. Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 174:**

Senate Chamber,  
Olympia, Wash., February 5, 1965.

Authorizing the appointment of police judges pro tempore in third class cities and towns (reported by Judiciary Committee):

MAJORITY recommends that it do pass. JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Fred H. Dore, Jack England, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 177:**

Senate Chamber,  
Olympia, Wash., February 4, 1965.

Authorizing payment or cancellation of unpaid, nonguaranteed bonds or warrants delinquent for more than fifteen years (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank

Connor, Dewey C. Donohue, Michael J. Gallagher, Lowell Peterson, Ted G. Peterson, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 193:**

Senate Chamber,  
Olympia, Wash., February 5, 1965.

Deleting jury's power to assess punishment in justice court cases (reported by Judiciary Committee):

MAJORITY recommends that it do pass. JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Fred H. Dore, Jack England, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 246:**

Senate Chamber,  
Olympia, Wash., February 4, 1965.

Giving power of eminent domain to diking improvement districts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Lowell Peterson, Ted G. Peterson, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 247:**

Senate Chamber,  
Olympia, Wash., February 4, 1965.

Increasing compensation of elective officials of diking improvement districts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Lowell Peterson, Ted G. Peterson, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 277:**

Senate Chamber,  
Olympia, Wash., February 3, 1965.

Providing for state trade fairs and the support thereof (reported by Committee on Commerce, Manufacturing and Licenses):

MAJORITY recommends that it do pass as amended. GEORGE W. KUPKA, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, David C. Cowen, Jack England, Michael J. Gallagher, R. R. Bob Greive, James Keefe, Reuben A. Knoblauch, Harry B. Lewis, August P. Mardesich, Ted G. Peterson.

On motion of Senator Kupka, Senate Bill No. 277 was referred to the Committee on Ways and Means.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 4, 1965.

MR. PRESIDENT:

The Speaker has signed: House Concurrent Resolution No. 11, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

**SIGNED BY THE PRESIDENT**

The President signed: House Concurrent Resolution No. 11.



**INTRODUCTION AND FIRST READING OF BILLS AND RESOLUTIONS**

The following were introduced, read first time by title, and acted upon as indicated:

**Senate Bill No. 310**, by Senators Raugust, Washington and Peterson (Lowell):

An Act relating to public hospital districts; amending section 5, chapter 264, Laws of 1945, as last amended by section 1, chapter 11, Laws of 1957 and RCW 70.44.040; amending section 15, chapter 264, Laws of 1945 and RCW 70.44.050; amending section 6, chapter 264, Laws of 1945, as amended by section 18, chapter 197, Laws of 1949 and RCW 70.44.060; amending section 10, chapter 264, Laws of 1945 and RCW 70.44.160; amending section 16, chapter 264, Laws of 1945 and RCW 70.44.170; and declaring an emergency.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 311**, by Senators Morgan, Sandison and Kupka:

An Act relating to the department of institutions; providing for the establishment, operation and administration of an institution to be known as the Washington correctional institution for women; amending section 72.68.080, chapter 28, Laws of 1959 and RCW 72.68.080; amending section 72.68.100, chapter 28, Laws of 1959 and RCW 72.68.100; and making appropriations.

Referred to Committee on Public Institutions.

**Senate Bill No. 312**, by Senators Gallagher and England:

An Act relating to naturopathy; regulating the practice thereof; creating a board of naturopathic examiners and a disciplinary board; prescribing powers and duties of said boards; and prescribing penalties.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

**Senate Bill No. 313**, by Senators England, Kupka and Gallagher:

An Act relating to collection agencies; repealing chapter 90, Laws of 1929 and RCW 19.16.010 through 19.16.050; and prescribing penalties.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 314**, by Senators Connor and Dore:

An Act relating to elections; prescribing fees for certain election officers; and amending section 29.45.120, chapter ....., Laws of 1965 (Senate Bill No. 5) and RCW 29.45.120.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 315**, by Senators Washington and Lewis (by Departmental request):

An Act relating to financial responsibility of motor vehicle operators and owners; amending sections 8, 12, 19, 20, 29 and 44 of chapter 169, Laws of 1963 and RCW 46.29.080, 46.29.120, 46.29.190, 46.29.200, 46.29.290 and RCW 46.29.440.

Referred to Committee on Highways.

**Senate Bill No. 316**, by Senators Charette and Raugust:

An Act relating to town officers; and amending section 35.27.240, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.27.240.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 317**, by Senators Kupka, Cooney and Redmon:

Relating to savings and loan associations.

Referred to Committee on Banks, Financial Institutions and Insurance.

**Senate Bill No. 318**, by Senators Petrich, Charette and England:

An Act relating to public works; providing for the payment of the prevailing rate of wage; amending section 3, chapter 63, Laws of 1945 and RCW 39.12.010; amending section 6, chapter 63, Laws of 1945 and RCW 39.12.060; and adding two new sections to chapter 63, Laws of 1945 and to chapter 39.12 RCW.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 319**, by Senators Guess, Redmon, Chytil, Neill, Lewis and Freise:

An Act relating to the legislature; providing for the redistricting and reapportionment thereof; repealing chapter 5, Laws of 1957, chapter 289, Laws of 1957 and chapter 44.06 RCW; and declaring an emergency.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 320**, by Senators Hallauer and Herrmann:

An Act relating to public utility districts; and adding a new section to chapter 54.16 RCW.

Referred to Committee on Public Utilities.

**Senate Bill No. 321**, by Senator Gissberg:

An Act relating to probate law and procedure; adding a new section to chapter 156, Laws of 1917 and to chapter 11.52 RCW.

Referred to Judiciary Committee.

**Senate Bill No. 322**, by Senator Morgan (by Departmental request):

An Act requiring an employer to pay, to certain persons, wages earned by a deceased employee prior to death; and amending section 2, chapter 139, Laws of 1939 and RCW 49.48.120.

Referred to Judiciary Committee.

**Senate Bill No. 323**, by Senators Morgan and Kupka (by Departmental request):

An Act relating to probation officers and services; amending section 11, chapter 331, Laws of 1959 (uncodified) as amended by section 2, chapter 145, Laws of 1961 (uncodified) and section 1, chapter 54, Laws of 1963 (uncodified); and declaring an emergency.

Referred to Committee on Public Institutions.

**Senate Bill No. 324**, by Senators Morgan, Kupka and Sandison (by Departmental request):

An Act relating to the department of institutions; authorizing the acquisition of certain real property for the Fort Worden school near Port Townsend from the United States department of health, education and welfare.

Referred to Committee on Public Institutions.

**Senate Bill No. 325**, by Senator Morgan (by Departmental request):

An Act authorizing certain employees of state schools or institutions to transfer from the state teachers' retirement system to the state employees' retirement system.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 326**, by Senators Morgan and Kupka (by Departmental request):

An Act relating to the Interstate Compact on Juveniles; authorizing the state of Washington to enter into the Out-of-State Confinement Amendment to the Interstate Compact on Juveniles; and amending chapter 284, Laws of 1955 and chapter 13.24 RCW, by adding new sections thereto; and declaring an emergency.

Referred to Committee on Public Institutions.

**Senate Joint Resolution No. 20**, by Senators Riley, Lennart, Dore, Ryder, Gallagher, Knoblauch, Washington, Mardesich, Petrich, Thompson, Jr. and Hallauer:

Repealing alien land laws.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Concurrent Resolution No. 6**, by Senators Morgan, Herrmann, Keefe, Cooney, Cowen and Guess:

Designating hospital building at Lakeland Village the Les Mason Hospital.

On motion of Senator Morgan, the rules were suspended, Senate Concurrent Resolution No. 6 was advanced to second reading and read in full.

Senator Riley moved the adoption of the following amendment to Senate Concurrent Resolution No. 6:

On page 1, line 22, change "Les" to "Leslie".

Debate ensued.

The motion was lost and the amendment was not adopted.

On motion of Senator Morgan, the rules were suspended, Senate Concurrent Resolution No. 6 was advanced to third reading, the second reading considered the third, and the resolution placed on final passage and adopted.

#### MOTIONS

On motion of Senator Kupka, 250 additional copies of Senate Bill No. 317 were ordered printed.

At 12:30 p.m., on motion of Senator Greive, the Senate adjourned until 10:00 a.m., Saturday, February 6, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## TWENTY-SEVENTH DAY

### MORNING SESSION

#### SENATE CHAMBER,

OLYMPIA, WASH., Saturday, February 6, 1965.

The Senate was called to order at 10:00 a.m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Christopher J. Seung, Color Bearer, and Wendy Hagen, presented the Colors.

Reverend Charles Loyer, pastor of the Westminster United Presbyterian Church of Olympia, offered prayer as follows:

"O God, who knoweth all things; bless and guide these legislators who don't, and yet are too often expected to by their constituents. This has been a long and grueling week for the Senators and the end is not yet. Bolster up their flagging spirits and give them a sense for what is important and a wastebasket for what is not.

"Grant to each a sense of humor to lighten fatigue and to laugh the trivia out of existence. Watch over those who will be traveling the busy highways to and from their circle of loved ones and friends and sometime over this weekend, make opportunities for them to rest, refresh their spirits and recover their perspectives. Amen."

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

The Secretary read:

#### SENATE RESOLUTION

No. 1965 -19

By Senators Washington and Raugust:

*To the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate and Speaker of the House of Representatives of the United States, and to the Senate and House of Representatives of the United States, in Congress Assembled:*

WHEREAS, The Columbia Basin Project is the major irrigation development in Washington State and holds great benefits to the region and the nation; and

WHEREAS, Revised repayment contracts have been validated by the courts for all three of the project irrigation districts; and

WHEREAS, The project should be developed under an orderly construction schedule; and

WHEREAS, Required funds for development of Irrigation Blocks 36 and 55 have not been provided in the fiscal year budget of 1966; and

WHEREAS, These funds should be provided in the budget now before the Congress, if this long planned irrigation construction is to proceed on an orderly basis;

*Now, Therefore, Be It Resolved,* By the Washington State Senate that the Congress of the United States, and those committees concerned with appropriations, be requested to provide for funds in the 1966 fiscal year budget of the Department of the Interior to carry out the additional Columbia Basin Project construction above enumerated; and

*Be It Further Resolved,* That the Secretary of the Senate transmit copies of this resolution to the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate and Speaker of the House of Representatives of the United States, to each member of Congress from the state of Washington, and to the Secretary of the Department of the Interior.

On motion of Senator Washington, the resolution was adopted.

The Secretary read:

**SENATE RESOLUTION**  
No. 1965 -20

By Senators Washington and Raugust:

*To the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate and Speaker of the House of Representatives of the United States, and to the Senate and House of Representatives of the United States, in Congress Assembled:*

WHEREAS, The Department of the Interior has announced the forthcoming closure of the office of the field solicitor at Ephrata, Washington; and

WHEREAS, This office performs vital legal service to the Bureau of Reclamation and the irrigation districts of Washington State dealing with the Secretary of the Interior and to other agencies of the department; and

WHEREAS, The loss of these services to local entities would mean corresponding delays and hardship on both the department and the organizations and individuals involved in these important relationships;

*Now, Therefore Be It Resolved,* That the Washington State Senate respectfully urges that the office of the field solicitor of the Department of the Interior not be closed and that it be continued as now constituted.

*Be It Further Resolved,* That copies of this resolution be sent to the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate and Speaker of the House of Representatives of the United States, to each member of Congress from the state of Washington, and to the Secretary of the Department of the Interior.

On motion of Senator Washington, the resolution was adopted.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**Senate Bill No. 15:**

Senate Chamber,

Olympia, Wash., February 5, 1965.

Amending law relating to development, regulation, and utilization of sources of ionizing radiation (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass.

AL HENRY, *Chairman.*

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 34:**

Senate Chamber,

Olympia, Wash., February 5, 1965.

Providing for promotion and development of nuclear industry through new division of department of commerce and economic development (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that Substitute Senate Bill No. 34 be substituted therefor and that Substitute Bill do pass.

AL HENRY, *Chairman.*

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 51:**

Senate Chamber,

Olympia, Wash., February 4, 1965.

Creating a department of motor vehicles (reported by Committee on Highways):

MAJORITY recommends that it do pass as amended.

NAT WASHINGTON, *Chairman,*

AL HENRY, *Vice Chairman.*

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, Herbert H. Freise, William A. Gissberg, Wilbur G. Hallauer, H. B.

Hanna, Gordon Herr, James Keefe, Reuben A. Knoblauch, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 94:**

Senate Chamber,  
Olympia, Wash., February 5, 1965.

Pertaining to qualifications of police judges in third class cities (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended. JOHN A. PETRICH, *Chairman*.

We concur in this report: Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Karl Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 95:**

Senate Chamber,  
Olympia, Wash., February 5, 1965.

Raising justice of the peace jurisdiction to one thousand dollars (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended. JOHN A. PETRICH, *Chairman*.

We concur in this report: Robert L. Charette, Fred H. Dore, Martin J. Durkan, Herbert H. Freise, H. B. Hanna, Karl Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 96:**

Senate Chamber,  
Olympia, Wash., February 5, 1965.

Changing jurisdiction of certain justices of the peace (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended JOHN A. PETRICH, *Chairman*.

We concur in this report: Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Karl Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 138:**

Senate Chamber,  
Olympia, Wash., February 5, 1965.

Removing restriction on percentage of handicapped persons acceptable for rehabilitation from certain agencies (reported by Committee on Education):

MAJORITY recommends that it do pass. MIKE McCORMACK, *Chairman*.

We concur in this report: Robert L. Charette, Herbert H. Freise, Karl Herrmann, Reuben A. Knoblauch, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, A. L. Rasmussen, John H. Stender, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 158:**

Senate Chamber,  
Olympia, Wash., February 5, 1965.

Limiting the total dues assessment by the school directors' association (reported by Committee on Education):

MAJORITY recommends that it do pass. MIKE McCORMACK, *Chairman*.

We concur in this report: Robert L. Charette, Herbert H. Freise, Karl Herrmann, Reuben A. Knoblauch, Frances Haddon Morgan, Ted G. Peterson, A. L. Rasmussen, John H. Stender, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 171:**

Senate Chamber,  
Olympia, Wash., February 4, 1965.

Removing prohibition against increasing compensation of appointive third class city and town officials (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Lowell Peterson, Ted G. Peterson, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 202:**

Senate Chamber,  
Olympia, Wash., February 2, 1965.

Changing fire district commission powers (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Michael J. Gallagher, Al Henry, George W. Kupka, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 221:**

Senate Chamber,  
Olympia, Wash., February 4, 1965.

Authorizing claims against local governments (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Lowell Peterson, Ted G. Peterson, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**INTRODUCTION AND FIRST READING OF BILLS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 327**, by Senator Petrich:

An Act relating to state government; and authorizing the departments thereof to procure life insurance for employees while passengers on non-scheduled aircraft flights; and adding a new section to chapter 43.01, Laws of 1965 (Senate Bill No. 4) and to chapter 43.01 RCW.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 328**, by Senators McCormack, Gissberg and Freise:

Authorizing the use of electronic voting systems.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 329**, by Senators Rasmussen and Mardesich:

An Act relating to license plates for vehicles of historic value; amending section 46.16.310, chapter 12, Laws of 1961 and RCW 46.16.310.

Referred to Committee on Highways.

**Senate Bill No. 330**, by Senators Woodall, Neill and Greive:

An Act relating to the Washington state patrol; providing for the selection and removal of the chief; and amending section 43.43.020, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.43.020.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 331**, by Senators Bailey, Knoblauch and Lewis:

An Act relating to education; providing for competitive state scholarships; declaring an emergency and providing an effective date.

Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 332**, by Senators Chytil, Hanna and Woodall:

An Act relating to transportation; providing for the transfer or continuation of certain permits; and amending section 81.80.270, chapter 14, Laws of 1961 as amended by section 6, chapter 59, Laws of 1963 and RCW 81.80.270.

Referred to Committee on Public Utilities.

**Senate Bill No. 333**, by Senators Greive and Gallagher:

An Act relating to the legislature; providing for the redistricting and reapportionment thereof; providing the people with the right to vote thereon by referring this act to the people for their approval or rejection at a state-wide special election in accordance with the principle of "one man, one vote"; prescribing procedures in relation thereto; and repealing sections 1 through 20 and 23 through 58, chapter 5, Laws of 1957, sections 1 through 20 and 23 through 58, chapter 289, Laws of 1957, and RCW 44.06.010 through 44.06.200, and 44.06.230 through 44.06.570, and 44.06.900.

Referred to Committee on Constitution, Elections and Legislative Processes.

#### MOTION

At 10:20 a.m., on motion of Senator Greive, the Senate adjourned until noon, Monday, February 8, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## TWENTY-NINTH DAY

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### NOON SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Monday, February 8, 1965.

The Senate was called to order at noon by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Hanna.

On motion of Senator Bailey, Senator Hanna was excused.

The Color Guard, consisting of Pages Vernon Woodall, Color Bearer, and Claudia Hawkins, presented the Colors.

Father Leonard Rafalowski, pastor of St. Michael's Catholic Church of Olympia, offered prayer as follows:

"O Lord God of Hosts, Great Lawmaker of the Universe whose laws have survived from the very beginning of time for the welfare of Thy people, let the light of Thy wisdom shine upon these Thy people who are met here today to govern their fellow creatures.

"May their judgments be enlightened by Thy judgments, their decisions guided by



Thy higher decisions, and their actions based upon the teaching of Thy Divine Son: 'Blessed are they who hunger and thirst after righteousness, for they shall be filled.'

"They seek only for the Truth, O Lord; we pray that Thou will enlighten them with Thy Divine Truth. They seek Thy direction; may Thy Divine Word be the compass that may guide them. They seek peace and happiness for their fellowman; may the ways to Thy peace be pointed out to them.

"O Lord turn our human thoughts and weaknesses into towers of strength and wisdom; To Thy greater glory we ask it. Amen."

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

The Secretary read:

**SENATE RESOLUTION**  
No. 1965 -21

By Senators Ted Peterson and Gissberg:

WHEREAS, This area should be represented at the City of Sveg, Sweden, where, on July 25, 1965, there is to be dedicated a memorial commemorating the close ties between this area in Sweden and the western area of North America; and

WHEREAS, Ernest W. Lennart, the only State Senator of Swedish birth and descent, presently has plans to visit in Sweden in the summer of 1965, and has expressed a willingness to represent us at the ceremony,

Now, Therefore, Be It Resolved, That the Senate of the State of Washington does hereby constitute and appoint the Honorable Ernest W. Lennart as its representative at Sveg, Sweden, July 25, 1965, to represent this body,

Be It Further Resolved, That copies of this resolution be transmitted to Valentine Paulson, President, Hargedalsgillet, Olympia, Washington; K. A. Stahl, Royal Swedish Consul, Vancouver, B. C.; Ivar Lundquist, Royal Swedish Consul, Seattle Washington; and Anders Tottle, Governor, Ostersund, Sweden.

On motion of Senator Ted Peterson, the resolution was adopted.

**MOTION**

At 12:15 p. m., on motion of Senator Greive, the Senate recessed until 1:45 p. m.

**AFTERNOON SESSION**

The President called the Senate to order at 1:45 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senator Foley.

On motion of Senator Bailey, Senator Foley was excused.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 6, 1965.

MR. PRESIDENT:

The Speaker has appointed, under the provisions of House Concurrent Resolution No. 11, providing a memorial service for deceased members, Representatives Epton, Swayze, Lux.

S. R. HOLCOMB, Chief Clerk.

**APPOINTMENT OF SPECIAL COMMITTEE**

The President appointed, under the provisions of House Concurrent Resolution No. 11 providing a memorial service for deceased members, Senators Morgan, McMillan and Lennart.

On motion of Senator Riley, the special committee appointments were confirmed.

## INTRODUCTION AND FIRST READING OF BILLS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 334**, by Senators Henry, Washington, Donohue and Raugust (by Highway Interim Committee request):

Regulating motor vehicle driver licensing.

Referred to Committee on Highways.

**Senate Bill No. 335**, by Senators Herrmann, Ryder and Durkan:

An Act relating to banks and trust companies; providing for authorized but unissued stock for particular purposes and for stock option plans; amending section 30.08.090, chapter 33, Laws of 1955 and RCW 30.08.090; and amending section 30.12.080, chapter 33, Laws of 1955, as amended by section, 3, chapter 106, Laws of 1959, and RCW 30.12.080.

Referred to Committee on Banks, Financial Institutions and Insurance.

**Senate Bill No. 336**, by Senators Dore, Petrich and Moriarty, Jr.:

An Act relating to securities; amending section 8, chapter 150, Laws of 1961, and RCW 21.17.080.

Referred to Judiciary Committee.

**Senate Bill No. 337**, by Senators Dore, Petrich and Moriarty, Jr.:

An Act relating to revenue and taxation; and amending section 83.56.050, chapter 15, Laws of 1961 and RCW 83.56.050.

Referred to Judiciary Committee.

**Senate Bill No. 338**, by Senators Dore, Petrich, Moriarty, Jr., and Cowen:

An Act relating to stock transfers, adding a new section to chapter 23.01 RCW.

Referred to Judiciary Committee.

**Senate Bill No. 339**, by Senators Henry, Bailey and Gissberg:

An Act relating to state government; extending right of appeal to employees whose position is abolished or reclassified; and amending section 17, chapter 1, Laws of 1961 and RCW 41.06.170.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 340**, by Senators Stender, Rasmussen and Henry:

An Act relating to port districts and providing for collective bargaining and arbitration of jurisdictional disputes.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 341**, by Senator Talley:

An Act relating to state secondary highways; and adding a new section to chapter 13, Laws of 1961 and to chapter 47.20 RCW.

Referred to Committee on Highways.

**Senate Bill No. 342**, by Senator Talley:

An Act relating to public highways; providing for the construction of a railroad grade separation and approach road in and near Kalama; and making an appropriation.

Referred to Committee on Highways.

**Senate Bill No. 343**, by Senators Rasmussen, Bailey, England and Chytil (by Departmental request):

An Act relating to public assistance; amending section 4, chapter 211, Laws of 1963 and RCW 74.09.430.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 344**, by Senators Rasmussen, Gissberg and Williams (by Departmental Request):

An Act relating to public assistance; amending section 74.04.005, chapter 26, Laws of 1959 as last amended by section 1, chapter 228, Laws of 1963, and RCW 74.04.005; and repealing section 74.08.270, chapter 26, Laws of 1959 and RCW 74.08.270.

Referred to Committee on Public Institutions.

**Senate Bill No. 345**, by Senators Lewis, Gissberg, Redmon, Mardesich, Chytil, Sandison, Raugust, McMillan, Freise, Cooney and Washington:

An Act relating to volunteer firemen's relief and pensions; increasing death and disability benefits and employer contributions thereto; amending section 15, chapter 261, Laws of 1945, as last amended by section 1, chapter 159, Laws of 1957, and RCW 41.24.150; amending section 16, chapter 261, Laws of 1945 as last amended by section 1, chapter 57, Laws of 1961 and RCW 41.24.160; amending section 22, chapter 261, Laws of 1945 as last amended by section 5, chapter 57, Laws of 1961 and RCW 41.24.220; adding a new section to chapter 261, Laws of 1945 and to chapter 41.24 RCW; and declaring an effective date.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 346**, by Senators Durkan, Neill and Riley:

An Act relating to electrical construction; amending section 1, chapter 130, Laws of 1913 and RCW 19.29.010.

Referred to Committee on Public Utilities.

#### SECOND READING OF BILLS

**Senate Bill No. 38**, by Senators Greive, Gallagher, Durkan, Connor, Riley and Dore (by Executive request of Governor Rosellini):

Enabling counties and cities to participate in a sports stadium.

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

**Senate Bill No. 98**, by Senators Knoblauch and Woodall:

Raising chiroprody licensing fees.

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

**Senate Bill No. 90**, by Senators Sandison, Ryder and Riley:

Eliminating death requirement on safe deposit boxes.

The bill was read the second time by sections.

On motion of Senator Freise, the following amendments were adopted:

On page 1, section 1, line 5, after "Sections" strike "2" and insert "1".

On page 1, line 1 of the title, after "sections" strike "2" and insert "1".

Passed to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 157**, by Senators Talley, Lewis and Sandison:

Allowing consolidation of port districts lying in more than one county.

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

**Senate Bill No. 3**, by Senators Charette, Moriarty, Jr. and Neill:

Enacting a title of the Revised Code of Washington to be known as Title 35—Cities and Towns.

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

**Senate Bill No. 150**, by Senators Hanna, Bailey and Freise:

Providing necessary expenses for port district commissioners and employees.

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

**Senate Bill No. 172**, by Senators Thompson, Jr., Charette and Gallagher:

Authorizing special election to elect officers upon cities' advancement in classification.

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

#### MOTIONS

On motion of Senator Dore, the use of the Senate Chamber was extended to the Committee on Ways and Means, at 7:00 p. m., Thursday, February 11, 1965, for the purpose of holding a public hearing on the education budget.

At 2:15 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Tuesday, February 9, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## THIRTIETH DAY

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### MORNING SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Tuesday, February 9, 1965.

The Senate was called to order at 10:30 a.m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Curt Leady, Color Bearer, and Bede Jordan, presented the Colors.

Father Leonard Rafalowski, pastor of St. Michael's Catholic Church of Olympia, offered prayer as follows:

"O Glorious Majesty of God, our Creator and our Lord, may Thy benign blessings rest upon this august assembly of Thy people upon whom rests the heavy responsibilities of the government of Thy people. Be with them, we pray, on this day, and through all days of their precious stewardship. Keep from them, O Heavenly Father, all blight of error and injustice; may nothing that is false or unjust enter into the minds of these Thy people. Aid them, O Lord, in their difficult tasks that lie before them, and make their paths straight.

"Where there is darkness, O let there be light; where there is doubt, may the way be pointed out; where there is confusion, let there be only order; where there may be weakness, grant them the gift of courage; and where walls of political differences or of prejudice separate them, wilt Thou shatter these walls of separation.

"Be Thou with them all the way, O Father of us all, and all will be well with them, and with Thy people. Amen."

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

The Secretary read:

#### REPORT OF STANDING COMMITTEE

##### Senate Bill No. 264:

Senate Chamber,  
Olympia, Wash., February 8, 1965.

Authorizing the director of fisheries to sell food fish or shellfish caught or taken during test fishing operation (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass as amended.

ROBERT L. CHARETTE, *Chairman.*

We concur in this report: Lowell Peterson, Ted G. Peterson, John A. Petrich, Fred G. Redmon, Gordon Sandison, John H. Stender, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

#### INTRODUCTION AND FIRST READING OF BILLS AND RESOLUTION

The following were introduced, read first time by title, and acted upon as indicated:

##### Senate Bill No. 347, by Senators Talley, Washington and Henry:

An Act relating to highways; providing for the removal of tolls on the Longview toll bridge; providing for the operation and maintenance of said bridge; amending section 47.16.120, chapter 13, Laws of 1961 as amended by section 2, chapter 3, Laws of 1963 extraordinary session and RCW 47.16.120; and adding new sections to chapter 13, Laws of 1961 and to chapter 47.56 RCW.

Referred to Committee on Highways.

##### Senate Bill No. 348, by Senators McMillan, Cooney and Donohue.

An Act relating to state government; and authorizing the sale of the Chewelah Armory.

Referred to Committee on State Government and Veterans' Affairs.

##### Senate Bill No. 349, by Senators Williams, Atwood and Herr:

An Act relating to state and local government; providing for the creation of boundary review boards; prescribing their powers, duties, and functions; and prescribing the powers, duties and functions of certain public officers and agencies in relation thereto.

Referred to Committee on Cities, Towns and Counties.

##### Senate Bill No. 350, by Senators Hallauer and Hanna:

An Act relating to towns; providing for the sale of waterfront property created by dams or other artificial structures; and amending section 35.27.370, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.27.370.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 351**, by Senators Dore, McCormack, Sandison, Durkan and Foley:

An Act relating to education; providing funds for construction or modernization of public school plant facilities; authorizing the issuance and sale

of limited obligation bonds of the state and providing ways and means to pay said bonds; prescribing the powers and duties of certain officers; and setting forth the circumstances under which this act shall take effect.

Referred to Committee on Education.

**Senate Bill No. 352**, by Senators Rasmussen, Cooney and Stender:

An Act relating to industrial insurance; and amending section 51.32.070, chapter 23, Laws of 1961 as amended by section 1, chapter 108, Laws of 1961, and RCW 51.32.070.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 353**, by Senator Moriarty, Jr. (by Executive request):

An Act relating to taxation; amending section 82.04.290, chapter 15, Laws of 1961 as amended by section 2, chapter 28, Laws of 1963 extraordinary session and RCW 82.04.290; and declaring an emergency.

Referred to Committee on Ways and Means.

**Senate Bill No. 354**, by Senators Washington, Raugust and Donohue (by State Highway Commission request):

An Act relating to highways; eliminating the statutory position of assistant director of highways for state aid; repealing section 47.01.190, chapter 13, Laws of 1961 and RCW 47.01.190.

Referred to Committee on Highways.

**Senate Bill No. 355**, by Senators Washington, Raugust and Donohue (by State Highway Commission request):

An Act relating to highways; relating to specific powers of the highway commission; eliminating the statutory position of assistant director of highways; amending section 47.01.160, chapter 13, Laws of 1961 and RCW 47.01.160.

Referred to Committee on Highways.

**Senate Bill No. 356**, by Senators Washington, Petrich and Freise (by Highway Interim Committee request):

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

Referred to Committee on Highways.

**Senate Bill No. 357**, by Senators Washington, Raugust and Henry (by State Highway Commission request):

An Act relating to toll facilities; eliminating the position of assistant director of toll facilities from the state highway commission; relating to powers and duties of the division of toll facilities; amending section 10, chapter 278, Laws of 1961 and RCW 47.56.034; repealing section 11, chapter 278, Laws of 1961 and RCW 47.56.036; and repealing section 12, chapter 278, Laws of 1961 and RCW 47.56.038.

Referred to Committee on Highways.

**Senate Bill No. 358**, by Senators Raugust, Peterson (Lowell) and Washington (by State Highway Commission request):

An Act relating to limited access highways; adding new sections to chapter 13, Laws of 1961 and chapter 47.52 RCW; and repealing sections 47.52.072, 47.52.073, 47.52.074, 47.52.075, 47.52.130, 47.52.140, 47.52.150, 47.52.160, 47.52.170, 47.52.180 and 47.52.190, chapter 13, Laws of 1961, sections 1 through 5, chapter

103, Laws of 1963 and RCW 47.52.072, 47.52.073, 47.52.074, 47.52.075, 47.52.130, 47.52.140, 47.52.150, 47.52.160, 47.52.170, 47.52.180, and 47.52.190.

Referred to Committee on Highways.

**Senate Bill No. 359**, by Senators Rasmussen, Hallauer and Bailey:

An Act relating to governmental agencies and officers, employees, and agents thereof; and amending section 2, chapter 320, Laws of 1959, and RCW 42.22.020.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Joint Resolution No. 21**, by Senators Washington, Hallauer, Henry, McCormack, Bailey, Riley, Kupka, Raugust, Cowen, McCutcheon, Freise, Lennart, Sandison, Peterson (Ted), Morgan, Donohue, Peterson (Lowell), Rasmussen, Herr, Guess and Neill:

Proposing constitutional amendment relating to redistricting and a commission therefor.

Referred to Committee on Constitution, Elections and Legislative Processes.

On motion of Senator Washington, the rules were suspended to permit additional sponsors to Senate Joint Resolution No. 21.

#### SECOND READING OF BILLS

**Senate Bill No. 94**, by Senators Woodall, Greive and Petrich (by Legislative Council request):

Pertaining to qualifications of police judges in third class cities.

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 94:**

Senate Chamber,  
Olympia, Wash., February 5, 1965.

Pertaining to qualifications of police judges in third class cities (reported by Judiciary Committee):

MAJORITY recommends that it do pass with the following amendment:

On page 1, section 1, line 15, after "thousand" and before "or" strike the comma.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Karl Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

The bill was read the second time by sections.

Senator Petrich moved the adoption of the committee amendment.

Debate ensued.

#### POINT OF INQUIRY

Senator Talley:

"Would Senator Woodall yield to a question?"

"Senator Woodall, sometimes we have run into problems in the smaller towns where we cannot get a lawyer to serve as police judge, but we can get them from a neighboring town. Would this be permissible at all under this bill?"

Senator Woodall:

"The present law, Senator Talley, for cities of five thousand and over, requires that the police judge must be the regularly elected justice of the peace, who must be a lawyer. At the present time, the mayor of a city of five thousand and over must appoint the justice of the peace whether he wants the job or not. This would allow a greater flexibility on the part of the local mayor, because he can name the justice of the peace if he wants to, or any other lawyer residing or maintaining an office in the town, so this is liberalizing the present law."

Senator Talley:

"Residing or maintaining an office?"

Senator Woodall:

"That is correct."

The committee amendment was adopted.

Senate Bill No. 94 was ordered engrossed and passed to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 95**, by Senators Woodall, Greive and Petrich (by Legislative Council request):

Raising justice of the peace jurisdiction to one thousand dollars.

On motion of Senator Greive, Senate Bill No. 95 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 96**, by Senators Woodall, Greive and Petrich (by Legislative Council request):

Changing jurisdiction of certain justices of the peace.

On motion of Senator Greive, Senate Bill No. 96 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 171**, by Senators Talley, Knoblauch and Raugust:

Removing prohibition against increasing compensation of appointive third class city and town officials.

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 171:**

Senate Chamber,  
Olympia, Wash., February 4, 1965.

Removing prohibition against increasing compensation of appointive third class city and town officials (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass with the following amendment:

On page 1, section 1, lines 14 and 15, after "attorney" strike "[,] *and/or clerk, if elective, and treasurer*" and insert "*, clerk [,] and treasurer, if elective.*".

DON L. TALLEY, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Lowell Peterson, Ted G. Peterson, Edward F. Riley, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator Talley, the committee amendment was adopted.

Senate Bill No. 171 was ordered engrossed and passed to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 57**, by Senators Atwood, Gissberg and Petrich:

Modernizing the personal exemptions statute.

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

**Senate Bill No. 202**, by Senators Raugust, Donohue and Peterson (Lowell):

Changing fire district commission powers.

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 202:**

Senate Chamber,  
Olympia, Wash., February 2, 1965.

Changing fire district commission powers (reported by Committee on Cities, Towns and Counties):



MAJORITY recommends that it do pass with the following amendment:

On page 2, section 2, line 8, strike the period after "determine" and insert "[.] , but if serving as member of the board shall not receive additional compensation for serving as secretary."

DON L. TALLEY, Chairman.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Michael J. Gallagher, Al Henry, George W. Kupka, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Ryder, the committee amendment was adopted.

Senator Ryder moved the adoption of the following amendment:

On page 1, section 1, line 26, strike the word "to" and insert the words "who actually" and after the word "compensation" before the period insert the words "to enjoy all the rights and benefits thereof".

On motion of Senator Talley, Senate Bill No. 202 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 92**, by Senators Thompson, Jr., Riley and Sandison:

Allowing importation of duty free liquor for personal use.

The bill was read the second time by sections.

#### POINT OF INQUIRY

Senator Dore:

"Mr. President:

"Would the sponsor of the bill yield to a question?

"Senator Thompson, does this have any revenue impact?"

Senator Thompson, Jr.:

"Yes, this would have a slight revenue impact. The State Liquor Control Commission appeared before the committee and gave testimony that in the last fiscal year there were one hundred fifty transactions with a total income to the state, as I recall, of \$2,700. The year before, there were about one hundred ten transactions, with an income of about \$1,700. The cost of processing these transactions was computed to be about \$8,000, so the effect would be to relieve the board of this burdensome paper work which costs us money rather than bringing money in."

Debate ensued.

It was moved by Senator Dore that Senate Bill No. 92 be referred to the Committee on Ways and Means.

Further debate ensued.

With the consent of the Senate, the motion was withdrawn.

On motion of Senator Thompson, Jr., Senate Bill No. 92 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 134**, by Senators Hallauer and Charette:

Creating presumption that game code and regulations are necessary for conservation of wild life.

It was moved by Senator Lennart that Senate Bill No. 134 be referred to the Judiciary Committee.

Debate ensued.

The motion was carried.

**Senate Bill No. 159**, by Senators Hallauer, Knoblauch and Lennart:

Authorizing cooperative financing of vocational or technical facilities by school districts.

## REPORT OF STANDING COMMITTEE

**Senate Bill No. 159:**

Senate Chamber,  
Olympia, Wash., February 2, 1965.

Authorizing cooperative financing of vocational or technical facilities by school districts (reported by Committee on Education):

MAJORITY recommends that it do pass with the following amendment:

In line 9, after "approved" strike all of the matter down to the period on line 10 and insert "in advance by the state board of education". MIKE McCORMACK, *Chairman*.

We concur in this report: Robert L. Charette, Herbert H. Freise, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, John H. Stender, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

The bill was read the second time by sections.

On motion of Senator McCormack, the committee amendment was adopted.

Senate Bill No. 159 was ordered engrossed and passed to Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 5**, by Senators Charette, Moriarty, Jr. and Neill:

Enacting a title of the Revised Code of Washington to be known as Title 29—Elections.

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

## MOTION

At 11:15 a.m., on motion of Senator Greive, the Senate adjourned until 10:30 a.m., Wednesday, February 10, 1965.

JOHN A. CHERBERG, *President of the Senate*.

WARD BOWDEN, *Secretary of the Senate*.

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**THIRTY-FIRST DAY**


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**MORNING SESSION**


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SENATE CHAMBER,  
OLYMPIA, WASH., Wednesday, February 10, 1965.

The Senate was called to order at 10:30 a.m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Chytil, who was excused.

The Color Guard, consisting of Pages Eric Freise, Color Bearer, and Kathleen Lemon, presented the Colors.

Father Leonard Rafalowski, pastor of St. Michael's Catholic Church of Olympia, offered prayer as follows:

"Eternal Father of all men, we offer the deliberations of this day of the Senate to Thee in solemn and reverent acknowledgment of Thy Kingship and Thy Fatherhood over all men.

"May the deliberations and actions of this day and of this session redound to Thy greater glory, for the better relations of Thy creatures one to another, for closer under-

standings of human welfare and happiness, and for the eternal principles of human justice.

"O, Eternal Father, we acknowledge our need of Thee, every hour and every day. Without Thee we wander and go astray, letting the little things of small consequence interfere with the big things of Thy Eternal Justice. In Thy infinite mercy and love, help those gathered here to govern their people, that Thy wisdom may prevail, and Thy light guide them.

"And, O Heavenly Father, grant each one assembled here the grace to pray to Thee, and may all be well with them, and with Thy people. Amen."

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### Senate Bill No. 4:

Senate, Chamber,  
Olympia, Wash., February 10, 1965.

Enacting a title of the Revised Code of Washington to be known as Title 43—State Government—Executive (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Frank W. Foley, Herbert H. Freise, H. B. Hanna, Charles P. Moriarty, Jr., Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 71:

Senate Chamber,  
Olympia, Wash., February 9, 1965.

Requiring municipal corporations to observe existing labor contracts when purchasing existing transportation systems (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Michael J. Gallagher, Al Henry, James Keefe, George W. Kupka, Lowell Peterson, Ted G. Peterson, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 84:

Senate Chamber,  
Olympia, Wash., February 9, 1965.

Relating to fuel tax refunds for urban transportation systems (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass and be referred to Committee on Highways.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Michael J. Gallagher, Sam C. Guess, Al Henry, James Keefe, George W. Kupka, Lowell Peterson, Ted G. Peterson, Albert C. Thompson, Jr.

On motion of Senator Talley, the committee report was adopted and Senate Bill No. 84 was referred to the Committee on Highways.

##### Senate Bill No. 101:

Senate Chamber,  
Olympia, Wash., February 9, 1965.

Establishing state employees' suggestion awards (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass.

AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, George W. Kupka, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 122:**

Senate Chamber,  
Olympia, Wash., February 10, 1965.

Enacting the Uniform Commercial Code (reported by Judiciary Committee):  
MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Jack England, Herbert H. Freise, H. B. Hanna, Charles P. Moriarty, Jr., Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 182:**

Senate Chamber,  
Olympia, Wash., February 9, 1965.

Permitting storm sewers to be financed on a revenue basis (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Michael J. Gallagher, Sam C. Guess, Al Henry, James Keefe, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 232:**

Senate Chamber,  
Olympia, Wash., February 9, 1965.

Authorizing the pledging of utility revenue to pay the principal and interest on general obligation bonds for municipal utilities (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Frank Connor, Michael J. Gallagher, Sam C. Guess, Al Henry, George W. Kupka, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 296:**

Senate Chamber,  
Olympia, Wash., February 9, 1965.

Changing generally laws relating to elections (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass.

JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, R. R. (Bob) Greive, Wilbur G. Hallauer, Gordon Herr, Karl Herrmann, James Keefe, Ernest W. Lennart, David E. McMillan, Frances Haddon Morgan, W. C. Raugust, John N. Ryder, John H. Stender, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE DEPARTMENT OF PERSONNEL**

General Administration Building,  
Olympia, Wash., February 8, 1965.

Mr. Ward Bowden  
Secretary of the Senate  
Legislative Building  
Olympia, Washington.

DEAR MR. BOWDEN:

In accordance with Senate Resolution No. 1963 Ex-7, I am forwarding copies of a report to the Senate entitled, "An Analysis of Sick Leave Practices and Longevity Pay Systems in Washington State Government."

This report was prepared by the State Personnel Board, the Highway Personnel Board and the Personnel Committees of the Institutions of Higher Education.

I trust that the report and the information contained therein will be of assistance.

Sincerely,

P. V. ROBE, *Director.*

#### INTRODUCTION AND FIRST READING OF BILLS

The following were introduced, read first time by title, and acted upon as indicated:

**Senate Bill No. 360**, by Senators Durkan, Gissberg and Stender:

An Act relating to labor relations; authorizing collective bargaining by and between agencies of the state and its political subdivisions and the employees thereof; and prohibiting certain practices.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 361**, by Senators Washington, Raugust and Talley (by State Highway Commission request):

An Act relating to city and town streets that form a part of state highways; and amending section 47.24.020, chapter 13, Laws of 1961 as amended by section 1, chapter 150, Laws of 1963 and RCW 47.24.020.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 362**, by Senators McCormack, Thompson, Jr., Charette, Peterson (Lowell), Kupka, McCutcheon, Washington, Stender, Knoblauch, Herr, Riley, Lewis, Henry, Talley and Greive:

An Act relating to education; amending section 2, chapter 217, Laws of 1947 and RCW 28.41.120; and amending section 1, chapter 198, Laws of 1937 as amended by section 1, chapter 209, Laws of 1949 and RCW 28.67.090.

Referred to Committee on Education.

**Senate Bill No. 363**, by Senators Hallauer, Petrich and Atwood:

An Act relating to state jurisdiction over Indians, reservations and other lands; and amending section 1, chapter 240, Laws of 1957 as amended by section 1, chapter 36, Laws of 1963 and RCW 37.12.010; and repealing section 5, chapter 36, Laws of 1963 and RCW 37.12.021, section 3, chapter 240, Laws of 1957 as amended by section 2, chapter 36, Laws of 1963 and RCW 37.12.030, and section 4, chapter 240, Laws of 1957 as amended by section 3, chapter 36, Laws of 1963 and RCW 37.12.040.

Referred to Judiciary Committee.

**Senate Bill No. 364**, by Senators Rasmussen, Morgan and Foley:

An Act relating to public assistance; amending section 74.16.030, chapter 26, Laws of 1959 and RCW 74.16.030.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 365**, by Senators Henry, Hallauer, Woodall and Redmon:

An Act relating to agriculture and marketing; exempting certain apples from assessment under RCW 15.24.100; and adding a new section to chapter 11, Laws of 1961 and to chapter 15.24 RCW.

Referred to Committee on Agriculture and Horticulture.

**Senate Bill No. 366**, by Senators Raugust, Washington and Herr (by State Highway Commission request):

An Act relating to the construction and maintenance of state highways; amending section 47.28.060, chapter 13, Laws of 1961 and RCW 47.28.060.

Referred to Committee on Highways.

**Senate Bill No. 367**, by Senators McCormack, Henry and Woodall.

An Act relating to state government; and authorizing the sale of the Prosser Armory.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 368**, by Senators Thompson, Jr., Herr and Hallauer:

An Act relating to public lands; authorizing the use thereof for public parks, recreation and educational purposes; and adding new sections to chapter 255, Laws of 1927 and to chapter 79.01 RCW.

Referred to Committee on Parks, Capitol Grounds and Public Buildings.

**Senate Bill No. 369**, by Senators Woodall, Henry and Bailey:

An Act relating to mandatory retirement age of gubernatorial appointees; and adding a new section to chapter ....., Laws of 1965 (Senate Bill No. 4) and to chapter 43.17 RCW.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 370**, by Senators Woodall, Gallagher, Stender, Redmon and Freise:

An Act relating to motor vehicle accidents; amending section 5, chapter 169, Laws of 1963 and RCW 46.29.050; amending section 27, chapter 21, Laws of 1961 first extraordinary session as amended by section 65, chapter 169, Laws of 1963 and RCW 46.52.130; and providing penalties.

Referred to Judiciary Committee.

#### SECOND READING OF BILLS

**Senate Bill No. 95**, by Senators Woodall, Greive and Petrich (by Legislative Council request):

Raising justice of the peace jurisdiction to one thousand dollars.

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 95:**

Senate Chamber,

Olympia, Wash., February 5, 1965.

Raising justice of the peace jurisdiction to one thousand dollars (reported by Judiciary Committee):

MAJORITY recommends that it do pass with the following amendments:

On page 2, add a new section following section 1 as follows:

"NEW SECTION. Sec. 2. There is added to chapter 12.32 RCW a new section to read as follows:

Where the plaintiff sues for a debt which is just, due and unpaid in an amount exceeding three hundred dollars, and seeks to have a writ of garnishment issued prior to judgment, the plaintiff shall execute a bond with two or more good and sufficient sureties, to be approved by the justice issuing the writ, payable to the defendant in the suit, in double the amount of the debt claimed therein, conditioned that he will prosecute his suit and pay all damages and costs that may be adjudged against him for wrongfully suing out such garnishment."

In line 2 of the title after "RCW 3.66.020" and before the period, insert "; and adding a new section to chapter 12.32 RCW"

JOHN A. PETRICH, *Chairman.*

We concur in this report: Robert L. Charette, Fred H. Dore, Martin J. Durkan, Herbert H. Freise, H. B. Hanna, Karl Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendments were adopted.

Senate Bill No. 95 was ordered engrossed and passed to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 96**, by Senators Woodall, Greive and Petrich (by Legislative Council request):

Changing jurisdiction of certain justices of the peace.

On motion of Senator Petrich, Senate Bill No. 96 was ordered to retain its place on the second reading calendar immediately following consideration of Senate Bill No. 187.

**Senate Bill No. 202**, by Senators Raugust, Donohue and Peterson (Lowell):

Changing fire district commission powers.

The bill was read the second time by sections.

On motion of Senator Ryder, the following amendment was adopted:

On page 1, section 1, line 26, after "*compensation.*" insert "*Only a commissioner actually serving as a volunteer fireman may enjoy the rights and benefits of a volunteer fireman.*"

Senate Bill No. 202 was ordered engrossed and passed to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 92**, by Senators Thompson, Jr., Riley and Sandison:

Allowing importation of duty free liquor for personal use.

The bill was read the second time by sections.

On motion of Senator England, the following amendment was adopted:

On page 1, section 1, line 9, after "States," insert "either accompanied or unaccompanied,".

Senate Bill No. 92 was ordered engrossed and passed to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 187**, by Senators Kupka, Woodall and Greive:

Providing term of legislative council member terminates on his filing declaration of candidacy for elective state office.

The bill was read the second time by sections.

Senator Kupka moved the adoption of the following amendment:

On page 1, section 1, line 14 after "*office*" and before the comma, insert "*other than member of the legislature*".

Debate ensued.

On motion of Senator Kupka, Senate Bill No. 187 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 96**, by Senators Woodall, Greive and Petrich (by Legislative Council request):

Changing jurisdiction of certain justices of the peace.

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 96:**

Senate Chamber,  
Olympia, Wash., February 5, 1965.

Changing jurisdiction of certain justices of the peace (reported by Judiciary Committee):

MAJORITY recommends that it do pass with the following amendments:

On page 2, subsection (1), line 21, after "than" strike "three" and insert "[three] five"

On page 2, subsection (2), line 26, after "than" strike "three" and insert "[three] five"

On page 2, subsection (2), line 29, before "hundred" strike "three" and insert "[three] five"

On page 2, subsection (3), line 30, after "than" strike "three" and insert "[three] five"

On page 2, subsection (4), line 32, after "than" strike "three" and insert "[three five]"

On page 3, subsection (5), line 5, before "hundred" strike "three" and insert "[three five]"

On page 3, subsection (6), line 8, after "than" strike "three" and insert "[three five]"

On page 3, subsection (7), line 10, after "than" strike "three" and insert "[three five]"

On page 3, subsection (8), line 13, after "than" strike "three" and insert "[three five]"

On page 3, subsection (9), line 16, after "than" strike "three" and insert "[three five]"

On page 3, section 1, line 17, after the period following "involved" add a new paragraph as follows:

"The amounts of money referred to in all numbered subparagraphs above shall be exclusive of interest, costs and attorneys' fees."

On page 3, add a new section following section 1 as follows:

**NEW SECTION.** Sec. 2. There is added to chapter 12.32 RCW a new section to read as follows:

Where the plaintiff sues for a debt which is just, due and unpaid in an amount exceeding three hundred dollars, and seeks to have a writ of garnishment issued prior to judgment, the plaintiff shall execute a bond with two or more good and sufficient sureties, to be approved by the justice issuing the writ, payable to the defendant in the suit, in double the amount of the debt claimed therein, conditioned that he will prosecute his suit and pay all damages and costs that may be adjudged against him for wrongfully suing out such garnishment."

In line 3 of the title after "RCW 3.20.020" and before the period insert "; and adding a new section to chapter 12.32 RCW" JOHN A. PETRICH, *Chairman.*

We concur in this report: Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Karl Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendments were adopted.

#### POINT OF INQUIRY

Senator Neill:

"Would Senator Petrich yield to a question?"

"Senator Petrich, since we have raised the three hundred dollars to five hundred dollars by other amendments, why is this particular bond requirement on the last amendment left at three hundred dollars?"

Senator Petrich:

"Senator, with reference to that problem, this amendment is only concerned with the application of a writ of garnishment prior to judgment. Now in the 1961 act which has the one thousand dollar jurisdiction limitation, the committee in its judgment felt that where you were suing for or claiming a debt in excess of three hundred dollars and it was prior to a judgment, that you had to put up the bond. This amendment does not have anything to do with the jurisdictions as far as the court is concerned to handle matters in excess of this amount."

On motion of Senator Petrich, the committee amendment to the title was adopted.

Senate Bill No. 96 was ordered engrossed and passed to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 34**, by Senators McCormack, Greive, Petrich, Neill, Rasmussen, Kupka, Dore and Riley (by Executive request of Governor Rosellini):

Providing for promotion and development of nuclear industry through new division of department of commerce and economic development.



The bill was read the second time by sections.

On motion of Senator Henry, Senate Bill No. 34 was referred to the Committee on State Government and Veterans' Affairs.

#### MOTION

At 11:20 a.m., on motion of Senator Greive, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

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The President called the Senate to order at 1:30 p.m.

The President declared the Senate to be at ease.

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

The Secretary called the roll and announced to the President that all Senators were present.

#### SECOND READING OF BILLS

**Senate Bill No. 86**, by Senators Gissberg, Cowen and Atwood:

Removing county immunity for acts of sheriffs.

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

**Senate Bill No. 15**, by Senators McCormack, Hallauer, Ryder, Rasmussen and Kupka (by Executive request of Governor Rosellini):

Amending law relating to development, regulation, and utilization of sources of ionizing radiation.

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

**Senate Bill No. 174**, by Senators Woodall, Henry and Cooney:

Authorizing the appointment of police judges pro tempore in third class cities and towns.

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

#### MOTIONS

On motion of Senator Rasmussen, the Committee on Public Institutions was relieved of further consideration of Senate Bill No. 344.

On motion of Senator Rasmussen, Senate Bill No. 344 was referred to the Committee on Labor and Social Security.

On motion of Senator Washington, the Committee on Cities, Towns and Counties was relieved of further consideration of Senate Bill No. 22.

On motion of Senator Washington, Senate Bill No. 22 was referred to the Committee on Highways.

On motion of Senator Talley, the Committee on Cities, Towns and Counties was relieved of further consideration of Senate Bill No. 361.

On motion of Senator Talley, Senate Bill No. 361 was referred to the Committee on Highways.

At 3:00 p.m., on motion of Senator Greive, the Senate adjourned until 10:30 a.m., Thursday, February 11, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## THIRTY-SECOND DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Thursday, February 11, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Lennart.

On motion of Senator Neill, Senator Lennart was excused.

The Color Guard, consisting of Pages Steven Guess, Color Bearer, and Lyn Peterson, presented the Colors.

Father Leonard Rafalowski, pastor of St. Michael's Catholic Church of Olympia, offered prayer as follows:

"O God Our Father and King, before Whose infinite majesty and power, man is but nothing, we humbly pray for Thy blessing and direction for this assembly. Guide and sustain every member this day and throughout all the days of this governmental session, that its deliberations and its deeds may be enlightened and guided by Thy eternal justice and truth.

"We acknowledge before Thee, O Lord our Father, that our shortcomings are many, and our wisdom so lacking compared to Thy infinite wisdom. We know that we give so little thought and meditation upon Thy eternal Truths, and too much upon those of our own desires and personal advantage. For these weaknesses we ask Thy mercy and forgiveness, and the help of Thy greater truths in the helping and governing of Thy people.

"Oh bring us closer to Thee, Our Father and Our God. May this session be blessed with Thy Divine direction, and wilt Thou enlighten and guide the minds of these men and women in whom are invested the government of their people. May they be wise in Thy wisdom, understanding in Thy understanding, charitable in Thy greater charity, today and always. Amen."

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

The Secretary read:

### REPORTS OF STANDING COMMITTEES

#### Senate Bill No. 25:

Senate Chamber,  
Olympia, Wash., February 10, 1965.

Allocating income from lands granted for normal school purposes to the bond retirement funds of the state colleges (reported by Committee on Higher Education and Libraries):

Recommends that it do pass and be referred to Committee on Ways and Means.  
GORDON SANDISON, *Chairman*.

We concur in this report: R. Frank Atwood, Frank W. Foley, Wilbur G. Hallauer, Karl Herrmann, Harry B. Lewis, Mike McCormack, Marshall A. Neill, John N. Ryder, Don L. Talley, Nat Washington.

On motion of Senator Neill, the committee report was adopted and Senate Bill No. 25 was referred to the Committee on Ways and Means.

**Senate Bill No. 26:**

Senate Chamber,  
Olympia, Wash., February 10, 1965.

Allocating Washington State University income derived from land grants to bond retirement purposes (reported by Committee on Higher Education and Libraries):

MAJORITY recommends that it do pass and be referred to Committee on Ways and Means.

GORDON SANDISON, *Chairman*.

We concur in this report: R. Frank Atwood, Frank W. Foley, Wilbur G. Hallauer, Harry B. Lewis, Mike McCormack, Marshall A. Neill, John N. Ryder, Don L. Talley, Nat Washington.

On motion of Senator Neill, the committee report was adopted and Senate Bill No. 26 was referred to the Committee on Ways and Means.

**Senate Bill No. 48:**

Senate Chamber,  
Olympia, Wash., February 10, 1965.

Permitting stays in declaratory judgment proceedings (reported by Judiciary Committee):

MAJORITY recommends that it do pass. JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Herbert H. Freise, H. B. Hanna, Karl Herrmann, Marshall A. Neill, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 70:**

Senate Chamber,  
Olympia, Wash., February 10, 1965.

Authorizing Washington State University to exchange land (reported by Committee on Higher Education and Libraries):

MAJORITY recommends that it do pass. GORDON SANDISON, *Chairman*.

We concur in this report: Frank W. Foley, Wilbur G. Hallauer, Harry B. Lewis, Mike McCormack, Marshall A. Neill, John N. Ryder, Don L. Talley, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 72:**

Senate Chamber,  
Olympia, Wash., February 10, 1965.

Removing the term "epileptics" from provisions dealing with non-resident deportation (reported by Judiciary Committee):

MAJORITY recommends that it do pass. JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Jack England, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Karl Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 91:**

Senate Chamber,  
Olympia, Wash., February 9, 1965.

Changing meeting date of county board of equalization (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Michael J. Gallagher, Sam C. Guess, Al Henry, George W. Kupka, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 109:**

Senate Chamber,  
Olympia, Wash., February 10, 1965.

Precluding redemption by real estate mortgagor where abandonment preceded foreclosure (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Karl Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 121:**

Senate Chamber,  
Olympia, Wash., February 10, 1965.

Providing for method of recording instruments (reported by Judiciary Committee): MAJORITY recommends that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Karl Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 152:**

Senate Chamber,  
Olympia, Wash., February 9, 1965.

Authorizing port district acquisition and operation of certain park and recreational facilities (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended. DON L. TALLEY, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, James Keefe, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 316:**

Senate Chamber,  
Olympia, Wash., February 9, 1965.

Regulating the appointment of town marshals and prescribing powers and duties relative thereto (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended. DON L. TALLEY, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Michael J. Gallagher, Sam C. Guess, Al Henry, George W. Kupka, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 333:**

Senate Chamber,  
Olympia, Wash., February 10, 1965.

Providing a plan for the redistricting of the legislature and for the referral of such plan to the people for their approval or rejection (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass as amended.

JOHN T. MCCUTCHEON, *Chairman.*

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, R. R. Bob Greive, Al Henry, Gordon Herr, Karl Herrmann, James Keefe, David E. McMillan, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**GUBERNATORIAL APPOINTMENT**

The following appointment by the Governor was acted upon as indicated:

**DIRECTOR, CENTRAL BUDGET AGENCY**

George Stastny, appointed February 10, 1965, succeeding Warren A. Bishop.  
Referred to Committee on Ways and Means.

**INTRODUCTION AND FIRST READING OF BILLS**

The following were introduced, read first time by title, and acted upon as indicated:

**Senate Bill No. 371**, by Senator Talley:

An Act relating to diking improvement districts; providing a method to pay for the continuous operation of such districts; adding a new chapter to Title 85 RCW; and declaring an emergency.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 372**, by Senator Riley:

An Act relating to public highways; amending section 46.56.135, chapter 12, Laws of 1961, and RCW 46.56.135; and adding a new section to chapter 12, Laws of 1961 and to chapter 46.56 RCW; and providing penalties.

Referred to Committee on Highways.

**Senate Bill No. 373**, by Senator Chytil:

An Act relating to state forest lands; and directing a reconveyance of certain lands to Lewis county.

Referred to Committee on Natural Resources.

**Senate Bill No. 374**, by Senators Neill and Moriarty, Jr. (by Executive request):

An Act adopting the budget and making appropriations for the operation of state agencies for the fiscal biennium beginning July 1, 1965, and ending June 30, 1967.

Referred to Committee on Ways and Means.

**Senate Bill No. 375**, by Senators Gallagher, Woodall, Hanna, Durkan, Lewis and Greive:

An Act prohibiting the purchase for resale of certain wines by the liquor control board; and adding a new section to chapter 62, Laws of 1933 extraordinary session and to chapter 66.08 RCW.

Referred to Committee on Liquor Control.

**Senate Bill No. 376**, by Senators Rasmussen, Herr and Dore:

An Act relating to taxation; providing certain exemptions; amending section 84.36.040, chapter 15, Laws of 1961 and RCW 84.36.040; adding three new sections to chapter 15, Laws of 1961 and to chapter 84.36 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Ways and Means.

**SECOND READING OF BILLS**

**Senate Bill No. 187**, by Senators Kupka, Woodall and Greive:

Providing term of legislative council member terminates on his filing declaration of candidacy for elective state office.

The bill was read the second time by sections.

On motion of Senator Petrich, the following amendments were adopted:

On page 1, section 1, line 11, after "until" strike ":",

On line 12, after [(1)] strike "Their" and insert "their"

On lines 13 and 14, strike the underscored material.

On line 14, strike "[until]" and insert "until"

On line 15, after the period insert, "*The term of any member of the legislative council who files a declaration of candidacy for any state office other than a legislative office, shall terminate upon the filing of the declaration of candidacy.*"

On motion of Senator Kupka, the following amendment was adopted:

On page 2, section 1, line 2, add a new paragraph as follows:

*"The chairmanship of the state legislative council shall alternate biennially between a member of the house of representatives and a member of the senate of the legislature of the state of Washington. During the biennium 1965-67, the chairman shall be a member of the house of representatives."*

Senate Bill No. 187 was ordered engrossed and referred to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 296**, by Senators Thompson, Jr., Durkan and McCutcheon:

Changing generally laws relating to elections.

The bill was read the second time by sections.

Senator Durkan moved the adoption of the following amendment:

On page 4, section 3, line 14, after "(2)" and before "elections" strike [Public utility districts, or] District" and insert "Public utility districts, or district".

Debate ensued.

The motion was carried on a rising vote and the amendment was adopted.

Senate Bill No. 296 was ordered engrossed and referred to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 138**, by Senators Lewis, Williams, Freise, Riley, Mardesich, Connor, Dore, Woodall, Peterson (Ted), Raugust, Redmon and Durkan (by Executive request):

Removing restriction on percentage of handicapped persons acceptable for rehabilitation from certain agencies.

The bill was read the second time by sections and referred to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 246**, by Senators Talley, Henry and Gissberg:

Giving power of eminent domain to diking improvement districts.

The bill was read the second time by sections and referred to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 99**, by Senators Knoblauch and Lewis:

Extending health care services reimbursements.

On motion of Senator Knoblauch, Senate Bill No. 99 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 158**, by Senators McCormack, Bailey and Ryder:

Limiting the total dues assessment by the school directors' association.

The bill was read the second time by sections and referred to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 199**, by Senators Talley, Redmon and Bailey:

Allowing delivery of tax roll directly from the county assessor to the county treasurer.

The bill was read the second time by sections and referred to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 247**, by Senators Talley, Henry and Gissberg:

Increasing compensation of elective officials of diking improvement districts.

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

**Senate Bill No. 232**, by Senators Gissberg, Atwood and Hanna:

Authorizing the pledging of utility revenue to pay the principal and interest on general obligation bonds for municipal utilities.

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

#### MOTION

At 11:00 a.m., on motion of Senator Greive, the Senate recessed until 1:30 p.m.

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### AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

The Secretary called the roll and announced that all Senators were present except Senator Lennart who was excused.

#### MOTION

At 1:35 p.m., on motion of Senator Bailey, the Senate recessed until 8:30 p.m.

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### EVENING SESSION

The President called the Senate to order at 8:30 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senator Williams, who was excused.

The President declared the Senate to be at ease.

The President called the Senate to order at 9:40 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Rasmussen and Williams, who were excused.

#### MOTION

On motion of Senator Dore, the use of the Senate Chamber was extended to the Committee on Ways and Means for a public hearing at 7:30 p. m., Friday, February 12, 1965.

#### SECOND READING OF BILLS

**Senate Bill No. 333**, by Senators Greive and Gallagher:

Providing a plan for the redistricting of the legislature and for the referral of such plan to the people for their approval or rejection.

## REPORT OF STANDING COMMITTEE

## Senate Bill No. 333:

Senate Chamber,  
Olympia, Wash., February 10, 1965.

Providing a plan for the redistricting of the legislature and for the referral of such plan to the people for their approval or rejection (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass with the following amendments:

On page 2, line 18, after "March" and before the comma strike "2" and insert "16"

On page 18, section 38, line 8, after "District" and before "--Bainbridge" strike "35-B" and insert "36-B"

On page 28, section 64, line 12, after "March" and before the comma strike "2" and insert "16".

JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, R. R. Bob Greive, Al Henry, Gordon Herr, Karl Herrmann, James Keefe, David E. McMillan, Nat Washington.

The bill was read the second time by sections.

On motion of Senator McCutcheon, the committee amendments were adopted.

On motion of Senator England, the following amendment was adopted:

On page 28, section 64, line 31, after "RCW 29.27.080" and before the semicolon, insert "and RCW 65.16.130."

Senator Ryder moved the adoption of the following amendment:

On page 3, section 2, line 25, after the figure "2." strike the balance of section 2 and all of section 3 through 63 on page 28 and insert the following as sections 2 through 58 inclusive:

NEW SECTION. Sec. 2.

- (1) Legislative district 1-A—the county of Okanogan;
- (2) Legislative district 1-B—the counties of Pend Oreille, Stevens, and Ferry.

NEW SECTION. Sec. 3. Second legislative district—the following precincts in the county of Snohomish: Ash, Bear Creek, Berry, Brier, Canyon, Chase, Cherry, Clearview, Crest, Crystal Spring, Cypress, Dale, East Shore, Edmonds 1 through 39, Elwood, Fernwood, Firdale, Forshee, Freeway, Gate, Glen, Hadley, Hilltop, Holly, Hunt, Kenmore, Kennard, Larch, Locust, Lund, Lynncrest, Lynnwood 1 through 14, Magnolia, Maltby, Maple, Martha Lake, Meadowdale, Meridian, Minor, Morris, Mountlake Terrace 1 through 16, Mukilteo, Nelson, Nolyn, North Alderwood, Omdal, Park, Perrin, Radar, Rainier Ridge, Rob, Russet, Seattle Heights, Shelby, Snoline, South Alderwood, Spruce, Summit, Vine, Wood, Woodway 1 through 3, Yost.

NEW SECTION. Sec. 4. Third legislative district—the area in the county of Spokane that is encompassed by the following boundaries: Beginning at the intersection of the northern city limits of the city of Spokane and Helena St., south along Helena St., west along Garland Ave., south along Monroe St., west along Glass Ave., south along Vincennes St., west along Cora Ave., south along Monroe St., east along 3rd Ave., north along Altamont St., east along Riverside Ave., north along Regal St., generally east along the center line of the Spokane River, generally northeast along the city limits of the city of Spokane in the vicinity of Felts Field, north along Park Road, west along an extension of the line separating Section 13 and Section 24 in Township 26 North, south along Regal St., generally west along the northern city limits of the city of Spokane to the point of origin.

NEW SECTION. Sec. 5. Fourth legislative district—the area in the county of Spokane that is encompassed by the following boundaries: Beginning at the intersection of Altamont St. and Riverside Ave., proceed south along Altamont St., generally east along the Steepcliff line, east along 14th Ave., south along Freya St. and Fields Rd., east along the southern city limits of the city of Spokane and then 44th Ave., north along Argonne Road, east along 16th Ave., south along University Road, east along 32nd Ave., north along Flora Rd., east along Broadway Ave., north along Harvard Rd., generally east along the center line of the Spokane River, north along the Washington-



Idaho state border, west along Highland Road, north along Bruce Road, west along an extension of the line separating Section 13 and Section 24 in Township 27 North, south along Regal St., east, and then generally south and west to the point of origin along the northern and eastern boundaries of the 3rd legislative district as described in Sec. 4 of this Act.

**NEW SECTION.** Sec. 6. Fifth legislative district—the area in the county of Spokane that is encompassed by the following boundaries: Beginning at the intersection of Helena St. and the northern city limits of the city of Spokane, proceed south along Helena St., west along Garland Ave., north along "A" St., west along Francis Ave., north along an extension of the line separating Section 33 and Section 34 in Range 42 East, west along an extension of the line separating Section 28 and Section 33 in Township 27 North, north and then east along the Spokane-Stevens county line, east along the Spokane-Pend Oreille county line, south along the Washington-Idaho state border, generally west and then south along the northern and western boundaries of the 4th legislative district as described in Sec. 5 of this Act, south along Regal St., generally west along the northern city limits of the city of Spokane to the point of origin.

**NEW SECTION.** Sec. 7. Sixth legislative district—the area in the county of Spokane that is encompassed by the following boundaries: Beginning at the intersection of 3rd Ave. and Altamont St., proceed south along Altamont St. and then generally east along the southern boundary of the 4th legislative district as described in Sec. 5 of this Act, south along the Washington-Idaho state border, west along the Spokane-Whitman county line, north along the Spokane-Lincoln county line, east along Thorpe Road, south along the line separating Range 41 East and Range 42 East, east along Hallett Road, north along an extension of the line separating Section 1 and Section 2 in Range 42 East, east along the southern city limits of the city of Spokane, generally north along the center line of Hangman Creek, east along 29th Ave., north along Post St., west along 19th Ave., north along Lincoln St., west along 14th Ave., north along Monroe St., east along 3rd Ave. to the point of origin.

**NEW SECTION.** Sec. 8. Seventh legislative district—the area in the county of Spokane that is encompassed by the following boundaries: Beginning at the intersection of the 3rd Ave. and Monroe St., proceed south and then west along the northern boundary of the 6th legislative district as described in Sec. 7 of this Act, north along the Spokane-Lincoln county line, generally east along the Spokane-Stevens county line, east and south along the western and southern boundaries of the 5th legislative district as described in Sec. 6 of this Act, south along Monroe St., west along Glass Ave., south along Vincennes St., west along Cora Ave., south along Monroe St. to the point of origin.

**NEW SECTION.** Sec. 9.

(1) Legislative district 8-A—the following precincts in the county of Yakima: Grandview Town 1 through 6, Granger, Mabton Town, Mabton Rural, North Grandview, Orchardvale, Grandview Central, South Grandview, Sunnyside Town 81 through 83, 5 through 7, 104, 129, Sunnyside Rural 1 through 4, Toppenish Rural No. 1, Waneta, Wendell Phillips, East Granger, Alfalfa, Belma, Byron, Glade;

(2) Legislative district 8-B—the following precincts in the county of Benton: Buena Vista, Prosser North, Riverside, Walnut Grove, Columbia, Rattlesnake, that part of Harrington precinct lying northeast of the center line of the Yakima River, Legon, Benton North, Benton South, Roza, Richland 1 through 41, 43 through 47, 49, 50.

**NEW SECTION.** Sec. 10.

(1) Legislative district 9-A—the county of Whitman;

(2) Legislative district 9-B—the counties of Lincoln and Adams.

**NEW SECTION.** Sec. 11. Tenth legislative district—the county of Island, and the following precincts in the county of Kitsap: Bredidablik 1 & 2, Bremerton 31, 32, 34 through 36, 41, 42, 46, 47, 50 through 52, 54, 61 through 63, Brownsville 1 & 2, Clear Creek, East Perry, East Silverdale, Ferncliff, Gilberton, Highland, Illahee, Indianola, Island Center 1 & 2, Keyport 1 & 2, Kingston, Lemolo, Liberty, Liberty Bay, Lincoln, Manette, North Tracyton, North Trenton, Olympic, Olympus Drive, Pearson, Petersville, Pleasant Beach 1 & 2, Point No Point, Port Blakely, Port Gamble, Port Madison, Poulsbo 1 through 3, Poulsbo Heights, Rolling Bay 1 & 2, Seabold 1 & 2, Sheridan, South Kingston, South Tracyton, Suquamish 1 & 2, Tracyton, Winslow 1 & 2.

**NEW SECTION.** Sec. 12. Eleventh legislative district—the counties of Walla Walla, Columbia, Garfield, and Asotin.

**NEW SECTION.** Sec. 13. Twelfth legislative district—the counties of Chelan and Douglas.

**NEW SECTION.** Sec. 14. Thirteenth legislative district—the counties of Grant and Kittitas.

**NEW SECTION.** Sec. 15. Fourteenth legislative district—the following precincts in the county of Yakima: Yakima 1 through 30, 33, 34, 38 through 40, 43, 44, 46, 49 through 51, 58 through 60, 63 through 66, Glead, Harwood, Leamingburg, Lower Wenas, Naches City, Naches Heights, Nile, Selah Town 76, 134, 151, Selah Central, Selah Extension, Selah Heights, Tampico, East Tieton, Upper Wenas, West Naches, that part of West Nob Hill precinct lying west of Glenside Ave., Westview, Wide Hollow, Wiley City, West Tieton, Cascade, Cottonwood, South Cowiche, East Fruitvale, Growmore, North Cowiche, Selah Rural, Sumach, Englewood, East Naches, East Selah, East Summitview, Eschbach, Fairgrounds, West Fruitvale, Castlevale, Sunset, Glenwood, Fairview, Jefferson.

**NEW SECTION.** Sec. 16. Fifteenth legislative district—the following precincts in the county of Yakima: East Ahtanum, Harrah, Holland, Liberty, McKinley, Moxee City, Moxee Rural, North Buena, Outlook, Parker Heights, Roza, Terrace Heights, Toppenish Town 1 through 7, Toppenish Rural 2 and 3, Union Gap Town 1 through 3, Wapato Town 3, 100 through 102, 131, West Ahtanum, West Parker, West Wapato, White Swan, Zillah Town, Brownstown, Buena, South Broadway, East Moxee, Bradshaw, Slaviv, Old Town, East Wapato, East Zillah, Country Club, Yakima 31, 32, 35 through 37, 41, 42, 45, 47, 48, 52 through 57, 61, 62, 65, 67, South Nob Hill, Riverside, that part of West Nob Hill precinct lying east of Glenside Ave., Airport.

**NEW SECTION.** Sec. 17.

(1) Legislative district 16-A—the following precincts in the county of Benton: Prosser East, Prosser West, Prosser 1, 2-1 through 2-4, 3, Expansion, Wellington, that part of Harrington precinct lying southwest of the center line of the Yakima River, Enterprise, West Richland 1 through 3, Kiona, Kennewick 1-1 through 1-10, 2-1 through 2-10, 3-1 through 3-5, 3-8 through 3-11, Clements, Cleveland, Ely, Finley, Hart, Hawthorne, Hedges, Highlands East, Highlands South, Highlands West, Island View, Kennewick South, Kennewick Valley, Lincoln, Rainier, Umatilla, Union, Washington, Yellowstone, Carley, Paterson;

(2) Legislative district 16-B—the county of Franklin.

**NEW SECTION.** Sec. 18. Seventeenth legislative district—the counties of Klickitat and Skamania, and the following precincts in the county of Clark: Alpine, Battle Ground north, Battle Ground South, Camas 101 through 114, Cedar Creek, Charter Oak, Chelatchie, Columbia West, English, Fern Prairie East, Fern Prairie West, Gibbons, Haagen, Hall, Hayes, Heisson, La Center, Lackamas North, Lackamas South, Lewisville, Lockwood Creek, Manor, Meadow Glade, Mt. View, Norway, Pioneer, Paradise Point, Proebstel, Russell, Skye, Twin Falls, Washougal "A" through "F", Woodburn, Yacolt, Baker, Bliss, Brush Prairie, Daybreak, Enterprise, Fishers, Gee Creek, Glenwood Heights, Greeley, Lamb, Miller, Ridgefield North, Ridgefield South, that part of Sifton South precinct lying south of N.E. 39th St. and east of N.E. 132nd Ave., Whipple Creek, 5-15, 5-20, that part of 5-50 precinct lying east of N.E. 132nd Ave., that part of 5-75 precinct lying west of N.E. 94th Ave., that part of 5-80 precinct not included in the 49th legislative district as described in Sec. 50 of this Act, 5-85, 6-85, 6-90, 6-95.

**NEW SECTION.** Sec. 19. Eighteenth legislative district—the county of Cowlitz and Wahkiakum.

**NEW SECTION.** Sec. 20. Nineteenth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the King-Pierce county line and S.W. 320th St., proceed east along S.W. 320th St., and S. 320th St., north along 24th Ave. S., east along S. 288th St., north along 76th Ave. S., generally north along the eastern boundary of the city of Kent, generally northeast along the southern and eastern boundaries of the city of Renton, east along S.E. 136th St., north along 144th Ave. S.E., east along S.E. 128th St., south along 228th Ave. S.E., east along S.E. 176th St., south along 244th Ave. S.E., east along S.E. 192nd St., south along 252nd Ave. S.E., east along S.E. 208th St., south along the line dividing Range 7 East and Range 8 East, along the line dividing Township 21 North and Township 22 North, generally south along the King-Kittitas county line, generally northwest along the King-Pierce county line to the point of origin.

**NEW SECTION.** Sec. 21. Twentieth legislative district—the counties of Pacific and Lewis.

**NEW SECTION.** Sec. 22. Twenty-first legislative district—the county of Grays Harbor.

**NEW SECTION.** Sec. 23. Twenty-second legislative district—the county of Thurston.

**NEW SECTION.** Sec. 24. Twenty-third legislative district—the following precincts in the county of Kitsap: Annapolis 1 & 2, Bangor, Bayview, Bethel 1 through 3, Bremerton 2 through 30, 33, 37 through 40, 44, 45, 48, 53, 55 through 60, Bremerton Heights, Burley, Carter, Charland, Chico, Colby, Crosby, Davis 1 through 3, Erlands Point 1 & 2, Fernwood, Forest Ridge, Fragaria, Glenwood, Gorst 1 through 3, Harper, Hillcrest, Holly, Kitsap Lake 1 through 3, Long Lake, Manchester, Manchester Heights, Navy Yard City 1 through 4, North Silverdale, Olalla, Phinney Bay, Port Orchard 1 through 7, Rocky Point 1 & 2, Seabeck, Shorewood Drive, Sidney, South Colby, Sunnyslope, Twin Lakes, Veterans 1 & 2, Waterman, West Silverdale.

**NEW SECTION.** Sec. 25. Twenty-fourth legislative district—the counties of Clallam, Mason, and Jefferson.

**NEW SECTION.** Sec. 26. Twenty-fifth legislative district—the area in the county of Pierce that is encompassed by the following boundaries: Beginning at the intersection of the logical extension of Carlson Road and Lundblad Road, proceed north along Lundblad Road, west along Collins Road and Cooper Road and E. 128th St., north along McKinley Ave., west along E. 104th St., north along E. "D" St., east along E. 96th St., generally north along the eastern city limits of the city of Tacoma, generally east along the Pierce-King county line, generally south along the Pierce-Yakima county line, generally west along the Pierce-Lewis county line and the Pierce-Thurston county line, north along an extension of the line separating Section 32 and Section 33 in Range 4 East, east along an extension of the line separating Section 9 and Section 16 in Township 16 North, north along an extension of a north-south line through the center of Section 9 in Range 4 East, east along the line separating Township 16 North and Township 17 North, north along an extension of the line separating Section 31 and Section 32 in Range 5 East, west long an extension of the line separating Section 18 and Section 19 in Township 17 North, north along the line separating Range 4 East and Range 5 East, west along the logical extension of Carlson Road to the point of origin.

**NEW SECTION.** Sec. 27. Twenty-sixth legislative district—the area in the county of Pierce that is encompassed by the following boundaries: Beginning at the intersection of Commencement Bay and Division Ave., proceed southwest along Division Ave., south along S. Yakima Ave., west along S. 8th St., south along Orchard St., west along S. 19th St., north along the center line of the Day Island waterway, north through the Narrows, southeast into and through Commencement Bay to the point of origin; plus the following precincts in the county of Pierce: Anderson Island, Artondale, Fox Island, Gig Harbor 1 & 2, Hales Pass, Home, Lakebay, Longbranch, Minter, Purdy, Richmond, Rosedale, Shore Acres, Vaughn, Wollochet.

**NEW SECTION.** Sec. 28. Twenty-seventh legislative district—the area in the county of Pierce that is encompassed by the following boundaries: Beginning at the intersection of the King-Pierce county line and Puget Sound, proceed southeast along the King-Pierce county line, generally south and west along the eastern city limits of the city of Tacoma, west along E. 38th St. and S. 38th St., south along S. Park Ave., west along S. 56th St., north along Orchard Rd., generally east along the southern boundary of the 26th legislative district as described in Sec. 27 of this act, generally north and northeast through Commencement Bay and Puget Sound to the point of origin.

**NEW SECTION.** Sec. 29. Twenty-eighth legislative district—the area in the county of Pierce that is encompassed by the following boundaries: Beginning at the intersection of E. 38th St. and the eastern city limits of the city of Tacoma, proceed generally south and east along the western boundary of the 25th legislative district as described in Sec. 26 of this act, generally northwest along the Pierce-Thurston county line, northeast along U.S. 99, 410 to the vicinity of Halcyon Road, north along the Northern Pacific Railroad right of way, east along the southern city limits of the city of Tacoma, east along S. 80th St., north along S. Park Ave., east along S. 38th St. and E. 38th St. to the point of origin.

**NEW SECTION.** Sec. 30. Twenty-ninth legislative district—the area in the county of Pierce that is encompassed by the following boundaries: Beginning at the intersection of S. 56th St. and S. Park Ave., proceed generally southwest along the western boundary of the 28th legislative district as described in Sec. 29 of this act, north along the Pierce-Thurston county line, generally north through the eastern waters of Puget Sound, south

along the center line of the Day Island waterway, east along S. 19th St., south along Orchard Rd., east along S. 56th St. to the point of origin.

**NEW SECTION.** Sec. 31. Thirtieth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of Puget Sound and the King-Pierce county line, proceed southeast along the King-Pierce county line, generally northeast along the western boundary of the 19th legislative district as described in Sec. 20 of this act, generally west and north along the southern and western boundaries of the city of Renton, west along S. 106th St., generally north along the western city limits of the city of Tukwila, west along S. 144th St., south along Pacific Hwy., generally west along the proposed right of way of the Des Moines Way Interchange, south along 1st Ave. S., generally south and then generally west along the eastern and southern boundaries of the city of Normandy Park, south through Puget Sound, encompassing Vashon Island, to the point of origin.

**NEW SECTION.** Sec. 32. Thirty-first legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of Puget Sound and the southern boundary of the city of Normandy Park, proceed generally east and north along the southern and eastern boundaries, of the city of Normandy Park, north along 1st Ave. S., west long S.W. 146th St., north along 4th Ave. S.W., west along S.W. 116th St., north along 8th Ave. S.W., east along S.W. Roxbury St., north along 1st Ave. S., northwest along the center line of the Duwamish Waterway, west along S.W. Graham St., south along 26th Ave. S.W., west along S.W. Myrtle St., south along S.W. California Ave., west along S.W. Othello St., northwest along Lincoln Park Way, south along Beach Drive, S.W., west along the northern boundary of Lowman Beach Park, south through Puget Sound to the point of origin.

**NEW SECTION.** Sec. 33. Thirty-second legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the center line of Union Bay and 30th Ave. N.E., proceed generally west along the center lines of Union Bay and the Lake Washington Canal, southwest through Portage Bay, west along E. Edgar St., south along Federal Ave. E., west along E. Roanoke St., generally west through Lake Union, west along North Florentia St. and W. Florentia St., south along 3rd Ave. W., west along W. Barrett St., north along 7th Ave. W., west along W. Dravis St., north along 11th Ave. W., northwest along the center line of the Salmon Bay Waterway, northeast along N.W. Dock Place, east along N.W. 51st St., north along 15th Ave. N.W., east along N.W. Market St., north along 14th Ave. N.W., east along N.W. 57th St., north along 8th Ave. N.W., east along N.W. 60th St. and N. 60th St., north along Greenwood Ave. N., east along N. 64th St., north along Woodlawn Place N., east along N. 65th St., generally southeast along the western shore line of Green Lake, south along the logical extension of Green Lake Way N. into Green Lake, south along Green Lake Way N., east along N. 50th St. and N.E. 50th St., north along Roosevelt Way N.E., southeast along N.E. Ravenna Blvd., south along 15th Ave. N.E., east along N.E. 52nd St., north along 20th Ave. N.E., east along N.E. 61st St., north along 24th Ave. N.E., east along N.E. 65th St., south along 45th Ave. N.E., west along N.E. 55th St., south along 40th Ave. N.E., west along N.E. 50th St., south along 30th Ave. N.E. to the point of origin.

**NEW SECTION.** Sec. 34. Thirty-third legislative district—the following area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of the western shore of Lake Washington and S. Judkins St., proceed west along S. Judkins St., north along 21st Ave. S., west along S. Jackson St., south along 18th Ave. S., west along S. King St., south along 12th Ave. S., west along S. Judkins St., south along 11th Ave. S., east along the center line of the city block lying between S. Bradford St. and S. Andover St., south along 16th Ave. S., west along S. Snoqualmie St., south along Corson Ave. S., west along S. Dawson St., south along the center line of the Duwamish Waterway, east along South Kenyon St., generally north along the outer harbor line of the western shore of Lake Washington to the point of origin.

**NEW SECTION.** Sec. 35. Thirty-fourth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of Elliott Bay and Yesler Way, proceed east along Yesler Way, south along 9th Ave. S., east along S. King St., generally south along the western boundary of the 33rd legislative district as described in Sec. 34 of this act, west along S.W. Graham St. and generally west along the northern boundary of the 31st legislative district as described in Sec. 32 of this act, generally north and then generally east along the outer harbor line of Puget Sound and Elliott Bay to the point of origin.

**NEW SECTION.** Sec. 36. Thirty-fifth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the King-Snohomish county line and 116th Ave. N.E., proceed south along 116th Ave. N.E., generally south along the eastern city limits of the city of Bothell, south along 116th Ave. N.E., east along N.E. 165th St., south along 148th Ave. N.E., east along N.E. 116th St., south along 204th Ave. N.E., west along N.E. 50th St., north along 140th Ave. N.E., west along N.E. 90th St., generally north and west along the eastern and northern city limits of the city of Kirkland, north along 98th Ave. N.E., west along N.E. 112th St., generally northwest through Lake Washington, west along N.E. 145th St. and N. 145th St., north along Aurora Ave. N., west along N. 165th St. and N.W. 165th St., north along 8th Ave. N.W., east along N.W. 185th St. and N. 185th St., north along Greenwood Ave. N., east along the King-Snohomish county line to the point of origin.

**NEW SECTION.** Sec. 37. Thirty-sixth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of Shilshole Bay and the center line of the Salmon Bay Waterway, proceed generally southeast along the center line of the Salmon Bay Waterway, south and east along the western and southern boundaries of the 32nd legislative district as described in Sec. 33 of this Act, south through the center of Lake Union, south along Waterway No. 3 and the logical extension of the same to Westlake Ave. N., south along Westlake Ave. N. and Westlake Ave., southeast along 5th Ave., southwest along Pike St., generally northwest along the outer harbor line of Elliott Bay, Puget Sound and Shilshole Bay to the point of origin.

**NEW SECTION.** Sec. 38. Thirty-seventh legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of Elliott Bay and Pike St., proceed northeast along Pike St., southeast along 7th Ave., northeast along Madison St., northwest along Minor Ave., north along Melrose Ave., northeast along E. Olive Way, east along E. John St., north along Federal Ave. E., east along E. Mercer St., southwest along E. Madison St., west along E. Republican St., south along 30th Ave. E., east along E. Denny Way, generally southeast along E. Madrona Drive, east along E. Howell St., generally south along the outer harbor line of the west shore of Lake Washington, generally west along the northern boundary of the 33rd legislative district as described in Sec. 34 of this Act, west along S. King St., north along 9th Ave. S., west along Yesler Way, generally north along the outer harbor line of Elliott Bay to the point of origin.

**NEW SECTION.** Sec. 39. Thirty-eighth legislative district—the following precincts in the county of Snohomish: Alicia, Cascade, Center, Dakota, Eastmont, Emander, Field, Hilton Lake, Hi-Way, Intercity, Jeff, Manor, Manordale, Olivia, Rivercrest, Serene, Shore, Silver Lake, Stickney, Thomas Lake, Ward, Wilson, Everett City 1 through 103.

**NEW SECTION.** Sec. 40. Thirty-ninth legislative district—the following precincts in the county of Snohomish: Allen Creek, Alma, Arlington 1 through 5 inclusive, Armstrong, Bee, Bly, Boeing, Boulder, Bryant, Cathcart, Cedarhome, Cliff, Darrington, Davies, East Everett, Ebey, Edgecomb, Fir, Florence, Fortson, Getchell, Glenwood, Gold Bar, Granite Falls, Gregory, Hartford, Hazel, Highland, Howell, Index, Jim Creek, Kruse, Lake, Lake Cassidy, Lake Goodwin, Lake Stevens 1 and 2, Lakeview, Lakewood, Lochsloy, Loma, Ludwig, Machias, Marion, Marsh, Marysville 1 through 7 inclusive, McDougall, Millard, Milton, Monroe 1 through 3 inclusive, Moran, Newberg, Norden, Norm, Norman, Olney, Oso, Outlook, Park Place, Pearson, Port Susan, Priest Point, Quil, Riverview, Robe, Robin, Roosevelt, Sauk, Sexton, Shorts, Shoultes, Silvana, Sparlin, Skykomish, Skyline, Snohomish 1 through 9 inclusive, South Lake Stevens, South Snohomish, Stanby, Stanwood 1 and 2, Stitch, Sultan 1 and 2, Sultan River, Sunnyside, Three Lakes, Trafton, Trail, Tualco, Tualip, Tyee, Union, Valley, Vernon, Village, Wallace, Welangdon, Winter Lake, and Whaleback.

**NEW SECTION:** Sec. 41. Fortieth legislative district—the counties of Skagit and San Juan.

**NEW SECTION.** Sec. 42. Forty-first legislative district—the county of Whatcom.

**NEW SECTION.** Sec. 43. Forty-second legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of the western shore of Lake Washington and S. Kenyon St., proceed generally west along the southern boundary of the 33rd legislative district as described in Sec. 34 of this act, generally south along the eastern boundary of the 31st legislative district as described in Sec. 32 of this act, generally east along the northern boundary of the 30th legislative district as described in Sec. 31 of this act; generally

north along the western city limits of the city of Tukwila, north along 42nd Ave. S., east along S. 122nd St., southeast along the Great Northern Railroad right of way, east along S. 128th St., north along 76th Ave. S., east along S. 120th St., north along 84th Ave. S., generally north along the outer harbor line of the southern shore of Lake Washington to the point of origin.

**NEW SECTION.** Sec. 44. Forty-third legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of the west shore of Lake Washington and N.E. 65th St., proceed west along N.E. 65th St., south and west along the eastern and southern boundaries of the 32nd legislative district as described in Sec. 33 of this act, generally south along the eastern boundary of the 36th legislative district as described in Sec. 37 of this act, generally east along the northern boundary of the 37th legislative district as described in Sec. 38 of this act, generally north through Lake Washington to the point of origin.

**NEW SECTION.** Sec. 45. Forty-fourth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of Puget Sound and the King-Snohomish county line, proceed east along the King-Snohomish county line, generally south along the western boundary of the 35th legislative district as described in Sec. 36 of this act, south along Aurora Ave. N., west along N. 115th St. and N.W. 115th St., south along 8th Ave. N.W., generally southwest along the northern and western boundaries of the 32nd legislative district as described in Sec. 33 of this act, generally northwest along the center line of the Salmon Bay Waterway, generally north through Shilshole Bay and Puget Sound to the point of origin.

**NEW SECTION.** Sec. 46. Forty-fifth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of N. 145th St. and Aurora Ave. N., proceed generally south along the eastern boundary of the 44th legislative district as described in Sec. 45 of this act, generally east along the northern boundary of the 32nd legislative district as described in Sec. 33 of this act, north along Roosevelt Way N.E., west along N.E. 145th St. and N. 145th St. to the point of origin.

**NEW SECTION.** Sec. 47. Forty-sixth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of the western shore of Lake Washington and N.E. 145th St., proceed west along N.E. 145th St., south along Roosevelt Way N.E., generally east along the northern boundary of the 32nd legislative district as described in Sec. 33 of this act and continue east along N.E. 65th St., generally north along the outer harbor line of the western shore of Lake Washington to the point of origin.

**NEW SECTION.** Sec. 48. Forty-seventh legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of the southern shore of Lake Washington and 84th Ave. S., proceed generally southwest along the southeast boundary of the 42nd legislative district as described in Sec. 43 of this act, generally south along the western city limits of the city of Tukwila, east along S. 160th St., south and then east along the western and southern city limits of the city of Renton, generally east along the northern boundary of the 19th legislative district as described in Sec. 20 of this act, generally north along the King-Kittitas and King-Chelan county lines, west along the King-Snohomish county line, generally south and then west along the eastern and southern boundaries of the 35th legislative district as described in Sec. 36 of this act, generally south through Lake Sammamish, west along S.E. 24th St., south along 164th Ave. S.E., west along Sunset Hwy., generally south and west along the outer harbor line of the eastern and southern shores of Lake Washington to the point of origin.

**NEW SECTION.** Sec. 49. Forty-eighth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of the east shore of Lake Washington and N.E. 112th St., proceed generally east and south along the southern boundary of the 35th legislative district as described in Sec. 36 of this act, generally south and then west along the western boundary of the 47th legislative district as described in Sec. 48 of this act, generally south through the east waters of Lake Washington, generally north through the west waters of Lake Washington, encompassing Mercer Island, to the point of origin.

**NEW SECTION.** Sec. 50. Forty-ninth legislative district—the following precincts in the county of Clark: Clyde, Connor, Elkins, Fruit Valley, Sifton North, that part of

Sifton South precinct not included in the 17th legislative district as described in Sec. 18 of this act, Vancouver 163 through 235, 5-00, 5-05, 5-10, 5-25, 5-30, 5-35, 5-40, 5-45, that part of 5-50 precinct lying west of N.E. 132nd Ave., 5-55, 5-60, 5-65, 5-70, that part of 5-75 precinct lying east of N.E. 94th Ave., that part of 5-80 precinct lying south of N.E. 99th St. and east of N.E. 94th Ave., 5-90, 5-95, 5-100, 5-105, 5-110, 5-115, 5-120, 5-125, 5-130, 5-135, 5-140, 5-145, 5-150, 5-155, 5-160, 5-165, 5-170, 5-175, 5-180, 5-185, 5-190, 5-195, 6-00, 6-05, 6-10, 6-15, 6-20, 6-25, 6-30, 6-35, 6-40, 6-45, 6-50, 6-55, 6-60, 6-65, 6-70, 6-75, 6-80.

**NEW SECTION.** Sec. 51. The Senate shall consist of forty-nine members, one of whom shall be elected from each senatorial district. Each legislative district except 1-A, 1-B, 8-A, 8-B, 9-A, 9-B, 16-A, and 16-B shall compose a senatorial district. Legislative district 1-A shall be combined with legislative district 1-B to form the first senatorial district; legislative district 8-A shall be combined with legislative district 8-B to form the eighth senatorial district; legislative district 9-A shall be combined with legislative district 9-B to form the ninth senatorial district; legislative district 16-A shall be combined with legislative district 16-B to form the sixteenth senatorial district.

**NEW SECTION.** Sec. 52. Of the senators provided for in this act, one senator shall be elected from each of the following senatorial districts created by this act at the general election to be held on the first Tuesday after the first Monday in November, 1966, and every four years thereafter, for a term of four years: 2, 6, 7, 8, 13, 15, 21, 26, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 42, 43, 44, 45, 46, 47, 48. A senator shall be elected from each of the other senatorial districts created by this act at the general election to be held on the first Tuesday after the first Monday in November, 1968, and every four years thereafter, for a term of four years.

**NEW SECTION.** Sec. 53. The House of Representatives shall consist of ninety-nine members, two of whom shall be elected from each legislative district, except that one representative shall be elected from the 1-A, 1-B, 8-A, 8-B, 9-A, 9-B, 16-A and 16-B legislative districts, and three representatives shall be elected from the 41st legislative district.

**NEW SECTION.** Sec. 54. The representatives provided for in this act shall be elected from the legislative districts created by this act at the general election to be held on the first Tuesday after the first Monday in November, 1966, and every two years thereafter, each for a term of two years.

**NEW SECTION.** Sec. 55. The term of office of each senator and representative elected after the effective date of this act shall commence on the second Monday in January following the date of election.

**NEW SECTION.** Sec. 56. The intent of sections 2 through 50 of this act is to include all the territory of the state in the fifty-three legislative districts and forty-nine senatorial districts created by this act, whether or not such territory has been encompassed within the boundaries of precincts or areas specifically mentioned herein. If any territory of the state is not included within precincts or areas specifically mentioned herein, such territory shall be assigned to a legislative district as follows: (1) If such territory be completely surrounded by territory embraced within a given legislative district, such territory shall be and become a part of such district; (2) If such territory shall not be thus surrounded but shall adjoin one or more legislative districts, such territory shall be and become a part of the adjoining district having the smallest number of inhabitants. If any territory which has been specifically mentioned is embraced within two or more legislative districts, such territory shall be and become a part of the adjoining district having the smallest number of inhabitants, and shall not be part of the other district or districts. The 1960 United States census shall be used for determining the number of inhabitants under this act. If any territory has been specifically mentioned as embraced within a given legislative district but is in fact separated from such district by territory of one or more other districts, such territory shall be assigned as though it had not been included within a district specifically mentioned herein.

**NEW SECTION.** Sec. 57. Chapters 5 and 289 of the Laws of 1957 and chapter 44.06 RCW are each repealed, except that this act shall not affect the thirty-ninth legislature or the terms of its members, and except that the terms of each senator elected at the 1964 general election for a new term commencing January 11, 1965, shall continue until the second Monday in January, 1969.

**NEW SECTION.** Sec. 58. If the inclusion in this act of any set or sets of separate legislative districts within a senatorial district or districts shall render this act invalid,

the whole senatorial district or districts shall be treated as a legislative district or districts with two representatives and without separate legislative districts. If any other 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. 59. 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.

Debate ensued.

It was moved by Senator Greive that the amendment be laid upon the table.

Senator Moriarty, Jr., demanded a roll call and the demand was sustained by Senators Woodall, Neill, Chytil, England, Atwood, Redmon, Stender and Gallagher.

#### ROLL CALL

The Secretary called the roll on the motion by Senator Greive. The motion was carried and the amendment was laid upon the table by the following vote: Yeas, 31; nays, 17; excused, 1.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesch, Morgan, Peterson (Lowell), Petrich, Rasmussen, Raugust, Sandison, Talley, Washington—31.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Redmon, Riley, Ryder, Stender, Thompson, Jr., Woodall—17.

Excused: Senator Williams—1.

It was moved by Senator Moriarty, Jr., that the following amendments be adopted:

On page 28, section 64, line 9, strike all of section 64, renumber "Sec. 65." and add the following: "The following sections 66 through 123 shall constitute Redistricting Plan B."

On page 28, following section 65, add sections 66 through 123 as follows:

**NEW SECTION.** Sec. 66. For election of members of the legislature, the territory of the state shall be divided into fifty-three legislative districts and forty-nine senatorial districts described in sections 2 through 50 of this act. Precincts, streets, and all other boundaries referred to in this act for purposes of defining the territory of the legislative districts are those precincts, streets, and boundaries as they existed on November 3, 1964. Streets referred to in this act also refer to street rights-of-way as described in the records of the various counties' engineers and to the logical extension or projection of existing streets.

**NEW SECTION.** Sec. 67.

(1) Legislative district 1-A—the county of Okanogan;

(2) Legislative district 1-B—the counties of Pend Oreille, Stevens, and Ferry.

**NEW SECTION.** Sec. 68. Second legislative district—the following precincts in the county of Snohomish: Ash, Bear Creek, Berry, Brier, Canyon, Chase, Cherry, Clearview, Crest, Crystal Spring, Cypress, Dale, East Shore, Edmonds 1 through 39, Elwood, Fernwood, Firdale, Forshee, Freeway, Gate, Glen, Hadley, Hilltop, Holly, Hunt, Kenmore, Kennard, Larch, Locust, Lund, Lyncrest, Lynnwood 1 through 14, Magnolia, Maltby, Maple, Martha Lake, Meadowdale, Meridian, Minor, Morris, Mountlake Terrace 1 through 16, Mulkilteo, Nelson, Nolyn, North Alderwood, Omdal, Park, Perrin, Radar, Rainier Ridge, Rob, Russet, Seattle Heights, Shelby, Snoline, South Alderwood, Spruce, Summit, Vine, Wood, Woodway 1 through 3, Yost.

**NEW SECTION.** Sec. 69. Third legislative district—the area in the county of Spokane that is encompassed by the following boundaries: Beginning at the intersection of the



northern city limits of the city of Spokane and Helena St., south along Helena St., west along Garland Ave., south along Monroe St., west along Glass Ave., south along Vincennes St., west along Cora Ave., south along Monroe St., east along 3rd Ave., north along Altamont St., east along Riverside Ave., north along Regal St., generally east along the center line of the Spokane River, generally northeast along the city limits of the city of Spokane in the vicinity of Felts Field, north along Park Road, west along an extension of the line separating Section 13 and Section 24 in Township 26 North, south along Regal St., generally west along the northern city limits of the city of Spokane to the point of origin.

**NEW SECTION.** Sec. 70. Fourth legislative district—the area in the county of Spokane that is encompassed by the following boundaries: Beginning at the intersection of Altamont St. and Riverside Ave., proceed south along Altamont St., generally east along the Steepcliff line, east along 14th Ave., south along Freya St. and Fields Rd., east along the southern city limits of the city of Spokane and then 44th Ave., north along Argonne Road, east along 16th Ave., south along University Road, east along 32nd Ave., north along Flora Rd., east along Broadway Ave., north along Harvard Rd., generally east along the center line of the Spokane River, north along the Washington-Idaho state border, west along Highland Road, north along Bruce Road, west along an extension of the line separating Section 13 and Section 24 in Township 27 North, south along Regal St., east, and then generally south and west to the point of origin along the northern and eastern boundaries of the 3rd legislative district as described in Sec. 4 of this Act.

**NEW SECTION.** Sec. 71. Fifth legislative district—the area in the county of Spokane that is encompassed by the following boundaries: Beginning at the intersection of Helena St. and the northern city limits of the city of Spokane, proceed south along Helena St., west along Garland Ave., north along "A" St., west along Francis Ave., north along an extension of the line separating Section 33 and Section 34 in Range 42 East, west along an extension of the line separating Section 28 and Section 33 in Township 27 North, north and then east along the Spokane-Stevens county line, east along the Spokane-Pend Oreille county line, south along the Washington-Idaho state border, generally west and then south along the northern and western boundaries of the 4th legislative district as described in Sec. 5 of this Act, south along Regal St., generally west along the northern city limits of the city of Spokane to the point of origin.

**NEW SECTION.** Sec. 72. Sixth legislative district—the area in the county of Spokane that is encompassed by the following boundaries: Beginning at the intersection of 3rd Ave. and Altamont St., proceed south along Altamont St. and then generally east along the southern boundary of the 4th legislative district as described in Sec. 5 of this Act, south along the Washington-Idaho state border, west along the Spokane-Whitman county line, north along the Spokane-Lincoln county line, east along Thorpe Road, south along the line separating Range 41 East and Range 42 East, east along Hallett Road, north along an extension of the line separating Section 1 and Section 2 in Range 42 East, east along the southern city limits of the city of Spokane, generally north along the center line of Hangman Creek, east along 29th Ave., north along Post St., west along 19th Ave., north along Lincoln St., west along 14th Ave., north along Monroe St., east along 3rd Ave. to the point of origin.

**NEW SECTION.** Sec. 73. Seventh legislative district—the area in the county of Spokane that is encompassed by the following boundaries: Beginning at the intersection of the 3rd Ave. and Monroe St., proceed south and then west along the northern boundary of the 6th legislative district as described in Sec. 7 of this Act, north along the Spokane-Lincoln county line, generally east along the Spokane-Stevens county line, east and south along the western and southern boundaries of the 5th legislative district as described in Sec. 6 of this Act, south along Monroe St., west along Glass Ave., south along Vincennes St., west along Cora Ave., south along Monroe St. to the point of origin.

**NEW SECTION.** Sec. 74.

(1) Legislative district 8-A—the following precincts in the county of Yakima: Grandview Town 1 through 6, Granger, Mabton Town, Mabton Rural, North Grandview, Orchardvale, Grandview Central, South Grandview, Sunnyside Town 81 through 83, 5 through 7, 104, 129, Sunnyside Rural 1 through 4, Toppenish Rural No. 1, Waneta, Wendell Phillips, East Granger, Alfalfa, Belma, Byron, Glade;

(2) Legislative district 8-B—the following precincts in the county of Benton: Buena Vista, Prosser North, Riverside, Walnut Grove, Columbia, Rattlesnake, that

part of Harrington precinct lying northeast of the center line of the Yakima River, Legion, Benton North, Benton South, Roza, Richland 1 through 41, 43 through 47, 49, 50.

**NEW SECTION.** Sec. 75.

- (1) Legislative district 9-A—the county of Whitman;
- (2) Legislative district 9-B—the counties of Lincoln and Adams.

**NEW SECTION.** Sec. 76. Tenth legislative district—the county of Island, and the following precincts in the county of Kitsap: Bredablik 1 & 2, Bremerton 31, 32, 34 through 36, 41, 42, 46, 47, 50 through 52, 54, 61 through 63, Brownsville 1 & 2, Clear Creek, East Perry, East Silverdale, Ferncliff, Gilberton, Highland, Illahee, Indianola, Island Center 1 & 2, Keyport 1 & 2, Kingston, Lemolo, Liberty, Liberty Bay, Lincoln, Manette, North Tracyton, North Trenton, Olympic, Olympus Drive, Pearson, Petersville, Pleasant Beach 1 & 2, Point No Point, Port Blakley, Port Gamble, Port Madison, Poulsbo 1 through 3, Poulsbo Heights, Rolling Bay 1 & 2, Seabold 1 & 2, Sheridan, South Kingston, South Tracyton, Suquamish 1 & 2, Tracyton, Winslow 1 & 2.

**NEW SECTION.** Sec. 77. Eleventh legislative district—the counties of Walla Walla, Columbia, Garfield, and Asotin.

**NEW SECTION.** Sec. 78. Twelfth legislative district—the counties of Chelan and Douglas.

**NEW SECTION.** Sec. 79. Thirteenth legislative district—the counties of Grant and Kittitas.

**NEW SECTION.** Sec. 80. Fourteenth legislative district—the following precincts in the county of Yakima: Yakima 1 through 30, 33, 34, 38 through 40, 43, 44, 46, 49 through 51, 58 through 60, 63 through 66, Gleed, Harwood, Leamingburg, Lower Wenas, Naches City, Naches Heights, Nile, Selah Town 76, 134, 151, Selah Central, Selah Extension, Selah Heights, Tampico, East Tieton, Upper Wenas, West Naches, that part of West Nob Hill precinct lying west of Glenside Ave., Westview, Wide Hollow, Wiley City, West Tieton, Cascade, Cottonwood, South Cowiche, East Fruitvale, Growmore, North Cowiche, Selah Rural, Sumach, Englewood, East Naches, East Selah, East Summitview, Eschbach, Fairgrounds, West Fruitvale, Castlevale, Sunset, Glenwood, Fairview, Jefferson.

**NEW SECTION.** Sec. 81. Fifteenth legislative district—the following precincts in the county of Yakima: East Ahtanum, Harrah, Holland, Liberty, McKinley, Moxee City, Moxee Rural, North Buena, Outlook, Parker Heights, Roza, Terrace Heights, Toppenish Town 1 through 7, Toppenish Rural 2 and 3, Union Gap Town 1 through 3, Wapato Town 3, 100 through 102, 131, West Ahtanum, West Parker, West Wapato, White Swan, Zillah Town, Brownstown, Buena, South Broadway, East Moxee, Bradshaw, Slavin, Old Town, East Wapato, East Zillah, Country Club, Yakima 31, 32, 35 through 37, 41, 42, 45, 47, 48, 52 through 57, 61, 62, 65, 67, South Nob Hill, Riverside, that part of West Nob Hill precinct lying east of Glenside Ave., Airport.

**NEW SECTION.** Sec. 82.

(1) Legislative district 16-A—the following precincts in the county of Benton: Prosser East, Prosser West, Prosser 1, 2-1 through 2-4, 3, Expansion, Wellington, that part of Harrington precinct lying southwest of the center line of the Yakima River, Enterprise, West Richland 1 through 3, Kiona, Kennewick 1-1 through 1-10, 2-1 through 2-10, 3-1 through 3-5, 3-8 through 3-11, Clements, Cleveland, Ely, Finley, Hart, Hawthorne, Hedges, Highlands East, Highlands South, Highlands West, Island View, Kennewick South, Kennewick Valley, Lincoln, Rainier, Umatilla, Union, Washington, Yellowstone, Carley, Paterson;

- (2) Legislative district 16-B—the county of Franklin.

**NEW SECTION.** Sec. 83. Seventeenth legislative district—the counties of Klickitat and Skamania, and the following precincts in the county of Clark: Alpine, Battle Ground north, Battle Ground South, Camas 101 through 114, Cedar Creek, Charter Oak, Chelatchie, Columbia West, English, Fern Prairie East, Fern Prairie West, Gibbons, Haagen, Hall, Hayes, Heisson, La Center, Lackamas North, Lackamas South, Lewisville, Lockwood Creek, Manor, Meadow Glade, Mt. View, Norway, Pioneer, Paradise Point, Proebstel, Russell, Skye, Twin Falls, Washougal "A" through "F", Woodburn, Yacolt, Baker, Bliss, Brush Prairie, Daybreak, Enterprise, Fishers, Gee Creek, Glenwood Heights, Greeley, Lamb, Miller, Ridgefield North, Ridgefield South, that part of Sifton South precinct lying south of N.E. 39th St. and east of N.E. 132nd Ave., Whipple Creek, 5-15, 5-20, that part of 5-50 precinct lying east of N.E. 132nd Ave., that part of 5-75 precinct lying west of N.E. 94th Ave., that part of 5-80 precinct not included in the 49th legislative district as described in Sec. 50 of this Act, 5-85, 6-85, 6-90, 6-95.

**NEW SECTION.** Sec. 84. Eighteenth legislative district—the county of Cowlitz and Wahkiakum.

**NEW SECTION.** Sec. 85. Nineteenth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the King-Pierce county line and S.W. 320th St., proceed east along S.W. 320th St., and S. 320th St., north along 24th Ave. S., east along S. 288th St., north along 76th Ave. S., generally north along the eastern boundary of the city of Kent, generally northeast along the southern and eastern boundaries of the city of Renton, east along S.E. 136th St., north along 144th Ave. S.E., east along S.E. 128th St., south along 228th Ave. S.E., east along S.E. 176th St., south along 244th Ave. S.E., east along S.E. 192nd St., south along 252nd Ave. S.E., east along S.E. 208th St., south along the line dividing Range 7 East and Range 8 E, east along the line dividing Township 21 North and Township 22 North, generally south along the King-Kittitas county line, generally northwest along the King-Pierce county line to the point of origin.

**NEW SECTION.** Sec. 86. Twentieth legislative district—the counties of Pacific and Lewis.

**NEW SECTION.** Sec. 87. Twenty-first legislative district—the county of Grays Harbor.

**NEW SECTION.** Sec. 88. Twenty-second legislative district—the county of Thurston.

**NEW SECTION.** Sec. 89. Twenty-third legislative district—the following precincts in the county of Kitsap: Annapolis 1 & 2, Bangor, Bayview, Bethel 1 through 3, Bremerton 2 through 30, 33, 37 through 40, 44, 45, 48, 53, 55 through 60, Bremerton Heights, Burley, Carter, Charland, Chico, Colby, Crosby, Davis 1 through 3, Erlands Point 1 & 2, Fernwood, Forest Ridge, Fragaria, Glenwood, Gorst 1 through 3, Harper, Hillcrest, Holly, Kitsap Lake 1 through 3, Long Lake, Manchester, Manchester Heights, Navy Yard City 1 through 4, North Silverdale, Olalla, Phinney Bay, Port Orchard 1 through 7, Rocky Point 1 & 2, Seabeck, Shorewood Drive, Sidney, South Colby, Sunnyslope, Twin Lakes, Veterans 1 & 2, Waterman, West Silverdale.

**NEW SECTION.** Sec. 90. Twenty-fourth legislative district—the counties of Clallam, Mason, and Jefferson.

**NEW SECTION.** Sec. 91. Twenty-fifth legislative district—the area in the county of Pierce that is encompassed by the following boundaries: Beginning at the intersection of the logical extension of Carlson Road and Lundblad Road, proceed north along Lundblad Road, west along Collins Road and Cooper Road and E. 128th St., north along McKinley Ave., west along E. 104th St., north along E. "D" St., east along E. 96th St., generally north along the eastern city limits of the city of Tacoma, generally east along the Pierce-King county line, generally south along the Pierce-Yakima county line, generally west along the Pierce-Lewis county line and the Pierce-Thurston county line, north along an extension of the line separating Section 32 and Section 33 in Range 4 East, east along an extension of the line separating Section 9 and Section 16 in Township 16 North, north along an extension of a north-south line through the center of Section 9 in Range 4 East, east along the line separating Township 16 North and Township 17 North, north along an extension of the line separating Section 31 and Section 32 in Range 5 East, west along an extension of the line separating Section 18 and Section 19 in Township 17 North, north along the line separating Range 4 East and Range 5 East, west along the logical extension of Carlson Road to the point of origin.

**NEW SECTION.** Sec. 92. Twenty-sixth legislative district—the area in the county of Pierce that is encompassed by the following boundaries: Beginning at the intersection of Commencement Bay and Division Ave., proceed southwest along Division Ave., south along S. Yakima Ave., west along S. 8th St., south along Orchard St., west along S. 19th St., north along the center line of the Day Island waterway, north through the Narrows, southeast into and through Commencement Bay to the point of origin; plus the following precincts in the county of Pierce: Anderson Island, Artondale, Fox Island, Gig Harbor 1 & 2, Hales Pass, Home, Lakebay, Longbranch, Minter, Purdy, Richmond, Rosedale, Shore Acres, Vaughn, Wollochet.

**NEW SECTION.** Sec. 93. Twenty-seventh legislative district—the area in the county of Pierce that is encompassed by the following boundaries: Beginning at the intersection of the King-Pierce county line and Puget Sound, proceed southeast along the King-Pierce county line, generally south and west along the eastern city limits of the city of Tacoma, west along E. 38th St. and S. 38th St., south along S. Park Ave., west along S. 56th St., north along Orchard Rd., generally east along the southern boundary of the

26th legislative district as described in Sec. 27 of this act, generally north and northeast through Commencement Bay and Puget Sound to the point of origin.

*NEW SECTION.* Sec. 94. Twenty-eighth legislative district—the area in the county of Pierce that is encompassed by the following boundaries: Beginning at the intersection of E. 38th St. and the eastern city limits of the city of Tacoma, proceed generally south and east along the western boundary of the 25th legislative district as described in Sec. 26 of this act, generally northwest along the Pierce-Thurston county line, northeast along U. S. 99, 410 to the vicinity of Halcyon Road, north along the Northern Pacific Railroad right of way, east along the southern city limits of the city of Tacoma, east along S. 80th St., north along S. Park Ave., east along S. 38th St. and E. 38th St. to the point of origin.

*NEW SECTION.* Sec. 95. Twenty-ninth legislative district—the area in the county of Pierce that is encompassed by the following boundaries: Beginning at the intersection of S. 56th St. and S. Park Ave., proceed generally southwest along the western boundary of the 28th legislative district as described in Sec. 29 of this act, north along the Pierce-Thurston county line, generally north through the eastern waters of Puget Sound, south along the center line of the Day Island waterway, east along S. 19th St., south along Orchard Rd., east along S. 56th St. to the point of origin.

*NEW SECTION.* Sec. 96. Thirtieth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of Puget Sound and the King-Pierce county line, proceed southeast along the King-Pierce county line, generally northeast along the western boundary of the 19th legislative district as described in Sec. 20 of this act, generally west and north along the southern and western boundaries of the city of Renton, west along S. 160th St., generally north along the western city limits of the city of Tukwila, west along S. 144th St., south along Pacific Hwy., generally west along the proposed right of way of the Des Moines Way Interchange, south along 1st Ave. S., generally south and then generally west along the eastern and southern boundaries of the city of Normandy Park, south through Puget Sound, encompassing Vashon Island, to the point of origin.

*NEW SECTION.* Sec. 97. Thirty-first legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of Puget Sound and the southern boundary of the city of Normandy Park, proceed generally east and north along the southern and eastern boundaries, of the city of Normandy Park, north along 1st Ave. S., west along S.W. 146th St., north along 4th Ave. S.W., west along S.W. 116th St., north along 8th Ave. S.W., east along S.W. Roxbury St., north along 1st Ave. S., northwest along the center line of the Duwamish Waterway, west along S.W. Graham St., south along 26th Ave. S.W., west along S.W. Myrtle St., south along S.W. California Ave., west along S.W. Othello St., northwest along Lincoln Park Way, south along Beach Drive S.W., west along the northern boundary of Lowman Beach Park, south through Puget Sound to the point of origin.

*NEW SECTION.* Sec. 98. Thirty-second legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the center line of Union Bay and 30th Ave. N.E., proceed generally west along the center lines of Union Bay and the Lake Washington Canal, southwest through Portage Bay, west along E. Edgar St., south along Federal Ave. E., west along E. Roanoke St., generally west through Lake Union, west along North Florentia St. and W. Florentia St., south along 3rd Ave. W., west along W. Barrett St., north along 7th Ave. W., west along W. Dravis St., north along 11th Ave. W., northwest along the center line of the Salmon Bay Waterway, northeast along N.W. Dock Place, east along N.W. 51st St., north along 15th Ave. N.W., east along N.W. Market St., north along 14th Ave. N.W., east along N.W. 57th St., north along 8th Ave. N.W., east along N.W. 60th St. and N. 60th St., north along Greenwood Ave. N., east along N. 64th St., north along Woodlawn Place N., east along N. 65th St., generally southeast along the western shore line of Green Lake, south along the logical extension of Green Lake Way N. into Green Lake, south along Green Lake Way N., east along N. 50th St. and N.E. 50th St., north along Roosevelt Way N.E., southeast along N.E. Ravenna Blvd., south along 15th Ave. N.E., east along N.E. 52nd St., north along 20th Ave. N.E., east along N.E. 61st St., north along 24th Ave. N.E., east along N.E. 65th St., south along 45th Ave. N.E., west along N.E. 55th St., south along 40th Ave. N.E., west along N.E. 50th St., south along 30th Ave. N.E. to the point of origin.

*NEW SECTION.* Sec. 99. Thirty-third legislative district—the following area in the county of King that is encompassed by the following boundaries: Beginning at the

intersection of the outer harbor line of the western shore of Lake Washington and S. Judkins St., proceed west along S. Judkins St., north along 21st Ave. S., west along S. Jackson St., south along 18th Ave. S., west along S. King St., south along 12th Ave. S., west along S. Judkins St., south along 11th Ave. S., east along the center line of the city block lying between S. Bradford St. and S. Andover St., south along 16th Ave. S., west along S. Snoqualmie St., south along Corson Ave. S., west along S. Dawson St., south along the center line of the Duwamish Waterway, east along South Kenyon St., generally north along the outer harbor line of the western shore of Lake Washington to the point of origin.

**NEW SECTION.** Sec. 100. Thirty-fourth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of Elliott Bay and Yesler Way, proceed east along Yesler Way, south along 9th Ave. S., east along S. King St., generally south along the western boundary of the 33rd legislative district as described in Sec. 34 of this act, west along S.W. Graham St. and generally west along the northern boundary of the 31st legislative district as described in Sec. 32 of this act, generally north and then generally east along the outer harbor line of Puget Sound and Elliott Bay to the point of origin.

**NEW SECTION.** Sec. 101. Thirty-fifth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the King-Snohomish county line and 116th Ave. N.E., proceed south along 116th Ave. N.E., generally south along the eastern city limits of the city of Bothell, south along 116th Ave. N.E., east along N.E. 165th St., south along 148th Ave. N.E., east along N.E. 116th St., south along 204th Ave. N.E., west along N.E. 50th St., north along 140th Ave. N.E., west along N.E. 90th St., generally north and west along the eastern and northern city limits of the city of Kirkland, north along 98th Ave. N.E., west along N.E. 112th St., generally northwest through Lake Washington, west along N.E. 145th St. and N. 145th St., north along Aurora Ave. N., west along N. 165th St. and N.W. 165th St., north along 8th Ave. N.W., east along N.W. 185th St. and N. 185th St., north along Greenwood Ave. N., east along the King-Snohomish county line to the point of origin.

**NEW SECTION.** Sec. 102. Thirty-sixth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of Shilshole Bay and the center line of the Salmon Bay Waterway, proceed generally southeast along the center line of the Salmon Bay Waterway, south and east along the western and southern boundaries of the 32nd legislative district as described in Sec. 33 of this Act, south through the center of Lake Union, south along Waterway No. 3 and the logical extension of the same to Westlake Ave. N., south along Westlake Ave. N. and Westlake Ave., southeast along 5th Ave., southwest along Pike St., generally northwest along the outer harbor line of Elliott Bay, Puget Sound and Shilshole Bay to the point of origin.

**NEW SECTION.** Sec. 103. Thirty-seventh legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of Elliott Bay and Pike St., proceed northeast along Pike St., southeast along 7th Ave., northeast along Madison St., northwest along Minor Ave., north along Melrose Ave., northeast along E. Olive Way, east along E. John St., north along Federal Ave. E., east along E. Mercer St., southwest along E. Madison St., west along E. Republican St., south along 30th Ave. E., east along E. Denny Way, generally southeast along E. Madrona Drive, east along E. Howell St., generally south along the outer harbor line of the west shore of Lake Washington, generally west along the northern boundary of the 33rd legislative district as described in Sec. 34 of this Act, west along S. King St., north along 9th Ave. S., west along Yesler Way, generally north along the outer harbor line of Elliott Bay to the point of origin.

**NEW SECTION.** Sec. 104. Thirty-eighth legislative district—the following precincts in the county of Snohomish: Alicia, Cascade, Center, Dakota, Eastmont, Emander, Field, Hilton Lake, Hi-Way, Intercity, Jeff, Manor, Manordale, Olivia, Rivercrest, Serene, Shore, Silver Lake, Stickney, Thomas Lake, Ward, Wilson, Everett City 1 through 103.

**NEW SECTION.** Sec. 105. Thirty-ninth legislative district—the following precincts in the county of Snohomish: Allen Creek, Alma, Arlington 1 through 5 inclusive, Armstrong, Bee, Bly, Boeing, Boulder, Bryant, Cathcart, Cedarhome, Cliff, Darrington, Davies, East Everett, Ebey, Edgcomb, Fir, Florence, Fortson, Getchell, Glenwood,

Gold Bar, Granite Falls, Gregory, Hartford, Hazel, Highland, Howell, Index, Jim Creek, Kruse, Lake, Lake Cassidy, Lake Goodwin, Lake Stevens 1 and 2, Lakeview, Lakewood, Lochsloy, Loma, Ludwig, Machias, Marion, Marsh, Marysville 1 through 7 inclusive, McDougall, Millard, Milton, Monroe 1 through 3 inclusive, Moran, Newberg, Norden, Norm, Norman, Olney, Oso, Outlook, Park Place, Pearson, Port Susan, Priest Point, Quil, Riverview, Robe, Robin, Roosevelt, Sauk, Sexton, Shorts, Shoultes, Silvana, Sparlin, Skykomish, Skyline, Snohomish 1 through 9 inclusive, South Lake Stevens, South Snohomish, Stanby, Stanwood 1 and 2, Stitch, Sultan 1 and 2, Sultan River, Sunnyside, Three Lakes, Trafton, Trail, Tualco, Tulalip, Tyee, Union, Valley, Vernon, Village, Wallace, Welangdon, Winter Lake, and Whaleback.

**NEW SECTION.** Sec. 106. Fortieth legislative district—the counties of Skagit and San Juan.

**NEW SECTION.** Sec. 107. Forty-first legislative district—the county of Whatcom.

**NEW SECTION.** Sec. 108. Forty-second legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of the western shore of Lake Washington and S. Kenyon St., proceed generally west along the southern boundary of the 33rd legislative district as described in Sec. 34 of this act, generally south along the eastern boundary of the 31st legislative district as described in Sec. 32 of this act, generally east along the northern boundary of the 30th legislative district as described in Sec. 31 of this act; generally north along the western city limits of the city of Tukwila, north along 42nd Ave. S., east along S. 122nd St., southeast along the Great Northern Railroad right of way, east along S. 128th St., north along 76th Ave. S., east along S. 120th St., north along 84th Ave. S., generally north along the outer harbor line of the southern shore of Lake Washington to the point of origin.

**NEW SECTION.** Sec. 109. Forty-third legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of the west shore of Lake Washington and N.E. 65th St., proceed west along N.E. 65th St., south and west along the eastern and southern boundaries of the 32nd legislative district as described in Sec. 33 of this act, generally south along the eastern boundary of the 36th legislative district as described in Sec. 37 of this act, generally east along the northern boundary of the 37th legislative district as described in Sec. 38 of this act, generally north through Lake Washington to the point of origin.

**NEW SECTION.** Sec. 110. Forty-fourth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of Puget Sound and the King-Snohomish county line, proceed east along the King-Snohomish county line, generally south along the western boundary of the 35th legislative district as described in Sec. 36 of this act, south along Aurora Ave. N., west along N. 115th St. and N.W. 115th St., south along 8th Ave. N.W., generally southwest along the northern and western boundaries of the 32nd legislative district as described in Sec. 33 of this act, generally northwest along the center line of the Salmon Bay Waterway, generally north through Shilshole Bay and Puget Sound to the point of origin.

**NEW SECTION.** Sec. 111. Forty-fifth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of N. 145th St. and Aurora Ave. N., proceed generally south along the eastern boundary of the 44th legislative district as described in Sec. 45 of this act, generally east along the northern boundary of the 32nd legislative district as described in Sec. 33 of this act, north along Roosevelt Way N.E., west along N.E. 145th St. and N. 145th St. to the point of origin.

**NEW SECTION.** Sec. 112. Forty-sixth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of the western shore of Lake Washington and N.E. 145th St., proceed west along N.E. 145th St., south along Roosevelt Way N.E., generally east along the northern boundary of the 32nd legislative district as described in Sec. 33 of this act and continue east along N.E. 65th St., generally north along the outer harbor line of the western shore of Lake Washington to the point of origin.

**NEW SECTION.** Sec. 113. Forty-seventh legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of the southern shore of Lake Washington and 84th Ave. S., proceed generally southwest along the southeast boundary of the 42nd legislative district as described in Sec. 43 of this act, generally south along the western city limits of the

city of Tukwila, east along S. 160th St., south and then east along the western and southern city limits of the city of Renton, generally east along the northern boundary of the 19th legislative district as described in Sec. 20 of this act, generally north along the King-Kittitas and King-Chelan county lines, west along the King-Snohomish county line, generally south and then west along the eastern and southern boundaries of the 35th legislative district as described in Sec. 36 of this act, generally south through Lake Sammamish, west along S.E. 24th St., south along 164th Ave. S.E., west along Sunset Hwy., generally south and west along the outer harbor line of the eastern and southern shores of Lake Washington to the point of origin.

**NEW SECTION.** Sec. 114. Forty-eighth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of the east shore of Lake Washington and N.E. 112th St., proceed generally east and south along the southern boundary of the 35th legislative district as described in Sec. 36 of this act, generally south and then west along the western boundary of the 47th legislative district as described in Sec. 48 of this act, generally south through the east waters of Lake Washington, generally north through the west waters of Lake Washington, encompassing Mercer Island, to the point of origin.

**NEW SECTION.** Sec. 115. Forty-ninth legislative district—the following precincts in the county of Clark: Clyde, Connor, Elkins, Fruit Valley, Sifton North, that part of Sifton South precinct not included in the 17th legislative district as described in Sec. 18 of this act, Vancouver 163 through 235, 5-00, 5-05, 5-10, 5-25, 5-30, 5-35, 5-40, 5-45, that part of 5-50 precinct lying west of N.E. 132nd Ave., 5-55, 5-60, 5-65, 5-70, that part of 5-75 precinct lying east of N.E. 94th Ave., that part of 5-80 precinct lying south of N.E. 99th St. and East of N.E. 94th Ave., 5-90, 5-95, 5-100, 5-105, 5-110, 5-115, 5-120, 5-125, 5-130, 5-135, 5-140, 5-145, 5-150, 5-155, 5-160, 5-165, 5-170, 5-175, 5-180, 5-185, 5-190, 5-195, 6-00, 6-05, 6-10, 6-15, 6-20, 6-25, 6-30, 6-35, 6-40, 6-45, 6-50, 6-55, 6-60, 6-65, 6-70, 6-75, 6-80.

**NEW SECTION.** Sec. 116. The Senate shall consist of forty-nine members, one of whom shall be elected from each senatorial district. Each legislative district except 1-A, 1-B, 8-A, 8-B, 9-A, 9-B, 16-A, and 16-B shall compose a senatorial district. Legislative district 1-A shall be combined with legislative district 1-B to form the first senatorial district; legislative district 8-A shall be combined with legislative district 8-B to form the eighth senatorial district; legislative district 9-A shall be combined with legislative district 9-B to form the ninth senatorial district; legislative district 16-A shall be combined with legislative district 16-B to form the sixteenth senatorial district.

**NEW SECTION.** Sec. 117. Of the senators provided for in this act, one senator shall be elected from each of the following senatorial districts created by this act at the general election to be held on the first Tuesday after the first Monday in November, 1966, and every four years thereafter, for a term of four years: 2, 6, 7, 8, 13, 15, 21, 26, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 42, 43, 44, 45, 46, 47, 48. A senator shall be elected from each of the other senatorial districts created by this act at the general election to be held on the first Tuesday after the first Monday in November, 1968, and every four years thereafter, for a term of four years.

**NEW SECTION.** Sec. 118. The House of Representatives shall consist of ninety-nine members, two of whom shall be elected from each legislative district, except that one representative shall be elected from the 1-A, 1-B, 8-A, 8-B, 9-A, 9-B, 16-A, and 16-B legislative districts, and three representatives shall be elected from the 41st legislative district.

**NEW SECTION.** Sec. 119. The representatives provided for in this act shall be elected from the legislative districts created by this act at the general election to be held on the first Tuesday after the first Monday in November, 1966, and every two years thereafter, each for a term of two years.

**NEW SECTION.** Sec. 120. The term of office of each senator and representative elected after the effective date of this act shall commence on the second Monday in January following the date of election.

**NEW SECTION.** Sec. 121. The intent of sections 2 through 50 of this act is to include all the territory of the state in the fifty-three legislative districts and forty-nine senatorial districts created by this act, whether or not such territory has been encompassed within the boundaries of precincts or areas specifically mentioned herein. If any territory of the state is not included within precincts or areas specifically mentioned herein, such territory shall be assigned to a legislative district as follows: (1) If such territory be completely surrounded by territory embraced within a given legislative district, such territory shall be and become a part of such district; (2) If

such territory shall not be thus surrounded but shall adjoin one or more legislative districts, such territory shall be and become a part of the adjoining district having the smallest number of inhabitants. If any territory which has been specifically mentioned is embraced within two or more legislative districts, such territory shall be and become a part of the adjoining district having the smallest number of inhabitants, and shall not be part of the other district or districts. The 1960 United States census shall be used for determining the number of inhabitants under this act. If any territory has been specifically mentioned as embraced within a given legislative district but is in fact separated from such district by territory of one or more other districts, such territory shall be assigned as though it had not been included within a district specifically mentioned herein.

*NEW SECTION.* Sec. 122. Chapters 5 and 289 of the Laws of 1957 and chapter 44.06 RCW are each repealed, except that this act shall not affect the thirty-ninth legislature or the terms of its members, and except that the terms of each senator elected at the 1964 general election for a new term commencing January 11, 1965 shall continue until the second Monday in January, 1969.

*NEW SECTION.* Sec. 123. If the inclusion in this act of any set or sets of separate legislative districts within a senatorial district or districts shall render this act invalid, the whole senatorial district or districts shall be treated as a legislative district or districts with two representatives and without separate legislative districts. If any other 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.

Debate ensued.

It was moved by Senator McCutcheon that the amendment be laid upon the table.

Senator Ryder demanded a roll call and the demand was sustained by Senators Freise, Thompson, Jr., Peterson (Ted), Gallagher, Bailey, Moriarty, Jr., and Chytil.

#### ROLL CALL

The Secretary called the roll on the motion by Senator McCutcheon. The motion was carried and the amendment was laid upon the table by the following vote: Yeas, 29; nays, 18; absent, 1; excused, 1.

Those voting yeas were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Sandison, Talley, Washington—29.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Woodall—18.

Absent or not voting: Senator Morgan—1.

Excused: Senator Williams—1.

On motion of Senator Greive, the following amendment was adopted:

On page 30, add a new section following Sec. 64, as follows:

*"NEW SECTION.* Sec. 65. In the event that the legislature should pass, the Governor should sign or fail to veto, and the United States District Court for the Western District of Washington, Northern Division should approve a redistricting act prior to March 16, 1965, the referendum ordered by this act shall not be submitted to the people and all preparation for the special election on such referendum shall immediately cease."

Senators Greive, Connor, and Washington demanded a Call of the Senate.

A Call of the Senate was ordered.



## CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate chamber.

The Secretary called the roll on the Call of the Senate, all members being present, except Senator Williams, who had been previously excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

On motion of Senator Greive, the rules were suspended, Engrossed Senate Bill No. 333 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## POINT OF ORDER

Senator Moriarty, Jr.:

"Mr. President, point of order:"

The President:

"Senator Moriarty, state your point of order."

Senator Moriarty, Jr.:

"My point of order is that this body cannot now properly consider this measure."

The President:

"Does the Senator wish to speak on the point of order?"

Senator Moriarty, Jr.:

"Yes, I do. Mr. President, I hold in my hand a copy of the order dated October 26, 1964, by the U. S. District Court, Western District of Washington, Northern Division, in cause number 5597, and in that order, on page 3, lines 13, 14, 15 and through 17, it states as follows:

"The Court having determined that the primary objective of this decree at this time should be to effectively induce the Sixty-five Session of the Washington State Legislature to properly reapportion itself as the first order of business during the period of the session—' Requiring this legislature to reapportion itself is the important part of that language, it goes on at the bottom of page 3 and the top of page 4 to permit this legislature to pass only a bill or bills relating to legislative apportionment. At the middle of page 4 of the order, between lines 8 and 19, the following language appears:

"It is further ordered, adjudged and decreed that except for the bills or other measures specifically listed in the preceding paragraph of this decree, no bill shall be passed by either house of the Washington State Legislature or any committee thereof until the legislature shall have enacted into law a legislative apportionment plan that is in compliance with Amendment Fourteen of the U. S. Constitution to the satisfaction of this Court upon review of the same at a hearing to be held as soon as possible after enactment of such apportionment plan."

"We have before us, Mr. President, Senate Bill No. 333 which is not a bill by which the legislature reapportions itself. It is not a bill which is permitted by the Federal Court decree of October, 1964.

"It further restrains the President, and I am sure he is aware of this. 'The Defendant President of the Washington State Senate is hereby enjoined from signing any bill passed by either house of the Washington State Legislature with the exception of a bill or bills relating to legislative apportionment.' The bill we have before us, Senate Bill No. 333, simply refers to the people or sets up a special election on March 16, on the subject of legislative reapportionment, and I submit that that matter is not properly before us; that we are enjoined by the Federal Court from acting on this measure, and I ask for a ruling on the point of order."

Senator Greive:

"Mr. President:

"May I point out to Senator Moriarty that following his logic and if it is followed to its logical conclusion, the Governor would have no right to veto a bill, the legislature being the only person ready to act. Senator Gissberg made a very fine legal argument

two or three days ago and he explained—and apparently the House has deemed not to act as yet, though I understand as each day goes by, more and more are coming to the conclusion that they must—that maybe we, the legislature, under that order were the only people required to act and that we have a right to go to the Court and ask them to enact a particular measure. Now, I'm not going to go into that argument, which is much better handled by Senator Gissberg, who has prepared it. I am going to say this: We, the legislature, if this passes, will have acted. We will have reapportioned ourselves. We merely would have gone to our state constitution and asked the people to substitute their voice for that of the Governor; and, I also point out that we have had one bill vetoed and have threats of many other vetoes of anything we suggest. We have negotiated at great length. Negotiations have reached at least a temporary impasse. Finally, we have to take every legal means to accomplish this and I believe this is within the court order.

Senator Lennart:

"Mr. President, Senators:

"First, I must apologize to Senator Greive. It wasn't my fortune to have law as my training, and certainly I am very humble about this. But you will recall that the court actually invalidated an initiative, which, if you read the constitution, is the first right of the people. This is a granted right. It is the only granted right we have except the United States Constitution. It is a direct grant under the Tenth Amendment.

"Now you come back and plead to the court in a kind of wizzardland: 'This is what we want done this time.' I look at this bill. I don't know. What a Senator really needs is a sound stomach, a good thick skin for resisting foes and, particularly, friends, and an operation to remove his conscience. Truly this is proof this is the land of the free and the home of the brave. I have never seen anything like this. I notice, with tears in my eyes, that the first district, which no one should claim—"

#### POINT OF ORDER

Senator McCutcheon:

"Point of order, Mr. President:

"I regret to interrupt here but I don't think Senator Lennart is talking to the point of order."

#### RULING OF THE PRESIDENT

The President:

"Senator Lennart, would you please confine your remarks to the point of order? Thank you."

Senator Lennart:

"Mr. President:

"We have meandered all around the lot. Really all of the evening we have talked upon the merits of the bill. Would you restate the point of order that we are talking about? I don't think anybody knows."

The President:

"The point of order as presented by Senator Moriarty was to the effect that the Senate does not have the right to consider this measure at this time."

Senator Lennart:

"Mr. President:

"I believe I was meandering along that point pretty well. I think the whole point of the order is really the ridiculous part of what we are doing, and what I am trying to call attention to here. The Federal Court has actually invalidated the initiative, and we have become a lesser power of government, and we have nothing to do about this. Actually, we have nothing to do with this. The point of order of Senator Moriarty is so strong, I just can't see how you can help but to go along with it."

Senator Washington:

"Mr. President, members of the Senate:

"Speaking on the point of order, it appears to me that the statement read by Senator Moriarty answers itself, in that the legislation that we pass or act on must relate to reapportionment. I think the entire point, Mr. President, is that it does

relate to this. It doesn't state that it must be a bill in final form, but must relate to it, and I think with that language in the court's decision, you have every right to allow the Senate to proceed and to sign any necessary legislation without fear of being in contempt."

**POINT OF INQUIRY**

Senator Lewis:

"Mr. President:

"I wonder if Senator Moriarty would yield to a question."

Senator Moriarty, Jr.:

"Yes."

Senator Lewis:

"Senator Moriarty, I'm a new Senator and I'm not an attorney, but I wonder if, in the event that this measure were passed on to the people and that they rejected it, in your opinion as an attorney, would we then have complied with the order of the court?"

Senator Moriarty, Jr.:

"Senator Lewis, I don't see how we could have possibly complied with the order of the court, if the people rejected the redistricting plan. As I stated in my original point of order, the Federal Court order states that the primary objective of this decree of October, 1964, should be to effectively induce the 1965 Session of the Washington State Legislature to properly reapportion itself. The decree further states: 'It is further ordered, adjudged and decreed that except for the bills or other measures specifically listed in the preceding paragraph of this decree, no bills shall be passed by either house of the Washington State Legislature or any committee thereof until the legislature shall have enacted into law a legislative apportionment plan which meets these standards set down by the Fourteenth Amendment of the Constitution.'

"Your question is, I think, an excellent one because it points out the fact that we will not have enacted into law a legislative reapportionment plan. We will have submitted a proposal to the people, and if the people do not act favorably and pass that legislative reapportionment plan, how can we possibly come back and say that tonight we have enacted into law a reapportionment plan. How can we say that the legislature has reapportioned itself.

"I submit again to the presiding officer of this body that he may find himself in contempt of the Federal Court by permitting this legislature to consider this bill at this time."

Senator Gallagher:

"Mr. President:

"In partial answer to Senator Lewis, if the people turn down this act after we have submitted it to them, we will have to return to Senator Lewis' district and continue to be gouged for those high rents, so I think he should be pretty well aware of the situation that confronts us after March 16th."

**POINT OF INQUIRY**

Senator McCormack:

"Mr. President:

"I wonder if Senator Herrmann would yield to a question?"

"Senator Herrmann, does the legislature ever enact anything into law, in and of itself?"

Senator Herrmann:

"No. Under our process, we either have to have the signature of the Governor, or we have to have the approval of the people, and we are asking this measure have the approval of the people, because we feel it is impossible to get the signature of the Governor."

Senator Rasmussen:

"Mr. President, members of the Senate:

"I rise in support of Senator Moriarty's point of order. I think it is well taken.

As a matter of fact, I would hate to have some of the people defend me in court that say we can go ahead with this referendum to the people.

"It was quite clear, I think, in the court order, and while I'm an attorney only up to twenty-five dollars in one of the inferior courts, I think the court made it quite clear, the United States Supreme Court, that they did not consider the fact that you had the right of initiative and referendum in the state any reason to bypass the Supreme Court's ruling that said you shall redistrict. They said that didn't count. We have the initiative and referendum. This is one of the points that was brought up by the Attorney General at the time he argued the case.

"But here we have the situation where we are going right in the face of the Court. In fact we are kicking them in the teeth and saying we don't care what they said about the legislature doing the redistricting job; we are going to present it to the people.

"Senator Moriarty, in his point of order, is exactly right. We are making no attempt to redistrict this legislature by this means. We are not passing a law. We are passing something over to the people, and this is what the Court said: 'You will have one more chance. You will have sixty days in which to redistrict and then we will take further action.' They didn't say that you had sixty days or thirty days to present something to the people and then go home and twiddle your thumbs while they decided whether they would pass it. Probably there would be a good chance, when they went to read the bill, they wouldn't understand it any better than some of us, and they would naturally vote, 'No.' However, I don't like to put myself—even though we have the weight of the vote on this floor—in the position where I say I'm not going to obey the court order, and I think that Senator Gissberg said—I don't see him on the floor; he is probably looking that letter up—when the Judge said, 'You stand a very good chance of being in contempt of court,' Senator Gissberg backed up and didn't say anything more. Now maybe the President of the Senate is braver than Senator Gissberg. But I would like to say he is wearing a big badge and he looks pretty brave, but I do think that the point of order of Senator Moriarty is well taken and I think that it should be sustained."

Senator Greive:

"Mr. President:

"In brief answer, may I point out that there is a specific amendment on this measure which shows the way. We can continue to negotiate. We can continue to pass a bill, and I certainly can see no harm in letting the people know how we feel.

"Number two, even if we were to submit this to the people, I think the court would go along with us. Now there are two states—I don't remember the other one—I think Rhode Island and Connecticut is the other one, in which the court used the rule and reasoned there a little differently because the constitution provided for a federal system, and they gave them a chance to amend the constitution. The court permitted them to go ahead with their legislation. So I think there is precedent, if you please, for this particular act."

#### POINT OF INQUIRY

Senator Woodall:

"Mr. President:

"Would Senator Greive yield to a question?"

Senator Greive:

"To you, Senator, it's always a mistake, but I will."

Senator Woodall:

"In all seriousness, Senator Greive, would it be your plan of the majority party that should the other house join with you in passing this measure, would it then be your intention to adjourn sine die and start over again after the election, or is it the construction of the majority party—and I think this becomes real important—that after having passed this measure and putting it out, is it your construction that that complies with the court order and you would then be able to go ahead with all of the rest of the measures? Would that be considered to have enacted into law a redistricting law, or would it be the plan of the majority to adjourn sine die and abide by the election?"

Senator Greive:

"Personally, I would say this brings to mind three alternatives. In preface, I don't know what this has to do with the point of order. But in preface let me say that what position the Attorney General shall take or what advice he shall give us if we enact this, I'm not prepared to say. Our briefing hadn't gone that far. Maybe we should have Representative Klein tell us. He has already done some briefing in this matter. Now I do know this: The Court certainly would have the alternative to permit us, to relieve us of the responsibility and permit us to go ahead, if we wished; and, I understand they will be sitting next week. That is the first thing they could do.

"Then we could continue as we have the past thirty days and try to reach some sort of agreement, either put a bill through to the Governor hoping that he will sign it, or some sort of negotiation, which I remind you we of the majority are perfectly willing to renew negotiations again and again. We don't feel that it's impossible.

"And, finally, may I say that there is also the possibility that we could adjourn sine die. I question seriously whether we would feel the task was so completely performed that we should quit."

Senator Woodall:

"Mr. President and members of the Senate:

"There are two ways of considering this matter: Now, you can take the viewpoint that—"

#### POINT OF ORDER

Senator Gallagher:

"Point of order, Mr. President:

"He says there are two viewpoints. Is he speaking on the viewpoints on the point of order?"

Senator Woodall:

"The viewpoint was to the viewpoint on the point of order. You just didn't let me get started."

#### RULING OF THE PRESIDENT

The President:

"Senator Woodall will please confine his remarks to the point of order."

Senator Woodall:

"Is there anything further, Senator Gallagher? I would like the floor undivided, if I could, Senator.

"Speaking to the point of order, this matter does become a very serious one if it be the belief that by having the President sign this particular measure, we then take the attitude that we have enacted into law and have abided by the court order. I think it would be a grievous error, because we have not enacted into law when you merely put it on a referendum, to proceed with the enactment of any measure after that point. In my opinion, we would clearly be in defiance of the court order. Now, it's true if people wish to sit here and collect their per diem under some negotiation basis after this is put out by our body, true they can do that. But the point is that this does not comply with the court order of enacting a measure into law. We do not enact it into law. We have merely provided that a referendum be given to the people; and, to me, it would be a very dangerous course to attempt to enact any measure into law on the theory that this was complying with the court order. This is not enacting a measure into law."

#### POINT OF ORDER

Senator Greive:

"Point of order, Mr. President:

"With some reflection, I am forced to the conclusion that this is improperly raised because it isn't necessary for the governor to sign anything at this point. That will only come about if and when both houses have passed this measure. At this time, the Lieutenant Governor, as presiding officer, need take no action on this measure and there will be plenty of time to obtain an opinion."

Senator Moriarty, Jr.:

"Mr. President:"

The President:

"Senator Moriarty may conclude the discussion on the point of order."

Senator Moriarty, Jr.:

"Thank you, Mr. President:

"We have wandered up and down the halls a little bit, but to come back to the point, the Federal Court decree of October, 1964, requires this legislature to reapportion itself. The bill before us, Senate Bill No. 333, does not reapportion the legislature. It refers the question to the people.

"May I also point out, further, that the court order may be arguable, as far as I'm concerned, that the order states that no bill shall be passed by either house of the Washington State Legislature or any committee thereof until the legislature—not the people—the legislature shall have enacted into law—not the people—a legislative reapportionment plan that is in compliance with the Fourteenth Amendment of the United States Constitution to the satisfaction of this court upon review of the same at a hearing to be held as soon as possible after enactment of such apportionment plan.

"Now, Mr. President, I submit that if we are going to argue or rule, if you should rule that this bill is properly before the Senate at this time and may be passed by this Senate, that we can do absolutely nothing until a hearing to be held after a March 18th election. That is obviously, to me anyhow, not within the purview of the order. To me, the Federal Court required this legislature to reapportion itself, to do the job itself, not to shuck it off on the people, and I again raise the point and ask for a ruling on the point."

The President declared the Senate to be at ease.

The President called the Senate to order at 12:20 a. m.

#### RULING OF THE PRESIDENT

The President:

"The President, ruling upon the point of order as presented by Senator Moriarty, to wit: That this body cannot now properly consider this measure. The President does not believe that the Federal District Court in its injunction intended to deprive the citizens of the state of Washington of their right to a voice in the apportionment of the state. Therefore, the President rules that the point of order is not well taken."

#### PARLIAMENTARY INQUIRY

Senator McCutcheon:

"Point of inquiry, Mr. President:

"What is before the body?"

#### REPLY BY THE PRESIDENT

The President:

"The question before the Senate is Senate Bill No. 333 on final passage. Senator."

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 333, and the bill passed the Senate by the following vote: Yeas, 26; nays, 22; excused, 1.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Peterson (Lowell), Raugust, Sandison, Talley, Washington—26.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Freise, Gissberg, Guess, Hallauer, Lennart, Lewis, Mardesich, Moriarty, Jr., Neill,

Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Stender, Thompson, Jr., Woodall—22.

Excused: Senator Williams—1.

Engrossed Senate Bill No. 333, having received the constitutional majority, was declared passed.

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

#### MOTION

It was moved by Senator Greive that Engrossed Senate Bill No. 333 be immediately transmitted to the House.

#### POINT OF ORDER

Senator Woodall:

"Point of order, Mr. President:

"How is it engrossed when there was an amendment put on from the floor here tonight. It cannot be engrossed."

Senator Greive:

"It is my understanding that a bill is engrossed once it is passed with the amendment."

#### REPLY BY THE PRESIDENT

The President:

"That is correct, Senator Woodall."

Senator Woodall:

"A bill is engrossed before we have voted on it? When did it get engrossed?"

The President:

"The Secretary has advised the President that the bill is engrossed, Senator Woodall. Would you care to look at it?"

Senator Woodall:

"Yes. I'd like to know how he knows in advance what amendments are going on and gets it all engrossed so rapidly. It would be a good business practice in private life."

Senator Gallagher:

"Mr. President, if I may, I think we have real competent help. We don't want the Honorable Senator limping over with the bill. We want it *immediately* transmitted and it is on the way if this motion prevails."

Senator Woodall:

"I would inform the good Senator from King county my limping is physical only."

The motion was carried and Engrossed Senate Bill No. 333 was ordered immediately transmitted to the House.

#### MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 1:15 a. m., on motion of Senator Greive, the Senate adjourned until noon, Friday, February 12, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## THIRTY-THIRD DAY

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### NOON SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Friday, February 12, 1965.

The Senate was called to order at noon by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Donohue, Gissberg and Guess.

On motion of Senator Keefe, Senator Gissberg was excused.

On motion of Senator Atwood, Senator Guess was excused.

The Color Guard, consisting of Pages Don Bearden, Color Bearer, and Marcia Williams, presented the Colors.

Father Leonard Rafalowski, pastor of the St. Michael's Catholic Church of Olympia, offered prayer as follows:

"O God our Father, Who created all men of every race, color and creed, we pray for Thy Divine guidance and direction for those gathered here to govern their people. Wilt Thou be with them this day, and all days of this session, that all may be well with each of them, and for their people over whom they seek to rule with wisdom and with justice.

"We acknowledge our humility before Thee, and our unworthiness. But, O Lord, in Thy love and mercy wilt Thou grant these members of the Senate wisdom to judge the good from the bad, the right from the wrong, the uncertain roads which lead to the greater happiness and welfare of Thy people whom they represent.

"Wilt Thou, Our Father, dispel the clouds of sectionalism, of prejudice, of any political difference, or of individual enmities, and guide them as one, for the greater good of all.

"We ask these things of Thee, O Father in Heaven, prayerfully and with humility, knowing that all good things must come from Thee Who created us, and in Whom is our only strength. Amen."

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

### MOTION

At 12:07 p.m., on motion of Senator Greive, the Senate recessed until 1:30 p.m.

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### AFTERNOON SESSION

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The President called the Senate to order at 1:30 p.m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Donohue, Gissberg, Guess and Thompson, Jr., who were excused.

### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate, Ladies and Gentlemen:

"This being the birthday of the Great Emancipator, the President has prevailed upon the Honorable Ernest W. Lennart, esteemed and beloved Senator from Whatcom county, to deliver an address upon President Abraham Lincoln."



### APPOINTMENT OF SPECIAL COMMITTEE

A committee of honor consisting of Senators Neill, Freise, Bailey and Knoblauch escorted Senator Lennart to the rostrum.

The President:

"Members of the Senate, Ladies and Gentlemen:

"It is a great privilege for the President to have the opportunity to present one of the finest men in state service, the Honorable Ernest W. Lennart. At this time, would you please address the Senate."

Senator Lennart:

"Thank you, Governor Cherberg, Senators and Friends:

"For the past several years, it has been my great privilege to have been honored to speak. I feel quite humble about it. I know there are members here who might do a much better job of it, but this has become almost a tradition for me to be honored to commemorate the Great Emancipator.

Reviewing the past weeks, I should leave you this thought:

"We have not lived, we do not live, in the Republic of Plato, but in the Republic of Washington, Jefferson, Jackson and Lincoln pitted for storm as well as calm. We shall have our differences, our contentions, and our controversies, sometimes even seasons of bitterness and discord. We shall make mistakes and sometimes grope along for the right way. At times we shall fight harder for the party than for the Country, for political power rather than public welfare; but such is the nature, such is the glory of our way of life that ultimately such things are lost in the depth of devotion for that constitutional system which in a world all but terrified with intolerance and oppression keeps us independent, united and free.

"Again we are joined to unite on this day to commemorate the life and character of the Great Emancipator. A century has gone since his passing.

"Abraham Lincoln, unknown to fame until his election to the presidency, exhibited the power for the government of man which scarcely has been surpassed in any age. No man ever displayed a greater insight into the complex motives which shape the public opinion of a free country, and he possessed, almost to the degree of an instinct, the supreme quality of a statesman, of making the right decision, of making it at the right moment, and of expressing it in language of incomparable felicity.

"As we look into the crystal globe that is slowly turning, telling the story of his life, we see a little heartbroken boy, weeping by the outstretched form of a dead mother, then nobly trudging a hundred miles to obtain her Christian burial. We see the motherless lad growing to manhood, amid scenes that seem to lead to nothing but abasement; no teachers, few books, no charts except his own untutored mind, no compass except his own undisciplined will, no light except the light from heaven, struggling on toward the destined land. We see him from first to last; the poor child weeping over a dead mother; the great chief sobbing over the horrors of war, never flinching from duty. And last the scene of all that ends this strange eventful history, he gave his 'last full measure of devotion.' From Caesar to Gladstone, the world has had its statesmen; many who rose from obscurity to eminence and power. They were not what we call 'men of destiny', they were men of the time. Lincoln was a man of destiny.

"The inspired ones are few. There is no explanation to their lives. They came from mist. We feel them. We feel them but we know them not. They fulfilled their mission and they vanished, leaving behind half memory, half myth. From first to last, they were the creations of Providence, baffling the wit of man to fathom, then passing away from the scene, the work done as mysteriously as they had come upon it. Today we regard with wonder the infinite patience and gentleness with which Lincoln endured the indescribable burden of those four years of struggles. During it all, he was a power of strength to the Union, whether in victory or defeat. Nothing dismayed him or diverted him from the pathway of duty.

"Thus among the noise and confusion there came one day into the Northern Camp one of the oddest figures imaginable, with an air of command and with an utterance that was heard above the din of a crying race. How shall I describe him to you. I feel humble in my attempt to make a word picture of this greatest of all leaders of men. I doubt whether any statesman ever lived who sank so deeply into the hearts and fibre of people in many lands as Abraham Lincoln did. I am not sure we here in America realize the extent to which he is also held in the possession and pride of

people in other lands. In many respects, he was the greatest man of his day and of his age.

"If you look at his portraits they always give you an indelible impression of his great height. So does his life: height in purpose, height in character, height in ideal, height in intelligence. Among the many notable men that occupied the stage of that day, he was the tallest of them all. He still towers above the tallest of his contemporaries.

"He was in many respects even taller than the great events in which he had a leading part in directing. The preservation of the American Union, the emancipation of the slaves are notable events in world's history, and any man who took a leading part in those events, as he did, would have made for himself enduring fame. But reading the story, I feel that the character of Abraham Lincoln and his statesmanship are greater even than those colossal events. His courage, his fortitude, his patience, his clemency, his trust in the people, his belief in democracy, and, may I add, the very phrases to which he gave expression to those attributes will stand forever as beacon lights to leaders and nations in their perplexity. Resolute in war, he was moderate in peace. Misunderstood, misrepresented, underestimated, he was patient to the last. There were those who thought that he ought to have shown his abhorrence of war by waging it halfheartedly, and there were those who thought he should have displayed his appreciation of victory by using it wholeheartedly. He disclaimed both those counsels, and was often reviled by both those counselors. His tenderness was interpreted as weakness of character and his humbleness as proof of shallowness of mind, but the people believed in him to the end and they still believe in him now.

"Lincoln's fame rests upon a more severe test than any other American. Never in all ages of man have the acts, the words, the notices been scrutinized and analyzed upon so much. Historians without exception agree as to the true greatness and nobility as well as intellectual greatness of Lincoln. His teaching was and is that no party or partisan can escape responsibility to the people; that no party or presumed party advantage should ever swerve us from the plain path of duty and honor and that rising above the temptation of temporary party advantage will be a lasting gain in the respect and confidence of the people.

"There is no historic figure more noble and, perhaps only with a recent exception, there is scarcely another event more touching and tragic than his death. All his long, laborious mature years he had aimed at the consummation of the saving of the Union. Now the dim outline rose up on the horizon. Like unto Moses, the noble Jewish lawmaker who, when only the Jordan lay between him and the Promised Land, when the word of the Lord came to him—"Thou mayest not go over. Get thee up into the mountains, look on it and die", like unto him Lincoln's life was spared by Providence long enough to save the Union for which he died. Born as the lowly son of God in a hovel, raised in penury and squalor, —and a thousand years hence, no drama, no tragedy, no epic poem will create greater wonder or be followed by mankind with deeper feeling than that which tells the story of his life and of his death."

The President:

"Senator Lennart, members of the Senate, Ladies and Gentlemen:

"I am sure that everyone joins in deepest appreciation to you, Ernie, for giving us this remarkable address. Thank you so very much."

The honor committee escorted Senator Lennart from the rostrum.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., February 11, 1965.

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 333, have inspected same, and find it correctly engrossed.

....., *Chairman.*

We concur in this report: Fred H. Dore, Martin J. Durkan, Michael J. Gallagher.

**Senate Bill No. 50:**

Senate Chamber,  
Olympia, Wash., February 10, 1965.

Establishing a law enforcement officers' training commission (reported by Committee on State Government and Veterans' Affairs):

Recommends that it do pass as amended.

AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 77:**

Senate Chamber,  
Olympia, Wash., February 10, 1965.

Defining combination of services as applied to motor freight carriers (reported by Committee on Highways):

MAJORITY recommends that it do pass as amended.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, H. B. Hanna, Gordon Herr, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 84:**

Senate Chamber,  
Olympia, Wash., February 11, 1965.

Relating to fuel tax refunds for urban transportation systems (reported by Committee on Highways):

MAJORITY recommends that it do pass as amended.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Fred H. Dore, Frank W. Foley, H. B. Hanna, Gordon Herr, Karl Herrmann, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, August P. Mardesich, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 149 :**

Senate Chamber,  
Olympia, Wash., February 11, 1965.

Permitting director of licenses to administer the receipt of fees (reported by Judiciary Committee):

MAJORITY recommends that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Jack England, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Charles P. Moriarty, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 163:**

Senate Chamber,  
Olympia, Wash., February 11, 1965.

Designating "Lake Spokane" (reported by Committee on Parks, Capitol Grounds and Public Buildings):

Recommends that it do pass.

GORDON HERR, *Chairman*.

We concur in this report: Jack England, Wilbur G. Hallauer, H. B. Hanna, Lowell Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 253:**

Senate Chamber,  
Olympia, Wash., February 10, 1965.

Authorizing the formation of medical professional corporations (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):  
MAJORITY recommends that it do pass as amended.

DAVID E. McMILLAN, *Chairman*.

We concur in this report: John L. Cooney, David C. Cowen, R. R. Bob Greive, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 274:**

Senate Chamber,  
Olympia, Wash., February 10, 1965.

Providing for the sale of bonds by the state to finance certain arterial and farm to market roads (reported by Committee on Highways):

MAJORITY recommends that it do pass.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, H. B. Hanna, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Memorial No. 10:**

Senate Chamber,  
Olympia, Wash., February 11, 1965.

Commemorating Pig War (reported by Committee on Parks, Capitol Grounds and Public Buildings):

Recommends that it do pass.

GORDON HERR, *Chairman*.

We concur in this report: Jack England, Wilbur G. Hallauer, H. B. Hanna, Lowell Peterson, Albert C. Thompson, Jr.

On motion of Senator Charette, the rules were suspended, Senate Joint Memorial No. 10 was advanced to second reading and read the second time by sections.

On motion of Senator Charette, the rules were suspended, Senate Joint memorial No. 10 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Joint Memorial No. 10, and the memorial passed the Senate by the following vote: Yeas, 46; nays, 0; excused, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—46.

Excused: Senators Donohue, Guess, Thompson, Jr.—3.

Having received the constitutional majority, Senate Joint Memorial No. 10 was declared passed.

#### INTRODUCTION AND FIRST READING OF BILLS

The following were introduced, read first time by title, and acted upon as indicated:

**Senate Bill No. 377**, by Senators McCormack, Lewis, Hallauer, Guess, Thompson, Jr., Atwood and Cowen:

An Act relating to the state capitol historical association and museum; amending section 1, chapter 44, Laws of 1941 and RCW 27.36.010; amending section 2, chapter 44, Laws of 1941 and RCW 27.36.030; amending section 5, chapter 44, Laws of 1941 and RCW 27.36.050; and adding a new section to chapter 44, Laws of 1941 and to chapter 27.36 RCW.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 378**, by Senators Sandison, Keefe, Riley and Atwood:

An Act relating to revenue and taxation; establishing a credit to the business and occupation tax; adding a new section to chapter 15, Laws of 1961 and to chapter 82.04 RCW; and amending section 82.32.060, chapter 15, Laws of 1961 as amended by section 1, chapter 22, Laws of 1963, and RCW 82.32.060.

Referred to Committee on Ways and Means.

**Senate Bill No. 379**, by Senators Kupka, Keefe and Gallagher:

An Act relating to state government; providing for the appointment by the board of prison terms and paroles of a state director of probation and parole; setting forth powers and duties of the director and the probation and parole officers; setting forth powers and duties of chairman of board of prison terms and paroles; amending section 9, chapter 340, Laws of 1955 as amended by section 1, chapter 32, Laws of 1959 and RCW 43.67.020 (to be recodified in RCW 9.95); and repealing section 8, chapter 227, Laws of 1957 and RCW 9.95.250.

Referred to Committee on Public Institutions.

#### SECOND READING OF BILLS

**Senate Bill No. 99**, by Senators Knoblauch and Lewis:

Extending health care services reimbursements.

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

**Senate Bill No. 152**, by Senators McCormack, Washington and Riley:

Authorizing port district acquisition and operation of certain park and recreational facilities.

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 152:**

Senate Chamber,  
Olympia, Wash., February 9, 1965.

Authorizing port district acquisition and operation of certain park and recreational facilities (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass with the following amendments:

In section 1, lines 5 and 6, after "construct," on line 5 and before ", maintain" on line 6 strike "acquire" and insert "improve"

In section 1, line 7, after "facilities are" strike all the matter down to and including "deemed" on line 9

In lines 1 and 2 of the title after "district" on line 1 and before "and operation" on lone 2 strike "acquisition" and insert "improvement".

DON L. TALLEY, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, James Keefe, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator Talley, the committee amendments were adopted.

On motion of Senator Greive, Senate Bill No. 152 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 122**, by Senators Woodall, Dore, Bailey, Atwood, Petrich and Neill (by Legislative Council request):

Enacting the Uniform Commercial Code.

**REPORT OF STANDING COMMITTEE**

**Senate Bill No. 122:**

Senate Chamber,  
Olympia, Wash., February 9, 1965.

Enacting the Uniform Commercial Code (reported by Judiciary Committee):

MAJORITY recommends that it do pass with the following amendments:

On page 218, Sec. 9-402, line 16, after "debtor" and before "and" insert "(if an individual), address of his chief place of business (if any), address of chief place of business of the debtor (if an organization), bears a date,"

On page 218, Sec. 9-402, line 17, after "collateral" and before the period insert ", specifies the terms of repayment and the maximum amount of the indebtedness to be secured at any one time"

On page 219, strike all of the material beginning on line 4 down through line 21 and insert:

- "Name of debtor .....
- Mailing address of debtor .....
- Name of secured party .....
- Mailing address of secured party .....
- Address of debtor's residence (if an individual) and
- Address of his chief place of business (if any) .....
- Address of chief place of business of debtor (if an organization) .....
- 1. This financing statement covers the following types (or items) of property:
  - (Description of collateral) .....
  - 2. (If collateral is crops or timber) The above described crops or timber are growing or are to be grown on or are standing on:
    - (Description of real property) .....
  - 3. (If proceeds or products of collateral are claimed) Proceeds—Products of the collateral are also covered
  - 4. The maximum amount of the indebtedness to be secured at any one time is ..... dollars (\$.....)
  - 5. The terms of repayment .....
- Date .....
- Signature of debtor .....
- Signature of secured party .....
- (If the transaction consists of the sale of accounts, contract rights or chattel paper, the term "seller" or "assignor" may be substituted for "debtor" and the term "buyer" or "assignee" may be substituted for "secured party").

JOHN A. PETRICH, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Jack England, Herbert H. Freise, H. B. Hanna, Charles P. Moriarty, Jr. Nat Washington, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendments were adopted.

It was moved by Senator Riley that Senate Bill No. 122 be ordered to retain its place on the second reading calendar for Monday, February 15, 1965.

It was moved by Senator Herrmann that the motion by Senator Riley be amended to place Senate Bill No. 122 at the end of the second reading calendar for Monday, February 15, 1965.

Debate ensued.

The motion by Senator Herrmann to amend the motion by Senator Riley was lost on a rising vote.

The motion by Senator Riley was carried, and Senate Bill No. 122 was ordered to retain its place on the second reading calendar for Monday, February 15, 1965.

**Senate Bill No. 121**, by Senators Hanna, Talley and Atwood:

Providing for method of recording instruments.

On motion of Senator Hanna, Senate Bill No. 121 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 71**, by Senators Gallagher, Rasmussen and Gissberg:

Requiring municipal corporations to observe existing labor contracts when purchasing existing transportation system.

The bill was read the second time by sections.

On motion of Senator Gallagher, the following amendments were adopted:

On page 1, section 1, line 13, after "duties" strike "pertain to" and insert "are necessary to operate efficiently"

On page 1, section 1, line 21, after "organization" and before "and" insert "having existing contracts with the acquired transportation system".

Senate Bill No. 71 was ordered engrossed and referred to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 72**, by Senators Freise, Lewis, Kupka and Keefe:

Removing the term "epileptics" from provisions dealing with non-resident deportation.

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

**Senate Bill No. 316**, by Senators Charette and Raugust:

Regulating the appointment of town marshals and prescribing powers and duties relative thereto.

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 316:**

Senate Chamber,  
Olympia, Wash., February 9, 1965.

Regulating the appointment of town marshals and prescribing powers and duties relative thereto (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass with the following amendment:

On page 1, section 1, line 18, after "deputies" strike all of the matter before the period on line 20 and insert ", for whose acts he and his bondsmen shall be responsible, whose compensation shall be fixed by the council". DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Michael J. Gallagher, Sam C. Guess, Al Henry, George W. Kupka, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator Charette, the committee amendment was adopted. Senate Bill No. 316 was ordered engrossed and referred to the Committee on Rules and Joint Rules for third reading.

#### MOTION

At 2:40 p.m., on motion of Senator Greive, the Senate recessed until 3:15 p. m.

### SECOND AFTERNOON SESSION

The President called the Senate to order at 3:15 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Donohue, Gissberg, Guess and Morgan, who were excused.

Senators Greive, Connor, and Hanna demanded a Call of the Senate. A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senators Donohue, Gissberg, Guess and Morgan, who were excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

The Secretary read:

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., February 11, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 237 with the following amendments:

Strike all of the title and substitute the following:

"AN ACT relating to the legislature; providing for the redistricting and reapportionment thereof; repealing chapter 5, Laws of 1957, chapter 289, Laws of 1957 and chapter 44.06 RCW; and declaring an emergency."

Strike everything after the enacting clause on page 1, line 13 of the bill and insert the following:

"**NEW SECTION.** Section 1. We, the legislature, responding to the mandate of Article II, section 3 of the Constitution directing us to redistrict and to reapportion legislative districts subsequent to each census, have conducted a thorough investigation of all relevant factors essential to the preparation of appropriate revisions which are set forth in this act.

We have consulted the 1960 federal census reports, considered the geographic, economic and sociological factors essential to the preservation of reasonable geographic and socio-economic groupings, consulted the authoritative sources for the most reliable estimates concerning population growth patterns and trends within the state as evaluating the published statistics reciting population growth patterns and trends already established as a matter of fact, reviewed the existing political boundaries, both those possible of being subject to change by legislative action and those beyond legislative control, and conducted special population counts from time to time to determine better and to evaluate formulas necessary to prepare a proper redistricting and reapportionment measure. Based upon our investigation and studies, we, the legislature, have determined that legislative redistricting and reapportionment, as



set forth in this act, represents an allocation of legislators within the districts established so as to provide as near equality of representation to the inhabitants of the state of Washington as is possible under the circumstances, as required by the state and federal Constitutions.

We, the legislature, in determining the actual district boundaries and the allocation of legislators to each, have resorted to factors and formulas found to be most reliable for each of the districts concerned, and the formulas and factors used for any specific area were applied only after careful confirmation of their validity by testing against the findings of facts resulting from our investigation.

**NEW SECTION.** Sec. 2. The senate shall consist of forty-nine members, one of whom shall be elected from each of the forty-nine senatorial districts, constituted as set forth in sections 3 through 51 of this act.

**NEW SECTION.** Sec. 3. District 1—

(1) 1-A—that area in Snohomish and King Counties bordered on the south by districts 44-B and 46, on the east by 35th Avenue Northeast, on the north by district 8, on the west by Puget Sound.

(2) 1-B—that area in King County bordered on the west by 35th Avenue Northeast and district 46, on the north by district 8, and on the south and east by district 48.

**NEW SECTION.** Sec. 4. District 2—

(1) 2-A—the county of Okanogan.

(2) 2-B—the counties of Ferry, Pend Oreille and Stevens.

**NEW SECTION.** Sec. 5. District 3—the following precincts in Spokane County: Ada, Agatha, Alvin, Barth, Burke, Daisy, David, Davis, Dawson, Day, Dayton, Delaware, Detroit, Diana, Dixie, Doak, Dodd, Dominion, Douglas, Dover, Drumheller, Dunn, Dwight, Eagle, East Hillyard, Echo, Eden, Edison, Edith, Edwards, Eldorado, Elgin, Eli, Ellen, Ellwood, Emerald, Emerson, Ensign, Ernie, Ermina, Essex, Ethel, Euclid, Eureka, Evans, Exchange, Riverside, Spokane 1 through 6, Spokane 8, 307, 309 through 312, 314, 315, 324, 359, 360, 362, 365 and 724.

**NEW SECTION.** Sec. 6. District 4—the following precincts in Spokane County: Abigail, Acme, Adolph, Advance, Airport, Albert, Alice, Allen, Alki, Andrew, Archer, Arrow, Arthur, Ashley, Atlanta, Belt, Bernard, Blake, Boyd, Bryan, Burton, Carnhope, Dishman, East Spokane, Edgecliff 1 and 2, Evergreen 1 through 3, Fancher, Foothills, Greenacres, Irvin, Marita, Mead, Millwood, Moab, Opportunity 1 through 6, Orchard 1 through 3, Otis, Pasadena, Pleasant Prairie, Raymond, Trentwood, University, Vera 1 through 3, Woodruff 1 and 2, 413, 414, 422, 423, 439, 440, 601; that portion of Corbin which is north of the Chicago, Milwaukee, Saint Paul and Pacific Railroad Company right of way; and that portion of Glenrose precinct north of the southern boundary of the city limits of Spokane.

**NEW SECTION.** Sec. 7. District 5—

(1) 5-A—the following precincts in Spokane County: 501 through 507, 510, 517 through 521, 525, 531, 536, 542, 543, 546, 547, 557, 561, 562, Wells precinct; that portion of Linwood 2 east of Division Street; that portion of Whitworth 1 east of Division Street; and that portion of Whitworth 3 south of East Hawthorne Road.

(2) 5-B—the following precincts in Spokane County: 511 through 516, 522 through 524, 526 through 530, 532 through 535, 537 through 541, 544, 545, 549, 556, 559.

**NEW SECTION.** Sec. 8. District 6—the following precincts in Spokane County: Abbott, Acorn, Alameda, Amber, Anne, Anthony, Arizona, Astor, Baker, Baldwin, Belmont, Bertha, Blaine, Bolster, Brickell, Butler, Byrne, Cheney 1 through 4, Chester 1 and 2, Duncan, East Marshall, Fairfield, Freeman, Kokomo, Latah, Liberty Lake, Marshall, Mica, Moran, Mount Hope, Pines, Pioneer, Plaza, Rock Creek Valley, Rockford, Rudolf, South Moran, South Spangle, Spangle, Terrace, Valleyford, Waverly, 444, 445, 446, 621, 622, 623, 624, 628, 629, 631, 633, 634, 635, 636, 637, 642, 643, 644, 649, 650, 652, 654, 655; and that portion of Corbin which is south of the Chicago, Milwaukee, Saint Paul and Pacific Railroad Company right of way.

**NEW SECTION.** Sec. 9. District 7—the following precincts in Spokane County: Airway Heights, Cannon, Carleton, Carlisle, Carrie, Cass, Charlotte, Chattaroy, Clara, Clay, Cleveland, Clough, Colbert, Conklin, Cora, Cowley, Custer, Deep Creek, Deer, Deer Park North, Deer Park South, Della, Denison, Derby, Dewey, Dillon, Doland, Dora, Dyer, East Chattaroy, Elk, Espanola, Five Mile, Friedland, Four Lakes, Garden Springs, Green Bluff, Linwood 1, Linwood 3, Medical Lake 1 and 2, Milan, Mount Spokane, Newman Lake, Nine Mile, North Colbert, Peone, Rimrock, Spence, Stevens, Wayside, Whitworth 2, 715 through 723, 725 through 728; that portion of Linwood 2

which is west of Division Street; that portion of Whitworth 1 which is west of Division Street; that portion of Whitworth 3 which is north of East Hawthorne Road.

**NEW SECTION.** Sec. 10. District 8—the following precincts in Snohomish County: Alicia, Ash, Bear Creek, Berry, Brier, Canyon, Cascade, Crest, Crystal Spring, Cypress, East Shore, Elwood, Emander, Fernwood, Field, Freeway, Hilltop, Hunt, Jeff, Kenmore, Kennard, Larch, Locust, Lund, Lynncrest, Lynnwood 1 through 14, Magnolia, Manar, Manordale, Maple, Martha Lake, Meadowdale, Meridian, Minor, Morris, Mountlake Terrace 1 through 16, Nolyn, North Alderwood, Omdal, Perrin, Radar, Rainier, Russet, Serene, Shelby, Shore, Silver Lake, South Alderwood, Spruce, Stickney, Thomas Lake, Vine; those portions of Seattle Heights which lie east of primary state highway number one; and the following precincts in the city of Edmonds: 1, 2, 3, 10, 11, 22, 23, 24, and 28 through 39.

**NEW SECTION.** Sec. 11. District 9—the counties of Adams, Lincoln, and Whitman.

**NEW SECTION.** Sec. 12. District 10—

(1) 10-A—the counties of Asotin, Columbia and Garfield, and the following precincts in Walla Walla County: Alderbrook, Baker, Blalock, Burbank, Clyde, Dixie, East Waitsburg, Eureka, Frenchtown, Gardena, Gose, Haas, Hadley, Hill, Lincoln, Lower Dry Creek, Prescott, Russell Creek, Valley Homes, Wallula, Washington, and West Waitsburg.

(2) 10-B—all precincts within the city of Walla Walla and the following precincts in the county of Walla Walla: Abbott, Beck, Berney, Braden, College Place 1 through 8, Darry, Finch, Garrison, Prospect Point, Ritz, Stone, and Twin Grove.

**NEW SECTION.** Sec. 13. District 11—

(1) 11-A—the following areas in Benton County: the city of Richland and townships 11, 12, 13 and 14 north, in each of ranges 24, 25, 26, 27 and 28 east, Willamette Meridian; township 10 north, range 27 east, Willamette Meridian; township 10 north, range 27 east, Willamette Meridian; township 10 north, range 28 east, Willamette Meridian; those portions of townships 9 north in each of ranges 27 and 28 east, Willamette Meridian, which lie north of United States highway 410; township 9 north, range 26 east, Willamette Meridian; and those portions of sections 13 and 24, township 9 north, range 26 east, Willamette Meridian, which lie north of United States highway 410.

(2) 11-B—the following precincts and areas in Yakima County: Alfalfa, Belma, Byron, East Granger, Glade, Grandview Central, Mabton Town, Mabton Rural, North Grandview, South Grandview, Sunnyside Rural 1 through 4, Waneta, Wendell Phillips, and all of the precincts in the cities of Grandview, Sunnyside, and Granger; those portions of township 12 north, range 23 east, Willamette Meridian; and township 13 north, range 23 east, Willamette Meridian.

**NEW SECTION.** Sec. 14. District 12—

(1) 12-A—the following precincts in Chelan County: Appleyard, Canyon, College, Lincoln, Millardale, Monitor, Olds, River, Sleepy Hollow, Suburban; all of the precincts in the city of Wenatchee; and the following area in Douglas County surrounding the town of East Wenatchee: beginning at the intersection of Fourth Street Southeast and Highline Drive, proceed north along Highline Drive into Eastmont Avenue to 19th Street Northeast, thence west to the Columbia River, downstream along the Columbia River to its intersection with a straight line extension of Fourth Street Southeast, east to the point of beginning.

(2) 12-B—the areas and precincts in the counties of Chelan and Douglas not included in 12-A as described in this section.

**NEW SECTION.** Sec. 15. District 13—the counties of Grant and Kittitas.

**NEW SECTION.** Sec. 16. District 14—the following precincts in Yakima County: Airport, Cascade, Country Club, East Fruitvale, East Moxee, East Selah, Fairgrounds, Fairview, Holland, Jefferson, Leamingburg, Moxee City, Moxee Rural, Old Town, Riverside, Slavin, South Broadway, Sumach, Terrace Heights, Union Gap 1 through 3, West Fruitvale, Yakima 1 through 61; and Yakima 63 through 67, except that portion of township 12 north, range 23 east, Willamette Meridian, and township 13 north, range 23 east, Willamette Meridian, lying within Yakima County.

**NEW SECTION.** Sec. 17. District 15—that portion of Yakima County not included in any other district as described in this act.

**NEW SECTION.** Sec. 18. District 16—Franklin County and those portions of townships 8 and 9 north, range 29 and 30 east, Willamette Meridian, in Benton County.

**NEW SECTION.** Sec. 19. District 17—

(1) 17-A—Klickitat County, Skamania County, and that portion of Benton County not included in any other district described in this act.

(2) 17-B—that portion of Clark County not included in district 49 as described in this act.

**NEW SECTION.** Sec. 20. District 18—the counties of Cowlitz and Wahkiakum.

**NEW SECTION.** Sec. 21. District 19—the counties of Lewis and Pacific; and the following precincts in Grays Harbor County: Arctic, Blockhouse, Connie, Cosmopolis 1 and 2, Cosmopolis Rural, Delezenne, Fords Prairie, Grayland, Johns River, Malone, Melborne, Oakville 1 and 2, Ocosta, Porter, Vesta, Westport, and Westport Rural.

**NEW SECTION.** Sec. 22. District 20—the following precincts in King County: Adrian, Aimee, Ambaum, Angle Lake, Anthony, Antrim, Arthur, Athlone, Benson, Big Soos, Bishop, Bow Lake, Bow Vista, Brooklyn, Burien, Cascade, Cecelia, Century, Chelsea, Clover, Columbus, Cork, Crescent, Crestview, Diane, Dodger, Donegal, Down, Dublin, Dunbar, Dunmore, East Hill, Elaine, Emerald, Evansvale, Ezra, that portion of Fenwick east of Military Road South, Five Corners, Francis, Franklin, Fruitland, Fuller, Gibbony, Gibbs, Gould, Greenacres, Grandview, Gregory, Heights, Helen, Highline, Hilton, Horseshoe, Huntington, Jane, Joyce, Katherine, Kilpatrick, Lake, Lake Desire, Lake View, LaSalle, Leinster, Leitrin, Leix, Lilac, Lillian, Limerick, Little Soos, Lucerne, Lynmar, Madrona, Magnolia, Manhattan, Maplewild, Marlene, McMicken, Meeker, Meridian, Mobile, Moshier, Nash, Nokomis, Norma, North Burien, O'Brien, Olga, Orcas, Orchard, Panther Lake, Phelps, Pine Tree, Pipeline, Rancho Vista, Ravensdale, Roberta, Roosevelt, Russell, Saint Helens, San Juan, Seahurst, Sears, Selleck, Seneca, Shannon, Soos Creek, Springbrook, Sue City, Sunnybank, Sunrise, Sweptwing, Sylvester, Tahoma, Thomas, Three Tree Point, Tralee, Tyrone, Ursina, Virginia, Washington, Wayne, Webster, Wicklow, Wildwood, Wilson, Woodside, Yankee; all precincts in the city of Kent; all precincts in the city of Normandy Park; that portion of Airport which lies south of South 160th; and that portion of Roscommon which lies south of South 132nd.

**NEW SECTION.** Sec. 23. District 21—that portion of Grays Harbor County not included in any other district as described in this act.

**NEW SECTION.** Sec. 24. District 22—the county of Thurston.

**NEW SECTION.** Sec. 25. District 23—that portion of Kitsap County not included in any other district as described in this act.

**NEW SECTION.** Sec. 26. District 24—the counties of Clallam, Jefferson and Mason.

**NEW SECTION.** Sec. 27. District 25—the following precincts in Pierce County: Alderton, Allison, Andrain, Bingham, Bonney Lake, Brecken, Buckley 1 and 2, Carbonado, Central, Clear Creek, Crestview, Crocker, Dawson, Dieringer, Edgewood, Firgrove, Fruitland, Graham, Grant, Harvard, Hillcrest, Hudson, Johnson, Kelly Lake, Lake Tapps, Larchmont, Lidford, McMillin, Meeker, Meridian, Midland, Monroe, Mt. View, Mulvey, North Puyallup, Orting 1 through 3, Orton, Pioneer, Puyallup 1 through 21, Rainier, Riverside, South Prairie, Spinning, Summit, Sumner 1 through 8, Sunrise, Taylor, Thrift, Valley, Vickery, Victor Falls, Waller, Webstone, Wilkeson, Woodland Heights, and Woodrow; and the following area in the city of Tacoma: beginning on 40th Street East at the east city limits of Tacoma, south and west along the city limits to the Chicago, Milwaukee, Saint Paul and Pacific, Tacoma Eastern Railway right of way, north on the right of way to East 40th Street, east to point of beginning.

**NEW SECTION.** Sec. 28. District 26—the cities of Fife, Gig Harbor, Milton, and Ruston; the following precincts in Pierce County: Artondale, Browns Point, Dash Point, Firwood, Gardenville, Hyada Park, Hylebos, Shore Acres, Tidehaven, and Wollochet; and the portion of the city of Tacoma north of the following line: Beginning on the Puyallup River at its junction with the city limits of the cities of Fife and Tacoma, downriver to East 11th Street, west to Tacoma Avenue, north to Division Avenue, west to North Grant Avenue, west on Grant and North Eighth Street to West Union Avenue, south to South 19th; west to Bantz Boulevard, northwest to primary state highway 14, and west and northwest to Narrows Bridge.

**NEW SECTION.** Sec. 29. District 27—in the city of Tacoma, beginning on the Puyallup River at its juncture with the city limits of Tacoma, south along the city limits to 40th Street East, west to South Park Avenue, south to South 48th Street, west to Sunset Drive, north to 35th Street West, east to 67th Avenue West, north to Princeton Street, east to Orchard Street, north to the south boundary of district 26, generally east along said boundary to point of beginning.

*NEW SECTION.* Sec. 30. District 28—the following precincts in Pierce County: Anderson Island, Fox Island, Hales Pass, Home, Lakebay, Longbranch, Minter, Purdy, Richmond, Rosedale, and Vaughn; and the following areas in the cities of Fircrest and Tacoma, and in the county of Pierce: Beginning at the Narrows Bridge, generally east and south along the south boundary of districts 26, 27 and 25 to East 66th Street, west to South "D" Street, south to South 72nd Street, west on South 72nd Street and South 74th Street to Custer Road, southwest to Meadow Road Southwest, south on Meadow Road Southwest and Nyanza Road to the Fort Lewis Military Reservation boundary, south and west along the Fort Lewis Military Reservation boundary to Thorne Lane Southwest, west to American Lake, along the shoreline of American Lake south, west and north to 93rd Avenue Southwest, north on 93rd Avenue Southwest to 101st Southwest, west to Farwest Drive, north to Chambers Creek Road, west to Puget Sound, north along the outer harbor line of Puget Sound to the point of beginning.

*NEW SECTION.* Sec. 31. District 29—that portion of Pierce County not included in districts 25 through 28.

*NEW SECTION.* Sec. 32. District 30—the Islands of Vashon and Maury; and in the county of King, beginning at the intersection of the King-Kittitas county line with township line between township 21 north and 22 north, proceed west to 76th South, north to the city limits of Kent, west along the city limits to South 272nd, west to the Seattle freeway, north to the city limits of Kent, north along the west city limits of Kent to the second intersection with the Seattle freeway, north to South 208th, west to Puget Sound, south to the line between the counties of King and Pierce, east along said line to the Kittitas county line, north to the point of beginning.

*NEW SECTION.* Sec. 33. District 31—in the county of King, beginning in the city of Seattle at the intersection of Southwest Morgan Street with Puget Sound, proceed east following Southwest Morgan Street into Beveridge Place west and its intersection with 45th Avenue Southwest, south on 45th Avenue Southwest to Fautleroy Avenue Southwest, east to California Avenue Southwest and Southwest Morgan Street, continuing east on Southwest Morgan Street to 35th Avenue Southwest, south to Southwest Webster Street to the Duwamish Waterway, upriver along the Duwamish River to its intersection with South 108th Street, west to Eighth Avenue South, south to South 132nd Street, west into Southwest 132nd Street to Puget Sound, north to the point of beginning.

*NEW SECTION.* Sec. 34. District 32—the following portions of the county of King, beginning at the intersection of 84th Avenue South with Lake Washington, proceed south on 84th Avenue South to South 120th Street, west to 76th Avenue South, south to South 128th Street, west to the Great Northern Railroad right of way, northwest following the Great Northern Railroad right of way to South 122nd Street, west on South 122nd Street to the Duwamish River, up the Duwamish River to the 42nd Avenue south bridge at the city limits of Tukwila, generally south following the westerly limits of the city of Tukwila to the intersection of South 160th Street and 47th Avenue South, west on South 160th Street to Eighth Avenue South, north to South 108th Street, east to the Duwamish River, down the Duwamish River into the Duwamish Waterway and into slip No. 4 to its intersection with South Webster Street, east on South Webster Street to the Seattle freeway, north to South Othello Street, east to Lake Washington, southeast to the point of beginning.

*NEW SECTION.* Sec. 35. District 33—in the city of Seattle beginning at the intersection of South Othello Street with Lake Washington, proceed west on South Othello Street to the Seattle freeway, south to South Webster Street, west to 15th Avenue South, north to South Hardy Street, northeast to Airport Way South, northwest to South Albro Place, northeast to Swift Avenue South, northwest to 15th Avenue South, north on 15th Avenue South into Columbian Way South, to the Seattle freeway, north to South Dearborn Street, east to Rainier Avenue South, northwest to South Jackson Street, east to 15th Avenue South, north to the southerly boundary of the thirty-seventh district, generally east along the southerly limits of the thirty-seventh district to Lake Washington, south to the point of beginning.

*NEW SECTION.* Sec. 36. District 34—beginning at the intersection of Yesler Way with the outer harbor line in Elliott Bay, proceed east on Yesler Way to James Street; northeasterly to Broadway, north to East Cherry Street, east to 15th Avenue, south on 15th Avenue into 15th Avenue South to South Jackson Street, west to Rainier Avenue, southeast, to South Dearborn Street, west to the Seattle freeway, south to Columbian Way South, generally east on South Columbian Way into 15th Avenue

South, south to Swift Avenue South, southeast to South Albro Place, southwest to Airport Way South, southeast to South Hardy Street, southwest to 15th Avenue South, south to South Webster Street, west into Southwest Webster Street to 35th Avenue Southwest, north to Southwest Morgan Street, west to Fauntleroy Avenue Southwest, southwest to 45th Avenue Southwest, to Beveridge Place Southwest; west to Southwest Morgan Street, extended, continuing westerly following Southwest Morgan Street, extended to its intersection with the outer harbor line of Puget Sound, north and east following the outer harbor line to the point of beginning.

**NEW SECTION.** Sec. 37. District 35—beginning at the intersection of Puget Sound and Denny Way, proceed east on Denny Way into East Denny Way to the Seattle freeway, north to East Prospect Street, east to East Broadway, north along East Broadway into 10th Avenue East to East Louisa Street, west to the Seattle freeway, north to Eastlake Avenue East, northeast to Roosevelt Way Northeast, northeast to Northeast 40th Street, east to 15th Avenue Northeast, north to Northeast 55th Street, west along Northeast 55th Street into North 55th Street to Ashworth Avenue North, north to West Greenlake Way, northwest to North 65th Street, west to Phinney Avenue North, south to North 60th Street, west along North 60th Street into Northwest 60th Street to Eighth Avenue Northwest, north to Northwest 65th Street, west to 22nd Avenue Northwest, south to Salmon Bay Waterway, generally southeast along Salmon Bay Waterway to Aurora Avenue North, south to Aloha Street, west to Queen Anne Avenue, south to West Mercer Street, west to West Mercer Place, north and west to Elliott Avenue West, west to Puget Sound, southeast along the outer harbor line of Puget Sound to the point of beginning.

**NEW SECTION.** Sec. 38. District 36—Bainbridge Island and that portion of the city of Seattle bounded on the north by Puget Sound, districts 44-A and 35, on the east by district 35, and on the south and west by Puget Sound.

**NEW SECTION.** Sec. 39. District 37—in the city of Seattle, beginning at the intersection of East Prospect Street with Lake Washington, proceed west on East Prospect Street to the Seattle freeway, south to Denny Way, west to the outer harbor line of Elliott Bay, south along the outer harbor line to its intersection with Yesler Way, east to James Street, northeast to Broadway, north to East Cherry Street, east to 15th Avenue, south to East Yesler Way, east to Lake Washington, north to the point of beginning.

**NEW SECTION.** Sec. 40. District 38—the following precincts in Snohomish County: Center, Dakota, Eastmont, Everett 1 through 103 inclusive, Hilton's Lake, Hiway, Intercity, Mukilteo, Nelson, Olivia, Rivercrest, Ward, and Wilson.

**NEW SECTION.** Sec. 41. District 39—the following precincts in Snohomish County: Allen Creek, Alma, Arlington 1 through 5, Armstrong, Bee, Bly, Boeing, Boulder, Bryant, Cathcart, Cedarhome, Clearview, Cliff, Darrington, Davies, East Everett, Ebey, Edgcomb, Fir, Florence, Fortson, Getchell, Glenwood, Gold Bar, Granite Falls, Gregory, Hartford, Hazel, Highland, Howell, Index, Jim Creek, Kruse, Lake, Lake Cassidy, Lake Goodwin, Lake Stevens 1 and 2, Lakeview, Lakewood, Lochsloy, Loma, Ludwig, Machias, Maltby, Marion, Marsh, Marysville 1 through 7, McDougall, Millard, Milton, Monroe 1 through 3, Moran, Newberg, Norden, Norm, Norman, Olney, Oso, Outlook, Park Place, Pearson, Port Susan, Priest Point, Quil, Riverview, Robe, Robin, Roosevelt, Sauk, Sexton, Shorts, Shoultes, Silvana, Sparlin, Skykomish, Skyline, Snohomish 1 through 9, South Lake Stevens, South Snohomish, Stanby, Stanwood 1 and 2, Stitch, Sultan 1 and 2, Sultan River, Sunnyside, Three Lakes, Trafton, Trail, Tualco, Tulalip, Tyee, Union, Valley, Vernon, Village, Wallace, Welangdon, Winter Lake, and Whaleback.

**NEW SECTION.** Sec. 42. District 40—the county of Skagit.

**NEW SECTION.** Sec. 43. District 41—

(1) 41-A—the county of San Juan, United States census tract 1 in Island County, and the following precincts in Whatcom County: Blaine 1 through 3, Everson, Ferndale 1 through 5, Lynden 1 through 6, Nooksack City, Sumas, Custer 1 and 2, Lummi Reservation, Lynden 1 through 4, Mt. View 1 through 4, Nooksack 1 through 4, Point Roberts, and Semiahmoo.

(2) 41-B—that portion of Island County not included in district 41-A; United States census tracts 1, 2 and 8 in Kitsap County; and the following precincts in the city of Bremerton: 31, 32, 34, 35, 47, 49, 50, 51, 52, 61, 62, 63, 64.

**NEW SECTION.** Sec. 44. District 42—the city of Bellingham and the following precincts in the county of Whatcom: Acme, Baker 1 and 2, Columbia 1 and 2, Crescent 1 and 2, Deming 1 and 2, Geneva, Glacier, Lawrence 1 through 3, Maple Falls, Marietta

1 through 3, Park 1 and 2, Rome, Slate-Diablo, Slate-Newhalem, Ten Mile 1 through 4, and Van Wyck 1 through 3.

**NEW SECTION.** Sec. 45. District 43—in the city of Seattle, bounded on the east by Lake Washington, on the south by district 37, on the west by districts 35 and 45, and on the north by a point beginning at the Seattle freeway on the west, extending easterly along Northeast 75th to 45th Avenue Northeast, south to Northeast 70th, east to Lake Washington.

**NEW SECTION.** Sec. 46. District 44—

(1) 44-A—in the city of Seattle, beginning at Eighth Northwest and Northwest 110th, proceed west along Northwest 110th to 12th Northwest, south to Holman Road Northwest, southwesterly along Holman Road Northwest to 14th Northwest, south to Northwest 85th, west to 32nd Avenue Northwest, south to Northwest 65th, west to Puget Sound, southeast along Salmon Bay Waterway to 22nd Avenue Northwest, north to Northwest 65th, east to Eighth Avenue Northwest, north to point of beginning.

(2) 44-B—in the county of King, beginning at Northeast 185th and Fifth Northwest, proceed south to Northeast 145th, west to Fremont North, south to North 110th, west to 12th Northwest, south to Holman Road Northwest, southwesterly along Holman Road Northwest to 14th Northwest, south to Northwest 85th, west to 32nd Avenue Northwest, south to Northwest 65th, west to Puget Sound, north along the shoreline of Puget Sound to Northwest 165th, east to Fremont Avenue North, North to North 185th, east to point of beginning.

**NEW SECTION.** Sec. 47. District 45—in the city of Seattle—beginning at the intersection of Roosevelt Way Northeast and Northeast 55th Street, proceed westerly following Northeast 55th Street into North 55th Street to its intersection with Ashworth Avenue North, thence northerly following Ashworth Avenue North to its intersection with West Greenlake Way, thence northwesterly along West Greenlake Way to Aurora Avenue North, thence southerly along Aurora Avenue North to Northwest 60th Street, west along North 60th Street into Northwest 60th Street to Eighth Avenue Northwest, north to Northwest 110th Street, east along Northwest 110th Street into North 110th Street to Fremont Avenue North, north to North 145th Street, east along North 145th Street into Northeast 145th Street to the Seattle freeway, south to Ravenna Boulevard Northeast, southeast to Roosevelt Way Northeast, south to the point of beginning.

**NEW SECTION.** Sec. 48. District 46—in the county of King bounded on the east by the city limits of Lake Forest Park and Lake Washington, on the south by districts 43 and 45, on the west by districts 45, and 44-B, and on the north by Northeast 185th Street and the city limits of Lake Forest Park.

**NEW SECTION.** Sec. 49. District 47—the following precincts in King County: Akers, Allen, Allentown, Aqualine, Airline, Audrey, Baring, Black River, Boren, Bryn Mawr, Campbell Hill, Carnation, Cedar Falls, Cedar Mountain, Cedar Park, Cherry Valley, Coalfield, Cougar Mountain, Delano, Deloris, Duvall, Earlington, Eastgate, Edna, Elliott, Fall City, Farmer, Fillmore, Galle, Gilman, Grotto, Heather, Downs, Hillcrest, Hilltop, Hobart, Honey Dew, Horizon, Issaquah 1 through 5, Jacqueline, Kennedy, Kennydale, Langston, Lorraine, McAllister, Maple Hills, Maplewood, Martha, Martin Creek, Matilda, May Creek, May Valley, Meadowbrook, Middle Fork, Mildred, Mont-haven, Mountain, Mount Si, Newcastle, North Bend 1 and 2, Novelty, Olympic, Patterson, Petrovitsky, Preston, Rainier, Ramona, Renhill, Renton 1 through 42, Roger, Shamrock, Si View, Skycrest, Skykomish, Snoqualmie 1 and 2, Sno-Valley, Somerset, Spring Glen, Squak Mountain, Stillwater, Sunset, Tanner, Tiger Mountain, Tolt, Truman, Tukwila 1 through 4, Tyraco, Valencia, Vincent, Vivian, Wallace, Warren, and Willow Ridge.

**NEW SECTION.** Sec. 50. District 48—the following precincts in King County: Alderwood, Angelo, Anne, Avondale, Bannerwood, Beachcrest, Bear Creek, Beaux Arts, Beaver Creek, Beaver Lake, Bellevue 1 through 30, Belmont, Bellewood, Bernard, Berrywood, Blueberry Lake, Bridle Trails, Chieftain, Clare, Cleveland, Clyde Hill 1 through 4, Cooper, Conna, Cottage Lake, East Redmond, Eloise, Enatai, Esther, Glenn, Grissom, Happy Valley, Hazelwood, Highland, Hollywood, Houghton 1 through 5, Hunts Point, Husky, Ingewood, Interlake, Ivanhoe, Kelly, Lake Heights, Lake Hills, Leilani, Leota, Lockmoor, Main, McLean, Medina 1 through 6, Mercer Island Town, Mercer Island 1 through 26, Meydenbauer, Mockingbird, Monohon, Newhills, Phantom Lake, Pine Lake, Providence, Redmond 1 through 3, Rita, Robinsglen, Robinswood, Rosemont, Rustic, Sammamish, Schirra, Shangri-la, Shaughnessy, Shepard, Silver Spurs,

Spiritwood, Terry, Totem, Tillicum, Tulip, Tyee, Viney, Wellington, Wilberton, Woodlawn, Yarrow Point, York.

**NEW SECTION.** Sec. 51. District 49—the following precincts in Clark County: Baker, Barbeton, Beall, Betts, Biddle, Bliss, Burnt Brush Creek, Brush Prairie, Burton, Clyde, Connor, Covington, Curtin, Cushing, Daybreak, Elking, Ellsworth, Enterprise, Firdale, Fourth Plain, Fruit Valley, Gee Creek, Glenwood Heights, Greeley, Harney, Hazel Dell East, Hazel Dell North, Hazel Dell West, Hidden North, Hidden South, J. D. Ross, Jaggy, Klein, LaCenter, Lake Short, Lamb, Laraclef, Lockwood Creek, Manor, Marion, Marshall, Miller, Minnehaha North, Minnehaha South, Nelson, Pioneer, Pleasant Valley, Preston, Ridgefield North, Ridgefield South, Salmon Creek, Sifton, Smith, Stockford, Tracy, Walnut Grove, Whipple Creek, Willows; and the following precincts in the city of Vancouver: 161 through 230.

**NEW SECTION.** Sec. 52. The house of representatives shall consist of ninety-nine members to be elected from fifty-six representative districts.

**NEW SECTION.** Sec. 53. The third, fourth, sixth, seventh, eighth, ninth, thirteenth, fourteenth, fifteenth, sixteenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, fortieth, forty-second, forty-third, forty-fifth, forty-sixth, forty-seventh, and forty-eighth senatorial districts as numbered, constituted and created by sections 5, 6, 8, 9, 10, 11, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 44, 45, 47, 48, 49, and 50 of this act, shall each have two representative positions. The representatives from the districts enumerated in this section shall be designated separately, and shall file for and be elected to office under such separate designations. The designations under which such representatives shall file shall be the number of the senatorial district for which they file followed by a hyphen and a letter "A" or "B".

**NEW SECTION.** Sec. 54. The forty-ninth senatorial district as numbered, constituted and created by section 51 of this act shall have three representative positions. The representatives from the forty-ninth senatorial district shall be designated separately as 49-A, 49-B, and 49-C, and shall file for and be elected to office under such separate designations.

**NEW SECTION.** Sec. 55. The following senatorial districts, as numbered, constituted and created by sections 3, 4, 12, 13, 14, 19, and 43 of this act shall each embrace two representative districts with one representative to be elected from each district as follows: First, one from 1-A as constituted in section 3 (1) and one from 1-B as constituted in section 3 (2); second, one from 2-A as constituted in section 4 (1) and one from 2-B as constituted in section 4 (2); fifth, one from 5-A as constituted in section 7 (1) and one from 5-B as constituted in section 7 (2); tenth, one from 10-A as constituted in section 12 (1) and one from 10-B as constituted in section 12 (2); eleventh, one from 11-A as constituted in section 13 (1) and one from 11-B as constituted in section 13 (2); twelfth, one from 12-A as constituted in section 14 (1) and one from 12-B as constituted in section 14 (2); seventeenth, one from 17-A as constituted in section 19 (1) and one from 17-B as constituted in section 19 (2); forty-first one from 41-A as constituted in section 43 (1) and one from 41-B as constituted in section 43 (2); forty-fourth, one from 44-A as constituted in section 46 (1) and one from 44-B as constituted in section 46 (2).

**NEW SECTION.** Sec. 56. This act shall not in any way affect the membership, districts or other organization of the thirty-ninth legislature nor abolish nor shorten any terms of office of any member of the legislature commenced prior to the effective date of this act.

**NEW SECTION.** Sec. 57. Of the senators provided for in this act, one senator shall be elected from each of the following senatorial districts created by this act as the general election to be held on the first Tuesday after the first Monday in November, 1966, and every four years thereafter, for a term of four years: Sixth, seventh, eighth, thirteenth, fifteenth, twenty-first, twenty-sixth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, forty-second, forty-third, forty-fourth, forty-fifth, forty-sixth, forty-seventh, and forty-eighth; and one senator shall be elected for the second senatorial district created by this act at the general election to be held on the first Tuesday after the first Monday in November, 1966, for a term of two years, and at the general election to be held on the first Tuesday after the first Monday in November, 1968, and

every four years thereafter, for a term of four years. A senator shall be elected from each of the other senatorial districts created by this act at the general election to be held on the first Tuesday after the first Monday in November, 1968, and every four years thereafter, for a term of four years.

**NEW SECTION.** Sec. 58. It is the legislative intent of this act to provide for an orderly transition period between changes in the legislative districts.

**NEW SECTION.** Sec. 59. The following definitions shall apply:

(1) Municipal and district boundaries referred to herein are those boundaries of political subdivisions of this state as they existed on January 1, 1965, unless the text expressly dictates otherwise.

(2) Precinct designations referred to herein are those precincts which are in existence in the various counties of this state on the first Tuesday following the first Monday in November, 1964, except in Clark County, where the designations are those in existence on the first Tuesday following the first Monday in November, 1962.

(3) Townships referred to herein are all United States survey townships within the various ranges running parallel to the Willamette base meridian, and the term is used in no other context nor with any other meaning. Whenever there is reference to a township in a particular county without further modification or description, it is the intention of the legislature to group all other townships bearing the same number within the particular county, in all ranges, as a single unit for the particular senatorial district numbered, constituted, and created by the particular section of this act if such senatorial district is not further divided into representative districts; and as a single unit for the particular representative district numbered, constituted, and created by the particular subsection of this act in cases wherein a senatorial district has been divided into representative districts.

(4) Ranges referred to herein are all United States survey ranges running parallel to the Willamette meridian, and the term is used in no other context nor with any other meaning. Whenever there is reference to a range without further modification or description, it is the intention of the legislature to group all townships within the particular range within the particular county as a single unit for the particular senatorial district numbered, constituted, and created by the particular section of this act if such senatorial district is not further divided into representative districts; and as a single unit for the particular representative district numbered, constituted, and created by the particular subsection of this act in cases wherein a senatorial district has been divided into representative districts.

**NEW SECTION.** Sec. 60. The terms of all senators elected at the general election in November, 1964 for the term ending January, 1969 shall expire in January, 1969.

**NEW SECTION.** Sec. 61. The representatives provided for in this act shall be elected at the general election to be held on the first Tuesday after the first Monday in November, 1966, and every two years thereafter.

**NEW SECTION.** Sec. 62. (1) Any precinct, section, township, block or other parcel of land not specifically mentioned or included within the boundaries of the various senatorial and representative districts as defined in this act, wherein there are or may be inhabitants of this state entitled to representation under the laws of this state and of the United States, and which is completely surrounded by territory embraced within a particular senatorial and representative district, shall be a part of such senatorial and representative district. In case any such area is not completely surrounded by territory embraced within a particular senatorial and representative district, the area shall be a part of the senatorial and representative district having the smallest number of electors and having territory adjoining or contiguous to such area in the same county in which the area is located.

(2) If any territory is mentioned in this act as specifically embraced in two or more noninclusive legislative districts, such territory shall be and become a part of the adjoining district having the smallest number of inhabitants, and shall not be a part of the other district or districts.

(3) If any territory has been specifically mentioned as embraced within a given legislative district but is in fact separated from such district by territory of one or more other districts, such territory shall be assigned as though it had not been included within any territory specifically mentioned herein.

(4) The 1960 United States census shall be used for determining the number of inhabitants under the provisions of this act.



(5) All water boundaries follow the outer harbor line of first class shorelands, the outer limits or line of extreme low tide of second class shorelands, or the main thread of the named river or stream, as the case may be.

(6) (a) All street descriptions follow the center line of the named or numbered streets, and a straight line extension thereof where such named or numbered streets have not been cut through, except where the context expressly indicates otherwise.

(b) All street descriptions are as numbered or named, and as delineated, on the records of the county assessor and in conformity with a numbering scheme as set forth by the county engineer, except where the context expressly indicates otherwise.

(7) The terms "United States highway five" and "Seattle freeway" as used in this act are to be treated as synonymous, and mean and include incompleated sections as well as completed sections of the Seattle freeway.

(8) All other descriptions and designations referred to herein are as they existed on the date of passage of this act by both houses of the legislature.

**NEW SECTION. Sec. 63.** The following acts or parts of acts are each repealed:

- (1) Chapter 5, Laws of 1957;
- (2) Chapter 289, Laws of 1957; and
- (3) Chapter 44.06 RCW.

**NEW SECTION. Sec. 64.** This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### MOTION

It was moved by Senator Greive that the Senate do concur in the House amendments to Engrossed Senate Bill No. 237.

Debate ensued.

Senator Moriarty, Jr., demanded a roll call and the demand was sustained by Senators Woodall, Neill, Chytil, England, Atwood, Thompson, Jr., Durkan, Herrmann, Gallagher, Greive and Kupka.

#### ROLL CALL

The Secretary called the roll on the motion by Senator Greive to concur in the House amendments to Engrossed Senate Bill No. 237. The motion was carried by the following vote: Yeas, 26; nays, 19; excused, 4.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Dore, Durkan, Foley, Gallagher, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Peterson (Lowell), Petrich, Riley, Sandison, Talley, Washington—26.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Freise, Hallauer, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Rasmussen, Raugust, Redmon, Ryder, Stender, Thompson, Jr., Williams, Woodall—19.

Excused: Senators Donohue, Gissberg, Guess, Morgan—4.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 237, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 26; nays, 19; excused, 4.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Dore, Durkan, Foley, Gallagher, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Peterson (Lowell), Petrich, Riley, Sandison, Talley, Washington—26.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Freise, Hallauer, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Rasmussen, Raugust, Redmon, Ryder, Stender, Thompson, Jr., Williams, Woodall—19.

Excused: Senators Donohue, Gissberg, Guess, Morgan—4.

Engrossed Senate Bill No. 237, as amended by the House, having received the 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 Secretary read:

**REPORT OF STANDING COMMITTEE**

Senate Chamber,  
Olympia, Wash., February 12, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 237 and the House amendments thereto, have inspected same, and find it correctly enrolled and certified.

Respectfully submitted,  
FRANK W. FOLEY, *Chairman.*

We concur in this report: Martin J. Durkan, Michael J. Gallagher.

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 237.**

**MOTIONS**

On motion of Senator Greive, Senate Bill No. 91 and Senate Bill No. 221 were ordered to retain their places on the second reading calendar for tomorrow.

On motion of Senator Keefe, the Senate dispensed with the Call of the Senate.

At 4:20 p. m., on motion of Senator Greive, the Senate adjourned until 11:00 a. m., Saturday, February 13, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## THIRTY-FOURTH DAY

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**MORNING SESSION**

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SENATE CHAMBER,  
OLYMPIA, WASH., Saturday, February 13, 1965.

The Senate was called to order at 11:00 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Tim Donohue, Color Bearer, and Cynthia Snyder, presented the Colors.

Father Leonard Rafalowski, pastor of St. Michael's Catholic Church of Olympia, offered prayer as follows:

"O God of all peoples, Heavenly Father of all men, be with us this day, we pray Thee, in the deliberations of this governmental assembly, that they may be guided by Thy wisdom and justice and charity in their actions of government for their people.

"Oh Heavenly Father, look upon the difficult tasks which confront them, and the decisions they must make. Grant to them, O Lord, that their minds may seek Thy

infinite mind, their weaknesses seek Thy limitless strength, and their finite knowledge be guided by Thy supreme knowledge which knows no boundaries of time and distance. Direct their thinking and their decisions, O Lord our God, that their stewardship may be found worthy in Thy sight.

"Grant them the grace to conform their words and actions according to Thy Divine Will, that their people may call them 'blessed' and that they may receive Thy commendation: 'Well done, good and faithful servants.' Amen."

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### Senate Bill No. 31:

Senate Chamber,  
Olympia, Wash., February 11, 1965.

Creating a state commission on the status of women (reported by Committee on Labor and Social Security).

MAJORITY recommends that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Frank Connor, Martin J. Durkan, Jack England, Edward F. Riley, George W. Kupka, August P. Mardesich, John H. Stender, John T. McCutcheon.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 44:

Senate Chamber,  
Olympia, Wash., February 12, 1965.

Changing requirements for posting of probate notices (reported by Judiciary Committee):

MAJORITY recommends that it do pass. JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Fred H. Dore, Martin J. Durkan, Jack England, Frank W. Foley, Michael J. Gallagher, H. B. Hanna, Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 45:

Senate Chamber,  
Olympia, Wash., February 12, 1965.

Extending power of appointment of family court assistance to third class counties (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended. JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 61:

Senate Chamber,  
Olympia, Wash., February 12, 1965.

Providing for reasonable attorney's fees and assumption of appeal costs for indigents accused of crime (reported by Judiciary Committee):

MAJORITY recommends that it do pass. JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 67:**

Senate Chamber,  
Olympia, Wash., February 11, 1965.

Establishing safety standards for underground construction workers (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Frank Connor, Martin J. Durkan, Jack England, Edward F. Riley, George W. Kupka, August P. Mardesich, John H. Stender, John T. McCutcheon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 73:**

Senate Chamber,  
Olympia, Wash., February 12, 1965.

Eliminating county auditor's liability for damage caused by misspelled words or incorrect names (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 114:**

Senate Chamber,  
Olympia, Wash., February 11, 1965.

Allowing payroll deductions for certain public employee organization dues (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass as amended.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, George W. Kupka, August P. Mardesich, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 115:**

Senate Chamber,  
Olympia, Wash., February 12, 1965.

Relating to unlawful issuance of checks or drafts (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 272:**

Senate Chamber,  
Olympia, Wash., February 11, 1965.

Extending state employees' retirement system to cover certain school district employees (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, George W. Kupka, August P. Mardesich, John H. Stender, John T. McCutcheon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 325:**

Senate Chamber,  
Olympia, Wash., February 11, 1965.

Permitting employees of state school or institution to transfer from state teachers' retirement system to state employees' retirement system (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass as amended.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, Edward F. Riley, George W. Kupka, August P. Mardesich, John H. Stender, John T. McCutcheon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Memorial No. 13:**

Senate Chamber,  
Olympia, Wash., February 11, 1965.

Memorializing Congress to enact legislation to continue the Manpower Development and Training Act (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass as amended.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, Edward F. Riley, George W. Kupka, August P. Mardesich, John H. Stender, John T. McCutcheon.

Passed to Committee on Rules and Joint Rules for second reading.

**INTRODUCTION AND FIRST READING OF BILLS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 380**, by Senators Gissberg and Rasmussen:

An Act relating to interest and usury; regulating maximum rates of interest and service charges on retail credit; and providing civil and criminal penalties.

Referred to Judiciary Committee.

**Senate Bill No. 381**, by Senator Dore:

An Act relating to savings and loan associations; and repealing section 9, chapter 122, Laws of 1955 and RCW 33.48.080.

Referred to Committee on Banks, Financial Institutions and Insurance.

**Senate Bill No. 382**, by Senators Thompson, Jr., Durkan and Bailey:

An Act relating to sewer districts; providing procedure for mergers thereof; and adding a new chapter to Title 56 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 383**, by Senators Thompson, Jr., Durkan and Bailey:

An Act relating to sewer districts; providing procedure for consolidations thereof; and adding a new chapter to Title 56 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 384**, by Senators Thompson, Jr., Durkan and Bailey:

An Act relating to and simplifying the procedure for merger and consolidation of water districts; amending sections 1, 3, 4 and 5, chapter 28, Laws of 1961 and RCW 57.36.010, 57.36.030, 57.36.040 and 57.36.050; amending sections 1 and 2, chapter 267, Laws of 1943 and RCW 57.32.010 and 57.32.020; adding four new sections to chapter 267, Laws of 1943 and to chapter 57.32 RCW; repealing sections 3 through 8, chapter 267, Laws of

1943, section 8, chapter 251, Laws of 1953 and RCW 57.32.030 through 57.32-.080; and repealing sections 10, 11 and 12, chapter 267, Laws of 1943, as amended by sections 10 and 11, chapter 251, Laws of 1953 and RCW 57.32.100 through 57.32.120.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 385**, by Senators Charette, Neill and Dore:

An Act relating to public works; and adding a new section to chapter 39.04 RCW.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 386**, by Senators Petrich and Atwood:

An Act relating to criminal procedure and issuance of search warrants; and amending section 1, page 100, Laws of 1854, as last amended by section 967, Code of 1881, and RCW 10.79.010.

Referred to Judiciary Committee.

**Senate Bill No. 387**, by Senators Kupka, Keefe and McCutcheon:

An Act relating to criminal procedure; authorizing pretrial hearing procedures on insanity pleas; and adding new sections to chapter 30, Laws of 1907 and to chapter 10.76 RCW.

Referred to Judiciary Committee.

**Senate Bill No. 388**, by Senator Riley:

An Act relating to revenue and taxation; and amending section 82.04.050, chapter 15, Laws of 1961, as last amended by section 1, chapter 7, Laws of 1963, and RCW 82.04.050.

Referred on Committee on Ways and Means.

**Senate Bill No. 389**, by Senators Atwood and Petrich:

An Act relating to the judiciary and to justices of the peace and other inferior courts; amending sections 26 and 27, chapter 299, Laws of 1961 and RCW 3.38.020 and 3.38.030; and adding a new section to chapter 299, Laws of 1961 and to chapter 3.38 RCW.

Referred to Judiciary Committee.

**Senate Bill No. 390**, by Senators Talley and Henry:

An Act relating to public highways; and amending section 47.20.090, chapter 13, Laws of 1961, as amended by section 8, chapter 21, Laws of 1961 extraordinary session, and RCW 47.20.090.

Referred to Committee on Highways.

**Senate Bill No. 391**, by Senators Williams, Riley, Ryder, Gallagher and England:

An Act relating to intoxicating liquors; and amending section 1, chapter 75, Laws of 1895 as last amended by section 1, chapter 120, Laws of 1951, and RCW 66.44.190.

Referred to Committee on Liquor Control.

**Senate Bill No. 392**, by Senators Bailey and Durkan:

An Act relating to labor disputes; and amending section 1, chapter 180, Laws of 1961 and RCW 49.44.100.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 393**, by Senators Henry, Washington and Freise:

An Act relating to motor vehicles and the licensing of operators thereof; amending section 46.20.330, chapter 12, Laws of 1961 and RCW 46.20.330;

adding new sections to chapter 12, Laws of 1961 and to chapters 46.20 and 46.56 RCW; repealing section 46.56.010, chapter 12, Laws of 1961 and RCW 46.56.010; providing penalties; and providing an effective date.

Referred to Judiciary Committee.

**Senate Bill No. 394**, by Senators England, Petrich and Williams:

An Act relating to recording; and adding a new section to chapter 278, Laws of 1927 and to chapter 65.08 RCW.

Referred to Judiciary Committee.

**Senate Bill No. 395**, by Senators Talley, Woodall and Durkan:

An Act relating to crimes and punishment; shoplifting; amending section 3, chapter 229, Laws of 1959, and RCW 9.78.030; and adding a new section to chapter 229, Laws of 1959 and to chapter 9.78 RCW.

Referred to Judiciary Committee.

**Senate Bill No. 396**, by Senators Washington and Raugust:

An Act relating to water conservancy districts; and providing penalties.

Referred to Committee on Natural Resources.

#### SECOND READING OF BILLS

**Senate Bill No. 152**, by Senators McCormack, Washington and Riley:

Authorizing port district acquisition and operation of certain park and recreational facilities.

On motion of Senator Greive, Senate Bill No. 152 was ordered to retain its place on the second reading calendar for Tuesday, February 16, 1965.

**Senate Bill No. 121**, by Senators Hanna, Talley and Atwood:

Providing for method of recording instruments.

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

**Senate Bill No. 91**, by Senators Gissberg and Cowen:

Changing meeting date of county board of equalization.

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 91:**

Senate Chamber,  
Olympia, Wash., February 9, 1965.

Changing meeting date of county board of equalization (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 1, lines 17 and 18, after "reconvene" on line 17 and before "in {April}" on line 18, strike "on the third Monday" and insert "[on the third Monday]"  
On page 1, section 1, line 18 after "June" and before "for the" insert "on a day fixed by the Board"

On page 2, section 1, lines 15 and 16, after "meeting" on line 15 and before "in {April}" on line 16 strike "on the third Monday" and insert "[on the third Monday]."

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Michael J. Gallagher, Sam C. Guess, Al Henry, George W. Kupka, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator Talley, the committee amendments were adopted.

Senate Bill No. 91 was ordered engrossed and passed to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 221**, by Senators Kupka, Talley and McCutcheon (by request of State Auditor):

Authorizing claims against local governments.

**REPORT OF STANDING COMMITTEE**

**Senate Bill No. 221:**

Senate Chamber,  
Olympia, Wash., February 4, 1965.

Authorizing claims against local governments (reported by Committee on Cities, Towns and Counties):

**MAJORITY** recommends that it do pass with the following amendments:

On page 1, section 1, line 22, after "on" and before "and in" strike "the forms" and insert "a form"

On page 1, section 1, line 24, after "The" and before "shall" strike "forms" and insert "form"

On page 2, section 3, line 31, after "claim" and before "knowing" insert "or making a claim"

On page 3, section 4, lines 2 and 3, after "paid" strike the material down to "shall be" on line 3 and insert "a false or untrue claim".

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Lowell Peterson, Ted G. Peterson, Edward F. Riley, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator Talley, the committee amendments were adopted.

Senate Bill No. 221 was ordered engrossed and referred to the Committee on Rules and Joint Rules for third reading.

**MOTIONS**

At 11:30 a. m., on motion of Senator Greive, the Senate adjourned until noon, Monday, February 15, 1965.

JOHN A. CHERBERG, *President of the Senate*.

WARD BOWDEN, *Secretary of the Senate*.

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**THIRTY-SIXTH DAY**

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**NOON SESSION**

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**SENATE CHAMBER,**

OLYMPIA, WASH., Monday, February 15, 1965.

The Senate was called to order at noon by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Rasmussen.

On motion of Senator Bailey, Senator Rasmussen was excused.

The Color Guard, consisting of Pages Vernon Woodall, Color Bearer, and Lyn Peterson, presented the Colors.

Doctor Henry S. Rahn, pastor of the First Baptist Church of Olympia, offered prayer as follows:

"O Lord our God, in whom we live and move and have our being, Thou art the Lord of life, the God of history, and a very present help.



"Help us so to live all this day that our thoughts, our emotions, our words and our deeds shall be fit for Thy scrutiny, and deserving of Thy 'Well Done.'

"Direct the thoughts and decisions of these leaders in state government. Keep their loved ones in Thy watch care, we pray, in our Master's Name. Amen."

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

#### APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of the Honorable Neil McKay, Mayor of Olympia; Don Trafford, President of the Olympia Chamber of Commerce; Bob Selene of the Capitol Lake Coordinating Committee; and Wally Turner of the Olympia Salmon Club.

The President appointed a special committee consisting of Senators Lewis, Stender, Knoblauch and Durkan to escort the visitors to a place of honor upon the rostrum.

The Secretary read:

#### SENATE RESOLUTION

No. 1965 - 22

By Senator Lewis:

WHEREAS, The people of the city of Olympia have devoted much time, energy, and money in endeavoring to develop Capitol Lake to its maximum scenic and recreational potential; and

WHEREAS, By their unremitting efforts in concert with state, county, and civic leaders, they have done much to draw the attention of the citizens of our state and nation to the unique beauty of our capital city; and

WHEREAS, Their resourceful, imaginative, and energetic promotional efforts have made Capitol Lake an outstanding tourist attraction at all seasons of the year, from midsummer, when visitors are drawn there for water sports and the annual celebration of Capitol Lakefair, to midwinter, when the scintillating Christmas Island exhibit is on view; and

WHEREAS, The people of the city of Olympia, in their continuing endeavor to enhance the natural attractions of the Capitol Lake site, have announced the purchase of four hundred double-flowering Japanese cherry trees for planting along the drive adjacent to the lake; and

WHEREAS, This project will ultimately provide an even more spectacular landscaped setting for the Capitol campus than now exists, complementing the strength and dignity of the Capitol itself;

Now, Therefore, Be It Resolved, That we, the members of the Senate and House of Representatives of the state of Washington, in legislative session assembled, applaud the continuing efforts of the people of Olympia to beautify Capitol Lake, and, speaking on behalf of the citizens of the state, express our appreciation therefor, in the full confidence that the flowering cherry trees will every year present a more impressive memorial to their enterprise;

Be It Further Resolved, That this resolution be transmitted to the people of the city of Olympia in appropriate ceremonies, and, in particular, to the Honorable Neil McKay, Mayor; Don Trafford, President of the Olympia Chamber of Commerce; Bob Selene, of the Capitol Lake Coordinating Committee; and Wally Turner, of the Olympia Salmon Club.

On motion of Senator Lewis, the resolution was adopted.

With the consent of the Senate, business was suspended to permit Mayor McKay and Mr. Selene to address the Senate.

The Committee of Honor escorted the visiting delegation from the rostrum.

The Secretary read:

**SENATE RESOLUTION**

**No. 1965 - 23**

By Senators Riley and Thompson, Jr.:

WHEREAS, The Washington state liquor control board has charge of the operation and management of our state retail liquor outlets; and

WHEREAS, The function of management and proprietorship includes, among other things, the promotion of better service to customers and good customer relations; and

WHEREAS, Monopoly gives the liquor board an unique opportunity to employ advanced methods of marketing, merchandising and distributing; and

WHEREAS, There has been no significant change in such methods since the establishment of the board's operation; and

WHEREAS, The existing standard retail liquor store floor layout, instead of promoting good merchandising practice as is used in most other states of the union, requires customers to wait in line for service causing delays and embarrassment; and

WHEREAS, The state liquor control board has authority to improve customer service to the extent that it can authorize and institute better store planning, to include floor and counter displays within each retail outlet, thereby allowing customers to shop at leisure and to make intelligent selections; and

WHEREAS, More leisure shopping can help reduce holiday shopping rushes in our state retail outlets, and with these advanced retail merchandising methods a larger margin of profit will result;

Now, Therefore, *Be It Resolved*, By the Senate that the Washington state liquor control board be urged to institute modernized merchandising, marketing and distributing methods with a dual purpose of providing improved service to the citizens of the state and increasing the margin of profit in its operations, which profits are divided between the state, and the cities and counties.

On motion of Senator Greive, the resolution was referred to the Committee on Liquor Control.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., February 15, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred:

Senate Bill No. 71; also

Senate Bill No. 90; also

Senate Bill No. 91; also

Senate Bill No. 92; also

Senate Bill No. 94; also

Senate Bill No. 95; also

Senate Bill No. 96; also

Senate Bill No. 159; also

Senate Bill No. 171; also

Senate Bill No. 187; also

Senate Bill No. 202; also

Senate Bill No. 221; also

Senate Bill No. 296; also

Senate Bill No. 316 have inspected same, and find them correctly engrossed.

FRANK W. FOLEY, *Chairman*.

We concur in this report: Martin J. Durkan, Michael J. Gallagher, John A. Petrich, Perry B. Woodall.

**Senate Joint Resolution No. 8:**

Senate Chamber,  
Olympia, Wash., February 13, 1965.

Removing prohibition against raising salaries during terms of office (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that Substitute Senate Joint Resolution No. 8 be substituted therefor, and the substitute resolution do pass. JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Al Henry, Gordon Herr, Karl Herrmann, Ernest W. Lennart, David E. McMillan, Frances Haddon Morgan, W. C. Raugust, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., February 13, 1965.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 237 and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk*.

#### INTRODUCTION AND FIRST READING OF BILLS, MEMORIAL AND RESOLUTION

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 397**, by Senators Rasmussen, Bailey and Gissberg:

An Act relating to elections; amending section 29.79.080, chapter ....., Laws of 1965 and RCW 29.79.080; and adding a new section to chapter ....., Laws of 1965 and chapter 29.79 RCW.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 398**, by Senators Stender, Herr and Dore:

An Act relating to property tax exemptions; and amending section 84.36-030, chapter 15, Laws of 1961 and RCW 84.36.030.

Referred to Committee on Ways and Means.

**Senate Bill No. 399**, by Senators Henry and Washington (by Highway Interim Committee request):

An Act relating to motor vehicle accident reports; amending section 46.52.030, chapter 12, Laws of 1961 and RCW 46.52.030; amending section 46.52-.080, chapter 12, Laws of 1961 and RCW 46.52.080, adding new sections to chapter 12, Laws of 1961 and to chapter 46.52 RCW; and prescribing penalties.

Referred to Committee on Highways.

**Senate Bill No. 400**, by Senators England and Henry:

An Act relating to retirement of militia officers; extending retirement age therefor; and amending section 33, chapter 130, Laws of 1943 and RCW 38.12.180.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 401**, by Senators England and Dore:

An Act relating to claims against cities, towns, and counties; providing a period within which such claims must be filed; amending section 35.31.010, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.31.010; amending section 35.31.020, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.31.020; amending section 35.31.040, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.31.040; and amending section 36.45.010, chapter 4, Laws of 1963 and RCW 36.45.010.

Referred to Judiciary Committee.

**Senate Bill No. 402**, by Senator Rasmussen:

An Act for the relief of Albert Buralli; and making an appropriation.

Referred to Committee on Ways and Means.

**Senate Bill No. 403**, by Senator Morgan:

An Act relating to revenue and taxation; amending section 82.08.080, chapter 15, Laws of 1961 as amended by section 2, chapter 244, Laws of 1963 and RCW 82.08.080; and making an appropriation.

Referred to Committee on Public Institutions.

**Senate Bill No. 404**, by Senators Washington, Neill and Cowen:

An Act providing for the establishment of an applied electrical experiment station; and adding a new section to chapter 28.80 RCW.

Referred to Committee on Higher Education and Libraries.

**Senate Joint Memorial No. 15**, by Senator Talley:

Requesting expansion of foreign trade to all countries with which we maintain diplomatic relations.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Joint Resolution No. 22**, by Senators Dore, Petrich, Durkan, Foley, McCormack, Bailey, Greive, Sandison, Hanna and Herr (by Interim Committee on Education) (by Departmental request):

Providing for common school construction fund.

Referred to Committee on Education.

**SECOND READING OF BILLS**

**Senate Bill No. 122**, by Senators Woodall, Dore, Bailey, Atwood, Petrich and Neill (by Legislative Council request):

Enacting the Uniform Commercial Code.

On motion of Senator Dore, Senate Bill No. 122 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 4**, by Senators Charette, Moriarty, Jr. and Neill.

Enacting a title of the Revised Code of Washington to be known as Title 43—State Government—Executive.

**REPORT OF STANDING COMMITTEE****Senate Bill No. 4:**

Senate Chamber,  
Olympia, Wash., February 10, 1965.

Enacting a title of the Revised Code of Washington to be known as Title 43—State Government—Executive (reported by Judiciary Committee):

MAJORITY recommends that it do pass with the following amendments:

On page 6, section 43.03.010, lines 14 through 30, strike all of section 43.03.010 and substitute the following:

"Sec. 43.03.010 SALARIES OF ELECTIVE STATE OFFICERS. The annual salaries of the following named state elected officials shall be: Governor, thirty-two thousand five hundred dollars; lieutenant governor, ten thousand dollars; secretary of state, fifteen thousand dollars; state treasurer, fifteen thousand dollars; state auditor, sixteen thousand five hundred dollars; attorney general, twenty-three thousand dollars; superintendent of public instruction, twenty-two thousand five hundred dollars; commissioner of public lands, twenty thousand dollars; state insurance commissioner, sixteen thousand five hundred dollars; members of the legislature shall receive for their services twelve hundred dollars per annum, and in addition, ten cents per mile for travel to and from legislative sessions: PROVIDED, That anyone appointed to fill any vacancy that may occur in either the senate or house shall not receive any compensation for salary as herein provided until such appointee shall have qualified for office and shall have taken his oath of office at the next convening regular or special session of the legislature." On page 319, section 43.198.040, line 32, strike "(185) Section 1, chapter 48, Laws of 1949;"

Renumber the remaining subdivisions consecutively.

On page 322, section 43.198.040, line 29, strike "(278) Chapter 316, Laws of 1959;"  
 Renumber the remaining subdivisions consecutively.  
 On page 323, section 43.198.040, line 1, strike "(283) Chapter 5, Laws of 1961;"  
 Renumber the remaining subdivisions consecutively.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Frank W. Foley, Herbert H. Freise, H. B. Hanna, Charles P. Moriarty, Jr., Nat Washington, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Charette, the committee amendments were adopted. Senate Bill No. 4 was ordered engrossed and referred to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 84**, by Senators Gallagher, Moriarty, Jr. and Kupka.  
 Relating to fuel tax refunds for urban transportation systems.

#### REPORT OF STANDING COMMITTEE

##### Senate Bill No. 84:

Senate Chamber,  
 Olympia, Wash., February 11, 1965.

Relating to fuel tax refunds for urban transportation systems (reported by Committee on Highways):

MAJORITY recommends that it do pass with the following amendments:

On page 2, section 1, lines 4 and 5, after "originated", strike "[: *Provided further*, That this section shall expire June 30, 1965]" and insert ": *Provided further*, That this section shall expire June 30, 1967"

On page 2, section 2, lines 27 and 28, after "originated", strike "[: *Provided further*, That this section shall expire June 30, 1965]" and insert ": *Provided further*, That this section shall expire June 30, 1967".

NAT WASHINGTON, *Chairman*.  
 AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Fred H. Dore, Frank W. Foley, H. B. Hanna, Gordon Herr, Karl Herrmann, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, August P. Mardesich, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Don L. Talley, Walter B. Williams.

The bill was read the second time by sections.

It was moved by Senator Gallagher that the committee amendments be not adopted.

Debate ensued.

The motion was carried on a rising vote and the committee amendments were not adopted.

#### PERSONAL PRIVILEGE

Senator Durkan:

"Point of personal privilege, Mr. President:"

The President:

"The Senator will speak on point of personal privilege."

Senator Durkan:

"Mr. President:

"I voted against this measure, not because I feel that the city dwellers don't need buses, so to speak, but because I feel this whole area of tax exemption has to be re-examined. Now, if the City of Seattle Transit is entitled to a tax exemption, perhaps home residents are entitled to tax exemption. So here we go into the whole area of tax exemption. The way to face up to this problem of the cities is to come to grips with the fact they need more revenue. If we do that, we can get away from this entire problem of tax exemption."

## PERSONAL PRIVILEGE

Senator Raugust:

"Personal privilege, Mr. President:

"I made the statement here that this exemption was on a temporary basis on the original bill and this has been asked to be permanent. If I was wrong, I'd like to have anyone show me where we have ever had this on a permanent basis. It was always on a relief basis."

Senator Gallagher:

"Mr. President:

"I believe I have introduced this bill for the last two sessions, and it seems in order to get it passed, we did have to compromise and make it on a two year level. Now I'm not sure of the original legislation in 1957, but I know the last two sessions had the permanent provision written into it, but in order to get it passed, there had to be a compromise made in it, and the two year legislation was put on it."

Senate Bill No. 84 was passed to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 70**, by Senator Neill:

Authorizing Washington State University to exchange land.

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

**Senate Bill No. 264**, by Senators Charette, Thompson, Jr. and Peterson (Ted) (by Departmental request):

Authorizing the director of fisheries to sell food fish or shellfish caught or taken during test fishing operation.

On motion of Senator Charette, Senate Bill No. 264 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 109**, by Senators Petrich, Durkan and Dore:

Precluding redemption by real estate mortgagor where abandonment preceded foreclosure.

## REPORT OF STANDING COMMITTEE

**Senate Bill No. 109:**

Senate Chamber,  
Olympia, Wash., February 10, 1965.

Precluding redemption by real estate mortgagor where abandonment preceded foreclosure (reported by the Judiciary Committee):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 1, line 14, after "[therein]" strike all of the material down to and including "period" on line 18 and insert "[ ] [more than six months prior to the date of the decree of foreclosure] the mortgagor or his successor in interest has abandoned said property for six months or more."

On page 1, section 1, following the period on line 22, insert "Lack of occupancy by, or by authority of, the mortgagor or his successor in interest for a continuous period of six months or more prior to the date of the decree of foreclosure, coupled with failure to make payment upon the mortgage obligation within the said six month period, will be prima facie evidence of abandonment."

JOHN A. PETRICH, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Karl Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendments were adopted.

Senate Bill No. 109 was ordered engrossed and referred to the Committee on Rules and Joint Rules for third reading.

**MOTIONS**

On motion of Senator Greive, Senate Bills No. 184, 182 and 274 were ordered to retain their places on the second reading calendar for tomorrow.

At 1:05 p.m., on motion of Senator Greive, the Senate adjourned until 10:30 a.m., Tuesday, February 16, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**THIRTY-SEVENTH DAY**


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**MORNING SESSION**

SENATE CHAMBER,

OLYMPIA, WASH., Tuesday, February 16, 1965.

The Senate was called to order at 10:30 a.m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages W. Wallace Raugust, Color Bearer, and Kathleen Lemon, presented the Colors.

Doctor Henry S. Rahn, pastor of the First Baptist Church of Olympia, offered prayer as follows:

"Lord of all being, throned afar, Thy glory flames from sun and star. Center and soul of every sphere, yet to each loving heart how near.

"Grant us of Thy spirit, work through our minds, bend our wills to Thine that we may live not for self, but for Thee and our fellowman. Help us to remember that in self-giving life finds fulfillment, in our Master's Name, Amen."

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,

Olympia, Wash., February 16, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred:

Senate Bill No. 4; also

Senate Bill No. 109; also

Senate Joint Memorial No. 5 have inspected same, and find them correctly engrossed.

Respectfully submitted, FRANK W. FOLEY, *Chairman.*

We concur in this report: R. R. Bob Greive, Marshall A. Neill.

**Senate Bill No. 185:**

Senate Chamber,

Olympia, Wash. February 15, 1965.

Abolishing Olympic peninsula forest protection area (reported by Committee on Natural Resources):

MAJORITY recommends that it do pass.

LOWELL PETERSON, *Chairman.*

We concur in this report: Joe Chytil, William A. Gissberg, Wilbur G. Hallauer, Gordon Herr, Mike McCormack, August P. Mardesich, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

#### INTRODUCTION AND FIRST READING OF BILLS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 405**, by Senators Rasmussen and McCormack:

An Act relating to public service companies; prohibiting unreported political contributions; requiring public records of all payments or retainers of certain public officials; requiring the public utility and transportation commission to exclude such payments from operating expenses of utilities and transportation companies when determining or fixing rates; prohibiting the use of utility or transportation company customer mailing lists for political purposes; adding new sections to chapter 14, Laws of 1961 and to chapters 80.04 and 81.04 RCW; and providing penalties.

Referred to Committee on Public Utilities.

**Senate Bill No. 406**, by Senators Lennart, Washington, Freise, Redmon and Donohue (by Departmental request):

An Act relating to flood control.

Referred to Committee on Natural Resources.

**Senate Bill No. 407**, by Senators Greive and Herr:

An Act relating to education; authorizing and directing the establishment of an additional community college; and adding new sections to chapter 198, Laws of 1961 and to chapter 28.84 RCW.

Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 408**, by Senators Riley, Connor and Thompson, Jr.:

An Act relating to intoxicating liquor; amending section 5, chapter 67, Laws of 1949, as amended by section 8, chapter 111, Laws of 1959, and RCW 66.20.200; and providing penalties.

Referred to Committee on Liquor Control.

**Senate Bill No. 409**, by Senators Talley and McCutcheon:

Referring the question of abolishment of capital punishment to the people. Referred to Judiciary Committee.

#### MOTIONS

On motion of Senator Guess, the use of the Senate Chamber was extended to the Senate Pages to hold a Mock Session on Wednesday, February 24, 1965, at 8:00 p.m.

At 10:45 a.m., on motion of Senator Greive, the Senate recessed until 12:45 p.m.

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#### AFTERNOON SESSION

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The President called the Senate to order at 12:45 p.m.

The Secretary called the roll and announced to the President that all Senators were present.



## SECOND READING OF BILLS

**Senate Bill No. 122**, by Senators Woodall, Dore, Bailey, Atwood, Petrich and Neill (by Legislative Council request):

Enacting the Uniform Commercial Code.

On motion of Senator Bailey, Senate Bill No. 122 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 152**, by Senators McCormack, Washington and Riley:

Authorizing port district acquisition and operation of certain park and recreational facilities.

The bill was read the second time by sections.

Senator Greive moved that the committee amendments previously adopted be stricken.

Debate ensued.

On motion of Senator Greive, Senate Bill No. 152 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 264**, by Senators Charette, Thompson, Jr. and Peterson (Ted) (by Departmental request):

Authorizing the director of fisheries to sell food fish or shellfish caught or taken during test fishing operation.

## REPORT OF STANDING COMMITTEE

**Senate Bill No. 264:**

Senate Chamber,  
Olympia, Wash., February 8, 1965.

Authorizing the director of fisheries to sell food fish or shellfish caught or taken during test fishing operation (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass with the following amendments

On page 2, section 2, line 6, after "fishing:" and before "PROVIDED" insert "PROVIDED FURTHER, That salmon taken in test fishing operations shall not be sold except during a season open to commercial fishing in the district that test fishing is being conducted."

ROBERT L. CHARETTE, *Chairman.*

We concur in this report: Lowell Peterson, Ted G. Peterson, John A. Petrich, Fred G. Redmon, Gordon Sandison, John H. Stender, Don L. Talley.

The bill was read the second time by sections.

It was moved by Senator Charette that the committee amendment be adopted.

Debate ensued.

## POINT OF INQUIRY

Senator Talley:

"Would Senator Charette yield to a question?"

Senator Charette:

"Yes."

Senator Talley:

"Senator, these salmon can be used and then put on the market, can they not? Or they can be held and put on the market?"

Senator Charette:

"No, they cannot be held and put on the market. I think they are disposed of in the same manner as fish are disposed of now."

Senator Talley:

"How is that?"

Senator Charette:

"At the present time, they are given to institutions and county jails, and such agencies. The reason for this bill is because people in the county jail and other institutions are complaining they are getting too much baked salmon to eat."

POINT OF INQUIRY

Senator Mardesich:

"Would Senator Charette yield to another question?"

"Senator, I take it then if the Department wishes to conduct test fishing during a time when the season is closed, and I can see this would be logically a time to conduct test fishing, at least that's the way it is done wherever I have operated, then if fish are taken by the Department, can you tell me, if the counties don't want fish any more, if they are getting too much fish, does this bill prohibit the sale of them? What are they going to do? Discard them?"

Senator Charette:

"I'm sure the county will take care of them as long as they don't get an excessive amount, Senator Mardesich. We try to help those in the fishing industry by eating as much as we can."

Debate ensued.

The motion was carried and the committee amendment was adopted.

Senator Charette moved the adoption of the following amendment:

On page 2, section 2, line 4, after "*account*" strike all the material down to and including "*appropriation*" on line 5 and insert "*known as receipts in excess of budget estimates, to be allotted by the governor, upon the request of the Director of Fisheries.*"

Debate ensued.

POINT OF INQUIRY

Senator Kupka:

"Would Senator Charette yield?"

"Senator, while I hadn't paid too much attention to this particular issue prior to just now when you mentioned that we are going to create another fund, how many pounds of fish are involved in this? How much game food is going to the departments and institutions, like the jails and hospitals and wherever else they might be using this fish?"

Senator Charette:

"I don't know."

Further debate ensued.

The motion was carried and the amendment was adopted.

Senator Woodall moved the adoption of the following amendment:

On page 1, section 1, line 13, after "*studies*" and before the period, add the following: "*any fish left over may be sent collect to Marlon Brando*".

Debate ensued.

The motion was lost and the amendment was not adopted.

Senator Lennart moved the adoption of the following amendments:

On page 1, section 2, line 21, after [and], strike all underlined material beginning with "except" through "*studies*."

On page 2, section 2, line 1, after "fund:" strike all underlined material beginning with "PROVIDED" through "*fishing*." on line 6.

After "PROVIDED" on line 6, strike "FURTHER".

Debate ensued.

The motion was lost and the amendments were not adopted.

Senate Bill No. 264 was ordered engrossed and passed to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 184**, by Senators Sandison, Bailey and Chytil (by Departmental request):

Permitting supervisor of natural resources to designate open areas during normal closed forest season.

On motion of Senator Woodall, Senate Bill No. 184 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 182**, by Senators Knoblauch, Atwood and Talley:

Permitting storm sewers to be financed on a revenue basis.

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

**Senate Bill No. 274**, by Senators Washington, Raugust and McCormack (by Highway Interim Committee request):

Providing for the sale of bonds by the state to finance certain arterial and farm to market roads.

On motion of Senator Riley, Senate Bill No. 274 was ordered to retain its place on the second reading calendar for tomorrow.

#### MOTION

At 1:40 p.m., on motion of Senator Greive, the Senate adjourned until 10:30 a.m., Wednesday, February 17, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## THIRTY-EIGHTH DAY

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### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, February 17, 1965.

The Senate was called to order at 10:30 a.m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Lloyd Baker, Color Bearer, and Teresa Hallauer, presented the Colors.

Doctor Henry S. Rahn, pastor of the First Baptist Church of Olympia, offered prayer as follows:

"Eternal God our Father, Maker of heaven and earth, Thou Who art incomprehensibly great, art approachable by the contrite in heart.

"Steep us all the day long in the quiet strength of Thy presence, that we may know Thee better, love Thee fervently, serve Thee effectively.

"Reclothe us today in Thy wisdom and strength that some quality of Thy life may more clearly appear in us.

"Bless our country as the stronghold of goodwill and advocate of peace in the councils of the nations.

"Bless these leaders in our state government as they endeavor to lead us. In our Master's Name. Amen."

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

The Secretary read:

**SENATE RESOLUTION**

No. 1965-24

By Senators Charette, Mardesich, Atwood and Ted Peterson:

WHEREAS, In the words of the late Cordell Hull, issued in 1937, when he was Secretary of State:

"Large bodies of American citizens are of the opinion that the salmon runs of Bristol Bay and elsewhere in Alaskan waters are an American resource; that the salmon fisheries relate to and are linked with the American continent, particularly the Northwest area; and that, for all practical purposes, the salmon industry is in fact a part of the economic life of the Pacific Northwest Coast. The fact that salmon taken from waters off the Alaskan Coast are spawned and hatched in American inland waters, and when intercepted are returning to American waters, adds further to the conviction that there is in these waters a special and unmistakable American interest;" and

WHEREAS, The North American salmon would cease to exist were it not for the continuing restrictions of United States and Canadian conservation policies; and

WHEREAS, The North Pacific salmon fisheries have a special importance to our coastal communities as a source of livelihood, and to the nation as a food and industrial resource; and

WHEREAS, It is vital to maintain these fisheries on a sustained yield basis; and

WHEREAS, Widespread Japanese fishing for salmon, using highly efficient new methods and techniques, seriously threatens the North American salmon fisheries with depletion if not destruction; and

WHEREAS, The 1953 North Pacific Fisheries Treaty entered into between the United States, Canada and Japan is now in process of re-negotiations; and

WHEREAS, Present Japanese fishing policies urgently require establishment of additional controls west of the present treaty line;

Now, Therefore, Be It Resolved, By the Senate of the state of Washington, that we do respectfully petition the Congress of the United States to consider with the greatest care the value of our salmon fisheries to Alaska, to the Pacific Northwest, and to the nation as a whole, and to take all appropriate action necessary to preserve this industry by insisting upon language in the revised treaty that will furnish adequate protection for it.

Be It Further Resolved, That copies of this resolution be sent to the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate and Speaker of the House of Representatives, to each member of Congress from the state of Washington, and to the Secretary of the Department of the Interior.

On motion of Senator Charette, the resolution was adopted.

**MOTIONS**

On motion of Senator McCormack, the Committee on Education was relieved of further consideration of Senate Bill No. 351.

On motion of Senator McCormack, Senate Bill No. 351 was referred to the Committee on Ways and Means.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 264 have inspected same, and find it correctly engrossed.

FRANK W. FOLEY, *Chairman.*

We concur in this report: Fred H. Dore, Michael J. Gallagher, Perry B. Woodall.

**GUBERNATORIAL APPOINTMENT**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Appointment of George Stasny, to the position of Budget Director of Central Budget Agency, appointed February 10, 1965, succeeding Warren A. Bishop (reported by Committee on Ways and Means):

MAJORITY recommends that said appointment be confirmed.

FRANK W. FOLEY, *Chairman*,  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue & Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, Jack England, Michael J. Gallagher, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, Ernest W. Lennart, Mike McCormack, David E. McMillan, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams, Perry B. Woodall.

Referred to the Committee on Rules and Joint Rules.

**Senate Bill No. 50:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Establishing a law enforcement officers' training commission (reported by Committee on Rules and Joint Rules):

MAJORITY recommends that it be referred to Committee on Ways and Means.

JOHN A. CHERBERG, *Chairman*.

We concur in this report: John L. Cooney, David C. Cowen, Michael J. Gallagher, Wilbur G. Hallauer, H. B. Hanna, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, W. C. Raugust, Edward F. Riley, Perry B. Woodall.

On motion of Senator Riley, the committee report was adopted and Senate Bill No. 50 was referred to the Committee on Ways and Means.

**Senate Bill No. 56:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Authorizing bail by court officials other than judges (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, William A. Gissberg, H. B. Hanna, Karl Herrmann, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 155:**

Senate Chamber,  
Olympia, Wash., February 15, 1965.

Preventing theft and destruction of initiative and referendum petitions (reported by Committee on State Government and Veterans' Affairs):

Recommends that it do pass and be referred to Judiciary Committee.

AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

On motion of Senator Woodall, the committee report was adopted and Senate Bill No. 155 was referred to the Judiciary Committee.

**Senate Bill No. 194:**

Senate Chamber,  
Olympia, Wash., February 15, 1965.

Authorizing special conferences and interim study committees of courts of limited jurisdiction (reported by Committee on State Government and Veterans' Affairs):  
Recommends that it do pass and be referred to Judiciary Committee.

AL HENRY, *Chairman.*

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

On motion of Senator Woodall, the committee report was adopted and Senate Bill No. 194 was referred to the Judiciary Committee.

**Senate Bill No. 327:**

Senate Chamber,  
Olympia, Wash., February 15, 1965.

Authorizing departments of state government to procure life insurance for certain employees while passengers on non-scheduled flights (reported by Committee on State Government and Veterans' Affairs):

Recommends that it do pass.

AL HENRY, *Chairman.*

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 330:**

Senate Chamber,  
Olympia, Wash., February 15, 1965.

Requiring selection of state patrol chief from officers holding rank of lieutenant or above for at least three years (reported by Committee on State Government and Veterans' Affairs):

Recommends that it do pass.

AL HENRY, *Chairman.*

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 348:**

Senate Chamber,  
Olympia, Wash., February 15, 1965.

Authorizing sale of Chewelah armory (reported by Committee on State Government and Veterans' Affairs):

Recommends that it do pass.

AL HENRY, *Chairman.*

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 367:**

Senate Chamber,  
Olympia, Wash., February 15, 1965.

Authorizing sale of Prosser armory (reported by Committee on State Government and Veterans' Affairs):

Recommends that it do pass.

AL HENRY, *Chairman.*

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 391:**

Senate Chamber,

Olympia, Wash., February 16, 1965.

Prohibiting sale of intoxicating liquor on grounds of University of Washington (reported by Committee on Liquor Control):

MAJORITY recommends that it do pass.

FRANK CONNOR, *Chairman*.

We concur in this report: Harry B. Lewis, Edward F. Riley, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Memorial No. 9:**

Senate Chamber,

Olympia, Wash., February 15, 1965.

Memorializing Congress to authorize increased capacity flood water detention structures (reported by Committee on Natural Resources):

MAJORITY recommends that it do pass as amended.

LOWELL PETERSON, *Chairman*.

We concur in this report: Joe Chytil, William A. Gissberg, Wilbur G. Hallauer, Gordon Herr, Mike McCormack, August P. Mardesich, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**INTRODUCTION AND FIRST READING OF BILLS AND RESOLUTION**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 410**, by Senators Gissberg, Hallauer and Chytil:

An Act relating to public lands; establishing rules and regulations for the sale, processing, and transportation of timber located thereon; amending section 33, chapter 255, Laws of 1927, as last amended by section 1, chapter 73, Laws of 1961, and RCW 79.01.132; amending section 51, chapter 255, Laws of 1927, as last amended by section 4, chapter 73, Laws of 1961, and RCW 79.01.204; providing penalties; declaring an emergency; and specifying contingencies upon the occurrence of which certain sections shall take effect.

Referred to Committee on Natural Resources.

**Senate Bill No. 411**, by Senators Raugust, Riley and McMillan:

An Act relating to taxation; providing that all property be assessed at twenty-five percent of value if a constitutional amendment is adopted fixing the level of assessment thereat; permitting certain reassessments without personal inspection of property; adding six new sections to chapter 15, Laws of 1961 and to chapter 84.40 RCW; prescribing penalties; and setting an effective date.

Referred to Committee on Ways and Means.

**Senate Bill No. 412**, by Senators Thompson, Jr., and Morgan (by Executive request):

An Act relating to intoxicating liquor; regulating the employment and activities of salesmen, representatives, and agents of manufacturers, wholesalers, and suppliers of liquor; and adding eight new sections to chapter 62, Laws of 1933, extraordinary session, and to chapter 66.28 RCW.

Referred to Committee on Liquor Control.

**Senate Bill No. 413**, by Senators Petrich and Freise:

An Act relating to presentence hearings and sentencing in criminal cases where the jury may impose the death penalty.

Referred to Judiciary Committee.

**Senate Bill No. 414**, by Senators Donohue and Raugust (by Highway Interim Committee request):

An Act relating to county roads; and amending section 46.68.120, chapter 12, Laws of 1961 and RCW 46.68.120.

Referred to Committee on Highways.

**Senate Bill No. 415**, by Senators Donohue, Talley and Raugust (by Highway Interim Committee request):

An Act relating to city streets; and amending section 46.68.110, chapter 12, Laws of 1961 as amended by section 7, chapter 7, Laws of 1961 extraordinary session and RCW 46.68.120.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 416**, by Senators Hanna, Lewis, Hallauer and Herr:

An Act relating to state government; authorizing, regulating and controlling the construction, improvement, acquisition and use and rental of parking facilities for the capitol grounds; and amending section 1, chapter 293, Laws of 1955 and RCW 79.24.300.

Referred to Committee on Parks, Capitol Grounds and Public Buildings.

**Senate Bill No. 417**, by Senators Hanna, Ryder and Talley:

An Act relating to financing by and bonds, obligations, refunding bonds, and refunding obligations of the state, its agencies, institutions, political subdivisions, and municipal and quasi municipal corporations; and declaring an emergency.

Referred to Committee on Banks, Financial Institutions and Insurance.

**Senate Bill No. 418**, by Senator Morgan:

An Act relating to elections; and providing penalties.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 419**, by Senator Talley:

An Act relating to vehicles; providing for the regulation and licensing thereof and of persons in relation thereto; and amending section 46.44.092, chapter 12, Laws of 1961 as amended by section 54, chapter 3, Laws of 1963 extraordinary session, and RCW 46.44.092.

Referred to Committee on Highways.

**Senate Bill No. 420**, by Senators Rasmussen, Bailey, Lewis and Talley:

An Act for the relief of Robert H. Bond; and making an appropriation.

Referred to Committee on Ways and Means.

**Senate Bill No. 421**, by Senators Petrich, Freise and Williams:

An Act relating to industrial insurance; amending section 51.52.120, chapter 23, Laws of 1961 and RCW 51.52.120; and amending section 51.52.132, chapter 23, Laws of 1961 and RCW 51.52.132; and providing penalties.

Referred to Judiciary Committee.

**Senate Joint Resolution No. 23**, by Senators Lennart, Riley and McMillan:

Amending Constitution to set assessed values at twenty-five percent of true and fair value.

Referred to Committee on Ways and Means.



**SECOND READING OF BILLS**

**Senate Bill No. 122**, by Senators Woodall, Dore, Bailey, Atwood, Petrich and Neill (by Legislative Council request):

Enacting the Uniform Commercial Code.

The bill was read the second time by sections.

The President called upon Senator Cowen to preside.

On motion of Senator Petrich, the following amendments were adopted:

On page 202, section 9-208, line 10, after "or" and before the period insert ", or any other person whom he designates in writing to the secured party"

On page 202, section 9-208, line 19, after "debtor" and before "there-" insert "or such other person as the debtor has designated as the recipient of such information"

On page 202, section 9-208, line 27, after "debtor" and before "as" insert "or designated recipient of the information".

It was moved by Senator Herrmann that the following amendment be adopted:

On page 39, section 2-403, line 19, strike all of paragraph (2) and (3) from lines 19 through 27 inclusive and renumber paragraph (4) on line 28 as paragraph (2).

Debate ensued.

It was moved by Senator Charette that the amendment by Senator Herrmann be laid upon the table.

The motion was carried on a rising vote and the amendment was laid upon the table.

**POINT OF INQUIRY**

Senator Rasmussen:

"Will Senator Petrich yield to a question?"

Senator Petrich:

"I yield."

Senator Rasmussen:

"Senator Petrich, I have had many letters from the Credit Association. Is the amendment that they asked for in the bill now, or is there a proposed amendment?"

"My second question, Senator Petrich, is this: I wonder if the Uniform Code that has been adopted in other states has been adopted en toto, without any change?"

Senator Petrich:

"Senator, in answer to your first question, some of the amendments proposed by the Credit Association were adopted as committee amendments, which were adopted on Friday, I think, which dealt with the question of disclosure of various information in the secured instrument. However, not all of the amendments suggested by the Credit Association were adopted by the committee. It was felt that the amendments did not all merit support at that time.

"In answer to your second question as to uniformity, I think there are some variations in most of the states. I don't claim that this particular bill is identical in each and every state which has adopted it, but they are essentially uniform, although not uniform in every particular."

**POINT OF INQUIRY**

Senator Stender:

"I'd like to ask Senator Petrich a question. I guess we're all questioning him as the sponsor of the bill. I wonder if he would yield as a sponsor of the bill."

Senator Petrich:

"Certainly."

Senator Stender:

"In this bill I was advised there was a provision, under a conditional sales contract, that if the purchaser was not able to fulfill his contract and the automobile was

repossessed and sold at whatever price they decided upon, they would then garnishee the man's wages for the deficiency, is that correct?"

Senator Petrich:

"Senator Stender, two years ago that matter was taken care of and is incorporated in this particular bill by House amendment which eliminated deficiency judgments under private sale."

Senate Bill No. 122 was ordered engrossed and referred to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 152**, by Senators McCormack, Washington and Riley:  
Authorizing port district acquisition and operation of certain park and recreational facilities.

The bill was read the second time by sections.

It was moved by Senator Greive that the following amendment be adopted:

In section 1, line 12, after "law" and before the period, insert "pursuant to the port's comprehensive plan of harbor improvements and industrial development".

Debate ensued.

The motion was carried and the amendment was adopted.

Senate Bill No. 152 was ordered engrossed and referred to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 184**, by Senators Sandison, Bailey and Chytil (by Departmental request):

Permitting supervisor of natural resources to designate open areas during normal closed forest season.

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

**Senate Bill No. 274**, by Senators Washington, Raugust and McCormack (by Highway Interim Committee request):

Providing for the sale of bonds by the state to finance certain arterial and farm to market roads.

On motion of Senator Riley, Senate Bill No. 274 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 44**, by Senator Freise:

Changing requirements for posting of probate notices.

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

**Senate Bill No. 163**, by Senators Cooney and McMillan:

Designating "Lake Spokane."

The bill was read the second time by sections.

Senator Talley moved the adoption of the following amendment:

On page 1, sec. 2, line 14, strike the word "Spokane" and insert the word "Cowan".

On motion of Senator McMillan, the amendment was laid upon the table.

Senate Bill No. 163 was passed to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 101**, by Senators Lewis and McMillan:

Establishing state employees' suggestion awards.

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

**Senate Bill No. 73**, by Senators Gallagher, Freise and Durkan:  
Eliminating county auditor's liability for damage caused by misspelled words or incorrect names.

**REPORT OF STANDING COMMITTEE**

**Senate Bill No. 73:**

Senate Chamber,  
Olympia, Wash., February 12, 1965.

Eliminating county auditor's liability for damage caused by misspelled words or incorrect names (reported by Judiciary Committee):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 1 line 22, after "names" and before "printed" insert "hand printed."

On page 2, sec. 2, line 5, after "shall be" and before "printed" insert "hand printed,"

On page 2, sec. 2, line 7, after "the" and before "printed" insert "hand printed,".

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Marshall A. Neill, Nat Washington.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendments were adopted.

Senate Bill No. 73 was ordered engrossed and referred to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 67**, by Senators Guess, McMillan and Herr:

Establishing safety standards for underground construction workers.

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

**Senate Bill No. 149**, by Senators Freise, Petrich, Moriarty, Jr. and Dore (by Departmental request):

Permitting director of licenses to administer the receipt of fees.

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

**MOTION**

At 11:30 a.m., on motion of Senator Greive, the Senate adjourned until 10:30 a.m., Thursday, February 18, 1965.

JOHN A. CHERBERG, *President of the Senate*

WARD BOWDEN, *Secretary of the Senate*

## THIRTY-NINTH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Thursday, February 18, 1965.

The Senate was called to order at 10:30 a.m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Eric Freise, Color Bearer, and Ramona Conley, presented the Colors.

Doctor Henry S. Rahn, pastor of the First Baptist Church of Olympia, offered prayer as follows:

"We thank Thee, O God for valiant souls of all the ages who, seeing a vision of Thy truth and holiness, have stood steadfast for Thee, and have proclaimed Thy righteous judgments against the evils of their time.

"By their resolute effort has Thy kingdom been brought nearer. Give us in our time and for this day, wisdom to discern what to do, courage to speak and to act with conviction.

"Keep curiosity in our minds, wonder in our hearts, that we may fashion something good out of the materials of this day. In our Master's Name. Amen."

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

### MOTION

It was moved by Senator Rasmussen that the President of the Senate appoint a committee, none of whom are participants in the "Greive Fund," to investigate the operation of the "Greive Fund" in the Washington State Senate.

Debate ensued.

The motion was lost.

The Secretary read:

### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., February 17, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 73; also

Senate Bill No. 122; also

Senate Bill No. 152 have inspected same, and find them correctly engrossed.

....., *Chairman.*

We concur in this report: Michael J. Gallagher, Marshall A. Neill, John A. Petrich.

**Senate Bill No. 78:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Providing the number of voters necessary for an election to authorize an excess levy for fire protection districts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended. DON L. TALLEY, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Sam C. Guess, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 93:**

Senate Chamber,  
Olympia, Wash., February 17, 1965.

Regulating charitable solicitations (reported by Judiciary Committee):

MAJORITY recommends that Substitute Senate Bill No. 93 be substituted therefor and that substitute bill do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 135:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Allowing teachers duty-free lunch periods (reported by Committee on Education):

MAJORITY recommends that it do pass as amended. MIKE McCORMACK, *Chairman*.

We concur in this report: Robert L. Charette, Herbert H. Freise, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, John H. Stender, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 181:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Clarifying financing procedures for off-street parking in cities and towns (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Frank Connor, Dewey C. Donohue, Sam C. Guess, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 211:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Proposing additional security devices for public hospital contracts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Sam C. Guess, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 213:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Requiring bid deposits for contracts entered into with county (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Sam C. Guess, Al Henry, George W. Kupka,

Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 219:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Requiring bid proposal deposits when contracting with cities (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Sam C. Guess, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 240:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Authorizing townships to own and operate cemeteries jointly (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 241:**

Senate Chamber,  
Olympia, Wash., February 17, 1965.

Providing for disposition of licensing fees of engineers and land surveyors (reported by Committee on Commerce, Manufacturing and Licenses):

MAJORITY recommends that it do pass as amended. GEORGE W. KUPKA, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, David C. Cowen, Michael J. Gallagher, Sam C. Guess, Reuben A. Knoblauch, Harry B. Lewis, Ted G. Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 261:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Authorizing any board of directors of a school district to be known and referred to as the school district board of education (reported by Committee on Education):

MAJORITY recommends that it do pass. MIKE McCORMACK, *Chairman*.

We concur in this report: Fred H. Dore, Herbert H. Freise, Reuben A. Knoblauch, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, John H. Stender, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

**Senate Bill No. 261:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Authorizing any board of directors of a school district to be known and referred to as the school district board of education (reported by Committee on Education):

MINORITY recommends that it do not pass. ...., *Chairman*.

We concur in this report: Robert L. Charette, John T. McCutcheon, David E. McMillan.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 280:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Increasing the maximum area of municipal corporation having more than fifteen hundred population to four miles (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Sam C. Guess, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 282:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Authorizing noncertificated school employee vacations (reported by Committee on Education):

MAJORITY recommends that it do pass as amended.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert L. Charette, Fred H. Dore, Herbert H. Freise, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, John H. Stender, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 295:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Permitting certain cities and towns to operate dock facilities (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 301:**

Senate Chamber,  
Olympia, Wash., February 17, 1965.

Providing a procedure for the cancellation of the registration of voters who do not reside at their registration address (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass.

JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: Dewey C. Donohue, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, Gordon Herr, Ernest W. Lennart, David E. McMillan, Frances Haddon Morgan, W. C. Raugust, Fred G. Redmon, John H. Stender, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 310:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Prescribing procedural matters concerning hospital districts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Sam C. Guess, Al Henry, George W. Kupka,

Frances Haddon Morgan, Ted G. Peterson, W. C. Raugust, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 343:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Extending permissible days of nursing home services for certain recipients of federal aid assistance (reported by Committee on Labor and Social Security):

Recommends that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, John T. McCutcheon, Sam C. Guess, George W. Kupka, August P. Mardesich, John H. Stender, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 344:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Changing definition of resources for public assistance purposes; changing method of appropriating funds for old age assistance (reported by Committee on Labor and Social Security):

Recommends that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, John T. McCutcheon, Sam C. Guess, George W. Kupka, August P. Mardesich, John H. Stender, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 345:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Increasing volunteer firemen's death and disability benefits and employers contributions thereto (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended.

DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 350:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Permitting towns to sell waterfront created by dams (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 364:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Removing residence requirement for applicant for aid to the blind (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass.

A. L. RASMUSSEN, *Chairman*.



We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, John T. McCutcheon, George W. Kupka, August P. Mardesich, John H. Stender, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Resolution No. 2:**

Senate Chamber,  
Olympia, Wash., February 17, 1965.

Proposing constitutional amendment changing residence qualifications for voting to six months in state, thirty days in county, city, town, ward, or precinct (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends it do pass.

JOHN T. MCCUTCHEON, *Chairman.*

We concur in this report: Dewey C. Donohue, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, Gordon Herr, Ernest W. Lennart, David E. McMillan, Frances Haddon Morgan, W. C. Raugust, Fred G. Redmon, John H. Stender, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

Office of the Governor,  
Olympia Wash., February 11, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to submit the following appointment to the position of Director of the Central Budget Agency, subject to your confirmation:

George Stastny, appointed February 10, 1965, succeeding Warren A. Bishop.

Very truly yours,

DANIEL J. EVANS, *Governor.*

**REPORT OF STANDING COMMITTEE**

**GUBERNATORIAL APPOINTMENT**

Olympia, Washington, February 16, 1965.

Appointment of: George Stastny, to the position of Budget Director of Central Budget Agency, appointed February 10, 1965, succeeding Warren A. Bishop (reported by Committee on Ways and Means):

MAJORITY recommends that said appointment be confirmed.

FRANK W. FOLEY, *Chairman.*

FRED H. DORE, *Chairman,*

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*

Committee on Revenue & Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, Dr. David C. Cowen, Dewey C. Donohue, Jack England, Michael J. Gallagher, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, Ernest W. Lennart, Mike McCormack, David E. McMillan, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams, Perry B. Woodall.

**CONFIRMATION OF GUBERNATORIAL APPOINTMENT**

It was moved by Senator Moriarty, Jr. that the rules be suspended and the appointment of George Stastny to the position of Director of the Central Budget Agency be now confirmed by the Senate.

**PERSONAL PRIVILEGE**

Senator Moriarty, Jr.:

"Mr. President, members of the Senate:

"It is with a great deal of pleasure and with a sense of considerable honor bestowed on me that I request your affirmative action on this appointment by the Governor. I cannot tell you I know Mr. Stastny well and personally. I have, however, had an opportunity to discuss his background, his affiliations, and his abilities with him and with several other people interested in the appointment during the past several days.

"Mr. Stastny comes to us from the state of Illinois where he has had a political background, an economic background and an accounting background. He comes with the highest recommendations. I sincerely urge your favorable action on this appointment."

Senator Foley:

"Mr. President, members of the Senate:

"Mr. Stastny appeared before the Senate Ways and Means Committee for approximately forty-five minutes, stating his qualifications for this job. As chairman of this particular committee, an independent investigation of sorts was made. A call was made pertaining to Mr. Stastny to the office of Governor Kerner of Illinois, and the Governor of Illinois, through his office, said that he had previously congratulated Mr. Stastny upon his appointment as Budget Director of the state of Washington and was pleased to send a copy of the letter to me that he had sent to Mr. Stastny. This was the investigation that we made over and above the appearance of Mr. Stastny before the Senate Ways and Means Committee. I might read from the letter from Governor Kerner. He says:

"We are certainly aware of your great adeptness and interest in the field of finance and budget examination through your experience in the state of Illinois. I am sure you will use these same fine abilities for the citizens and the Governor of the state of Washington."

**APPOINTMENT OF GEORGE STASTNY**

The Secretary called the roll and the appointment of George Stastny to the position of Director of the Central Budget Agency was confirmed by the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Absent or not voting: Senator Gissberg—1.

Having received the approval of the Senate, the appointment of George Stastny to the position of Director of the Central Budget Agency was confirmed.

**PERSONAL PRIVILEGE**

Senator Gissberg:

"Mr. President, point of personal privilege:

"I was called to the telephone and was not on the Senate floor when the confirmation of George Stastny was before the Senate. Had I been here during the roll call, I would have voted for his confirmation."

**INTRODUCTION AND FIRST READING OF BILLS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 422**, by Senators Mardesich, Charette and Durkan:

An Act relating to industrial insurance; and amending section 51.32.080, chapter 23, Laws of 1961 as amended by section 3, chapter 274, Laws of 1961 and RCW 51.32.080.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 423**, by Senators Gissberg and Mardesich:

An Act relating to divorce; and amending section 2, chapter 215, Laws of 1949 and RCW 26.08.020.

Referred to Judiciary Committee.

**Senate Bill No. 424**, by Senators Lennart, Henry and Talley:

An Act relating to cities and towns; limiting tort liability thereof; creating a committee to study municipal tort liability; and amending section 1, chapter 136, Laws of 1961, as amended by section 2, chapter 159, Laws of 1963 and RCW 4.92.090.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 425**, by Senators Riley, Morgan and Herr:

An Act relating to sewer districts; eliminating requirement that district comprehensive plan including portion or all of city or town must be submitted thereto for approval; and amending section 11, chapter 210, Laws of 1941 as last amended by section 2, chapter 103, Laws of 1959 and RCW 56.08.020.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 426**, by Senators Talley, Foley and Charette:

An Act relating to public lands; and adding a new section to chapter 79.01 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 427**, by Senators Durkan and Lennart:

An Act relating to civil service for state employees; and adding a new section to chapter 1, Laws of 1961 and to chapter 41.06 RCW.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 428**, by Senators Riley, Guess, Chytil and Woodall:

An Act relating to loyalty affidavits; amending section 29.18.030, chapter ....., Laws of 1965 (Senate Bill No. 5) and RCW 29.18.030; repealing chapter 103, Laws of 1931 and RCW 28.70.150, 28.70.151, 28.70.152, 28.70.153, and 28.70.154; and repealing sections 11, 12, 13, 15, 16 and 17 chapter 254, Laws of 1951, sections 1, 2, and 3 chapter 377, Laws of 1955 and RCW 9.81.060, 9.81.070, 9.81.080, 9.81.082, 9.81.090, 9.81.100 and RCW 9.81.110.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 429**, by Senators Talley and Morgan:

An Act relating to establishment of new sewer districts; amending section 1, chapter 210, Laws of 1941 as last amended by section 1, chapter 140, Laws of 1945 and RCW 56.04.020.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 430**, by Senators Talley and Thompson, Jr.:

An Act relating to establishment of new water districts; amending section 1, chapter 114, Laws of 1929 and RCW 57.04.020.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 431**, by Senators Peterson (Ted) and Williams:

An Act relating to sewer districts; permitting the correction of clerical errors in assessment rolls; and amending section 33, chapter 210, Laws of 1941 and RCW 56.20.070.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 432**, by Senators Peterson (Ted) and Williams:

An Act relating to water districts; permitting the correction of clerical errors in assessment rolls; and amending section 14, chapter 114, Laws of 1929 and RCW 57.16.100.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 433**, by Senators Kupka, England and Gallagher:

An Act relating to landscape architects; and prescribing penalties.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 434**, by Senators Neill and Greive:

An Act relating to the legislature; providing for the redistricting and reapportionment thereof; repealing chapter 5, Laws of 1957, chapter 289, Laws of 1957 and chapter 44.06 RCW; and declaring an emergency.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 435**, by Senator Cooney:

An Act relating to counties; authorizing the issuance of revenue bonds; prescribing purposes for which bonds may be issued and sold; prescribing the terms, forms, terms of sale and payment; and adding new sections to chapter 4, Laws of 1963 and to chapter 36.67 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 436**, by Senator Bailey:

An Act relating to legislative interim committees; and to the order of priority of business thereof.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 437**, by Senators Petrich and Dore:

An Act relating to reciprocal insurers; and amending section .10.08, chapter 79, Laws of 1947 and RCW 48.10.080.

Referred to Judiciary Committee.

**Senate Bill No. 438**, by Senators Washington and Guess:

An Act relating to highways and the operation of vehicles thereon; describing powers and duties of the Washington state highway commission, the Washington state toll bridge authority, the license department, and the interim committee on highways, streets and bridges; establishing and designating certain highways; providing for surveys and studies of proposed highway additions and proposed toll facilities; prescribing fees, size, weight, load permits and equipment restrictions for certain motor vehicles; providing penalties; making appropriations; providing effective dates; and declaring an emergency.

Referred to Committee on Highways.

#### SECOND READING OF BILLS

**Senate Bill No. 274**, by Senators Washington, Raugust and McCormack (by Highway Interim Committee request):

Providing for the sale of bonds by the state to finance certain arterial and farm to market roads.

The bill was read the second time by sections.

On motion of Senator Riley, the following amendment was adopted:

On page 3, section 6, line 3, after "bonds" and before the period insert ", in which expense shall be included the sum of one-eighth of one percent of the amount of the issue to cover the cost of servicing said issue, such sum to be deposited in the general fund".

Senate Bill No. 274 was ordered engrossed and passed to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 61**, by Senators Atwood, Gissberg and Woodall:

Providing for reasonable attorney's fees and assumption of appeal costs for indigents accused of crime.

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

**Senate Bill No. 330**, by Senators Woodall, Neill and Greive:

Requiring selection of state patrol chief from officers holding rank of lieutenant or above for at least three years.

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

**Senate Bill No. 348**, by Senators McMillan, Cooney and Donohue:

Authorizing sale of Chewelah Armory.

On motion of Senator Neill, the following amendments by Senators Neill and McCormack were adopted:

Beginning on page 1, line 27, strike all of sections 2 and 3 and substitute the following:

*NEW SECTION.* Sec. 2. The state military department is authorized to sell the present state armory, land and building, in the City of Prosser legally described as Lots 12, 13 and 14 of block 85 of Prosser, according to the recorded plat thereof, situate in Lot 7 of section 2, township 8 north, range 24 east W.M., according to the United States Government survey, which sale shall be by and under the direction of the adjutant general in accordance with the procedures provided by law.

After complying with the provisions of section 4 of this act, the consideration received from the sale authorized in section 2 hereof shall be deposited to the account of the general fund in the state treasury and to be set aside and utilized for the purchase of real property for the use of the military department of the State of Washington.

*NEW SECTION.* Sec. 3. The disposition of the present armory in each case shall in all respects be subject to the approval of the governor.

*NEW SECTION.* Sec. 4. The state military department is further authorized to negotiate with the federal government for the purpose of arriving at a mutually agreed price for the federal investment in the buildings presently existing on the armory sites. Following the sale of the sites, the state military department shall pay over to the federal government, from the funds received, an amount equal to the mutually agreed price.

*NEW SECTION.* Sec. 5. Before any sale under the provisions of this act shall be made the property shall be appraised by two independent competent real estate appraisers. Any sale pursuant to the provisions of this act shall be made to the best bidder for a price not less than the appraised value of said property and pursuant to a call for bids published at least 15 days prior to the date fixed for the sale in one issue of a newspaper printed and published in the county in which the armory is located."

In line 2 of the title after "Armory" and before the period, insert "and the Prosser Armory".

Senate Bill No. 348 was ordered engrossed and passed to the Committee on Rules and Joint Rules for third reading.

**Senate Joint Memorial No. 9**, by Senators Bailey, Donohue and Lennart (by Departmental request):

Memorializing Congress to authorize increased capacity flood water detention structures.

**REPORT OF STANDING COMMITTEE**

**Senate Joint Memorial No. 9:**

Senate Chamber,  
Olympia, Wash., February 15, 1965.

Memorializing Congress to authorize increased capacity flood water detention structures (reported by Committee on Natural Resources):

MAJORITY recommends that it do pass with the following amendment:

On page 2, line 25, after "United" and before "Senate" strike "State" and insert "States"

LOWELL PETERSON, *Chairman.*

We concur in this report: Joe Chytil, William A. Gissberg, Wilbur G. Hallauer, Gordon Herr, Mike McCormack, August P. Mardesich, Fred G. Redmon, Gordon Sandison.

The memorial was read the second time by sections.

On motion of Senator Bailey, the committee amendment was adopted.

On motion of Senator Bailey, the rules were suspended, Engrossed Senate Joint Memorial No. 9 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Joint Memorial No. 9 and the memorial passed the Senate by the following vote: Yeas, 43; nays, 0; absent, 6.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Absent or not voting: Senators Donohue, Henry, Lennart, McCutcheon, Mardesich, Rasmussen—6.

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

**MOTION**

At 11:30 a. m., on motion of Senator Greive, the Senate recessed until 5:00 p. m.

**AFTERNOON SESSION**

The President called the Senate to order at 5:00 p. m.

The President declared the Senate to be at ease.

The President called the Senate to order at 5:05 p. m.

The Secretary called the roll and announced to the President that all Senators were present.

The President declared the Senate to be at ease.  
The President called the Senate to order at 5:40 p. m.

#### MOTION

At 5:40 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Friday, February 19, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## FORTIETH DAY

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### MORNING SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Friday, February 19, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll, and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Deter Elder, Color Bearer, and Kim Aiken, presented the Colors.

Doctor Henry S. Rahn, pastor of the First Baptist Church of Olympia, offered prayer as follows:

"Eternal God our Father, equip us with these gifts for our day's work; faith which will continue on in the face of difficulty; a faith that will not yield to doubt; hope which will still hope on, even in the dark; a hope which will not yield to despair.

"Grant unto us the loyalty which will be true to Thee even when tempted to deny; a loyalty which will not stoop to compromise principles. Arm our wills with Thy strength, and fill our hearts with Thy love, that we may be strong in our obedience and dedicated in our service. This we ask in our Master's Name. Amen."

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., February 18, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred:

Senate Bill No. 274; also

Senate Bill No. 348; also

Senate Joint Memorial No. 9 have inspected same, and find them correctly engrossed.

FRANK W. FOLEY, *Chairman.*

We concur in this report: Martin J. Durkan, Michael J. Gallagher, Marshall A. Neill.

**Senate Bill No. 1:**

Senate Chamber,  
Olympia, Wash., February 18, 1965.

Prescribing a "code of ethics" for public officials and candidates for public office (reported by Judiciary Committee):

MAJORITY recommends that Substitute Senate Bill No. 1 be substituted therefor and that substitute bill do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, Karl Herrmann, John T. McCutcheon, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 205:**

Senate Chamber,  
Olympia, Wash., February 17, 1965.

Increasing maximum allowable unused vacation accrual time for state employees (reported by Committee on State Government and Veterans' Affairs):

Recommends that it do pass.

AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**REPORT OF SPECIAL COMMITTEE**

Senate Chamber,  
Olympia, Wash., February 18, 1965.

*To Secretary of the Senate.*

Herewith transmitted is the report of the Senate Committee on Facilities and Operations as required by Senate Resolution No. 1965-13.

FRED H. DORE, *Chairman*.

MR. PRESIDENT AND MEMBERS OF THE SENATE OF THE THIRTY-NINTH LEGISLATURE:

**REPORT OF SENATE FACILITIES AND OPERATIONS COMMITTEE**

Your Committee, appointed pursuant to Senate Resolution No. 1965-13, hereby makes report as follows:

State Capitol Committee studies indicate the need of a number of state agencies for more building space than existing capitol buildings provide.

New building construction together with some remodeling of existing capitol buildings is required to supply this need and to provide the Legislature with necessary offices, committee rooms, hearing rooms and work rooms now for some in contemplation.

Retirement of outstanding bonds for the construction of existing buildings on the capitol site is expected to be completed within the next thirty or sixty days. Income from capitol grant lands is and will be sufficient to service new construction and remodeling bond indebtedness at the rate of five hundred thousand dollars per annum, which is greatly in excess of normal or anticipated requirements.

On the basis of the foregoing report your Committee recommends that:

1. The Legislature provide for at least one new building on the capitol site and for such remodeling of existing buildings as may be necessary.

2. Inasmuch as such construction and or remodeling will be expected to supply, among others, the needs of the Legislature, the latter should be especially consulted in the planning thereof.

3. That a Concurrent Senate Resolution should be adopted constituting those members appointed under Senate Resolution No. 1965-13 and the like House Resolution a joint interim legislative committee on facilities and operations under the co-chairmanship of the present chairmen of Senate Resolution No. 1965-13 and the like House Resolution, such committee to be authorized, empowered and directed to advise and consult with the State Capitol Committee on the need of the construction and remodeling aforesaid and to give approval to so much of the construction and remodeling as will be designed to provide legislative offices, committee rooms, hearing rooms and work rooms.

Respectfully submitted,

FRED H. DORE, *Chairman*.



We concur in this report: Robert C. Bailey, Joe Chytil, Herbert H. Freise, William A. Gissberg, R. R. Bob Greive, Gordon Herr, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Referred to Committee on Parks, Capitol Grounds and Public Buildings.

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

Executive Department,  
Olympia, Wash., February 18, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I am returning herewith, without my approval, *Senate Bill No. 237* entitled:

"An Act relating to the legislature; providing for the redistricting and reapportionment thereof; repealing Chapter 5, Laws of 1957, Chapter 289, Laws of 1957 and Chapter 44.06 RCW; and declaring an emergency."

This bill obviously does not represent a serious effort on the part of the legislature to solve the difficult problem of redistricting. It seems to have been framed in such a way as to invite gubernatorial veto. Non-contiguous land areas have been included in one district in direct violation of the state Constitution. Many districts have such disproportionate populations that they violate the rule of 'one man, one vote'. One district has been given three representatives instead of two, when other districts have a greater number of inhabitants and therefore are entitled to greater representation. And some portions of the state have been omitted entirely from the plan and other errors in describing districts appear throughout the bill.

The Honorable John T. McCutcheon, chairman of the Senate Committee on Redistricting, has been quoted in the press as stating during the debate on this bill:

'I don't expect we could even carry this bill on this side of the aisle if we didn't know Governor Evans would veto it.'

I would unhesitatingly veto this bill under any circumstances, but it is comforting to know that in this action I am supported by a majority of the legislators.

If we can agree that this is a bad bill, I trust that we can agree on a good one. Toward this end leaders of both parties in the House and Senate have been meeting with me this week in an effort to resolve the differences which have prevented the enactment of a fair, equitable and responsible redistricting law. It is my sincere hope that a redistricting plan acceptable to a majority of the legislature and to this office will be enacted soon.

However, I wish to make a record of some of the specific objections which I have to this bill in the hope that future bills may avoid these pitfalls.

First, I question the propriety of providing district 49 with three representatives, when it appears that its population of 69,593 people is less than the population of at least two other districts, to wit district 37 with 70,935 inhabitants and district 46 with 69,846 inhabitants. In this regard I call the attention of the legislature to the constitutional guidelines for redistricting contained in the attorney general's letter of December 24, 1964 addressed to my administrative assistant, Mr. James Dolliver. In that letter the attorney general said:

"\* \* \* if the legislature determines to retain the present number of senators (forty-nine) and representatives (ninety-nine) and, as well, the present number (forty-nine) of legislative districts, it is evident that *forty-eight* legislative districts will have one senator and two representatives each and the *forty-ninth* district will have one senator and three representatives. The legislative district having this excess number of representatives should properly contain a somewhat higher population than *any* of the other districts. Using the figures set forth above, we have suggested that this "three representative" district might contain something in the neighborhood of *seventy-five thousand to eighty thousand inhabitants.*"

Second, I object strongly to dividing any county into an unnecessary number of districts. Senate Bill No. 237 is grossly unfair to Kitsap county in this regard. It would place portions of the county in three separate Senatorial districts. Bainbridge Island would be joined with a part of Seattle. Bremerton would be split in two with a portion being joined with three census tracts in Kitsap county and other parts of the state as far away as the Canadian border in Whatcom county. The balance of Kitsap county would constitute district 23.

Third, I believe that the portions of Kitsap county included in district 41 are not contiguous as required by Article II, Section 6 of the Washington Constitution. These areas are a part of the mainland portion of Kitsap county and are separated from each other by several miles of additional land area which has been included in district 23.

Fourth, several districts appear to vary in population more than fifteen percent from the population for an ideal district. These include districts 1-A, 16, 37, 41-A, 45 and 46. Moreover, in Seattle district 45 is underpopulated more than fifteen percent, and adjoining district 46 is overpopulated more than fifteen percent. These districts could easily be adjusted to equalize population. Again it is helpful to refer to the guidelines furnished by the attorney general in his letter of December 24, 1964 where he stated:

'In line with the proposition, noted earlier, that population density is a factor which can legitimately be considered, we are further advising that within the permissible general population ranges, *supra*, any underpopulated districts should generally be confined to sparsely populated rural areas. Likewise, any overpopulated districts should be located in densely populated urban or suburban areas.

'Furthermore, we should emphasize that in regard to the establishment of these ranges we are suggesting that the lesser, or ten percent "over and under" standard be adhered to as far as reasonably possible. Some clearly demonstrable justification should exist for any deviation in excess of this degree.

'Basically, we believe it probable that a legislative apportionment plan that conforms with these standards and guidelines can be defended. A plan which departs from these guidelines would, in our opinion, be most difficult to defend and would probably lead to protracted litigation in regard to the matter.'

For the reasons outlined above, I have vetoed Senate Bill No. 237. Moreover, I believe Senate Bill No. 237 is not only undesirable legislation, but is of doubtful validity. The letter of December 24, 1964 from the attorney general warns against adopting such a plan:

'Clearly, an apportionment plan which is only marginal or of doubtful validity should be avoided because of the possibilities of protracted litigation that could result in regard to determining the constitutionality of such a plan. Because the legislature will not be permitted to function in its normal manner until the court has approved its legislative apportionment plan, it is evident that the plan adopted and presented to the court must be one which will be *clearly acceptable*.'

Respectfully submitted,

DANIEL J. EVANS, Governor.

#### PERSONAL PRIVILEGE

Senator McCutcheon:

"Mr. President:

"I rise to a point of personal privilege. I noticed my name mentioned in the Governor's veto message. I feel distinctly honored. I feel a little like Rudolph, the Red Nosed Reindeer. My name will go down in history.

"The Governor scolded us a little bit. He says that this Senate Bill No. 237 did not represent a serious effort. I might say that I admit frankly it is not a masterpiece, but I would say that his veto message is not a masterpiece either. They both have some faults. It's hard to bring out masterpieces in redistricting.

"He says it does not represent a serious effort. I would disagree with him heartily on that point. I think we made a very serious effort. A great deal of legislation is passed with a compromise, and lots of people vote when they don't know what the result is going to be.

"Now he does get down to cases, and I'm happy to see he abandons the theory that we must maintain certain numbers of men riveted to their seats or in such districts where they will have sufficient votes to stay there forever.

"He talks about contiguous territory. Now I read that and listened to it and it sounded quite convincing to you. It sounded quite convincing to me when I first read it. I took it very seriously. I didn't take it the way he took our bill. I took his message seriously. But he says certain portions and areas of the state of Washington are not included at all in this. They are omitted. Other areas are attached to the wrong places and sometimes to two districts. He makes a great deal of this.

"Now our bill provides, and all of these bills provide in standard, technical form, a catchall for all of those things. If there is any portion that this bill left out, it attaches to the surrounding territory. If any territory mentioned in this act is specifically embraced in two or more non-inclusive legislative districts, such territory shall

become a part of the nearest district. So all that talk about us not including everything that should have been included is purely lint-picking. That argument is not substantive. It has no value at all, and when it comes to contiguous territory and the state constitution, Senator Lennart, islands may all be in one district, but are they contiguous by water? Yes. How much water do you have to jump over to make one piece of land contiguous with the other? How much water do you jump across? Are the Hawaiian Islands contiguous, or Alaska to the United States? I suppose not.

"Take my own district and a fact that has always puzzled me. I have the Fort Lewis Reservation and then Dupont is down there six miles from where I live in Steilacoom. But it's supposed to be contiguous in my district anyway; Anderson Island, McNeil Island, all these islands through the Sound. How much water must you have? Of course they're contiguous. What's he talking about. I don't think the Court's going to question that for a moment. These are small matters. However, they should be answered.

"The Governor says that the majority of this body agreed that this is a bad bill. Well, I'm not going to assume that is true. I neither assume nor admit this. We could have lived under it very nicely.

"But he is getting down to cases. I was particularly interested and I am sure the Senator from Whatcom county, the Senator from Kitsap county, and the Senator from Clark county, Senator Foley, will be very interested. The Governor says it's a horrible thing, and quotes what they have done to Kitsap county, when there is only one district with three representatives and every other district has two. There being forty-nine Senators and ninety-nine members of the House, one of them has to have three and that, by law, means it should go to the largest and we shouldn't get to playing games here and going down to Clark county with it.

"Actually, Senator Foley, the count is very close according to the figures I have. According to the population guide, we find that Clark county had 69,593 people. The governor, himself, knows these facts. He says Kitsap has 70,935. Whatcom county has 69,846. Now, Senator Morgan, I'm happy to report to you that Kitsap led by 1,089 people. You led over Whatcom county. You have 70,935. Whatcom county has 1,089 people less.

"Now we get down to Clark county and we find that Kitsap leads Whatcom county by 1,089, and Whatcom leads Clark by 253. Now that's terrific! There's a gross error! We gave it to the wrong district. Horrible! We missed one by 253 and another by a thousand people. The Governor said we did a terrible thing, giving you three members down there.

"I would remind the Governor we had a bill on his desk called Senate Bill No. 2. It gave the three where they belonged, according to strict mathematical computation, and gave those three, Senator Morgan, to your district and your county. That was Senate Bill No. 2, so there's nothing to that argument, and he spends a page on it, underpopulation and overpopulation. Perhaps his computations are correct. Perhaps they might be in error. I've heard two stories on that. But mathematical exactitude, lady and gentlemen of the Senate, in a redistricting bill is not possible. The Court said it was not possible.

"But I say this to the Governor: I say this to you people over there and to our people over here: We have sent two bills down there. Why doesn't the Governor let these bills go to the Federal Court to try them on for size? Why shouldn't he let the Court do this? If the Court turns it down, then we can try again.

"We have heard a great deal in the last ten days around here about an unofficial compromise bill. I don't want to do anything but praise the members on both sides. They have been working long, hard days and they have been working seriously, Governor Evans. They haven't been working on trivia. I have no criticism of them at all, but this is a different situation in this kind of matter. Men do come down here. We have a majority party, and you have the executive. Both of us have the prerogative of power in a sense. We can block the other.

"Sometimes when we come down here, people make promises. They give their word they will follow a course, and when the pressures get too great, they begin to succumb.

"Now the Governor says we have been playing politics. I have not been invited—I'm sure I would have been welcome to go down and confer with the Executive, but I did not choose to do so. I felt we would deal more honorably at arm's length. I'd like to have it in writing, but that, of course, is not possible. But he's been dangling in front of the members, singling out some certain members all over the state of

Washington, and dangling those goodies in front of their eyes in a way that says: 'This will take care of you. What do you care about anybody else?' And so they begin to forget their honor. They begin to forget their judgment, and they begin to lose their perspective, and they follow that old veto rule of politics. When the water reaches the upper decks, they follow the ranks; and it appears the water may be rising. The Governor knows this. He's a pretty good politician and he's been dangling, don't think he hasn't, with politics down there.

"But we have come to this point after forty days, and to the people of the state of Washington I'm not ashamed to say it takes time to work things out. We're human, but we're working. Now if we have an unofficial bill floating around here somewhere—it's supposed to have been proof read—I don't know where it is, but I'd like to see it. Let us bring it out. We've got a skeleton number up there in that committee. Hang it on that thing and let us call our committee together, both sides of this aisle. Let us go over it section by section, paragraph by paragraph, without haste and without rest, and let us be thorough. We'll give in where we think we're wrong, and we'll stand our ground where we think we're right, and let us get a whack at it for a while for another day or two or a week. If we do it methodically, we can come out here with something, but I don't think lint-picking is going to help. We can drop some of the politics out of this and get back to the fundamental one man, one vote population basis, and what the results of the last election were and who voted for the Governor and for us. We realize, like the political conventions of olden days, sometimes they ran a hundred ballots, but along about the fiftieth, they begin to take a different tack, they take a little different view than they did in the beginning, and begin to think, 'I can live with that, perhaps, if I have to,' and they will. But I think we are making great progress. I respect the Governor. I think he's got intelligence, and I think under the fire of this redistricting, he is maturing. He cannot hold us up as whipping boys and say, 'It's all your fault,' every time we turn around. 'You're spending forty dollars a day and costing the state all of this money. I'm the White Charger!'

"Let him remember he should not scold us and we should not scold him. Neither of us is perfect. Neither of us can write a masterpiece, but we can be human. We can remember our word in our heart. It may not be too early or too late, so let's get back to work in our committee. These last two days I have enjoyed more than any time in a long time. It's been very quiet. But let's get along with this and get our perspective and we can write a bill that won't make everyone happy, but won't make everybody unhappy either. I don't like to see people coming around and saying: 'This is it. I'll leave you in the room with your conscience whether or not you want to take the poison. This is it.' And then walk off. I look across the aisle and I see a man over here I have served with for many years. He's been too busy sitting in Judiciary doing his duty day by day for you and for me and the people of the state of Washington—too busy to look after his own on this. I'm supposed to be trying to take care of him up there. I feel emotional about it.

"Well, that's enough for me. That's enough for John McCutcheon. Again, I want to thank the Governor. I want to thank him from the bottom of my heart for mentioning my name in his veto message. I shall go down in history, like Rudolph, the Red Nosed Reindeer!"

#### PERSONAL PRIVILEGES

Senator Herrmann:

"Mr. President, members of the Senate:

"I would like to make some additional remarks, supplementing the talk of Senator McCutcheon. I want to say that I agree with what he has said. I, too, would like to have a personal privilege to just say a few words."

The President:

"Senator Herrmann will speak upon a point of personal privilege."

Senator Herrmann:

"Mr. President and members of the Senate:

"I think that the Court, having placed us in this position that we must redistrict, that we cannot conduct any business until we do the Court is the only solution to settling this situation.

"The majority here has passed two bills and from what I can understand at the present time, we are deadlocked. I believe that it would be in order to present the

bill that we passed and ask the Court not to overrule the Governor, but to adopt that bill as the Court's plan. They have done it in other states. There is precedent for this when states become deadlocked and they are unable to do the job that is before them and when they cannot agree. It looks like we have gone down the road the full length and we have come to the dead end; and if that is so then I think it's time that we appeal to the Court to adopt our plan and let us go forward with the business of the state."

Senator Morgan:

"Mr. President, I would like to speak on a point of personal privilege:

"Mr. President and gentlemen of the Senate:

"I feel I must clarify the position of Kitsap county, the twenty-third district. Our situation is unique in that we are practically an island. Politics or no politics, these are the facts. Kitsap county was chopped up—84,000 people and we were chopped up in the former bill, which I didn't vote for at any time—and floated out to sea; and, I do mean that. Point Roberts is up in the sea where the ocean is.

"We were penalized. I don't know if this happened in the House or where. We were penalized for being overpopulated, and they reduced our representation instead of granting us more. Certainly one Kitsap county Senator cannot represent 84,000 people properly, and certainly stretching it clear up to Whatcom and Point Roberts would weaken us, and it would be at least a hundred and fifty miles by water to that point, so you would have to supply this district no doubt with a Washington Ferry.

"We were cut three ways, and even though I, personally, as a Senator, have invited Mason county to take some of our population—I talked with Pierce county and asked them to take some because it is contiguous, but their position is that they are nearly perfect and that's the way it must be, and I accept that. Apparently no one wanted us in this bill which was just vetoed.

"The record will show that Senator Frances Haddon Morgan never voted for this bill, yet I, personally, as a Senator have been secure in every bill presented, but that isn't the point. I may not be here tomorrow. We are not here permanently. If you think we are, look at the gallery upstairs. But it isn't fair for the rest of the district, which I now represent and must do so on the floor of this Senate, to allow this to happen to them. Our island peninsula cannot be represented by less people. It must have more representation.

"Thank you, gentlemen."

Senator Moriarty, Jr.:

"Mr. President, members of the Senate:

"Speaking briefly on one or two points raised by Senator McCutcheon, I recall a very pleasant evening last week when my wife and I had the privilege and pleasure of sitting with Senator McCutcheon at dinner at the Tye Restaurant. That was the evening after the Governor's press conference on the day that we passed Senate Bill No. 237 through this Senate. Senator McCutcheon was quite exorcised by the whole affair, and the basis of the objection, if I remember correctly, was that the Governor did not mention him by name in his press conference, and he would have appreciated it.

"Senator McCutcheon, you have not only been mentioned, but I want to call attention to the fact that he has spelled your name correctly. More, a politician could not ask.

"Speaking seriously on one or two points, the Governor has done what you were told he would do when the bill was on the floor of this Senate. Moreover he has done what you have asked him to do in the previous occasion when we have had redistricting bills on the floor of the Senate. He has pointed out specific areas where the bill that you passed did not meet the standards laid down by the Federal Court and did not meet the standards laid down by the Governor in his inaugural address.

"As far as Senator Herrmann's comments are concerned, I think I speak for the entire Republican caucus when I say we are not ready to abandon our responsibility, gentlemen. We remain willing to negotiate. We remain willing to talk. Substantial progress has been made and remains to be made. The time will come, I hope soon, when we will agree and pass a redistricting bill. We disagree the Court is the only solution. We remain willing to talk to you. I said that early in the game. I repeat it again this late in the game.

"As far as Senator Morgan is concerned and the situation in Kitsap county and Bainbridge Island, Senator, I couldn't agree more."

The Governor's veto message, together with vetoed Senate Bill No. 237, was referred to the Committee on Rules and Joint Rules.

#### PERSONAL PRIVILEGE

Senator Lennart:

"Mr. President, I want to speak on personal privilege."

The President:

"The Senator will speak on personal privilege."

Senator Lennart:

"I want to now speak upon a real 'masterpiece.' You will have read the Seattle Post-Intelligencer. According to Lord Bacon, 'great empires and little minds go ill together. I think this applies to representative news media. Small minds and large news media go ill together. I think this argument is just filled with half-truths, innuendo and allegations. I have never seen one just like it and I would say that such literature has no place in my mailbox, and I would also say that if you accept this, you are of a different breed of Americans than were your forefathers."

#### INTRODUCTION AND FIRST READING OF BILLS, MEMORIAL AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 439**, by Senator McCutcheon:

An Act relating to the solemnization of marriages; and amending section 4, page 404, Laws of 1854, as last amended by section 1, chapter 35, Laws of 1913, and RCW 26.04.050.

Referred to Judiciary Committee.

**Senate Bill No. 440**, by Senator Talley:

An Act relating to public highways.

Referred to Committee on Highways.

**Senate Bill No. 441**, by Senators Henry and Hanna:

An Act relating to public works and improvements; establishing fair practices standards for subletting and subcontracting and providing penalties.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 442**, by Senators Foley and Cooney:

An Act relating to revenue and taxation; amending sections 82.04.260, 82.04.240 and 82.04.440, chapter 15, Laws of 1961, and RCW 82.04.260, 82.04.240 and 82.04.440; and amending section 82.04.296, chapter 15, Laws of 1961 as amended by section 2, chapter 293, Laws of 1961 and RCW 82.04.296.

Referred to Committee on Ways and Means.

**Senate Bill No. 443**, by Senator Hanna:

An Act relating to vehicles; providing for the regulation and licensing thereof and of persons in relation thereto; and amending section 46.48.270, chapter 12, Laws of 1961 and RCW 46.48.270.

Referred to Committee on Highways.

**Senate Bill No. 444**, by Senators Greive, Petrich, Keefe, Kupka and Peterson (Ted):

An Act relating to the control of the distribution of obscene printed or written matter or articles; adding new sections to chapter 105, Laws of 1959 and to chapter 7.42 RCW; amending section 1, chapter 105, Laws of 1959

and RCW 7.42.010; amending section 3, chapter 105, Laws of 1959 and RCW 7.42.030; amending section 4, chapter 105, Laws of 1959 and RCW 7.42.040; amending sections 5 and 6, chapter 105, Laws of 1959 and RCW 7.42.050 and 7.42.060; repealing section 2, chapter 105, Laws of 1959 and RCW 7.42.020; and providing penalties.

Referred to Judiciary Committee.

On motion of Senator Petrich, there being no objection, the rules were suspended and additional names were permitted as sponsors to Senate Bill No. 444.

**Senate Bill No. 445**, by Senators Mardesich and Gissberg:

An Act relating to public lands; and amending section 1, chapter 387, Laws of 1955 and RCW 79.16.175.

Referred to Committee on Natural Resources.

**Senate Bill No. 446**, by Senators Thompson, Jr., Herr and Moriarty, Jr.:

An Act relating to the state parks and recreation commission, and amending section 43.51.020, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.51.020.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 447**, by Senators Thompson, Jr. and Dore:

An Act relating to education; establishing the academic credits transferability commission; prescribing powers, duties, and functions; amending section 1, chapter 198, Laws of 1961 and RCW 28.84.170; and amending section 4, chapter 2, Laws of 1963 extraordinary session and RCW 28.84.205.

Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 448**, by Senator Mardesich:

An Act relating to salmon marketing; authorizing the adoption of an interstate compact with the state of Alaska; creating an interstate salmon marketing commission.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 449**, by Senators Dore, Guess, Redmon, Lennart, Morgan and Hallauer.

An Act relating to alcoholism; providing the department of health with certain responsibilities; adding a new section to chapter 85, Laws of 1959 and to chapter 70.96 RCW; and making an appropriation.

Referred to Committee on State Government and Veterans' Affairs.

On motion of Senator Dore, there being no objection, the rules were suspended, and additional names were permitted as sponsors to Senate Bill No. 449.

**Senate Bill No. 450**, by Senators Riley, Rasmussen, Lennart, Cowen, Woodall and Guess:

An Act relating to higher education.

Referred to Committee on State Government and Veterans' Affairs.

On motion of Senator Riley, there being no objection, the rules were suspended and additional names were permitted as sponsors to Senate Bill No. 450.

**Senate Bill No. 451**, by Senators Durkan, Rasmussen and McCormack:

An Act relating to public utility districts; and adding a new section to chapter 245, Laws of 1941 and to chapter 54.04 RCW.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 452**, by Senator Riley:

An Act relating to the business and occupation tax; amending section 82.04.290, chapter 15, Laws of 1961, as amended by section 2, chapter 28, Laws of 1963 extraordinary session and RCW 82.04.290; and amending section 82.04.296, chapter 15, Laws of 1961, as amended by section 2, chapter 293, Laws of 1961, and RCW 82.04.296.

Referred to Committee on Ways and Means.

**Senate Bill No. 453**, by Senators Atwood, Dore and Williams:

An Act relating to an approach to Western Washington State College; providing for the location, acquisition, financing, and maintenance thereof; making an appropriation and a reappropriation; and declaring an emergency.

Referred to Committee on Highways.

**Senate Bill No. 454**, by Senators Woodall, Talley and Redmon:

An Act relating to cities and towns; amending section 35.92.220, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.92.220; amending section 35.92.230, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.92.230; amending section 35.92.260, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.92.260; and adding new sections to chapter ....., Laws of 1965 (Senate Bill No. 3) and to chapter 35.92 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 455**, by Senators Gallagher, Gissberg and Hanna:

An Act requiring emergency lighting systems in certain buildings and prescribing penalties.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 456**, by Senators Durkan, Keefe and Atwood:

An Act relating to unemployment compensation; and amending section 132, chapter 35, Laws of 1945 and RCW 50.32.160.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 457**, by Senators Guess and Riley:

An Act relating to certain construction and reconstruction work of the state.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 458**, by Senators Guess and Riley:

An Act relating to certain construction and reconstruction work of the state and its political subdivisions.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 459**, by Senator Petrich:

An Act relating to the judiciary, justices of the peace, and inferior courts; amending section 112, chapter 299, Laws of 1961 and section 3.66.010 RCW; and adding three new sections to chapter 3.66 RCW.

Referred to Judiciary Committee.

**Senate Bill No. 460**, by Senators Greive and Herrmann:

An Act relating to uniform business competition; amending section 4, chapter 221, Laws of 1939 and chapter 19.90.040 RCW; and adding a new section to chapter 19.90 RCW.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 461**, by Senators England, Peterson (Ted) and Rasmussen (by Departmental request):



An Act relating to public assistance and providing for an advisory council on aging; adding a new chapter to chapter 26, Laws of 1959 and to Title 74 RCW.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 462**, by Senators Thompson, Jr., and Gissberg:

An Act relating to health care services; providing for the inclusion of pharmacists' services therein; amending section 1, chapter 268, Laws of 1947, as amended by section 1, chapter 197, Laws of 1961 and RCW 48.44.010; amending section 4, chapter 197, Laws of 1961 and RCW 48.44.070; and amending section 5, chapter 197, Laws of 1961 and RCW 48.44.080.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

**Senate Bill No. 463**, by Senator Neill:

An Act relating to public works; retained percentage, and labor and material liens; and amending section 1, chapter 166, Laws of 1921, as last amended by section 1, chapter 238, Laws of 1963, and RCW 60.28.010.

Referred to Judiciary Committee.

**Senate Bill No. 464**, by Senators Washington and Guess:

An Act relating to lost or destroyed instruments issued by public agencies; amending sections 43.08.064 through 43.08.068, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.08.064 through 43.08.068.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 465**, by Senators Washington, Riley, Dore, Durkan and Thompson, Jr.

An Act relating to Second Lake Washington Bridge bonds.

Referred to Committee on Highways.

**Senate Bill No. 466**, by Senators Washington, Talley and Guess:

An Act relating to electrical installations and adding a new section to chapter 19.28 RCW.

Referred to Committee on Highways.

**Senate Bill No. 467**, by Senators Hallauer and Durkan:

An Act relating to taxation; and providing for the publication of tax commission orders.

Referred to Committee on Ways and Means.

**Senate Bill No. 468**, by Senators Keefe, Hanna and Connor:

An Act relating to the legislature; providing for the creation of an interim committee on tourism; and making an appropriation.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 469**, by Senators Rasmussen and Bailey:

An Act relating to public assistance.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 470**, by Senators Washington, Riley, Dore, Durkan and Thompson, Jr.:

An Act relating to highways, permitting bonds to be paid or guaranteed from sources other than revenues, and amending section 47.56.282, chapter 13, Laws of 1961 and RCW 47.56.282.

Referred to Committee on Highways.

**Senate Bill No. 471**, by Senators Rasmussen and Bailey:

An Act relating to public assistance.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 472**, by Senators Washington, Riley, Dore, Durkan and Thompson, Jr.:

An Act relating to bridges across Lake Washington.

Referred to Committee on Highways.

**Senate Bill No. 473**, by Senators Guess and Hanna:

An Act relating to consumer fraud; providing certain standards and procedures; and prescribing penalties.

Referred to Judiciary Committee.

**Senate Bill No. 474**, by Senators Washington, Morgan, Sandison, Greive, Moriarty, Jr. and Stender:

An Act relating to highways; authorizing the selection of a route for construction of a bridge or bridges across Puget Sound; authorizing traffic and financial studies and surveys to determine the feasibility of constructing such bridges; making an appropriation and declaring an emergency.

Referred to Committee on Highways.

**Senate Bill No. 475**, by Senators Foley, Durkan and Dore:

An Act relating to the University of Washington; authorizing the transfer into tuition fee bond reserve accounts and the University of Washington building account of certain funds and investments from the state university permanent fund; providing for conversion of investments in the permanent fund; providing for disposition of income from bond reserve accounts; and declaring an emergency.

Referred to Committee on Ways and Means.

**Senate Bill No. 476**, by Senator Petrich:

An Act relating to the teletypewriter communications network; and authorizing transfer of authority over such network vested in the director of the budget by the terms of sections 43.89.010, 43.89.020, and 43.89.030, chapter ....., Laws of 1965 (Senate Bill No. 4) to the chief of the Washington state patrol; and making an effective date.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 477**, by Senators Knoblauch, Hanna and Gallagher:

An Act relating to crimes and punishment; and amending sections 907 and 908, Code of 1881 as amended by section 18, chapter 69, Laws of 1891 and RCW 66.44.260.

Referred to Judiciary Committee.

**Senate Bill No. 478**, by Senators Foley, Durkan and Dore:

An Act relating to the University of Washington; allocating certain moneys derived from lands granted for university purposes to the University of Washington bond retirement fund and authorizing the pledging thereof; ratifying transfers of such income heretofore made; and declaring an emergency.

Referred to Committee on Ways and Means.

**Senate Bill No. 479**, by Senator Durkan:

Relating to practitioners of the healing professions.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

**Senate Bill No. 480**, by Senators Mardesich and Herr:

An Act relating to the utilities and transportation commission; and amending section 80.01.010, chapter 14, Laws of 1961, as amended by section 4, chapter 307, Laws of 1961, and RCW 80.01.010.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 481**, by Senators Moriarty, Jr., England and Riley (by Executive request):

Revising schedule of benefits, appeal procedure under industrial insurance. Referred to Committee on Labor and Social Security.

**Senate Bill No. 482**, by Senators Rasmussen and Bailey (by Departmental request):

An Act relating to public assistance; adding a new chapter to chapter 26, Laws of 1959 and Title 74 RCW; repealing section 74.12.130, chapter 26, Laws of 1959 as amended by section 20, chapter 228, Laws of 1963 and RCW 74.12.130; repealing section 74.12.230, chapter 26, Laws of 1959 and RCW 74.12.230; and declaring an emergency.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 483**, by Senators Keefe and Durkan:

An Act relating to horse racing; and amending section 1, chapter 55, Laws of 1933 as amended by section 1, chapter 236, Laws of 1949, and RCW 67.16.010.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 484**, by Senators Washington, Morgan, Sandison and Moriarty, Jr.

An Act relating to the Puget Sound ferry and bridge system; relating to terms and leases executed by the toll bridge authority; amending section 47.60.140, chapter 13, Laws of 1961 and RCW 47.60.140.

Referred to Committee on Highways.

**Senate Bill No. 485**, by Senators Rasmussen and Bailey (by Departmental request):

Changing law relating to child welfare agencies under public assistance. Referred to Committee on Labor and Social Security.

**Senate Bill No. 486**, by Senators McCormack, Thompson, Jr. and Bailey:

An Act relating to the powers and duties of the superintendent of public instruction; amending section 3, page 231, chapter 97, Laws of 1909 and RCW 28.03.030.

Referred to Committee on Education.

**Senate Bill No. 487**, by Senators Peterson (Ted), Lennart and Mardesich:

An Act relating to salmon fishing; providing for personal use salmon fishing licenses; designating the uses of moneys received from license fees; adding ten new sections to chapter 12, Laws of 1955 and to chapter 75.28 RCW; and providing penalties.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 488**, by Senators Washington, Petrich, Donohue and Williams:

An Act relating to the regulation of outdoor advertising upon lands adjacent to certain state highways; amending section 4, chapter 96, Laws of 1961 and RCW 47.42.040; amending sections 12, 13 and 14, chapter 96, Laws of 1961, and RCW 47.42.120, 47.42.130, and 47.42.140; and adding new sections to chapter 47.42 RCW.

Referred to Committee on Highways.

**Senate Bill No. 489**, by Senators Sandison, Neill, Ryder and Hallauer:

An Act creating a temporary advisory council on public higher education and setting forth its powers and duties; making an appropriation; and providing an expiration date.

Referred to Committee on Higher Education and Libraries.

On motion of Senator Sandison, there being no objection, the rules were suspended, and additional sponsors were permitted to Senate Bill No. 489.

**Senate Bill No. 490**, by Senators Rasmussen, Williams and Peterson (Ted) (by Departmental request):

An Act relating to public assistance; adding a new chapter to chapter 26, Laws of 1959 and Title 74 RCW; and repealing sections 74.04.020, 74.04.034, 74.04.035, 74.04.141, 74.09.100 and 74.16.011 of chapter 26, Laws of 1959 and RCW 74.04.020, RCW 74.04.034, RCW 74.04.035, RCW 74.04.141, RCW 74.09.100 and RCW 74.16.011.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 491**, by Senators Washington, Hallauer, Guess, Donohue and Raugust:

An Act relating to motor vehicle weights and fees, amending section 46.44.040, chapter 12, Laws of 1961 and RCW 46.44.040; and providing penalties.

Referred to Committee on Highways.

#### MOTION

On motion of Senator Washington, there being no objection, the rules were suspended and additional names were permitted as sponsors to Senate Bills No. 465, 470, 472, 474, 484, 488 and 491.

**Senate Bill No. 492**, by Senator McCutcheon:

An Act relating to state government; increasing salaries of members of the legislature; and amending section 1, chapter 48, Laws of 1949 as last amended by section 2, chapter 1, Laws of 1965 and reenacted by section 43.03.010, chapter ....., Laws of 1965 (Senate Bill No. 4), and RCW 43.03.010.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 493**, by Senators Woodall and Sandison:

An Act relating to the protection and security of the legislature of the state of Washington; and adding a new section to chapter ....., Laws of 1965 (Senate Bill No. 4), and to chapter 43.43 RCW.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 494**, by Senator Mardesich:

An Act relating to state government; authorizing the purchase of historical armament for Fort Casey State Park; and making an appropriation.

Referred to Committee on Parks, Capitol Grounds and Public Buildings.

**Senate Bill No. 495**, by Senators Lewis, Henry, Foley and England:

An Act relating to state employee pay periods and expense vouchers.

Referred to Committee on State Government and Veterans' Affairs.

On motion of Senator Henry, there being no objection, the rules were suspended and additional names were permitted as sponsors to Senate Bill No. 495.

**Senate Bill No. 496**, by Senators Neill and Mardesich:

An Act relating to public works; and amending sections 1, 2, 4, 6 and 8, chapter 183, Laws of 1923, and RCW 39.04.010, 39.04.020, 39.04.050, 39.04.070 and 39.04.090.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 497**, by Senator Rasmussen:

An Act relating to financial responsibility; creating new provisions; providing penalties; and repealing sections 1 through 64, chapter 169, Laws of 1963 and RCW 46.29.010 through 46.29.640.

Referred to Committee on Highways.

**Senate Bill No. 498**, by Senators Rasmussen, Herr and Mardesich:

An Act relating to the administration of the government of the state; prescribing powers and duties of certain officers, departments and agencies; and abolishing certain offices, boards, commissions and bureaus.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 499**, by Senator Rasmussen:

An Act relating to elections; requiring disclosure of the amount and source of contributions received by a candidate for nomination in a primary election; amending section 29.18.140, chapter ....., Laws of 1965 (Senate Bill No. 5) and RCW 29.18.140; and providing penalties.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 500**, by Senators Henry, Hanna and Atwood:

An Act relating to regulation of outdoor advertising upon lands adjacent to certain state highways; amending section 2, chapter 96, Laws of 1961 and RCW 47.42.020, and amending section 10, chapter 96, Laws of 1961 as amended by section 55, chapter 3, Laws of 1963 extraordinary session, and RCW 47.42.100.

Referred to Committee on Highways.

**Senate Bill No. 501**, by Senator Durkan:

An Act relating to civil procedure; and adding a new section to chapter 4.24 RCW.

Referred to Judiciary Committee.

**Senate Bill No. 502**, by Senator Mardesich:

An Act relating to commercial fishing licenses; and amending section 3, chapter 171, Laws of 1957, as amended by section 4, chapter 309, Laws of 1959, and RCW 75.28.014.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 503**, by Senators Herr and Peterson (Lowell):

An Act relating to motor vehicles; requiring proof of financial responsibility for the operation thereof; prescribing penalties; amending section 46.20.160, chapter 12, Laws of 1961 and RCW 46.20.160; and adding new sections to chapter 12, Laws of 1961 and to chapter 46.16 and 46.20 RCW.

Referred to Committee on Highways.

**Senate Bill No. 504**, by Senators Dore, Bailey, Chytil, Freise, Greive, Herr, Moriarty, Jr., Neill and Woodall:

An Act relating to capitol land grant funds; authorizing the state capitol committee to provide for the construction, remodeling and financing of state buildings; making an appropriation; and declaring an emergency.

Referred to Committee on Parks, Capitol Grounds and Public Buildings.

On motion of Senator Dore, there being no objection, the rules were suspended and additional names were permitted as sponsors to Senate Bill No. 504.

**Senate Bill No. 505**, by Senator Hanna:

An Act relating to unemployment compensation; and amending section 76, chapter 35, Laws of 1945 as last amended by section 1, chapter 321, Laws of 1959 and RCW 50.20.080.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 506**, by Senator Gissberg:

An Act relating to industrial insurance.

Referred to Judiciary Committee.

**Senate Bill No. 507**, by Senator Charette:

An Act relating to state government; providing for the licensing of fishing industries weigh masters and tallymen; and adding a new section to chapter 12, Laws of 1955 and to chapter 75.28 RCW.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 508**, by Senators Durkan and Rasmussen:

An Act relating to insurance; and adding a new section to chapter 79, Laws of 1947 and to chapter 48.18 RCW.

Referred to Committee on Banks, Financial Institutions and Insurance.

**Senate Bill No. 509**, by Senators McCormack, Keefe and Ryder:

An Act relating to the distribution and expenditures of moneys received from forest reserves; and amending section 36.33.110, chapter 4, Laws of 1963 and RCW 36.33.110.

Referred to Committee on Education.

**Senate Bill No. 510**, by Senators Ryder and McCutcheon:

Providing for school district reorganization.

Referred to Committee on Education.

**Senate Bill No. 511**, by Senators Riley and Thompson, Jr.:

An Act relating to bartending; providing for the licensing of bartenders; and providing penalties.

Referred to Committee on Liquor Control.

**Senate Bill No. 512**, by Senator Lewis:

An Act relating to contractors' bond on public works contracts; and amending section 1, chapter 207, Laws of 1909, as amended by section 1, chapter 28, Laws of 1915, and RCW 39.08.010.

Referred to Committee on State Government and Veterans' Affairs.

**Senate Bill No. 513**, by Senators Gissberg, Atwood and Hanna:

An Act relating to civil service in cities, towns and counties; amending section 5, chapter 13, Laws of 1937 and RCW 41.12.040; amending section 11, chapter 13, Laws of 1937 and RCW 41.12.100; amending section 6, chapter

1, Laws of 1959 and RCW 41.14.060; and amending section 13, chapter 1, Laws of 1959 and RCW 41.14.130.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 514**, by Senator Dore:

An Act relating to revenue and taxation; levying excise taxes on mobile homes and travel trailers; amending sections 82.50.010 through 82.50.050, 82.50.070, 82.50.101 through 82.50.160 and 82.50.180 through 82.50.200, chapter 15, Laws of 1961 as amended by sections 7, 8 and 9, chapter 199, Laws of 1963 and RCW 82.50.010 through 82.50.050, 82.50.070, 82.50.101 through 82.50.160 and 82.50.180 through 82.50.200; and adding a new section to chapter 15, Laws of 1961 and to chapter 82.50 RCW.

Referred to Committee on Ways and Means.

**Senate Bill No. 515**, by Senator Freise:

An Act relating to courts of limited jurisdiction inferior to the superior court; providing for the education of judges thereof.

Referred to Judiciary Committee.

**Senate Bill No. 516**, by Senator Bailey:

An Act relating to diking and drainage districts; amending section 10, chapter 209, Laws of 1959 and RCW 85.05.270; and adding two new sections to chapter 85.06 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Joint Memorial No. 16**, by Senators Woodall, Hallauer, Dore, Atwood and Redmon:

Requesting that Congress change the Yakima Indian land law.

On motion of Senator Dore, there being no objection, the rules were suspended and additional names were permitted as sponsors to Senate Joint Memorial No. 16.

The memorial was read first time by title.

On motion of Senator Woodall, the rules were suspended, Senate Joint Memorial No. 16 was advanced to second reading and read in full.

On motion of Senator Woodall, the rules were suspended, Senate Joint Memorial No. 16 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 16 and the memorial passed the Senate by the following vote: Yeas, 44; nays, 1; absent, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Those voting nay were: Senator Herrmann—1.

Absent or not voting: Senators Foley, Gissberg, Herr, Petrich—4.

Senate Joint Memorial No. 16, having received the constitutional majority, was declared passed.

**Senate Concurrent Resolution No. 7**, by Senators Dore, Bailey, Chytil, Freise, Greive, Herr, Moriarty, Jr., Neill and Woodall:

Establishing legislative building interim committee.

Referred to Committee on Parks, Capitol Grounds and Public Buildings.

On motion of Senator Dore, there being no objection, the rules were suspended and additional names were permitted as sponsors to Senate Concurrent Resolution No. 7.

**Senate Concurrent Resolution No. 8**, by Senators Herr and Stender:

Creating a committee to investigate the liquor board.

Referred to Committee on Liquor Control.

#### SECOND READING OF BILLS

**Senate Bill No. 240**, by Senators Cooney and Herrmann:

Authorizing townships to own and operate cemeteries jointly.

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

**Senate Bill No. 295**, by Senators Stender, Washington, Knoblauch and Thompson, Jr.:

Permitting certain cities and towns to operate dock facilities.

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

**Senate Bill No. 213**, by Senator Mardesich:

Requiring bid deposits for contracts entered into with county.

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 213:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Requiring bid deposits for contracts entered into with county (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 1, line 25, after "considered" and before "unless" insert "for public work"

On page 1, section 1, line 26, after "bond," and before "cash," insert "postal money order,"

On page 2, section 1, line 5, after "bidder" and before "a contractor's" insert "for such public work".

DON L. TALLEY, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Sam C. Guess, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Riley, the committee amendments to page 1 were adopted.

On motion of Senator Talley, the committee amendment to page 2 was adopted.

Senate Bill No. 213 was ordered engrossed and passed to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 77**, by Senators Guess, Redmon and Riley:

Defining combination of services as applied to motor freight carriers.



## REPORT OF STANDING COMMITTEE

**Senate Bill No. 77:**

Senate Chamber,  
Olympia, Wash., February 10, 1965.

Defining combination of services as applied to motor freight carriers (reported by Committee on Highways):

MAJORITY recommends that it do pass with the following amendment:

In section 1, line 20, after "in" and before "hauling materials" insert "extracting, processing and".

NAT WASHINGTON, *Chairman.*

AL HENRY, *Vice Chairman.*

We concur in this report: Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, H. B. Hanna, Gordon Herr, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Don L. Talley, Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Guess, the committee amendment was adopted.

Senate Bill No. 77 was ordered engrossed and referred to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 272**, by Senators Thompson, Jr., Knoblauch and Bailey:

Extending state employee retirement system to cover certain school district employees.

On motion of Senator Ryder, Senate Bill No. 272 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 350**, by Senators Hallauer and Hanna:

Permitting town to sell waterfront created by dams.

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

## MOTION

At 11:55 a. m., on motion of Senator Bailey, the Senate adjourned until 10:30 a. m., Saturday, February 20, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## FORTY-FIRST DAY

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### MORNING SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Saturday, February 20, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Jack Powell, Color Bearer, and Bonnie Blanchette, presented the Colors.

Doctor Henry S. Rahn, pastor of the First Baptist Church of Olympia, offered prayer as follows:

"O God of holiness, unto whom the thoughts and intents of all hearts are known, grant that with repentance and true godliness we may think Thy thoughts after Thee.

"Help us to strip away the masks by which we have sought to hide from Thee; in the clear light of Thy righteousness show us our shortcomings.

"Help us to work aright, so that every task may be so well done that we can take it and show it unto Thee.

"Help us to speak aright, preserve us alike from too hasty speech and from cowardly silence. In the Master's Name. Amen."

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

The President declared the Senate to be at ease.

The President called the Senate to order at 11:40 a. m.

The Secretary called the roll and announced to the President that all Senators were present.

### MOTIONS

On motion of Senator Washington, the Committee on Cities, Towns and Counties was relieved of further consideration of Senate Bill No. 415.

On motion of Senator Washington, Senate Bill No. 415 was referred to the Committee on Highways.

At 11:45 a. m., on motion of Senator Greive, the Senate recessed until 2:00 p. m.

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### AFTERNOON SESSION

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

The Secretary called the roll and announced to the President that all Senators were present.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., February 19, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred

Senate Bill No. 77; also

Senate Bill No. 213 have inspected same, and find them correctly engrossed.

FRANK W. FOLEY, *Chairman*.

We concur in this report: Martin J. Durkan, Michael J. Gallagher, Marshall A. Neill, Perry B. Woodall.

**Senate Bill No. 13:**

Senate Chamber,  
Olympia, Wash., February 19, 1965.

Establishing and setting forth powers and duties of a canal commission (reported by Committee on Natural Resources):

MAJORITY recommends that it do pass and be referred to Committee on Ways and Means.  
LOWELL PETERSON, *Chairman*.

We concur in this report: William A. Gissberg, Wilbur G. Hallauer, Gordon Herr, Mike McCormack, August P. Mardesich, Fred G. Redmon.

On motion of Senator Lowell Peterson, the committee report was adopted and Senate Bill No. 13 was referred to the Committee on Ways and Means.

**Substitute Senate Bill No. 34:**

Senate Chamber,  
Olympia, Wash., February 17, 1965.

Providing for promotion and development of nuclear industry through new division of department of commerce and economic development (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that Second Substitute Senate Bill No. 34 be substituted therefor and that Second Substitute Bill do pass.

AL HENRY, *Chairman*.

We concur in this report: Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, A. L. Rasmussen.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 64:**

Senate Chamber,  
Olympia, Wash., February 18, 1965.

Eliminating certain gross weight fees for trucks propelled by butane or propane fuel (reported by Committee on Highways):

MAJORITY recommends that it do pass.  
NAT WASHINGTON, *Chairman*.  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Frank W. Foley, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, Gordon Herr, James Keefe, Reuben A. Knoblauch, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 117:**

Senate Chamber,  
Olympia, Wash., February 19, 1965.

Increasing court reporters' salaries (reported by Judiciary Committee):  
MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, H. B. Hanna, Charles P. Moriarty, Jr., Nat Washington, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 126:**

Senate Chamber,  
Olympia, Wash., February 19, 1965.

Increasing salaries of justices of the peace (reported by Judiciary Committee):  
MAJORITY recommends that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, H. B. Hanna, Charles P. Moriarty, Jr., Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 167:**

Senate Chamber,  
Olympia, Wash., February 18, 1965.

Authorizing public transportation tax subsidies (reported by Committee on Highways):

MAJORITY recommends that Substitute Senate Bill No. 167 be substituted therefor and that Substitute Bill do pass.

NAT WASHINGTON, *Chairman*.

AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Frank W. Foley, Herbert H. Freise, William A. Gissberg, Sam C. Guess, Gordon Herr, James Keefe, Reuben A. Knoblauch, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Fred G. Redmon, Edward F. Riley, John H. Stender, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 190:**

Senate Chamber,  
Olympia, Wash., February 19, 1965.

Changing fee requirements for supreme court appearances (reported by Judiciary Committee):

MAJORITY recommends that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, H. B. Hanna, Charles P. Moriarty, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 191:**

Senate Chamber,  
Olympia, Wash., February 19, 1965.

Increasing salary of judges pro tempore (reported by Judiciary Committee):  
MAJORITY recommends that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 195:**

Senate Chamber,  
Olympia, Wash., February 19, 1965.

Opening watersheds for recreation (reported by Committee on Natural Resources):  
MAJORITY recommends that it do pass.

LOWELL PETERSON, *Chairman*.

We concur in this report: William A. Gissberg, Wilbur G. Hallauer, Harry B. Lewis, Mike McCormack, Fred G. Redmon.

**Senate Bill No. 195:**

Senate Chamber,  
Olympia, Wash., February 19, 1965.

Opening watershed for recreation (reported by Committee on Natural Resources):  
MINORITY recommends that it do not pass.

....., *Chairman*.

We concur in this report: Gordon Herr, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 224:**

Senate Chamber,  
Olympia, Wash., February 18, 1965.

Requiring fencing by auto wrecking yards (reported by Committee on Highways):  
MAJORITY recommends that it do pass as amended.

NAT WASHINGTON, *Chairman*.  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Frank W. Foley, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, James Keefe, Reuben A. Knoblauch, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, W. C. Raugust, Fred G. Redmon, Gordon Sandison, John H. Stender, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 230:**

Senate Chamber,  
Olympia, Wash., February 19, 1965.

Requiring humane slaughter of animals (reported by Committee on Agriculture and Horticulture):

MAJORITY recommends that it do pass as amended.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, Reuben A. Knoblauch, Lowell Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 256:**

Senate Chamber,  
Olympia, Wash., February 17, 1965.

Pertaining to the use of purse seines in the taking of salmon (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass.

ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Ernest W. Lennart, Ted G. Peterson, John A. Petrich, Fred G. Redmon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 262:**

Senate Chamber,  
Olympia, Wash., February 18, 1965.

Restricting amount and type of salmon gear on commercial fishing boats (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass.

ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Ernest W. Lennart, Lowell Peterson, Ted G. Peterson, John A. Petrich, John H. Stender, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 265:**

Senate Chamber,  
Olympia, Wash., February 17, 1965.

Defining primary market value (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass.

ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Ernest W. Lennart, Lowell Peterson, Ted G. Peterson, A. L. Rasmussen, John H. Stender, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 266:**

Senate Chamber,  
Olympia, Wash., February 17, 1965.

Requiring reimbursement to state for shellfish lease evaluation (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass as amended.

ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Ernest W. Lennart, Lowell Peterson, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, John H. Stender, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 288:**

Senate Chamber,  
Olympia, Wash., February 19, 1965.

Regulating school district boundry change (reported by Committee on Education):  
MAJORITY recommends that it do pass.      **MIKE McCORMACK, Chairman.**

We concur in this report: Fred H. Dore, Herbert H. Freise, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, A. L. Rasmussen, John H. Stender, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 315:**

Senate Chamber,  
Olympia, Wash., February 18, 1965.

Changing law generally relating to financial responsibility of motor vehicle operators and owners (reported by Committee on Highways):  
MAJORITY recommends that it do pass as amended.

**NAT WASHINGTON, Chairman.**  
**AL HENRY, Vice Chairman.**

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Frank W. Foley, Herbert H. Freise, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, H. B. Hanna, Gordon Herr, James Keefe, Reuben A. Knoblauch, August P. Mardesich, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint rules for second reading.

**Senate Bill No. 334:**

Senate Chamber,  
Olympia, Wash., February 18, 1965.

Regulating motor vehicle driver licensing (reported by Committee on Highways):  
MAJORITY recommends that it do pass as amended.

**NAT WASHINGTON, Chairman.**  
**AL HENRY, Vice Chairman.**

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, Gordon Herr, James Keefe, Reuben A. Knoblauch, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, John H. Stender, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 336:**

Senate Chamber,  
Olympia, Wash., February 19, 1965.

Broadening jurisdiction over corporation issuing securities (reported by Judiciary Committee):

MAJORITY recommends that it do pass.      **JOHN A. PETRICH, Chairman.**

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 338:**

Senate Chamber,  
Olympia, Wash., February 19, 1965.

Authorizing transfer of stock pursuant to community survivor's agreement (reported by Judiciary Committee):

MAJORITY recommends that it do pass. JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, H. B. Hanna, Charles P. Moriarty, Jr., Nat Washington, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 355:**

Senate Chamber,  
Olympia, Wash., February 18, 1965.

Eliminating assistant director of highways (reported by Committee on Highways): MAJORITY recommends that Substitute Senate Bill No. 355 be substituted therefor and that Substitute Bill do pass.

NAT WASHINGTON, *Chairman*.  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Frank W. Foley, Herbert H. Freise, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, Gordon Herr, James Keefe, Reuben A. Knoblauch, August P. Mardesich, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 358:**

Senate Chamber,  
Olympia, Wash., February 18, 1965.

Establishing procedure for planning and adopting limited access facilities by highway commission (reported by Committee on Highways):

MAJORITY recommends that it do pass as amended.  
NAT WASHINGTON, *Chairman*.  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, Herbert H. Freise, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, Gordon Herr, James Keefe, Reuben A. Knoblauch, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 361:**

Senate Chamber,  
Olympia, Wash., February 18, 1965.

Changing from federal to state census determination on basis for state responsibility of certain highway work in cities and towns under 15,000 population (reported by Committee on Highways):

MAJORITY recommends that it do pass.  
NAT WASHINGTON, *Chairman*.  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, Herbert H. Freise, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, Gordon Herr, James Keefe, Reuben A. Knoblauch, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, John H. Stender, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 362:**

Senate Chamber,  
Olympia, Wash., February 19, 1965.

Raising minimum for payment of teachers per month and per year (reported by Committee on Education):

MAJORITY recommends that it do pass as amended. MIKE McCORMACK, *Chairman*.

We concur in this report: Robert L. Charette, Joe Chytil, Hebert H. Freise, Reuben A. Knoblauch, John T. McCutcheon, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, John H. Stender, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 365:**

Senate Chamber,  
Olympia, Wash., February 19, 1965.

Exempting Newtown apples from assessment (reported by Committee on Agriculture and Horticulture):

MAJORITY recommends that it do pass.

DEWEY C. DONOHUE, *Chairman.*

We concur in this report: Joe Chytil, Herbert H. Freise, Reuben A. Knoblauch, David E. McMillan, Lowell Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 366:**

Senate Chamber,  
Olympia, Wash., February 18, 1965.

Requiring payment of fee and deposit by bidders on highway projects for maps, plans, etc. (reported by Committee on Highways):

MAJORITY recommends that it do pass.

NAT WASHINGTON, *Chairman.*

AL HENRY, *Vice Chairman.*

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, Herbert H. Freise, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, Gordon Herr, James Keefe, Reuben A. Knoblauch, August P. Mardesich, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 368:**

Senate Chamber,  
Olympia, Wash., February 18, 1965.

Authorizing use of public lands for public parks, recreation and educational purposes (reported by Committee on Parks, Capitol Grounds and Public Buildings):

MAJORITY recommends that it do pass as amended. GORDON HERR, *Chairman.*

We concur in this report: Jack England, H. B. Hanna, Lowell Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 377:**

Senate Chamber,  
Olympia, Wash., February 17, 1965.

Expanding the powers and duties of the state capital historical association and the duties of its director (reported by Committee on State Government and Veterans' Affairs):

Recommends that it do pass as amended.

AL HENRY, *Chairman.*

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 399:**

Senate Chamber,  
Olympia, Wash., February 18, 1965.

Providing for motor vehicle accident reports and availability of information to interested persons (reported by Committee on Highways):

MAJORITY recommends that it do pass as amended.

NAT WASHINGTON, *Chairman.*

AL HENRY, *Vice Chairman.*



We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, Gordon Herr, Reuben A. Knoblauch, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Resolution No. 19:**

Senate Chamber,  
Olympia, Wash., February 17, 1965.

Rescinding House Joint Memorial No. 1, 1963 Extraordinary Session (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass. \_\_\_\_\_, *Chairman.*

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, Gordon Herr, Karl Herrmann, James Keefe, John H. Stender, Nat Washington, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**LETTER OF INTEREST**

British Embassy, Washington, D. C.,  
February 15, 1965.

DEAR MR. BOWDEN:

I am writing to ask you to convey to the Senate of the state of Washington the gratitude of the people of Great Britain for the Resolution which the Senate adopted on the death of Sir Winston Churchill. This expression of the Senate's sympathy was profoundly appreciated.

Yours Sincerely,

Lord Harleck, British Ambassador Extraordinary  
and Minister Plenipotentiary to the United  
States of America.

**SECOND READING OF BILLS**

**Senate Bill No. 272**, by Senators Thompson, Jr., Knoblauch and Bailey:

Extending state employee retirements' system to cover certain school district employees.

The bill was read the second time by sections.

Senator Ryder moved the adoption of the following amendment:

On page 1, section 1, line 16, after the word "system" insert a colon and the following: "PROVIDED, That the board of each district coming into the system under this 1965 amendatory act shall have an option to assume all or part of past service obligation for its employees."

Debate ensued.

**POINT OF INQUIRY**

Senator Rasmussen:

"Mr. President:

"Would Senator Ryder yield to a question?"

Senator Ryder:

"I yield."

Senator Rasmussen:

"Senator Ryder, wouldn't the effect of your amendment be that the school board could refuse to pick up any part of it?"

Senator Ryder:

"This could be possible, of course, but I don't believe that it would be apt to happen unless the district would find the financial impact so great that they could not do so."

Further debate ensued.

On motion of Senator Gallagher, Senate Bill No. 272 was ordered to retain its place on the second reading calendar for Monday, February 22, 1965.

**Senate Bill No. 345**, by Senators Lewis, Gissberg, Redmon, Mardesich, Chytil, Sandison, Raugust, McMillan, Freise, Cooney and Washington:

Increasing volunteer firemen's death and disability benefits and employer contribution thereto.

**REPORT OF STANDING COMMITTEE**

**Senate Bill No. 345:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Increasing volunteer firemen's death and disability benefits and employer contribution thereto (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass with the following amendment:

On page 4, section 4, line 17, after "dollars" and before "for" insert "per year".

DON L. TALLEY, *Chairman.*

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Talley, the committee amendment was adopted. Senate Bill No. 345 was ordered engrossed and passed to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 48**, by Senator Freise:

Permitting stays in declaratory judgment in proceedings.

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

**Senate Bill No. 93**, by Senators Dore, Petrich, Riley, Neill, Ryder and Hallauer:

Regulating charities.

On motion of Senator Petrich, Senate Bill No. 93 was ordered to retain its place on the second reading calendar for Monday, February 22, 1965.

**MOTION**

At 2:40 p. m., on motion of Senator Grieve, the Senate adjourned until 8:00 p. m., Sunday, February 21, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## FORTY-SECOND DAY

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### EVENING SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Sunday, February 21, 1965.

The Senate was called to order at 8:00 p. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Steven Guess, Color Bearer, and Colleen Redmon, presented the Colors.

Doctor Henry S. Rahn, pastor of the First Baptist Church of Olympia, offered prayer as follows:

"Almighty and Eternal God, high in Thy divine majesty, yet more persistently near than we consciously know, we humbly bow in Thy presence to center our thoughts and inner emotions in Thee.

"We pray for Thy divine intervention in these times of tension and world discord. May Thy blessing rest on all agencies working for harmonious relations among men and nations, that Thy will may be done in righteousness, mercy and good will.

"Bless we pray Thee, these leaders in state government as they seek solutions for the difficult problems before them. Keep their loved ones in Thy watch care, we pray. In our Master's Name. Amen."

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

### MOTION

At 8:10 p. m., on motion of Senator Greive, the Senate recessed until 10:15 p. m.

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### SECOND EVENING SESSION

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The President called the Senate to order at 10:15 p. m.

The Secretary called the roll and all Senators were present.

### MOTION

It was moved by Senator Gissberg that the Senate adjourn until noon, Monday, February 22, 1965.

Senator Ryder demanded a roll call and the demand was sustained by Senators Raugust, Woodall, Neill, Moriarty, Jr., Chytil, England, Atwood, and Redmon.

### ROLL CALL

The Secretary called the roll on the motion to adjourn and the motion was carried by the following vote: Yeas, 24, nays, 24; absent or not voting, 1; President Cherberg voting yea.

Those voting yea were: Senators Bailey, Charette, Connor, Donohue, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr,

Kupka, McCormack, McCutcheon, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—24.

Those voting nay were: Senators Atwood, Chytil, Cooney, Cowen, Dore, England, Freise, Guess, Herrmann, Keefe, Knoblauch, Lennart, Lewis, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Stender, Williams, Woodall—24.

Absent or not voting: Senator Thompson, Jr.—1.

At 10:20 p. m., on motion of Senator Gissberg, the Senate adjourned until noon, Monday, February 22, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## FORTY-THIRD DAY

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### NOON SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Monday, February 22, 1965.

The Senate was called to order at noon by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Rodney Burton, Color Bearer, and Ruth Standby, presented the Colors.

Doctor Maurice Hayland, minister of the United Churches of Olympia, offered prayer as follows:

"Almighty God, Thou eternal Father of us all, we would stand this day in sacred remembrance of the Father of our Country. We pray Thee that something of his devotion and sacrifice, his patriotism and his courage might be ours. Grant that we citizens of his namesake State might feel a special obligation to fulfill his dreams and thus may he who was first in war and first in peace, truly become first now and forever in the hearts of his countrymen. Amen."

The President introduced Private First Class Daryl R. Alford from Fort Lewis, Washington, a native of Corpus Christi, Texas, who sang the Star Spangled Banner and a selection of contemporary songs for the Senate.

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

#### MOTIONS

On motion of Senator Kupka, the Committee on State Government and Veterans' Affairs was relieved of further consideration of Senate Bill No. 433.

On motion of Senator Kupka, Senate Bill No. 433 was referred to the Committee on Commerce, Manufacturing, and Licenses.

On motion of Senator Kupka, the Judiciary Committee was relieved of further consideration of Senate Bill No. 306.

On motion of Senator Kupka, Senate Bill No. 306 was referred to the Committee on Commerce, Manufacturing and Licenses.

At 12:20 p. m., on motion of Senator Greive, the Senate recessed until 1:25 p. m.

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**AFTERNOON SESSION**

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The President called the Senate to order at 1:25 p. m.

The Secretary called the roll and announced to the President that all Senators were present.

The President declared the Senate to be at ease.

The President called the Senate to order at 1:55 p. m.

The Secretary called the roll and announced to the President that all Senators were present.

The President declared the Senate to be at ease for the purpose of attending a Joint Session in the House of Representatives convened for the purpose of conducting Memorial Services.

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**JOINT SESSION**

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

The Speaker invited the Senators to seats within the House and directed the Sergeants at Arms of the Senate and House to escort the President of the Senate to a seat beside the Speaker.

The Speaker instructed the Sergeants at Arms of the Senate and House to escort the Honorable Matthew W. Hill, Justice of the Supreme Court to a place of honor on the rostrum.

The Speaker called the joint session to order and turned the gavel over to the President of the Senate.

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

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

The President of the Senate turned the gavel over to Representative Mrs. John W. Epton, Chairman of the Memorial Committee.

**MEMORIAL SERVICES**

The following memorial tribute was given by Representative Epton:

"'Somewhere between the idea and the reality falls the shadow.' The philosopher-poet, T. S. Elliot, who wrote those words described, inadvertently no doubt, man's timeless search for law and order and for a discipline that would transcend the shadow of his own vast desires.

"For a fleeting hour, here today, we honor twenty-eight former members of the Washington state legislature. The compass of their service spans fifty-four years. Their ayes and nays and the principles which impelled them to write into the record their interpretation of the common good have designed the course and the pattern of our present laws.

"The fragrance of a flower tribute, the sound of music and the bonds of this communion are the symbols of the esteem in which we, and their families and friends, hold the memory of each one of them and also the measure of our own faith in the rightness of the law and order and the reality of the idea which they were seeking to accomplish."

## IN MEMORIAM

In tribute to the memories of these distinguished former members of the Senate and House who have passed from among us, we, the memorialists of the Thirty-ninth Session, convey the respects of the Washington State Legislature, and present our memorials to be preserved in the Book of Memory, in the custody of the Secretary of State:

<i>In Memory of:</i>	<i>Tribute by:</i>
R. William Anderson, M.D.....	Miss Ann T. O'Donnell
Donald Black, M.D.....	Gordon Sandison
Mrs. Violet P. Boede.....	Lowell Peterson
Ernest A. Dore, Jr.....	Richard Taylor
Forrest R. Easterday.....	Homer Humiston, M.D.
Lloyd E. Gandy.....	Gerald L. Saling
Lulu D. Haddon.....	David E. McMillan
William H. Hayton.....	Don Eldridge
Raymond C. Hazen.....	Newman H. Clark
Emmett S. Hennessey.....	Mrs. Joseph E. Hurley
Knute Hill.....	[.....] Doris Johnson
Gertrude L. Johnson.....	C. W. Beck
A. E. Judd.....	Hugh Kalich
Joseph F. Koehler.....	Henry Backstrom
Gus Lybecker.....	Dewey Donohue
Anthony Mandery.....	Elmer Jastad
Drennan McElroy.....	Frank Slagle
Dan B. McGovern.....	Avery Garrett
Homer Nunamaker.....	Richard Kink
Edward L. Pettus.....	Frank Geo. Marzano
William H. Price, Jr.....	Alfred O. Adams, M.D.
Robert R. Ray.....	William C. Klein
Frank Sanger.....	Elmer C. Huntley
Loomis J. Shadbolt.....	Marjorie Lynch
Victor Skinner.....	Eric O. Anderson
J. T. Stratton.....	Chet King
Jeanette Testu.....	Hayes Elder
Max Wedekind.....	George Pierre

Representative Epton returned the gavel to the President of the Senate.

## MOTION

On motion of Representative Humiston, the Joint Session was dissolved.

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

The Speaker requested the Sergeants at Arms of the Senate and the House to escort the President of the Senate and the Senators back to the Senate chamber.

The Speaker requested the Sergeants at Arms to escort Justice Hill from the House chamber.

The Speaker requested that the Sergeant at Arms of the House escort Representative Epton from the rostrum.

(For complete Program of Memorial Services, see House Journal—1965)

The President called the Senate to order at 3:05 p. m.

The Secretary called the roll and announced to the President that all Senators were present.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., February 20, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 345 have inspected same, and find it correctly engrossed.

.....Chairman.

We concur in this report: Martin J. Durkan, Michael J. Gallagher, John A. Petrich.

**Senate Bill No. 120:**

Senate Chamber,  
Olympia, Wash., February 20, 1965.

Consolidating 1959 amendments of materialmen's lien statute (reported by Judiciary Committee):

MAJORITY recommends that it do pass. JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, William A. Gissberg, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 134:**

Senate Chamber,  
Olympia, Wash., February 20, 1965.

Creating presumption that game code and regulations are necessary for conservation of wild life (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended. JOHN A. PETRICH, *Chairman*.

We concur in this report: Robert L. Charette, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 136:**

Senate Chamber,  
Olympia, Wash., February 19, 1965.

Naming a portion of secondary state highway No. 3D as "Ice Harbor Drive" (reported by Committee on Highways):

MAJORITY recommends that it do pass. NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, Gordon Herr, James Keefe, Reuben A. Knoblauch, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 144:**

Senate Chamber,  
Olympia, Wash., February 18, 1965.

Authorizing negotiations to purchase St. Luke's Hospital (reported by Committee on Public Institutions):

MAJORITY recommends that it do pass. FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Joe Chytil, James Keefe, Reuben A. Knoblauch, George W. Kupka, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 220:**

Senate Chamber,  
Olympia, Wash., February 19, 1965.

Authorizing the conveyance of certain lands in Walla Walla county to Percy S. Aldrich and Arlene K. Aldrich, husband and wife (reported by Committee on Public Institutions):

MAJORITY recommends that it do pass. FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Joe Chytil, James Keefe, Reuben A. Knoblauch, George W. Kupka, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 347:**

Senate Chamber,  
Olympia, Wash., February 19, 1965.

Providing for removal of tolls on Longview toll bridge and the maintenance thereof thereafter (reported by Committee on Highways):

MAJORITY recommends that it do pass. NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, Wilbur G. Hallauer, Gordon Herr, Reuben A. Knoblauch, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Fred G. Redmon, Gordon Sandison, John H. Stender, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 369:**

Senate Chamber,  
Olympia, Wash., February 17, 1965.

Providing state department retirement age (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass. ...., *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, Frances Haddon Morgan, Charles P. Moriarty, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 372:**

Senate Chamber,  
Olympia, Wash., February 19, 1965.

Prohibiting littering of highways (reported by Committee on Highways):  
MAJORITY recommends that it do pass. NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, Gordon Herr, James Keefe, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Fred H. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**PRESIDENT'S PRIVILEGE**

The President introduced Mr. Phil Crosby of Spokane, Washington, who sang a selection of songs for the Senate.

**SECOND READING OF BILLS**

**Senate Bill No. 272**, by Senators Thompson, Jr., Knoblauch and Bailey:

Extending state employees' retirement system to cover certain school district employees.



On motion of Senator Charette, Senate Bill No. 272 was ordered to retain its place on the second reading calendar for Thursday, February 25, 1965.

**MOTION**

At 3:20 p. m., on motion of Senator Greive, the Senate recessed until 5:35 p. m.

**SECOND AFTERNOON SESSION**

The President called the Senate to order at 5:35 p. m.  
The Secretary called the roll and all Senators were present.

**MOTION**

At 5:40 p. m., on motion of Senator Greive, the Senate recessed until 8:00 p. m.

**EVENING SESSION**

The President called the Senate to order at 8:00 p. m.  
The President declared the Senate to be at ease.  
The President called the Senate to order at 10:50 p. m.  
The Secretary called the roll and announced to the President that all Senators were present.

The Secretary read:

**REPORT OF STANDING COMMITTEE**

**House Bill No. 196:**

Senate Chamber,  
Olympia, Wash., February 22, 1965.

Reapportioning and redistricting the legislature (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass as amended.

JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue, R. R. Bob Greive, Al Henry, Karl Herrmann, James Keefe, Ernest W. Lennart, David E. McMillan, W. C. Raugust, Fred G. Redmon, John N. Ryder, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

The President declared the Senate to be at ease.  
The President called the Senate to order at 11:10 p. m.

The Secretary called the roll and announced to the President that all Senators were present.

The President declared the Senate to be at ease.  
The President called the Senate to order at 12:20 a. m.

**SECOND READING OF BILLS**

**Engrossed House Bill No. 196**, by Representatives Grant and Elder:  
Reapportioning and redistricting the legislature.

## REPORT OF STANDING COMMITTEE

## Engrossed House Bill No. 196:

Senate Chamber,  
Olympia, Wash., February 22, 1965.

Reapportioning and redistricting the legislature (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Section 1. For election of members of the legislature, the territory of the state shall be divided into fifty-four legislative districts and forty-nine senatorial districts described in sections 2 through 50 of this act. Precincts, streets, and all other boundaries referred to in this act for purposes of defining the territory of the legislative districts are those precincts, streets, and boundaries as they existed on November 3, 1964. Streets referred to in this act also refer to street rights-of-way as described in the records of the various counties' engineers and to the logical extension or projection of existing streets.

**NEW SECTION.** Sec. 2. First legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the King-Snohomish county line and 124th Ave. N.E., proceed south along 124th Ave. N.E., east along N.E. 145th St., south along 140th Ave. N.E., west along N.E. 90th St., north along 116th Ave. N.E., generally west along the northern city limits of the city of Kirkland, north along 98th Ave. N.E., west along N.E. 112th St., generally northwest through Lake Washington, west along N.E. 145th St. and N. 145th St., north along Aurora Ave. N., west along N. 165th St. and N.W. 165th St., north along 8th Ave. N.W., east along N.W. 185th St. and N. 185th St., north along Greenwood Ave. N., east along the King-Snohomish county line to the point of origin.

**NEW SECTION.** Sec. 3.

(1) Legislative district 2-A—the county of Okanogan;

(2) Legislative district 2-B—the counties of Pend Oreille, Stevens, and Ferry.

**NEW SECTION.** Sec. 4. Third legislative district—the following precincts in the county of Spokane: Ada, Agatha, Alki, Alvin, Barth, Blake, Boyd, Bryan, Burke, Burton, Daisy, Daniel, David, Davis, Dawson, Day, Dayton, Delaware, Detroit, Diana, Dixie, that part of Doak precinct lying west of Fancher Road, Dodd, Dominion, Douglas, Dover, Drumbheller, Dunn, Dwight, Eagle, East Hillyard, Echo, Eden, Edison, Edith, Edwards, Eldorado, Elgin, Eli, Ellen, Ellwood, Emerald, Emerson, Ensign, Erie, Ernie, Ermina, Essex, Ethel, Euclid, Eureka, Evans, Exchange, Riverside, Spokane 1 through 6, Spokane 8, 307, 309 through 312, 314, 315, 324, that part of 360 lying west of Lee St., 364, 365, 601, 724.

**NEW SECTION.** Sec. 5. Fourth legislative district—the following precincts in the county of Spokane: Abigail, Acme, Adolph, Advance, Airport, Albert, Allen, Andrew, Arrow, Ashley, Atlanta, Carnhope, that part of Chester No. 1 precinct lying north of 32nd Ave., Dishman, that part of Doak precinct lying east of Fancher Road, East Spokane, Edgecliff 1 and 2, Evergreen 1 through 3, Fancher, Foothills, Friedland, that part of Glenrose precinct lying north of 44th Ave., Irvin, Kokomo, Marita, Millwood, Opportunity 1 through 6, Orchard 1 through 3, Pasadena, Pleasant Prairie, Raymond, Trentwood, University, Vera 1, that part of Vera 3 lying west of Sullivan Road, Woodruff 1 and 2, that part of 360 precinct lying east of Lee St., 362, 359, 413, 414, 422, 423, 439, 440.

**NEW SECTION.** Sec. 6.

(1) Legislative district 5-A—the following precincts in the county of Spokane: 501 through 507, 510, 517 through 521, 525, 531, 536, 542, 543, 546, that part of 547 lying east of Assembly St., 557, 561, 562, that part of Linwood 2 precinct lying east of Division St., Wells, that part of Whitworth 1 precinct lying east of Division St., that portion of Whitworth 3 precinct lying south of Hawthorne Road and E. Hawthorne Road.

(2) Legislative district 5-B—the following precincts in the county of Spokane: 511 through 516, 522 through 524, 526 through 530, 532 through 535, 537 through 541, 544, 545, that part of 547 precinct lying west of Assembly St., 549, 556, 559, that part of Five Mile precinct lying south of Strong Road, Linwood 1, that part of Linwood 2 precinct lying west of Division St.

**NEW SECTION.** Sec. 7. Sixth legislative district—the following precincts in the county of Spokane: Abbott, Acorn, Alameda, Alice, Amber, Anne, Anthony, Archer, Arizona, Arthur, Astor, Baker, Baldwin, Belmont, Belt, Bernard, Bertha, Blaine, Bolster, Brickell, Butler, Byrne, Cheney 1 through 4, that part of Chester 1 precinct lying south of 32nd Ave., Chester 2, Corbin, Duncan, East Marshall, Fairfield, Freeman, that portion of Glenrose precinct lying south of 44th Ave., Greenacres, Latah, Liberty Lake, Marshall, Mica, Moab, Moran, Mt. Hope, Otis, Pines, Pioneer, Plaza, Rock Creek Valley, Rockford, Rudolf, South Moran, South Spangle, Spangle, Terrace, Valleyford, that part of Vera 1 precinct lying east of Sullivan Road, Vera 2, Waverly, 444, 445, 446, 621 through 624, 628, 629, 631, 633 through 637, 642 through 644, 649, 650, 652, 654, 655.

**NEW SECTION.** Sec. 8. Seventh legislative district—the following precincts in the county of Spokane: Airway Heights, Cannon, Carleton, Carlisle, Carrie, Cass, Charlotte, Chattaroy, Clara, Clay, Cleveland, Clough, Colbert, Conklin, Cora, Cowley, Custer, Deep Creek, Deer, Deer Park North, Deer Park South, Della, Denison, Dewby, Dewey, Dexter, Dillon, Doland, Dora, Dyer, East Chattaroy, Elk, Espanola, that part of Five Mile precinct lying north of Strong Road, Four Lakes, Garden Springs, Green Bluff, Mead, Medical Lake 1 and 2, Milan, Mt. Spokane, Newman Lake, Linwood 3, Nine Mile, North Colbert, Peone, Rimrock, Spence, Stevens, Wayside, that part of Whitworth 1 precinct lying west of Division St., Whitworth 2, that part of Whitworth 3 precinct lying north of Hawthorne Road and East Hawthorne Road, 715 through 723, 725 through 728, Daniel.

**NEW SECTION.** Sec. 9.

(1) Legislative district 8-A—the following precincts in the county of Yakima: Grandview Town 1 through 6, Granger, Mabton Town, Mabton Rural, North Grandview, Orchardvale, Grandview Central, South Grandview, Sunnyside Town 81 through 83, 5 through 7, 104, 129, Sunnyside Rural 1 through 4, Toppenish Rural No. 1, Waneta, Wendell, Phillips, East Granger, Alfalfa, Belma, Byron, Glade; White Swan, that part of Toppenish Rural 3 lying South of the line separating Township 9 North and Township 10 North.

(2) Legislative district 8-B—the following precincts in the county of Benton: Buena Vista, Prosser North, Riverside, Walnut Grove, Columbia, Rattlesnake, that part of Harrington precinct lying northeast of the center line of the Yakima River, Legion, Benton North, Benton South, Roza, Richland 1 through 41, 43 through 47, 49, 50.

**NEW SECTION.** Sec. 10.

(1) Legislative district 9-A—the county of Whitman;

(2) Legislative district 9-B—the counties of Lincoln and Adams.

**NEW SECTION.** Sec. 11. Tenth legislative district—the county of Island, and the following precincts in the county of Kitsap: Bredablik 1 & 2, Bremerton 31, 32, 34 through 36, 41, 42, 46, 47, 50 through 52, 54, 61 through 63, Brownsville 1 & 2, Clear Creek, East Perry, East Silverdale, Ferncliff, Gilberton, Highland, Illahee, Indianola, Island Center 1 & 2, Keyport 1 & 2, Kingston, Lemolo, Liberty, Liberty Bay, Lincoln, Manette, North Tracyton, North Trenton, Olympic, Olympus Drive, Pearson, Petersburg, Pleasant Beach 1 & 2, Point No Point, Port Blakley, Port Gamble, Port Madison, Poulsbo 1 through 3, Poulsbo Heights, Rolling Bay 1 & 2, Seabold 1 & 2, Sheridan, South Kingston, South Tracyton, Suquamish 1 & 2, Tracyton, Winslow 1 & 2.

**NEW SECTION.** Sec. 12. Eleventh legislative district—the counties of Walla Walla, Columbia, Garfield, and Asotin.

**NEW SECTION.** Sec. 13. Twelfth legislative district—the counties of Chelan and Douglas.

**NEW SECTION.** Sec. 14. Thirteenth legislative district—the counties of Grant and Kittitas.

**NEW SECTION.** Sec. 15. Fourteenth legislative district—the following precincts in the county of Yakima: Yakima 1 through 30, 33, 34, 38 through 40, 43, 44, 46, 49 through 51, 58 through 60, 63 through 66, Glead, Harwood, Leamingburg, Lower Wenas, Naches City, Naches Heights, Nile, Selah Town 76, 134, 151, Selah Central, Selah Extension, Selah Heights, Tampico, East Tieton, Upper Wenas, West Naches, that part of West Nob Hill precinct lying west of Glenside Ave., Westview, Wide Hollow, Wiley City, West Tieton, Cascade, Cottonwood, South Cowiche, East Fruitvale, Growmore, North Cowiche, Selah Rural, Sumach, Englewood, East Naches, East Selah, East Summitview, Eschbach, Fairgrounds, West Fruitvale, Castlevalle, Sunset, Glenwood, Fairview, Jefferson.

**NEW SECTION.** Sec. 16. Fifteenth legislative district—the following precincts in the county of Yakima: East Ahtanum, Harrah, Holland, Liberty, McKinley, Moxee City, Moxee Rural, North Buena, Outlook, Parker Heights, Roza, Terrace Heights, Toppenish Town 1 through 7, Toppenish Rural 2, Union Gap Town 1 through 3, Wapato Town 3, 100 through 102, 131, West Ahtanum, West Parker, West Wapato, Zillah Town, Brownstown, Buena, South Broadway, East Moxee, Bradshaw, Slavin, Old Town, East Wapato, East Zillah, Country Club, Yakima 31, 32, 35 through 37, 41, 42, 45, 47, 48, 52 through 57, 61, 62, 65, 67, South Nob Hill, Riverside, that part of West Nob Hill precinct lying east of Glenside Ave., Airport, that part of Toppenish Rural 3 lying north of the line separating Township 9 North and Township 10 North.

**NEW SECTION.** Sec. 17.

(1) Legislative district 16-A—the following precincts in the county of Benton: Prosser East, Prosser West, Prosser 1, 2-1 through 2-4, 3, Expansion, Wellington, that part of Harrington precinct lying southwest of the center line of the Yakima River, Enterprise, West Richland 1 through 3, Kiona, Kennewick 1-1 through 1-10, 2-1 through 2-10, 3-1 through 3-5, 3-8 through 3-11, Clements, Cleveland, Ely, Finley, Hart, Hawthorne, Hedges, Highlands East, Highlands South, Highlands West, Island View, Kennewick South, Kennewick Valley, Lincoln, Rainier, Umatilla, Union, Washington, Yellowstone, Carley, Paterson;

(2) Legislative district 16-B—the county of Franklin.

**NEW SECTION.** Sec. 18. Seventeenth legislative district—the counties of Klickitat and Skamania, and the following precincts in the county of Clark: Alpine, Battle Ground North, Battle Ground South, Camas 101 through 114, Cedar Creek, Charter Oak, Chelatchie, Columbia West, English, Fern Prairie East, Fern Prairie West, Gibbons, Haagen, Hall, Hayes, Heisson, La Center, Lackamas North, Lackamas South, Lewisville, Lockwood Creek, Manor, Meadow Glade, Mt. View, Norway, Pioneer, Paradise Point, Proebstel, Russell, Skye, Twin Falls, Washougal "A" through "F", Woodburn, Yacolt, Baker, Bliss, Brush Prairie, Daybreak, Enterprise, Fishers, Gee Creek, Glenwood Heights, Greeley, Lamb, Miller, Ridgefield North, Ridgefield South, Whipple Creek, 5-00, 5-05, 5-10, 5-15, 5-20, 5-50, 6-85, 6-90, 6-95.

**NEW SECTION.** Sec. 19. Eighteenth legislative district—the counties of Cowlitz and Wahkiakum.

**NEW SECTION.** Sec. 20. Nineteenth legislative district—the county of Pacific, and the county of Grays Harbor except that part lying south of the line separating Township 18 North and Township 19 North and east of an extension of the line separating Section 3 and Section 4 in Range 7 West.

**NEW SECTION.** Sec. 21. Twentieth legislative district—the county of Lewis, and that part of the county of Grays Harbor lying south of the line separating Township 18 North and Township 19 North and east of an extension of the line separating Section 3 and Section 4 in Range 7 West.

**NEW SECTION.** Sec. 22. Twenty-first legislative district—the following precincts in the county of Snohomish: Ash, Berry, Brier, Canyon, Chase, Cherry, Crest, Crystal Spring, Cypress, Dale, Edmonds 1 through 39, Firdale, Forshee, Freeway, Gate, Glen, Hadley, Hilltop, Holly, Hunt, Kenmore, Larch, Locust, Lund, Lynncrest, Lynnwood 1 through 14, Magnolia, Maltby, Maple, Meadowdale, Morris, Mountlake Terrace 1 through 16, Nelson, Nolyn, North Alderwood, Omdal, Park, Perrin, Radar, Ridge, Rob, Russet, Seattle Heights, Shelby, Snoline, South Alderwood, Spruce, Summit, Vine, Wood, Woodway 1 & 2, Yost.

**NEW SECTION.** Sec. 23. Twenty-second legislative district—the county of Thurston.

**NEW SECTION.** Sec. 24. Twenty-third legislative district—the following precincts in the county of Kitsap: Annapolis 1 & 2, Bangor, Bayview, Bethel 1 through 3, Bremerton 2 through 30, 33, 37 through 40, 44, 45, 48, 53, 55 through 60, Bremerton Heights, Burley, Carter, Charland, Chico, Colby, Crosby, Davis 1 through 3, Erlands Point 1 & 2, Fernwood, Forest Ridge, Fragaria, Glenwood, Gorst 1 through 3, Harper, Hillcrest, Holly, Kitsap Lake 1 through 3, Long Lake, Manchester, Manchester Heights, Navy Yard City 1 through 4, North Silverdale, Olalla, Phinney Bay, Port Orchard 1 through 7, Rocky Point 1 & 2, Seabeck, Shorewood Drive, Sidney, South Colby, Sunnyslope, Twin Lakes, Veterans 1 & 2, Waterman, West Silverdale.

**NEW SECTION.** Sec. 25. Twenty-fourth legislative district—the counties of Clallam, Mason, and Jefferson.

**NEW SECTION.** Sec. 26. Twenty-fifth legislative district—the area in the county of Pierce that is encompassed by the following boundaries: Beginning at the intersection of the Pierce-King county line and 122nd Ave. E., proceed generally east along the Pierce-King county line, generally south along the Pierce-Yakima county line, west along the line separating Township 17 North and Township 18 North, north along Lundblad Rd., west along Collins Rd. and 128th St. E., north along McKinley Ave., west along 96th St. E., north along E. "D" St., east along 72nd Ave. E., north along E. "L" St., east along the Freeway, southeast along the center line of the Puyallup River, north along 70th Ave. E., southeast along the C. M. St. P. & P. Railroad right of way, north along 122nd Ave. E. to the point of origin.

**NEW SECTION.** Sec. 27. Twenty-sixth legislative district—the area in the county of Pierce that is encompassed by the following boundaries: Beginning at the intersection of the Pierce-King county line with Puget Sound, proceed southeast along the Pierce-King county line, south along the eastern city limits of the city of Tacoma, west along E. 17th St., northwest along the Port of Tacoma Rd., southwest and west along E. 11th St. and S. 11th St., north along Broadway St., northwest along St. Helens Ave., southwest along Division Ave., east along 6th Ave., south along Shirley St., west along the southern city limits of the city of Tacoma, north along the center line of the Day Island Waterway, generally south along the line of lowest tide of the eastern shore of Puget Sound, north along the Pierce-Thurston county line and the Pierce-Mason county line, east along the Pierce-Kitsap county line, generally south and east through the waters of Puget Sound to the point of origin.

**NEW SECTION.** Sec. 28. Twenty-seventh legislative district—the area in the county of Pierce that is encompassed by the following boundaries: Beginning at the intersection of the Pierce-King county line and the eastern city limits of the city of Tacoma, south and east along the southern boundary of the 26th legislative district as described in Sec. 27 of this Act, east along S. 19th St., south along Monroe St., east along S. 35th St., south along Union Ave., east along S. 40th St. and E. 40th St., south along E. "B" St., east along 72nd St. E., north and east along the western and northern boundaries of the 25th legislative district as described in Sec. 26 of this Act, west and northwest along the Pierce-King county line to the point of origin.

**NEW SECTION.** Sec. 29. Twenty-eighth legislative district—the area in the county of Pierce that is encompassed by the following boundaries: Beginning at the intersection of the center line of the Day Island Waterway with the southern city limits of the city of Tacoma, proceed east along the southern city limits of the city of Tacoma, east along S. 19th St., south along Monroe St., east along S. 35th St., south along Union Ave., east along S. 40th St. and E. 40th St., south along E. "B" St., west along E. 46th St. and S. 46th St., south along Sheridan Ave., west along S. 47th St., south along the Freeway, west along S. 50th St., south along Pine St., west along S. 56th St., south and east along the western and southern city limits of the city of Tacoma, south along Sprague Ave., west along 112th St., generally west and then generally south along the northern and western boundaries of McChord Air Force Base, generally east along the northern boundary of American Lake Gardens, generally west along the northern boundary of Fort Lewis Military Reservation, north along 103rd Ave. S. W., northwest along Military Road, generally north and west along the eastern and northern city limits of the city of Steilacoom, north along the line of lowest tide of the eastern shore of Puget Sound, south along the center line of the Day Island Waterway to the point of origin.

**NEW SECTION.** Sec. 30. Twenty-ninth legislative district—the area in the county of Pierce that is encompassed by the following boundaries: Beginning at the intersection of E. "B" St. and E. 46th St., proceed west on E. 46th St., west, southwest and northwest along the eastern and southern boundaries of the 28th legislative district as described in Sec. 29 of this Act, generally south along the line of lowest tide of the eastern shore of Puget Sound, generally southeast along the Pierce-Thurston county line, generally east along the Pierce-Lewis county line, generally north along the Pierce-Yakima county line, west and north along the southern and western boundaries of the 25th legislative district as described in Sec. 26 of this Act, west along 72nd St. E., north along E. "B" St. to the point of origin.

**NEW SECTION.** Sec. 31. Thirtieth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of 32nd Ave. S. and the King-Pierce county line, proceed north along 32nd Ave. S., west along S. 360th St., north along 28th Ave. S., northeast along the Auburn Inter-

change, generally north and east along the western and northern city limits of the city of Auburn, north along 88th Ave. S., generally east and then north along the southern city limits of the city of Kent, east along S. 260th St., north along 108th Ave. S. E., east along S. E. 204th St., north along 116th Ave. S. E., west along S. E. 80th St. and S. 80th St., south, west and then north along the southern city limits of the city of Tukwila, west along S. 172nd St., north and west along the eastern boundary of the Seattle-Tacoma Airport, west along S. 171st St., north along 14th Ave. S., west along S. 170th St., southeast along 8th Pl. S., west along S. 168th St. and S. W. 168th St., north through Puget Sound, south and east through the Colvos and Dalco Passages, encompassing Vashon and Maury Islands, southeast along the King-Pierce county line to the point of origin.

**NEW SECTION.** Sec. 32. Thirty-first legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of Puget Sound and S. W. 168th St., proceed east along S.W. 168th St., and S. 168th St., southeast along 8th Pl. S., east along S. 170th St., south along 14th Ave. S., east along S. 171st St., north along 16th Ave. S., west along S. 136th St. and S.W. 136th St., north along 4th Ave. S.W., west along S.W. Roxbury St., north along 12th Ave. S.W., west along S.W. Webster St., north along 35th Ave. S.W., west along S.W. Morgan St., south through Puget Sound to the point of origin.

**NEW SECTION.** Sec. 33. Thirty-second legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the center line of the Lake Washington Canal and 30th Ave. N.E., proceed generally west through the Lake Washington Canal, Portage Bay and Lake Union, west along Florentia St. and W. Florentia St., south along 3rd Ave. W., west along W. Barrett St., north along 7th Ave. W., west along W. Dravus St., north along 11th Ave. W., northwest along the center line of the Salmon Bay Waterway, northeast along N.W. Dock Place, east along N.W. 51st St., north along 15th Ave. N.W., east along N.W. Market St., north along 14th Ave. N.W., east along N.W. 57th St., north along 8th Ave. N.W., east along N.W. 60th St. and N. 60th St., north along Greenwood Ave. N., east along N. 64th St., north along Woodland Place N., east along N. 65th St., generally southeast along the western shore line of Green Lake, south along the logical extension of Green Lake Way N. into Green Lake, south along Green Lake Way N., east along N. 50th St. and N.E. 50th St., north along Roosevelt Way N.E., southeast along Ravenna Blvd., south along 15th Ave. N.E., east along N.E. 52nd St., north along 20th Ave. N.E., east along N.E. 60th St., north along 23rd Ave. N.E., east along N.E. 68th St., south along 40th Ave. N.E., west along N.E. 55th St., south along 30th Ave. N.E. to the point of origin.

**NEW SECTION.** Sec. 34. Thirty-third legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of the western shore of Lake Washington and S. Lake Way, proceed west along S. Lake Way, north along 31st Ave. S., west along E. Yesler Way, south along 15th Ave. S., south along Rainier Ave. S., west along S. Dearborn St., south along the Freeway, east and then south along Columbian Way, south along 15th Ave. S., southeast along the Freeway, east along S. Trenton St., north along Rainier Ave. S., west along S. Webster Street, generally north along the outer harbor line of the western shore of Lake Washington to the point of origin.

**NEW SECTION.** Sec. 35. Thirty-fourth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of Elliott Bay and Yesler Way, proceed east along Yesler Way, northeast along James St., north along Broadway, east along E. Cherry St., south along 15th Ave. S., generally south along the western boundary of the 33rd legislative district as described in section 34 of this act, west along S. Webster St. and S. W. Webster St., north along 35th Ave. S.W., west along S.W. Morgan St., generally north and then generally east along the outer harbor line of Puget Sound and Elliott Bay to the point of origin.

**NEW SECTION.** Sec. 36. Thirty-fifth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of the western shore of Lake Washington and S. Webster St., proceed west along S. Webster St., south along Rainier Ave. S., west along S. Trenton St., northwest along the Freeway, west along S. Webster St. and S.W. Webster St., generally south along the eastern boundary of the 31st legislative district as described in section 32 of this act, east along S. 170th St., south and east

along the eastern boundary of the Seattle-Tacoma Airport, east along S. 172nd St., generally north along the western boundary of the city of Tukwila, north along 42nd Ave. S., east along S. 122nd St., southeast along the Great Northern Railroad right of way, east along S. 128th St., north along 84th Ave. S., southwest along the outer harbor line of the southern and western shore of Lake Washington to the point of origin.

**NEW SECTION.** Sec. 37. Thirty-sixth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of Shilshole Bay and the center line of the Salmon Bay Waterway, proceed generally southeast along the center line of the Salmon Bay Waterway, south and east along the western and southern boundaries of the 32nd legislative district as described in section 33 of this act, south through the center of Lake Union, south along Waterway No. 3 and the logical extension of the same to Westlake Ave. N., south along Westlake Ave. N., west along Denny Way, southwest along Wall St., northwest along 4th Ave., west along Denny Way, except that unpopulated area known as the Seattle Civic Center, generally northwest along the outer harbor line of Elliott Bay, Puget Sound, and Shilshole Bay to the point of origin.

**NEW SECTION.** Sec. 38. Thirty-seventh legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of Elliott Bay and Denny Way, proceed east along the southern boundary of the 36th legislative district as described in section 37 of this act, southeast along 4th Ave., northeast along Wall Street, east along Denny Way, southwest along Bell Street, southeast along 3rd Ave., northeast along Pike Street, south along Minor, east along Union, north along Summit Avenue and Summit Avenue East, east along East Republican, north along East Broadway, east along East Aloha Street, south along 22nd Avenue East, west along East Denny Way, north along 37th Ave. East, east along East Mercer Street, generally south along the outer harbor line of the west shore of Lake Washington, generally west along the northern boundary of the 33rd legislative district as described in section 34 of this act, north along 15th Ave., west along the northern boundary of the 34th legislative district as described in section 35 of this act, generally north along the outer harbor line of Elliott Bay to the point of origin and that unpopulated area known as the Seattle Civic Center.

**NEW SECTION.** Sec. 39. Thirty-eighth legislative district—the following precincts in the county of Snohomish: Alicia, Cascade, Center, Dakota, Eastmont, East Shore, Emander, Fernwood, Field, Hilton Lake, Hi-Way, Intercity, Jeff, Kennyard, Manor, Manordale, Martha Lake, Meridian, Mukilteo, Rivercrest, Serene, Shore, Silver Lake, Stickney, Thomas Lake, Ward, Wilson, Everett City 1 through 103.

**NEW SECTION.** Sec. 40. Thirty-ninth legislative district—the following precincts in the county of Snohomish: Allen Creek, Alma, Arlington 1 through 5 inclusive, Armstrong, Bear Creek, Bee, Bly, Boeing, Boulder, Bryant, Cathcart, Cedarhome, Clearview, Cliff, Darrington, Davies, East Everett, Ebey, Edgecomb, Elwood, Fir, Florence, Fortson, Getchell, Glenwood, Gold Bar, Granite Falls, Gregory, Hartford, Hazel, Highland, Howell, Index, Jim Creek, Kruse, Lake, Lake Cassidy, Lake Goodwin, Lake Stevens 1 and 2, Lakeview, Lakewood, Lochsloy, Loma, Ludwig, Machias, Marion, Marsh, Marysville 1 through 7 inclusive, McDougall, Millard, Milton, Minor, Monroe 1 through 3 inclusive, Moran, Newberg, Norden, Norm, Norman, Olney, Oso, Outlook, Park Place, Pearson, Port Susan, Priest Point, Quil, Rainier, Riverview, Robe, Robin, Roosevelt, Sauk, Sexton, Shorts, Shoultes, Silvana, Sparlin, Skykomish, Skyline, Snohomish 1 through 9 inclusive, South Lake Stevens, South Snohomish, Stanby, Stanwood 1 and 2, Stitch, Sultan 1 and 2, Sultan River, Sunnyside, Thomas Lake, Three Lakes, Trafton, Trail, Tualco, Tualip, Tyee, Union, Valley, Vernon, Village, Wallace, Welangdon, Winter Lake, and Whaleback.

**NEW SECTION.** Sec. 41. Fortieth legislative district—the counties of San Juan and Skagit.

**NEW SECTION.** Sec. 42. Forty-first legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the northern city limits of the city of Renton with the eastern waters of Lake Washington, proceed generally southeast along the northeastern city limits of the city of Renton, east along S.E. 96th St., north along 136th Ave. S.E. and 134th Ave. S.E. and 133rd Ave. S.E., east along S.E. 68th St., north along 144th Ave.

S.E., east along S.E. 48th St., north along 148th Ave. S.E. and 148th Pl. S.E. and 150th Ave. S.E., west along Newport Way, north along 132nd Ave. S.E., east along the Sunset Highway, north along 166th Ave. S.E., east along S.E. 30th St., southeast through Lake Sammamish, south along 196th Ave. S.E., generally southwest along the Renton-Issaquah Road, south along 164th Ave. S.E., west along S.E. 248th St., south along 148th Ave. S.E., southeast along Primary State Highway No. 18, generally south along the eastern city limits of the city of Auburn, southeast along the Auburn-Enumclaw Road, southwest along the Bonneville Power Administration transmission right of way, generally east along the King-Pierce county line, north along the line separating Range 6 E. and 7 E., west along N.E. 50th St., south and then southwest along the Redmon-Bellevue Road, generally south along the eastern city limits of the city of Bellevue, south along 116th Ave. S.E., south along the Mercer Slough, west along Sunset Highway, north along 108th Ave. S.E., west along the southern boundary of Beaux Arts, northwest through the eastern waters of Lake Washington, south through the western waters of Lake Washington, encompassing Mercer Island, north through the eastern waters of Lake Washington to the point of origin.

**NEW SECTION.** Sec. 43. Forty-second legislative district—the county of Whatcom.

**NEW SECTION.** Sec. 44. Forty-third legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of the west shore of Lake Washington and N.E. 65th St. proceed west along N.E. 65th St. south and west along the eastern and southern boundaries of the 32nd legislative district as described in section 33 of this act, generally south along the eastern boundary of the 36th legislative district as described in section 37 of this act, generally east along the northern boundary of the 37th legislative district as described in section 38 of this act, generally north through Lake Washington to the point of origin.

**NEW SECTION.** Sec. 45. Forty-fourth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of Puget Sound and the King-Snohomish county line, proceed east along the King-Snohomish county line, generally south along the western boundary of the 1st legislative district as described in section 2 of this act, west along N. 145th St., south along Fremont Ave. N., west along N. 110th St. and N.W. 110th St., south along 8th Ave. N.W., generally southwest along the northern and western boundaries of the 32nd legislative district as described in section 33 of this act, generally northwest along the center line of the Salmon Bay Waterway, generally north through Shilshole Bay and Puget Sound to the point of origin.

**NEW SECTION.** Sec. 46. Forty-fifth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of N. 145th St., and Fremont N., proceed generally south along the eastern boundary of the 44th legislative district as described in section 45 of this act, generally east along the northern boundary of the 32nd legislative district as described in section 33 of this act, north along Roosevelt Way N.E., west along N.E. 75th St., north along 8th Ave. N.E., west along N.E. 85th St., north along 5th Ave. N.E., west along N.E. 100th St., north along the Freeway, west along N.E. 145th St. and N. 145th St. to the point of origin.

**NEW SECTION.** Sec. 47. Forty-sixth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of the western shore of Lake Washington and N.E. 145th St., proceed west along N.E. 145th St., generally south along the eastern boundary of the 45th legislative district as described in section 46 of this act, generally east and then south along the northern and eastern boundaries of the 32nd legislative district as described in section 33 of this act, east along N.E. 65th St., generally north along the outer harbor line of the western shore of Lake Washington to the point of origin.

**NEW SECTION.** Sec. 48. Forty-seventh legislative district—the area in the county of King encompassed by the following boundaries: Beginning at the intersection of the northern city limits of the city of Renton with the eastern waters of Lake Washington, proceed generally east, then north, then east, then south along the western boundary of the 41st legislative district as described in section 42 of this act, west along the King-Pierce county line, generally north and then west along the eastern and northern boundaries of the 30th legislative district as described in section 31



of this act, generally north along the western city limits of the city of Tukwila, generally east and then north along the southern and eastern boundaries of the 35th legislative district as described in section 36 of this act, north through the southern and eastern waters of Lake Washington to the point of origin.

**NEW SECTION.** Sec. 49. Forty-eighth legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the southern boundary of Beaux Arts and the eastern waters of Lake Washington, proceed northeast, east, and then south along the northern and eastern boundaries of the 41st legislative district as described in section 42 of this act, east along the King-Pierce county line, north along the King-Kittitas and King-Chelan county lines, west along the King-Snohomish county line, generally south and then west along the eastern and southern boundaries of the 1st legislative district as described in section 2 of this act, south through the eastern waters of Lake Washington to the point of origin.

**NEW SECTION.** Sec. 50. Forty-ninth legislative district—the following precincts in the county of Clark: Clyde, Connor, Elkins, Fruit Valley, Sifton North, Sifton South, Vancouver 163 through 235, 5-25, 5-30, 5-35, 5-40, 5-45, 5-55, 5-60, 5-65, 5-70, 5-75, 5-80, 5-85, 5-90, 5-95, 5-100, 5-105, 5-110, 5-115, 5-120, 5-125, 5-130, 5-135, 5-140, 5-145, 5-150, 5-155, 5-160, 5-165, 5-170, 5-175, 5-180, 5-185, 5-190, 5-195, 6-00, 6-05, 6-10, 6-15, 6-20, 6-25, 6-30, 6-35, 6-40, 6-45, 6-50, 6-55, 6-60, 6-65, 6-70, 6-75, 6-80.

**NEW SECTION.** Sec. 51. The Senate shall consist of forty-nine members, one of whom shall be elected from each senatorial district. Each legislative district except 2-A, 2-B, 5-A, 5-B, 8-A, 8-B, 9-A, 9-B, 16-A and 16-B shall compose a senatorial district. Legislative district 2-A shall be combined with legislative district 2-B to form the second senatorial district; legislative district 5-A shall be combined with legislative district 5-B to form the fifth senatorial district; legislative district 8-A shall be combined with legislative district 8-B to form the eighth senatorial district; legislative district 9-A shall be combined with legislative district 9-B to form the ninth senatorial district; legislative district 16-A shall be combined with legislative district 16-B to form the sixteenth senatorial district.

**NEW SECTION.** Sec. 52. Of the senators provided for in this act, one senator shall be elected from each of the following senatorial districts created by this act at the general election to be held on the first Tuesday after the first Monday in November, 1966, and every four years thereafter, for a term of four years: 6, 7, 8, 13, 15, 21, 26, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 42, 43, 44, 45, 46, 47, 48; and one senator shall be elected for the second senatorial district created by this act at the general election to be held on the first Tuesday after the first Monday in November, 1966, for a term of two years, and at the general election to be held on the first Tuesday after the first Monday in November, 1968, and every four years thereafter, for a term of four years. A senator shall be elected from each of the other senatorial districts created by this act at the general election to be held on the first Tuesday after the first Monday in November, 1968, and every four years thereafter, for a term of four years.

**NEW SECTION.** Sec. 53. The House of Representatives shall consist of ninety-nine members, two of whom shall be elected from each legislative district, except that one representative shall be elected from the 2-A, 2-B, 5-A, 5-B; 8-A, 8-B, 9-A, 9-B, 16-A and 16-B legislative districts, and three representatives shall be elected from the 42nd legislative district.

**NEW SECTION.** Sec. 54. The representatives provided for in this act shall be elected from the legislative districts created by this act at the general election to be held on the first Tuesday after the first Monday in November, 1966, and every two years thereafter, each for a term of two years.

**NEW SECTION.** Sec. 55. The term of office of each senator and representative elected after the effective date of this act shall commence on the second Monday in January following the date of election.

**NEW SECTION.** Sec. 56. The intent of sections 2 through 50 of this act is to include all the territory of the state in the fifty-four legislative districts and forty-nine senatorial districts created by this act, whether or not such territory has been encompassed within the boundaries of precincts or areas specifically mentioned herein. If any territory of the state is not included within precincts or areas specifically mentioned herein, such territory shall be assigned to a legislative district as follows:

- (1) If such territory be completely surrounded by territory embraced within a

given legislative district, such territory shall be and become a part of such district; (2) If such territory shall not be thus surrounded but shall adjoin one or more legislative districts, such territory shall be and become a part of the adjoining district having the smallest number of inhabitants. If any territory which has been specifically mentioned is embraced within two or more legislative districts, such territory shall be and become a part of the adjoining district having the smallest number of inhabitants, and shall not be part of the other district or districts. The 1960 United States census shall be used for determining the number of inhabitants under this act. If any territory has been specifically mentioned as embraced within a given legislative district but is in fact separated from such district by territory of one or more other districts, such territory shall be assigned as though it had not been included within a district specifically mentioned herein.

**NEW SECTION.** Sec. 57. Chapters 5 and 289 of the Laws of 1957 and chapter 44.06 RCW are each repealed, except that this act shall not affect the thirty-ninth legislature or the terms of its members, and except that the terms of each senator elected at the 1964 general election for a new term commencing January 11, 1965 shall continue until the second Monday in January, 1969.

**NEW SECTION.** Sec. 58. If the inclusion in this act of any set or sets of separate legislative districts within a senatorial district or districts shall render this act invalid, the whole senatorial district or districts shall be treated as a legislative district or districts with two representatives and without separate legislative districts. If any other 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. 59. 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."

JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue, R. R. Bob Greive, Al Henry, Karl Herrmann, James Keefe, Ernest W. Lennart, David E. McMillan, W. C. Raugust, Fred G. Redmon, John N. Ryder, John H. Stender.

The bill was read the second time by sections.

Senator McCutcheon moved the adoption of the committee amendment.

It was moved by Senator Gissberg that amendments to the committee amendment to Engrossed House Bill No. 196 be considered section by section, seriatim.

Debate ensued.

Senators Greive, McCutcheon, and Herrmann demanded a Call of the Senate. A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

#### MOTION

Senator Moriarty, Jr.:

"Mr. President:

"I move that those amendments which deal with legislative districts thirty, thirty-one and thirty-five, and which I understand appear as amendments to pages 14, 15 and 18 of the committee amendment that is before us, be first considered, and I would like to speak on my motion."

**POINT OF ORDER**

Senator Gissberg:

"Mr. President, point of order:

"These motions are of equal rank and my motion should be put before the motion of Senator Moriarty. My motion was to consider these amendments seriaty; namely, section by section, section one first, section two next, and so on."

**RULING BY THE PRESIDENT**

The President:

"Senator Moriarty, the President, in ruling upon the point of order as presented by Senator Gissberg must rule that Senator Gissberg's point of order is well taken and that the motions are of equal rank. The Senator has moved that the amendments be considered section by section. Are there any remarks."

Debate ensued.

The motion was lost on a rising vote.

**MOTION TO RECONSIDER**

Senator Gissberg:

"Mr. President:

"I move that the rules be suspended and that the Senate do now reconsider the vote by which my motion failed to carry."

Debate ensued.

Senator Gissberg demanded a roll call and the demand was sustained by Senators Hanna, Gallagher, Kupka, Washington, Bailey, Charette, Rasmussen and Sandison.

**ROLL CALL**

The Secretary called the roll on the motion to reconsider and the motion was lost by the following vote: Yeas, 24; nays, 25.

Those voting yea were: Senators Bailey, Charette, Connor, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Knoblauch, Kupka, McCormack, Mardesich, Morgan, Peterson (Lowell), Rasmussen, Sandison, Talley, Washington—24.

Those voting nay were: Senators Atwood, Chytil, Cooney, Cowen, England, Freise, Guess, Herrmann, Keefe, Lennart, Lewis, McCutcheon, McMillan, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams, Woodall—25.

The President stated the question before the Senate is: It has been moved by Senator Moriarty, Jr., that the Senate do now consider the amendments pertaining to districts thirty, thirty-one and thirty-five to be found on pages 14, 15 and 18.

Debate ensued.

The motion was carried.

**MOTION**

It was moved by Senator Moriarty, Jr., that the amendments pertaining to districts thirty, thirty-one and thirty-five be laid upon the table.

The President declared the Senate to be at ease.

The President called the Senate to order.

**MOTION**

Senator Gissberg:

"Mr. President:

"I move that the rules be suspended and that the Senate consider sections 2 and 3

and the amendments to sections 2 and 3 prior to the sections which have, according to action of this Senate, taken first place."

The President:

"It has been moved that the rules be suspended; that the Senate do now consider those amendments to sections 2 and 3 prior to the ones as provided for in the prior motion."

#### POINT OF ORDER

Senator Moriarty, Jr.:

"Point of order, Mr. President:

"There was pending before the Senate a motion to lay certain amendments on the table, and I believe that the motion to lay on the table—"

Senator McCormack:

"Point of order, Mr. President:

"I don't believe it is possible to lay amendments on the table until they have been presented. They have not been read; therefore, a motion to lay on the table cannot be in order."

Senator Moriarty, Jr.:

"Mr. President:

"The majority can rule under the existing rules of the Senate to lay on the table before the amendments are read, whether they are read or not."

The President:

"Senator Moriarty:

"Would you please direct the President to the proper rule?"

Senator Moriarty, Jr.:

"Rule 28."

The President:

"For what purpose does Senator Greive rise?"

Senator Greive:

"To make a motion and solve the problem."

The President:

"Please do so."

#### MOTION

Senator Greive:

"I move the question of consideration on these particular amendments, and if you will look up Senate Rule 68, they have to be read."

The President:

"Senator Greive has raised the question of consideration on the amendments."

#### POINTS OF ORDER

Senator Gallagher:

"Mr. President:

"I think Senator Gissberg moved that the rules be suspended and before consideration of the first amendment, we consider amendments to sections 2 and 3. I think that a motion to suspend the rules would have the highest priority according to my little red book, and I think, therefore, the motion would be in order."

Senator Gissberg:

"If I may, Mr. President:

"Whenever anyone makes a motion to suspend the rules, if carried, then you need not be concerned about any motion to lay on the table or any of your regular rules of priority of motions, and my motion was to suspend the rules and now

consider, before Senator Moriarty's amendments, the amendments to section 2 and 3. The motion to suspend the rules automatically takes care of any of the points of order that are raised by Senator Moriarty."

Senator Greive:

"Mr. President:

"I'll withdraw the motion."

The President:

"With the consent of the Senate, the question of consideration has been withdrawn. The question before the Senate now is the motion as presented by Senator Gissberg.

#### RULING BY THE PRESIDENT

The President:

"The President, in ruling upon the point of order as presented by Senator Gissberg, rules that Senator Gissberg's point of order is well taken and that a motion for the suspension of the rules has top priority."

#### MOTION

The President:

"It has been moved by Senator Gissberg that the rules be suspended and that the Senate do now consider those amendments to sections 2 and 3 first."

Senator Gissberg demanded a roll call and the demand was sustained by Senators Hanna, McCormack, Knoblauch, Gallagher, Charette, Washington, Bailey and Greive.

#### ROLL CALL

The Secretary called the roll on the motion by Senator Gissberg and the motion was lost by the following vote: Yeas, 24; nays, 25.

Those voting yea were: Senators Bailey, Charette, Connor, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Knoblauch, Kupka, McCormack, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Sandison, Talley, Washington—24.

Those voting nay were: Senators Atwood, Chytil, Cooney, Cowen, England, Freise, Guess, Herrmann, Keefe, Lennart, Lewis, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams, Woodall—25.

#### POINT OF ORDER

Senator Moriarty, Jr.:

"Mr. President:

"I ask the Chair again to place my motion."

The President:

"Would you restate your motion, Senator Moriarty?"

Senator Moriarty, Jr.:

"My motion, Mr. President, was to lay on the table those amendments dealing with legislative districts thirty, thirty-one and thirty-five, and I understand those are on pages 14, 15 and 18 of the amendment on which we are working."

#### QUESTION OF CONSIDERATION

Senator Greive:

"Mr. President:

"I raise the question of consideration and ask that the amendments be read."

The President:

"Senator Greive has raised the question of consideration. For what purpose does Senator Woodall rise?"

**PARLIAMENTARY INQUIRY**

Senator Woodall:

"Point of parliamentary inquiry, Mr. President:

"Does consideration lie as to subsidiary motions and amendments, or only to a main question?"

Senator Greive:

"Mr. President:

"Speaking on the point of order, what Senator Woodall is quoting you is Reed's Rule 110. That was the rule, but it is not the rule we are under. I refer the President to Senate Rule 68."

**RULING BY THE PRESIDENT**

The President:

"The President wishes to read Senate Rule 68. 'Question of Consideration. When the question of consideration has been raised as to any motion, resolution or amendment, it shall not be put until said motion, resolution or amendment has been read. The question of consideration shall be carried by a majority vote of the Senators present.'"

Debate ensued.

The President stated the question before the Senate is: "Does the Senate wish to consider the motion presented by Senator Moriarty."

**PARLIAMENTARY INQUIRY**

Senator Moriarty, Jr.:

"Would the President explain a 'yes' and 'no' vote?"

Senator Greive:

"Mr. President, parliamentary inquiry:

"The question of consideration cannot be put until such time as the amendment has been read, is that correct?"

**RULING BY THE PRESIDENT**

The President:

"That is correct, Senator. The Secretary will read."

The Secretary read the amendment:

On page 14, section 31, lines 14, 15 and 16 after "west along S." on line 14 strike all the matter down to and including "S.W. 168th St." on line 16 and insert "160th and S.W. 160th St."

It was moved by Senator Herr that the amendment to the committee amendment as read be adopted.

Debate ensued.

It was moved by Senator Moriarty, Jr., that the motion by Senator Herr be laid upon the table.

Senator Moriarty, Jr., demanded a roll call and the demand was sustained by Senators Sandison, Mardesich, Lewis, Herr, Rasmussen, Greive, Washington, Bailey and Knoblauch.

**ROLL CALL**

The Secretary called the roll on the motion by Senator Moriarty, Jr., to lay the motion by Senator Herr upon the table. The motion was lost by the following vote: Yeas, 18; nays, 31.

Those voting yea were: Senators Atwood, Chytil, England, Freise, Guess, Lennart, Lewis, McMillan, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Stender, Thompson, Jr., Williams, Woodall—18.

Those voting nay were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—31.

Debate ensued.

The President declared the question before the Senate to be the adoption of the amendment by Senator Herr to page 14, section 31, lines 14 and 15 of the committee amendment.

Senator Moriarty, Jr., demanded a roll call and the demand was sustained by Senators Chytil, Atwood, Peterson (Ted), Lewis, Sandison, Dore, Herr, Greive and Bailey.

**ROLL CALL**

The Secretary called the roll. The motion was carried and the amendment to the committee amendment by Senator Herr was adopted by the following vote: Yeas, 31; nays, 18.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—31.

Those voting nay were: Senators Atwood, Chytil, England, Freise, Guess, Lennart, Lewis, McMillan, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Stender, Thompson, Jr., Williams, Woodall—18.

Senator McCutcheon moved the adoption of the following amendment to the committee amendment:

On page 15, section 32, line 1 after "district—" strike remainder of the section and insert "the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of Puget Sound and S.W. 160th St., proceed east along S.W. 160th St. and S. 160th St., north along 16th Ave. S., west along S. 136th St. and S. W. 136th St., north along 1st Ave. S., west along S. W. Webster St., north along 35th Ave. S.W., west along S.W. Morgan St., south through Puget Sound to the point of origin."

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator McCutcheon, the following amendment to the committee amendment was adopted:

On page 18, section 36, line 8, after "act," insert "south along 16th Ave. S.,"

On motion of Senator Gallagher, the following amendment to the committee amendment was adopted:

On page 18, section 36, line 5, strike "Sourth" and insert "South"

The President:

"Members of the Senate:

"That concludes the consideration of the amendments to those sections to which the motion of Senator Moriarty applied. The President wishes to know the desires of the members of the Senate."

Senator Greive:

"Mr. President:

"I move we proceed in order."

The President:

"If there is no objection, the Senate will proceed in order."

It was moved by Senator McCormack that the following amendment to the committee amendment be adopted:

On page 5, section 9, line 10, after "8-B—" strike the remainder of the section and insert "the area in the county of Benton that is encompassed by the following boundaries: beginning at the intersection of the center line of the Columbia River and the line separating Township 7 North and Township 8 North, proceed west, north and then generally east along the southern, western and then northern boundaries of legislative district 16-A as described in Sec. 17 (1) of this Act, generally north and west along the center line of the Columbia River, south along the Benton-Yakima and Benton-Klickitat county lines, generally east and north along the center line of the Columbia River to the point of origin."

Debate ensued.

The motion was carried and the amendment was adopted.

It was moved by Senator McCutcheon that the following amendments be adopted:

On page 5, section 10, line 17 after "Whitman" strike ";" and insert "less United States census tracts 3, 4, 10 and 11"

On page 5, section 10, line 19 after "Adams" and before "." insert "and the following portions of Whitman United States Census tracts 3, 4, 10 and 11".

Debate ensued.

The motion was lost on a rising vote and the amendments were not adopted.

Senator Charette moved the adoption of the following amendment to the committee amendment:

On page 6, section 12, line 13 after "Sec. 12." strike the remainder of the section and insert "(1) Legislative district 11-A—the counties of Asotin, Columbia and Garfield, and the following precincts in Walla Walla County: Alderbrook, Baker, Blalock, Burbank, Clyde, Dixie, East Waitsburg, Eureka, Frenchtown, Gardena, Gose, Haas, Hadley, Hill, Lincoln, Lower Dry Creek, Mill Creek, Prescott, Russell Creek, Valley Homes, Wallula, Washington and West Waitsburg; and (2) Legislative district 11-B—all precincts within the city of Walla Walla and the following precincts in the county of Walla Walla: Abbott, Beck, Berney, Braden, College Place 1 through 8 inclusive, Darry, Finch, Garrison, Prospect Point, Ritz, Stone and Twin Grove."

Debate ensued.

Senator Charette demanded a roll call and the demand was sustained by Senators Herrmann, Kupka, Gallagher, Gissberg, Greive, Hallauer, Rasmussen and Sandison.

#### ROLL CALL

The Secretary called the roll. The motion was carried and the amendment to the committee amendment was adopted by the following vote: Yeas, 32; nays, 17.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Hermann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Raugust, Riley, Sandison, Talley, Washington—32.

Those voting nay were: Senators Atwood, Chytil, England, Freise, Guess, Lennart, Lewis, McMillan, Moriarty, Jr., Neill, Peterson (Ted), Redmon, Ryder, Stender, Thompson, Jr., Williams, Woodall—17.



On motion of Senator McCormack, the following amendment to the committee amendment was adopted:

On page 8, section 17, line 2, after "16-A—" strike all the material down to and including "Paterson;" on line 11 and insert "the area in the county of Benton that is encompassed by the following boundaries: Beginning at the intersection of the center line of the Columbia River and the line separating Township 7 North and Township 8 North, proceed west along the line separating Township 7 North and Township 8 North, north along the line separating Range 28 East and Range 29 East, west along the line separating Township 8 North and Township 9 North, north along the line separating Range 27 East and Range 28 East, east along an extension of the line separating Section 7 and Section 18 in Township 9 North to its intersection with the center line of the Yakima River, thence along the center line of the Yakima River to its intersection with a straightline extension of Swift Boulevard, east along Swift Boulevard, north along Thayer Drive, east along Williams Blvd., north along George Washington Way, east along Van Giesen St., generally southeast along the center line of the Columbia River to the point of origin."

On motion of Senator Petrich, the following amendments to the committee amendment were adopted:

On page 12, section 27, line 8, after "Division Ave.," and before "along 6th Ave." strike "east" and insert "south along Sprague Ave., west along South 9th St., north along Puget Sound Ave., West"

On page 12, section 27, line 11 after "Puget Sound" and before "north" insert "excluding Ketron Island,".

On motion of Senator Petrich, the following amendment to the committee amendment was adopted:

On page 13, section 29, line 17 after "north" and before "along" insert ", including Ketron Island,".

On motion of Senator Ryder, the following amendment to the committee amendment was adopted:

On page 16, section 33, line 1 after "Sec. 33." strike the remainder of the section and insert: "(1) Legislative district 32-A—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the center line of the Lake Washington Canal and 30th Ave. N.E., proceed generally west through the Lake Washington Canal, Portage Bay, and Lake Union, north along 1st Ave. N.E., east along N.E. 50th, north along Roosevelt Way N.E., southeast along Ravenna Blvd., south along 15th Ave. N.E., east along N.E. 52nd St., north along 20th Ave. N.E., east along N.E. 68th, south along 45th Ave. N.E., west along N.E. 55th St., south along 30th Ave. N.E. to the point of origin.

(2) Legislative district 32-B—the area in the county of King encompassed by the following boundaries: Beginning at the intersection of North 40th and 1st Ave. N.E., proceed south to Lake Union, generally southerly and westerly through Lake Union, west along Florentia St. and W. Florentia St., south along 3rd Ave. W., west along W. Barrett St., north along 7th Ave. W., west along W. Dravus St., north along 11th Ave. W., northwest along the center line of the Salmon Bay Waterway, northeast along N.W. Dock Place, east along N.W. 51st St., north along 15th Ave. N.W., east along N.W. Market St., north along 14th Ave. N.W., east along N.W. 57th St., north along 8th Ave. N.W., east along N.W. 60th St., and N. 60th St., north along Greenwood Ave. N., east along N. 64th St., north along Woodland Place N., east along N. 65th St., generally southeast along the western shore line of Green Lake, south along the extension of Green Lake Way N. into Green Lake, south along Green Lake Way N., east along N. 50th and N.E. 50th, south along 1st Ave. N.E. to the point of beginning.

On motion of Senator Williams, the following amendments to the committee amendment were adopted:

On page 19, section 38, line 25, after "east along East" and before "," strike "Denny Way" and insert "Thomas St."

On page 19, section 38, line 26, at the beginning of the line, strike "37th" and insert "34th".

On motion of Senator Atwood, the following amendment to the committee amendment was adopted:

On page 21, section 42, line 18, after "county line," and before "north along" insert "generally north along the King-Kittitas county line, west along an extension of the line separating Section 13 and Section 24 in Township 23 North."

On motion of Senator Thompson, Jr., the following amendment to the committee amendment was adopted:

On page 24, section 49, line 1, after "district—" strike the remainder of the section and insert "the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the southern boundary of Beaux Arts and the eastern waters of Lake Washington, proceed northeast, south, and then east along the northern boundary of the 41st legislative district as described in section 42 of this Act, north along the King-Kittitas and King-Chelan county lines, west along the King-Snohomish county line, generally south and then west along the eastern and southern boundaries of the 1st legislative district as described in section 2 of this Act, south through the eastern waters of Lake Washington to the point of origin."

On motion of Senator Greive, the following amendments to the committee amendment were adopted:

On page 26, section 51, line 4, after "9-B," and before "16-A," insert "11-A, 11-B,"

On page 26, section 51, line 11, after ";" and before "legislative" insert "legislative district 11-A shall be combined with legislative district 11-B to form the eleventh senatorial district;"

On page 27, section 53, line 4, after "9-B," and before "16-A," insert "11-A, 11-B,"

On page 28, section 56, lines 2 and 3 after "in the" in line 2 strike "fifty-four" on lines 2 and 3 and insert "fifty-six"

On page 1, section 1, line 2 after "divided into" strike "fifty-four" and insert "fifty-six".

On motion of Senator Petrich, the Senate voted to reconsider the vote by which the amendment to the committee amendment on page 13, section 29, line 17 was adopted.

The President declared the question before the Senate to be the adoption of the following amendment to the committee amendment:

On page 13, section 29, line 17, after "north" and before "along" insert ", including Ketron Island,".

The motion was lost and the amendment to the committee amendment was not adopted.

On motion of Senator Petrich, the following amendment to the committee amendment was adopted:

On page 13, section 30, line 23, after "generally south" insert ", including Ketron Island,".

On motion of Senator Greive, the following amendment to the committee amendment was adopted:

On page 26, section 51, line 4, after "16-A," strike "and" and after "16-B" and before "shall" insert ", 32-A and 32-B".

On motion of Senator Greive, the following amendments to the committee amendment were adopted:

On page 26, section 51, line 13, after "district" and before "." insert "; legislative district 32-A shall be combined with legislative district 32-B to form the thirty-second senatorial district"

On page 27, section 53, line 4, after "16-A," strike "and" and after "16-B" insert ", 32-A and 32-B".

It was moved by Senator Charette that the following amendment to the committee amendment as amended be adopted:

On page 1, beginning with section 1, strike the entire committee amendment as amended and insert the following: "House Bill No. 373 of the 1965 session."

Debate ensued.

#### MOTION

On motion of Senator Greive, the rules were suspended and Senator Raugust was excused from under the Call of the Senate.

Debate ensued.

Senator McCutcheon moved that the amendment by Senator Charette be laid upon the table.

Senator Moriarty, Jr., demanded a roll call and the demand was sustained by Senators Ryder, Atwood, Peterson (Ted), Williams, Guess, McCutcheon, Charette, Donohue and Rasmussen.

#### ROLL CALL

The Secretary called the roll on the motion by Senator McCutcheon to lay the amendment on the table. The motion was lost by the following vote: Yeas, 21; nays, 27; excused, 1.

Those voting yea were: Senators Bailey, Connor, Cooney, Donohue, Dore, Foley, Greive, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Petrich, Sandison, Talley, Washington—21.

Those voting nay were: Senators Atwood, Charette, Chytil, Cowen, Durkan, England, Freise, Gallagher, Gissberg, Guess, Hallauer, Hanna, Lennart, Lewis, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams, Woodall—27.

Excused: Senator Raugust—1.

Debate ensued.

It was moved by Senator McCutcheon that the amendment by Senator Charette be indefinitely postponed.

Further debate ensued.

#### POINT OF ORDER

Senator Charette:

"Point of order, Mr. President.

"If this motion carries, does it carry the bill with it?"

#### RULING BY THE PRESIDENT

The President:

"It does not, Senator Charette."

Senator Charette demanded a roll call and the demand was sustained by Senators Rasmussen, Greive, Washington, Connor, Knoblauch, Gallagher, Freise, Moriarty, Jr., Stender and Ryder.

#### ROLL CALL

The Secretary called the roll on the motion by Senator McCutcheon that the amendment be indefinitely postponed. The motion was carried by the following vote: Yeas, 28; nays, 20; excused, 1.

Those voting yea were: Senators Bailey, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr,

Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Peterson (Lowell), Petrich, Riley, Sandison, Talley, Washington—28.

Those voting nay were: Senators Atwood, Charette, Chytil, Cowen, England, Freise, Guess, Lennart, Lewis, Mardesich, Moriarty, Jr., Neill, Peterson (Ted), Rasmussen, Redmon, Ryder, Stender, Thompson, Jr., Williams, Woodall—20.

Excused: Senator Raugust—1.

It was moved by Senator Hallauer that the following amendment to the committee amendment be adopted:

On page 1, line 11, renumber "Sec. 2" as "Sec. 3" and strike the word "First" and insert the word "Second".

Debate ensued.

Senator McMillan demanded a roll call and the demand was sustained by Senators Greive, McCutcheon, Morgan, Rasmussen, Knoblauch, Gallagher, Kupka, Herrmann and Charette.

#### ROLL CALL

The Secretary called the roll. The motion was lost and the amendment was not adopted by the following vote: Yeas, 20; nays, 28; excused, 1.

Those voting yea were: Senators Bailey, Charette, Donohue, Foley, Gallagher, Gissberg, Hallauer, Hanna, Henry, McCormack, Mardesich, Peterson (Lowell), Rasmussen, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—20.

Those voting nay were: Senators Atwood, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Freise, Greive, Guess, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Redmon, Stender, Williams—28.

Excused: Senator Raugust—1.

It was moved by Senator Rasmussen that the following amendment to the committee amendment be adopted:

On page 13, section 29, line 1, after "Sec. 29." strike "Twenty-eighth" and insert "Twenty-ninth".

Debate ensued.

The motion was lost and the amendment was not adopted.

It was moved by Senator Rasmussen that the following amendment to the committee amendment be adopted:

On page 13, section 29, line 6, after "S. 40th St." insert "until it meets the Tacoma Freeway thence south to 50th St."

Debate ensued.

#### PERSONAL PRIVILEGE

Senator Ryder:

"Mr. President:

"I wish to speak on point of personal privilege. This is the second time, once in committee and once on the floor of the Senate, that Senator McCutcheon has stated that Representative Gorton drew this stovepipe line in there. Now it may be possible that Representative Gorton held the pen that drew the lines that way, but let me assure you, lady and gentlemen of the Senate, that it was drawn at the direction of the Democrats. Now Representative Gorton was advised that he could draw another Republican district in Pierce county. This he did. But he was asked to draw a stovepipe out to pick up Senator Rasmussen. I want that fully understood."

Senator McCutcheon:

"I want it clearly understood that I didn't request it."

It was moved by Senator Greive that the amendment to the committee amendment by Senator Rasmussen be laid upon the table.

Senator Rasmussen demanded a roll call and the demand was sustained by Senators McCutcheon, Washington, Kissberg, Hallauer, Herrmann, Freise, Peterson (Lowell), Stender and Greive.

#### ROLL CALL

The Secretary called the roll on the motion by Senator Greive to lay the amendment upon the table. The motion was carried by the following vote: Yeas, 31; nays, 17; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Redmon, Riley, Thompson, Jr., Woodall—31.

Those voting nay were: Senators Charette, Gallagher, Gissberg, Guess, Hallauer, Lennart, Lewis, McCormack, Mardesich, Petrich, Rasmussen, Ryder, Sandison, Stender, Talley, Washington, Williams—17.

Excused: Senator Raugust—1.

It was moved by Senator Rasmussen that the following amendment to the committee amendment be adopted:

On page 13, section 29, line 15, after "Military Road," strike the remainder of the section and insert "until it meets the city limits of the city of Stellacoom from and generally west along the southern limits of the city of Stellacoom until it meets Cormorant Passage thence north along the shores of Puget Sound to the point of origin."

Debate ensued.

The motion was lost and the amendment was not adopted.

It was moved by Senator Neill that the following amendment to the committee amendment as amended be adopted:

On page 25, section 50, line 4, strike "5-15, 5-20,"

also the following amendment to the committee amendment:

On page 8, section 18, line 24, strike the period after "6-95" and add ", 5-15, 5-20."

Debate ensued.

The motion was lost and the amendment was not adopted.

On motion of Senator Greive, the following amendments to the committee amendment were adopted:

On page 3, section 6, line 3, between "521," and "525" insert "that part of 523 precinct lying north of Rowan Ave., that part of 524 precinct lying north of Rowan Ave.," and on line 4 between "St.," and "557" insert "that part of 556 precinct lying north of Rowan Ave.,"

On line 10 after "516," strike "522 through 524," and insert "522, that part of 523 precinct lying south of Rowan Ave., that part of 524 precinct lying south of Rowan Ave."

On line 12, strike "556," and insert "that part of 556 precinct lying south of Rowan Ave."

On page 19, section 37, line 6, after "boundaries" strike all the matter down to and including "section 33" on line 7, and insert "of legislative district 32-B as described in Sec. 33-(2)"

On page 22, section 44, line 6, strike all of line 6 and insert "of legislative district 32-A as described in Sec. 33-(1) of this"

On page 22, section 45, line 20, after "boundaries" strike all the material down to and including "33" on line 21 and insert "of legislative district 32-B as described in Sec. 33-(2)"

On page 22, section 46, line 29, after "northern" strike all the matter down to and including "33" on line 30 and insert "boundaries of legislative district 32-B and then legislative district 32-A as described in section 33"

On page 23, section 47, line 7, after "eastern" strike all the matter down to and including "33" on line 8 and insert "boundaries of legislative district 32-A as described in Sec. 33-(1)".

It was moved by Senator England that the following amendment to the committee amendment be adopted:

On page 22, section 46, line 26, strike "Freemont" and insert "Fremont".

Debate ensued.

The motion was carried and the amendment to the committee amendment was adopted.

It was moved by Senator Greive that the Senate do now reconsider the vote by which the amendment by Senator England to the committee amendment was adopted.

Debate ensued.

The motion was lost.

Further debate ensued.

#### PARLIAMENTARY INQUIRY

Senator Ryder:

"Mr. President:

"I am confused. Why would we want to reconsider this amendment? Have they been speaking on an amendment which is not before the Senate?"

Senator Gallagher:

"I don't think it was our intention to reconsider this one, but there is a further amendment which relates to the boundaries of the forty-fifth district. Senator Greive had another amendment on the desk. I think this is where we got into the overall problem."

Senator Greive:

"That's right. It can't be considered until we get to the point where we want to reconsider this. You can't amend an amendment after it is adopted. The second amendment will correct the situation."

The President:

"That is correct. The first amendment changes the spelling of Fremont to a single 'e'. The second amendment will strike the word 'Freemont' with a double 'e' and substitute the word 'Aurora.' In order to do this, Senators, it is necessary to reconsider the first amendment."

Debate ensued.

#### POINT OF ORDER

Senator Moriarty, Jr.:

"Mr. President, point of order:

"Has not the Senate already refused to reconsider that vote?"

The President:

"That is correct, Senator."

Senator Gallagher:

"Mr. President:

"This is a simple matter, and I believe an amendment is being drawn which will solve the whole problem, if Senator England will withdraw his amendment."

Senator England:

"Mr. President:

"I don't believe I have the power to withdraw an amendment which has already been adopted by the Senate."

The President:

"That is correct, Senator England."

#### MOTION

Senator Rasmussen moved that the Senate adjourn.

On motion of Senator McCutcheon, the motion was laid upon the table.

Senator Williams moved that the following amendment to the committee amendment be adopted:

On line 7 of the mimeographed amendment by Senator McCutcheon to page 16, section 33, line 1, strike "30th" and insert "15th".

On the last line of the first paragraph of the mimeographed amendment by Senator McCutcheon to page 16, section 33, after "30th Ave. N. E.," and before "to the point" insert "west along N. E. 45th, south along 15th Ave. N. E.,"

Debate ensued.

The motion was carried on a rising vote and the amendment to the committee amendment was adopted.

It was moved by Senator Gallagher that the following amendment to the committee amendment as amended be adopted:

On page 22, section 45, line 18, after "145th St.," strike everything to and including "N.W. 115th St." on line 19 and substitute the following: "south along Fremont Ave. N., west along N. 105th and N.W. 105th,"

Debate ensued.

Senator Gallagher demanded a roll call and the demand was sustained by Senators Gissberg, Hallauer, McCormack, Durkan, Charette, Rasmussen, Peterson (Lowell), Stender and Moriarty, Jr.

#### ROLL CALL

The Secretary called the roll. The motion was lost and the amendment to the committee amendment as amended was not adopted by the following vote: Yeas, 20; nays, 28; excused, 1.

Those voting yea were: Senators Charette, Connor, Cooney, Donohue, Durkan, Gallagher, Gissberg, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Mardesich, Peterson (Lowell), Rasmussen, Sandison, Talley, Washington—20.

Those voting nay were: Senators Atwood, Bailey, Chytil, Cowen, Dore, England, Foley, Freise, Greive, Guess, Herrmann, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams, Woodall—28.

Excused: Senator Raugust—1.

On motion of Senator McCutcheon, the committee amendment, as amended, was adopted.

On motion of Senator Greive, the following amendment to the title was adopted:

In line 2 of the title after "thereof;" strike the remaining material down to and including "44.06.900" on line 6 and insert "repealing chapter 5, Laws of 1957, chapter 289, Laws of 1957, and chapter 44.06 RCW".

**PARLIAMENTARY INQUIRY**

Senator Rasmussen:

"Point of inquiry, Mr. President:

"I would like to ask through the Chair if voters on a military reservation are classed for the population count in the various districts? The reason I ask that, Mr. President, is that I understand that there have been some recent court decisions where the voters on a military reservation were not to be disenfranchised."

**REPLY BY THE PRESIDENT**

The President:

"The President believes that military personnel living on bases would not be counted, Senator."

The President declared the Senate to be at ease.

The President called the Senate to order at 6:05 a. m.

On motion of Senator Greive, the rules were suspended, Engrossed House Bill No. 196, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed House Bill No. 196, as amended by the Senate, and the bill failed to pass the Senate by the following vote: Yeas, 19; nays, 29; excused, 1.

Those voting yea were: Senators Bailey, Cooney, Donohue, Dore, Greive, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Morgan, Petrich, Riley, Sandison, Talley, Washington—19.

Those voting nay were: Senators Atwood, Charette, Chytil, Connor, Cowen, Durkan, England, Foley, Freise, Gallagher, Gissberg, Guess, Hallauer, Hanna, Lennart, Lewis, McCormack, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Redmon, Ryder, Stender, Thompson, Jr., Williams, Woodall—29.

Excused: Senator Raugust—1.

Engrossed House Bill No. 196, as amended by the Senate, having failed to receive the constitutional majority, was declared lost.

**MOTION**

Senator Gallagher:

"Mr. President:

"I wish to move that the Senate adjourn until 2:30 p.m. Would the proper motion be 'this afternoon' or 'tomorrow' because of the calendar clock?"

The President:

"The President would say that 2:30 p.m. this afternoon would be correct."

Senator Gallagher:

"Mr. President:

"I so move."

**NOTICE OF RECONSIDERATION**

Senator Neill:

"Mr. President:

"Having voted on the prevailing side, I now give notice that on the next working day I will move to reconsider the vote by which Engrossed House Bill No. 196 as amended by the Senate failed to pass the Senate."



**POINT OF ORDER**

Senator Gallagher:

"Point of order, Mr. President:

"The Chair recognized my motion, the motion to adjourn, which is not debatable and cannot be interrupted, and I think it should be put."

**RULING BY THE PRESIDENT**

The President:

"Senator Gallagher, the President is advised that the Senate is still under the Call of the Senate."

Senator Neill:

"Mr. President:

"I have been recognized and I have given notice."

The President:

"Notice received."

On motion of Senator Riley, the Senate dispensed with the Call of the Senate.

**MOTION**

At 6:50 a. m., Tuesday, February 23, 1965, the Senate adjourned until 2:30 p. m. of the same day.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**FORTY-FOURTH DAY**

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**AFTERNOON SESSION**

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SENATE CHAMBER,

OLYMPIA, WASH., Tuesday, February 23, 1965.

The Senate was called to order at 2:30 p. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Bailey, Lennart, McCutcheon, McMillan and Petrich.

On motion of Senator Greive, Senators Bailey, McCutcheon, McMillan and Petrich were excused.

On motion of Senator Atwood, Senator Lennart was excused.

The Color Guard, consisting of Pages Myron Myers, Color Bearer, and Theresa Pomeroy, presented the Colors.

Doctor Maurice L. Haehlen, minister of the United Churches of Olympia, offered prayer as follows:

"Almighty God, Thou Father of us all, Thou who has committed to us a sacred trust, help us to know that the hour for serving Thee is now. Lift us, in our considerations, above all pride of person or party. Give us the courage to face the problems that lie about us and the wisdom and good humor to solve them intelligently. Cleanse our land from waste and corruption and do Thou renew hope and faith in our hearts. Amen."

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

**MOTION FOR RECONSIDERATION**

Having given notice on the previous day, it was moved by Senator Neill that the Senate do now reconsider the vote by which Engrossed House Bill No. 196 failed to pass the Senate.

It was moved by Senator Moriarty, Jr. that the motion by Senator Neill be made a special order of business for 4:00 p. m. today.

Debate ensued.

It was moved by Senator Charette that the motion by Senator Moriarty, Jr. be laid upon the table.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Charette, McCormack, Gallagher, Cooney, Foley, Peterson (Lowell), Neill and Woodall.

**ROLL CALL**

The Secretary called the roll on the motion by Senator Charette and the motion was lost by the following vote: Yeas, 13; nays, 31; excused, 5.

Those voting yea were: Senators Charette, Connor, Gallagher, Gissberg, Greive, Hallauer, Hanna, Herr, Kupka, McCormack, Mardesich, Peterson (Lowell), Rasmussen—13.

Those voting nay were: Senators Atwood, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Guess, Henry, Herrmann, Keefe, Knoblauch, Lewis, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—31.

Excused: Senators Bailey, Lennart, McCutcheon, McMillan, Petrich—5.

The President declared the question before the Senate is: It has been moved by Senator Moriarty, Jr., that the motion for reconsideration as presented by Senator Neill be made a special order of business for 4:00 p. m. today.

The motion was carried.

**SECOND READING OF BILLS**

**Senate Bill No. 93**, by Senators Dore, Petrich, Riley, Neill, Ryder and Hallauer:

Regulating charities.

On motion of Senator Riley, Substitute Senate Bill No. 93 was substituted for Senate Bill No. 93, and Substitute Senate Bill No. 93 was ordered to take its place on the second reading calendar.

On motion of Senator Riley, Substitute Senate Bill No. 93 was ordered to retain its place at the end of the second reading calendar for today.

**Senate Bill No. 301**, by Senators Gallagher, Freise and McCutcheon:

Providing a procedure for the cancellation of the registration of voters who do not reside at their registration address.

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

**Senate Bill No. 280**, by Senators McCutcheon and Talley:

Increasing the maximum area of municipal corporation having more than fifteen hundred population to four miles.

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

**Senate Bill No. 205**, by Senators Knoblauch, Keefe and Freise:

Increasing maximum allowable unused vacation accrual time for state employees.

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

**Senate Bill No. 310**, by Senators Raugust, Washington and Peterson (Lowell):

Prescribing procedural matters concerning hospital districts.

The bill was read the second time by sections.

It was moved by Senator Riley that the following amendment be adopted:

On page 2, section 1, line 24, after "." and before "commissioner" strike "No" and insert "Not more than one".

Debate ensued.

The motion was lost on a rising vote and the amendment was not adopted.

Senate Bill No. 310 was passed to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 224**, by Senator Knoblauch:

Requiring fencing by auto wrecking yards.

**REPORT OF STANDING COMMITTEE**

**Senate Bill No. 224:**

Senate Chamber,  
Olympia, Wash., February 18, 1965.

Requiring fencing by auto wrecking yards (reported by Committee on Highways): MAJORITY recommends that it do pass with the following amendments:

On page 1, section 1, line 14 after "therein" and before "," insert "where and to the extent reasonably permitted by the topography of the land"

On page 1, section 1, line 16, before "kept in" strike "painted or stained every two years and"

On page 1, section 1, line 16, after "good repair." add "A living hedge of sufficient density to prevent a view of the confined area may be substituted for such a wall or fence. Any dead or dying portion of such hedge shall be replaced."

NAT WASHINGTON, Chairman,  
AL HENRY, Vice Chairman.

We concur in this report: Robert C. Bailey, Frank W. Foley, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, James Keefe, Reuben A. Knoblauch, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, W. C. Raugust, Fred G. Redmon, Gordon Sandison, John H. Stender, Don L. Talley, Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendments were adopted.

Senate Bill No. 224 was ordered engrossed and passed to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 365**, by Senators Henry, Hallauer, Woodall and Redmon:  
Exempting Newtown apples from assessment.

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

**Senate Bill No. 256**, by Senators Charette, Petrich and Atwood:  
Pertaining to the use of purse seines in the taking of salmon.

On motion of Senator Charette, Senate Bill No. 256 was ordered to retain its place on the second reading calendar for Thursday, February 25, 1965.

The Senate resumed consideration of Substitute Senate Bill No. 93 on second reading.

On motion of Senator Riley, Substitute Senate Bill No. 93 was ordered to retain its place at the top of the second reading calendar for tomorrow.

The President declared the Senate to be at ease.

The President called the Senate to order at 4:00 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Bailey and McMillan, who were excused.

Senators Moriarty, Jr., Atwood and Peterson (Ted) demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senators Bailey and McMillan, who were excused.

On motion of Senator Moriarty, Jr., the Senate proceeded under the Call of the Senate.

#### SPECIAL ORDER OF BUSINESS

The time having arrived, the President announced the question before the Senate was the motion by Senator Neill that the Senate do now reconsider the vote by which Engrossed House Bill No. 196, as amended by the Senate, failed to pass the Senate.

Senators Moriarty, Jr., Neill and McCutcheon demanded the previous question and the demand was sustained.

Senator Moriarty, Jr., demanded a roll call and the demand was sustained by Senators Woodall, Neill, Chytil, Atwood, England, Ryder, Morgan, McCutcheon and Redmon.

#### MOTION FOR RECONSIDERATION

The Secretary called the roll on the motion by Senator Neill and the motion was carried by the following vote: Yeas, 34; nays, 13; excused, 2.

Those voting yea were: Senators Atwood, Chytil, Cooney, Cowen, Donohue, Dore, England, Freise, Greive, Guess, Henry, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—34.

Those voting nay were: Senators Charette, Connor, Durkan, Foley, Gallagher, Gissberg, Hallauer, Hanna, Herr, McCormack, Mardesich, Peterson (Lowell), Rasmussen—13.

Excused: Senators Bailey, McMillan—2.

The President declared the question before the Senate to be Engrossed House Bill No. 196, as amended by the Senate, on final passage.

It was moved by Senator Neill that the rules be suspended and that Engrossed House Bill No. 196 be returned to second reading for the purpose of amendment.

Senator Moriarty, Jr., demanded a roll call and the demand was sustained by Senators Lennart, Ryder, Freise, Peterson (Ted), Stender, McCutcheon, Washington and Charette.

**ROLL CALL**

The Secretary called the roll on the motion by Senator Neill to suspend the rules and return Engrossed House Bill No. 196 to second reading, and the motion was lost by the following vote: Yeas, 21; nays, 26; excused, 2.

Those voting yea were: Senators Atwood, Chytil, Cowen, England, Freise, Guess, Lennart, Lewis, McCutcheon, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams, Woodall—21.

Those voting nay were: Senators Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Sandison, Talley, Washington—26.

Excused: Senators Bailey, McMillan—2.

The President declared the question before the Senate to be Engrossed House Bill No. 196 as amended by the Senate, on final passage.

The President declared the Senate to be at ease.

The President called the Senate to order at 4:40 p. m.

Debate ensued.

Senator McMillan appeared before the bar of the Senate.

Further debate ensued.

Senators McCutcheon, Riley and Ryder demanded the previous question and the demand was sustained.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed House Bill No. 196, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 30; nays, 18; excused, 1.

Those voting yea were: Senators Atwood, Chytil, Cooney, Cowen, Donohue, Dore, England, Greive, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Morgan, Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Sandison, Stender, Talley, Washington, Woodall—30.

Those voting nay were: Senators Charette, Connor, Durkan, Foley, Freise, Gallagher, Gissberg, Guess, Hallauer, Hanna, Lewis, McCormack, Mardesich, Moriarty, Jr., Rasmussen, Ryder, Thompson, Jr., Williams—18.

Excused: Senator Bailey—1.

Engrossed House Bill No. 196, as amended by the Senate, having received the constitutional majority, was declared passed.

On motion of Senator Greive, Engrossed House Bill No. 196, as amended by the Senate, was ordered immediately transmitted to the House.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

**PERSONAL PRIVILEGE**

Senator Knoblauch:

"Mr. President and members of the Senate:

"I want to speak on a point of personal privilege. Just a few moments ago you heard the Senator from Kitsap county speak on the measure which we have just passed, and I can tell you she spoke with a great deal of emotion. How would you like to have members of the House come over and tell you that if you voted for a certain bill, they were going to see that your bills never came out of the Rules Committee?

"Now there are many times that I have disagreed with the Senator from Kitsap county, but when they come to the Senate and threaten a Senator that they are

going to keep out the Harrison Memorial Hospital and keep it in Rules Committee and not let it out to the floor of the House, they are stooping to a new low."

The President:

"For what purpose does Senator Gallagher rise?"

Senator Gallagher:

"Mr. President:

"I rise to inquire of Senator Knoblauch whether or not he is speaking on a point of personal privilege."

Senator Knoblauch:

"I think I am, Mr. President."

The President:

"The President believes Senator Knoblauch is confining his remarks to the point."

Senator Knoblauch:

"There is not a member of this Senate that hasn't received telephone call after telephone call from mothers and fathers who have a boy or girl who is retarded and they want to have admitted into an institution. I want to impress upon the members of the Senate that it took a lot of courage on the part of Senator Morgan to cast her vote the way she did today, and I admire her very much for it."

#### MOTION

At 5:40 p. m., on motion of Senator Greive, the Senate adjourned until noon, Wednesday, February 24, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## FORTY-FIFTH DAY

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### NOON SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Wednesday, February 24, 1965.

The Senate was called to order at noon by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Robert Fitch, Color Bearer, and Rosemary Lundstrom, presented the Colors.

Doctor Maurice L. Haehlen, minister of the United Churches of Olympia, offered prayer as follows:

"Almighty God our Heavenly Father, Thou who dost make the trees to grow so beautiful and tall, Thou who dost instruct the birds in how to build their nest, and Thou who dost guide every living thing along its way, make us conscious of Thy guiding hand in our human affairs so that we can order them after the fashion of Thy purposes. Give to us humility, wisdom and courage and bless our deliberations this session to the end that Thy will can be done in our affairs. Amen."

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

**APPOINTMENT OF SPECIAL COMMITTEE**

The President observed the presence within the bar of the Senate of Mayor Glenn Jarstad of Bremerton; Captain John L. Butts, Jr., commander of the U.S.S. Kitty Hawk; and Lieutenant Commander Joseph Barth of the U.S.S. Kitty Hawk. The President appointed a special committee consisting of Senators Woodall, Guess, Cowen, Sandison, Bailey and Freise to escort the visitors to the rostrum.

With leave of the Senate, business was suspended to permit Captain Butts to address the Senate.

**MOTION**

At 12:45 p. m., on motion of Senator Greive, the Senate recessed until 2:45 p. m.

**AFTERNOON SESSION**

The President called the Senate to order at 2:45 p. m.

The Secretary called the roll and all Senators were present.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., February 23, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 224 nave inspected same, and find it correctly engrossed.

FRANK W. FOLEY, *Chairman*.

We concur in this report: Fred H. Dore, Michael J. Gallagher, Marshall A. Neill, Perry B. Woodall.

**Senate Bill No. 237:**

Senate Chamber,  
Olympia, Wash., February 23, 1965.

Authorizing the purchase, lease, or lease with option of Harrison Memorial Hospital in Kitsap county (reported by Committee on Public Institutions):

Recommends that it do pass.

FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, James Keefe, Reuben A. Knoblauch, George W. Kupka, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 324:**

Senate Chamber,  
Olympia, Wash., February 23, 1965.

Authorizing purchase of property near Fort Worden school from federal government (reported by Committee on Public Institutions):

Recommends that it do pass.

FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, James Keefe, Reuben A. Knoblauch, George W. Kupka, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**SECOND READING OF BILLS**

**Substitute Senate Bill No. 93**, by Judiciary Committee:

Regulating charitable solicitations.

On motion of Senator Petrich, Substitute Senate Bill No. 93 was ordered to retain its place at the end of the second reading calendar for today.

**Senate Bill No. 220**, by Senators Freise and Donohue:

Concerns conveyance of land in Walla Walla county.

The bill was read the second time by sections.

On motion of Senator Freise, the following amendments were adopted:

In section 1, line 18, after "Percy" strike "S" and insert "M".

In line 2 of the title strike "S" and insert "M"

Senate Bill No. 220 was ordered engrossed and passed to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 144**, by Senators Keefe, Guess and Kupka:

Authorizing negotiations to purchase St. Luke's Hospital.

The bill was read the second time by sections.

It was moved by Senator Rasmussen that the following amendments be adopted:

On page 1, section 2, line 14, strike "negotiations" and insert "investigations"

On page 1, section 2, line 16, after "view" strike "to eventual" and insert "to determine advisability of".

Debate ensued.

It was moved by Senator Kupka that Senate Bill No. 144 be ordered to retain its place on the second reading calendar for tomorrow.

Further debate ensued.

It was moved by Senator Freise that Senate Bill No. 144 be referred to the Committee on Public Institutions.

**RULING BY THE PRESIDENT**

The President:

"Senator Freise, the motions are of equal rank. The President believes he should put Senator Kupka's motion first."

The motion was carried and Senate Bill No. 144 was ordered to retain its place on the second reading calendar for tomorrow.

It was moved by Senator Freise that Senate Bill No. 144 be referred to the Committee on Public Institutions with instructions that the committee hold hearings thereon.

Debate ensued.

**POINT OF ORDER**

Senator Gallagher:

"Mr. President:

"Point of order, Mr. President. I do not believe the bill is now before us."

**RULING BY THE PRESIDENT**

The President:

"True, the bill has been held for second reading tomorrow, but the President believes that such a motion is in order."

Further debate ensued.

On motion of Senator Greive, the motion by Senator Freise was laid upon the table.



**Senate Bill No. 372**, by Senator Riley:

Prohibiting littering of highways.

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

**Substitute Senate Bill No. 93**, by Judiciary Committee:

Regulating charities.

The Senate resumed consideration of Substitute Senate Bill No. 93 on second reading.

The bill was read the second time by sections.

On motion of Senator Petrich, the following amendments were adopted:

On page 3, section 2, line 14, after "sale." insert "The terms "solicitation" and "solicit" are not intended as a general rule to include the normal solicitation of trust business in its usual and ordinary sense by a trust company or other person lawfully engaged in such business for compensation; and those terms shall not be construed to include activity of the same nature by a non-profit tax exempt community foundation established for the purpose of receiving, holding and administering funds under the terms of express trusts for community charitable purposes, which files current reports required under this act as a trustee of one or more such trusts with combined assets in excess of one hundred thousand dollars. "Activity of the same nature" means publicizing such foundation solely as a qualified trustee to receive, hold and administer such trusts, unaccompanied by any express or implied request for any contributions, other than appointment as such trustee under the terms of a will, trust deed, or similar trust instrument."

On page 10, section 4, line 1, after "file" and before "annual" strike "an" and insert "a short form"

On page 10, section 4, line 1, after "report" and before "section 12" strike "as prescribed by" and insert "within the time and procedural requirements of"

On page 23, section 25, line 14, after "dollars." insert "Where multiple trusts are held by a tax exempt charitable community foundation which exists for the purpose of administering such trusts for community purposes, the aggregate of such trusts now or hereafter acquired shall be considered as a single trust for the purposes of this section, in assessing the initial filing and reporting fees in the year in which this act takes effect, and each annual reporting fee thereafter. No such foundation shall be required to pay, on behalf of multiple trusts acquired in any subsequent year after this act takes effect, initial filing fees aggregating more than two hundred fifty dollars in any such year."

On motion of Senator England, the following amendments were adopted:

On page 2, section 2, line 28, after "than" and before "on", strike "fund-raising" and insert "soliciting contributions or managing the soliciting of contributions"

On page 2, section 2, line 30, after "Washington" and before the comma, insert "and whose salary or other compensation is not computed on funds raised or actually raised".

Substitute Senate Bill No. 93 was ordered engrossed and passed to the Committee on Rules and Joint Rules for third reading.

**MOTION**

At 3:30 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Thursday, February 25, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## FORTY-SIXTH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Thursday, February 25, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Hallauer.

On motion of Senator Hanna, Senator Hallauer was excused.

The Color Guard, consisting of Pages Lloyd Baker, Color Bearer, and Romona Conley, presented the Colors.

Doctor Maurice L. Haehlen, minister of the United Churches of Olympia, offered prayer as follows:

"Almighty God our Heavenly Father, Thou in whom we live and move and have our being; Thou who are the source of all of our light and wisdom, touch our eyes to behold the truth and the beauty of the life Thou hast ordained for thy children. "Mercifully grant that we might live in such humility and simpleness that children.

"Mercifully grant that we might live in such humility and simpleness that we might grow into a oneness with each other and into an understanding of eternal purposes so that we all might be partakers of that Eternal Life that is now and is evermore to be. Amen."

The President called upon Senator Gissberg to preside.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., February 24, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Substitute Senate Bill No. 93; also

Senate Bill No. 220 have inspected same, and find them correctly engrossed.  
....., *Chairman.*

We concur in this report: Martin J. Durkan, Michael J. Gallagher, Marshall A. Neill.

#### Senate Bill No. 309:

Senate Chamber,  
Olympia, Wash., February 24, 1965.

Authorizing increase of school district indebtedness (reported by Committee on Education):

MAJORITY recommends that it do pass. MIKE McCORMACK, *Chairman.*

We concur in this report: Joe Chytil, Fred H. Dore, Herbert H. Freise, Karl Herrmann, Reuben A. Knoblauch, Frances Haddon Morgan, Ted G. Peterson, A. L. Rasmussen, John H. Stender, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 414:**

Senate Chamber,  
Olympia, Wash., February 24, 1965.

Creating the county road administration board (reported by Committee on Highways):

MAJORITY recommends that it do pass as amended.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, H. B. Hanna, Karl Herrmann, Reuben A. Knoblauch, Frances Haddon Morgan, Charles P. Moriarty, Jr., Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Gordon Sandison, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 415:**

Senate Chamber,  
Olympia, Wash., February 24, 1965.

Creating a city street administration board and setting forth its powers and duties (reported by Committee on Highways):

MAJORITY recommends that it do pass as amended.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, H. B. Hanna, Karl Herrmann, Reuben A. Knoblauch, Frances Haddon Morgan, Charles P. Moriarty, Jr., Ted G. Peterson, Fred G. Redmon, Gordon Sandison, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 462:**

Senate Chamber,  
Olympia, Wash., February 24, 1965.

Including pharmacists within health care services (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

MAJORITY recommends that it do pass.

DAVID E. McMILLAN, *Chairman*.

We concur in this report: David C. Cowen, R. R. Bob Greive, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 24, 1965.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to Engrossed House Bill No. 196 and asks the Senate to recede therefrom and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

Senators McCutcheon, Riley and Knoblauch demanded a Call of the Senate.

**PARLIAMENTARY INQUIRY**

Senator Charette:

"Mr. President:

"I would like to make an inquiry. Has the Senate and the House adopted joint rules?"

President Pro Tempore Gissberg:

"No, Senator, the joint rules have not yet been adopted."

**POINT OF ORDER**

Senator Charette:

"Then, Mr. President, I raise the point of order that we have no authority to be passing bills back and forth between the Senate and the House for the reason that we have not adopted joint rules."

**RULING BY THE PRESIDENT**

President Pro Tempore Gissberg:

"Senator, your point of order is not well taken. We have adopted rules which provide for Reed's Rules to govern this body. The House has likewise adopted Reed's Rules. There is procedure spelled out in Reed's Rules for transmission of messages and bills between the houses. The point of order is not well taken."

**PARLIAMENTARY INQUIRY**

Senator Charette:

"Point of inquiry, Mr. President:

"I have checked with the docket clerk and the people in the House and I find that the Secretary of the Senate received Senate Bill No. 333 two days ago and there was a motion in the House that it be immediately transmitted. I would like to know why it hasn't been read in."

**POINT OF ORDER**

Senator Woodall:

"Point of order, Mr. President:

"A demand for a Call of the Senate has not been sustained and that is the matter before the Senate. We are not concerned with putting bills anywhere at the moment."

**RULING BY THE PRESIDENT**

President Pro Tempore Gissberg:

"The point of order is well taken. I don't believe the President has put the motion for a Call of the Senate. I will do so at this time."

The demand for a Call of the Senate was sustained.

**CALL OF THE SENATE**

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Hallauer, who was excused.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 11:00 a. m., on motion of Senator Greive, the Senate recessed until 11:30 a. m.

**SECOND MORNING SESSION**

The Senate was called to order by President Pro Tempore Gissberg at 11:30 a. m.

The Secretary called the roll and all Senators were present.

**APPOINTMENT OF SPECIAL COMMITTEE**

President Pro Tempore Gissberg announced the presence within the bar of the Senate of Mr. Edward M. Weston, President Emeritus of the Washington State Labor Council, and appointed a special committee consisting of

Senators Bailey, Stender and Durkan to escort Mr. Weston to a place of honor upon the rostrum.

With leave of the Senate, business was suspended to permit Mr. Weston to address the Senate.

**PRESIDENT'S PRIVILEGE**

President Pro Tempore Gissberg:

"The President, in response to the point of inquiry raised by Senator Charette, has been informed by the Secretary that the bill to which he makes reference is on the Secretary's desk and will be read at the proper time, Senator."

Senator Greive:

"May I inquire as to the present status of Senate Bill No. 333 as amended?"

President Pro Tempore Gissberg:

"Senate Bill No. 333 as amended, Senator Greive, is the bill to which I just made reference in response to the point of inquiry made by Senator Charette prior to the time of recess."

Senator Greive:

"At this time, Mr. President, we have just read the message from the House on Engrossed House Bill No. 196?"

President Pro Tempore Gissberg:

"That is correct, Senator Greive. We have just read the message from the House on the other bill. If you wish to take action on that at this time, you may properly do so."

Senators Greive, Riley and Neill demanded a Call of the Senate.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

**MOTION**

It was moved by Senator Greive that the Senate do now consider the message from the House of Representatives on Engrossed Senate Bill No. 333.

Debate ensued.

The motion was carried.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 22, 1965.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 333 with the following amendments: In line 2 of the title after "thereof;" strike the remainder of the title and insert "repealing chapter 5, Laws of 1957, chapter 289, Laws of 1957 and chapter 44.06 RCW; and declaring an emergency."

Strike the PREAMBLE; and everything after the enacting clause on page 2, line 19, of the bill and insert the following:

"NEW SECTION. Section 1. We, the legislature, responding to the mandate of Article II, section 3 of the Constitution directing us to redistrict and to reapportion legislative districts subsequent to each census, have conducted a thorough investigation

of all relevant factors essential to the preparation of appropriate revisions which are set forth in this act.

We have consulted the 1960 federal census reports, considered the geographic, economic and sociological factors essential to the preservation of reasonable geographic and socio-economic groupings, consulted the authoritative sources for the most reliable estimates concerning population growth patterns and trends within the state as well as evaluating the published statistics reciting population growth patterns and trends already established, reviewed the existing political boundaries, and conducted special population counts to determine better and to evaluate formulas necessary to prepare a proper redistricting and reapportionment measure. Based on our investigation and studies, we, the legislature, have determined that legislative redistricting and reapportionment, as set forth in this act, represents an allocation of legislators within the districts established so as to provide as near equality of representation to the inhabitants of the state of Washington as is possible under the circumstances, as required by the state and federal constitutions.

We, the legislature, in determining the actual district boundaries and the allocation of legislators to each, have resorted to factors and formulas found to be most reliable for each of the districts concerned, and the formulas and factors were applied only after careful confirmation of their validity by testing against the findings of facts resulting from our investigation.

**NEW SECTION.** Sec. 2. It is the legislative intent of this act to provide for an orderly transition period between changes in the legislative district.

**NEW SECTION.** Sec. 3.

(1) District 1-A—the county of Okanogan.

(2) District 1-B—the counties of Ferry, Pend Oreille and Stevens.

**NEW SECTION.** Sec. 4. District 2—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of the western shore of Lake Washington and S. Othello St., proceed generally west along the southern boundary of district 33 as described in section 35 of this act and district 34 as described in section 36 of this act, generally south along the eastern boundary of district 31 as described in section 33 of this act, generally east along S. 160th St. to the western city limits of Tukwila, generally north along the western city limits of Tukwila, north along 42nd Ave. S., east along S. 122nd St., southeast along the Great Northern Railroad right of way, east along S. 128th St., north along 76th Ave. S., east along S. 120th St., north along 84th Ave. S., generally north along the outer harbor line of the southern shore of Lake Washington to the point of origin.

**NEW SECTION.** Sec. 5. District 3—the following precincts in the county of Spokane: Ada, Agatha, Alki, Alvin, Barth, Blake, Boyd, Byran, Burke, Burton, Daisy, Daniel, David, Davis, Dawson, Day, Dayton, Deleware, Detroit, Diana, Dixie, that part of Doak precinct lying west of Fancher Road, Dodd, Dominion, Douglas, Dover, Drumheller, Dunn, Dwight, Eagle, East Hillyard, Echo, Eden, Edison, Edith, Edwards, Eldorado, Elgin, Eli, Ellen, Ellwood, Emerald, Emerson, Ensign, Erie, Ermina, Essex, Ethel, Euclid, Eureka, Evans, Exchange, Riverside, Spokane 1 through 6, Spokane 8, 307, 309 through 312, 314, 315, 324, that part of 360 lying west of Lee St., 364, 365, 601, 724.

**NEW SECTION.** Sec. 6. District 4—the following precincts in the county of Spokane: Abigail, Acme, Adolph, Advance, Airport, Albert, Allen, Andrew, Arrow, Ashley, Atlanta, Carnhope, that part of Chester 1 north of 32nd Ave., Dishman, that part of Doak east of Fancher Rd., East Spokane, Edgecliff 1 & 2, Evergreen 1 through 3, Fancher, Foothills, Friedland, that part of Glenrose north of 44th Ave., Irvin, Kakomo, Marita, Millwood, Opportunity 1 through 6, Orchard 1 through 3, Pasadena, Pleasant Prairie, Raymond, Trentwood, University, Vera 1, that part of Vera 3 west of Sullivan Rd., Woodruff 1 & 2, that part of 360 east of Lee St., 352, 359, 413, 414, 422, 423, 439, 440.

**NEW SECTION.** Sec. 7. District 5—the following precincts in the county of Spokane: 501 through 507, 510 through 547, 549, 556, 557, 559, 561, 562, that part of Five Mile south of Strong Rd., Linwood 1 & 2, Wells, that part of Whitworth 1 east of Division St., that part of Whitworth 3 south of Hawthorne Rd. and E. Hawthorne Rd.

**NEW SECTION.** Sec. 8. District 6—the following precincts in the county of Spokane: Abbott, Acorn, Alameda, Alice, Amber, Anne, Anthony, Archer, Arizona, Arthur, Astor, Baker, Baldwin, Belmont, Belt, Bernard, Bertha, Blaine, Bolster, Erickell, Butler, Byrne, Cheney 1 through 4, that part of Chester 1 precinct lying south

of 32nd Ave., Chester 2, Corbin, Duncan, East Marshall, Fairfield, Freeman, that part of Glenrose precinct lying south of 44th Ave., Greenacres, Latah, Liberty Lake, Marshall, Mica, Moab, Moran, Mt. Hope, Otis, Pines, Pioneer, Plaza, Rock Creek Valley, Rockford, Rudolf, South Moran, South Spangle, Spangle, Terrace, Valleyford, that part of Vera 1 precinct lying east of Sullivan Road, Vera 2, Waverly, 444, 445, 446, 621 through 624, 628, 629, 631, 633 through 637, 642 through 644, 649, 650, 652, 654, 655.

**NEW SECTION.** Sec. 9. District 7—the following precincts in the county of Spokane: Airway Heights, Cannon, Carleton, Carlisle, Carrie, Cass, Charlotte, Chattaroy, Clara, Clay, Cleveland, Clough, Colbert, Conklin, Cora, Cowley, Custer, Deep Creek, Deer, Deer Park North, Deer Park South, Della, Denison, Derby, Dewey, Dexter, Dillon, Doland, Dora, Dyer, East Chattaroy, Elk, Espanola, that part of Five Mile precinct lying north of Strong Road, Four Lakes, Garden Springs, Green Bluff, Linwood 3, Mead, Medical Lake 1 and 2, Milan, Mt. Spokane, Newman Lake, Nine Mile, North Colbert, Peone, Rimrock, Spence, Stevens, Wayside, that part of Whitworth 1 precinct lying west of Division St., Whitworth 2, that part of Whitworth 3 precinct lying north of Hawthorne Rd. and E. Hawthorne Rd., 715 through 723, 725 through 728.

**NEW SECTION.** Sec. 10. District 8—the county of Island, and the following precincts in the county of Kitsap: Braidablik 1 & 2, Bremerton 31, 32, 34, 35, 36, 41, 42, 46, 47, 50, 51, 52, 54, 61, 62, 63, Brownsville 1 & 2, Clear Creek, East Perry, East Silverdale, Ferncliffe, Gilberton, Highland, Illahee, Indianola, Island Center 1 & 2, Keyport 1 & 2, Kingston, Lemolo, Liberty, Liberty Bay, Lincoln, Manette, North Tracyton, North Trenton, Olympic, Olympic Drive, Pearson, Petersville, Pleasant Beach 1 & 2, Point No Point, Port Blakely, Port Gamble, Port Madison, Poulsbo 1 through 3, Poulsbo Heights, Rolling Bay 1 & 2, Seabold 1 & 2, Sheridan, South Kingston, South Tracyton, Suquamish 1 & 2, Tracyton, Winslow 1 & 2.

**NEW SECTION.** Sec. 11.

(1) District 9-A—the counties of Adams and Lincoln and the following part of the county of Whitman: United States census tracts 3, 4, 10, 11.

(2) District 9-B—the county of Whitman except United States census tracts 3, 4, 10, and 11.

**NEW SECTION.** Sec. 12.

(1) 10-A—the counties of Asotin, Columbia and Garfield, and the following precincts in the county of Walla Walla: Alderbrook, Baker, Blalock, Burbank, Clyde, Dixie, East Waitsburg, Eureka, Frenchtown, Gardena, Gose, Haas, Hadley, Hill, Lincoln, Lower Dry Creek, Prescott, Russell Creek, Valley Homes, Wallula, Washington, and West Waitsburg.

(2) 10-B—all precincts in the city of Walla Walla and the following precincts in the county of Walla Walla: Abbott, Beck, Berney, Braden, Colledge Place 1 through 8, Darry, Finch, Garrison, Prospect Point, Ritz, Stone, and Twin Grove.

**NEW SECTION.** Sec. 13.

(1) District 11-A—the following areas within the county of Benton: The city of Richland and townships 11, 12, 13 and 14 north in each of ranges 24, 25, 26, 27 and 28 east, Willamette Meridian, township 10 north, range 26 east, Willamette Meridian; those parts of townships 9 and 10 north in each of ranges 27 and 28 east, Willamette Meridian, not included in district 16 as described in section 18 of this act.

(2) District 11-B—the following area in the county of Benton Township 10 north in each of ranges 24 and 25 east, Willamette Meridian; townships 4 north through 9 north in each of ranges 24 through 26 east, Willamette Meridian; townships 5 north through 7 north in each of ranges 27 east through 31 east, Willamette Meridian; and the following precincts in the county of Yakima: Belma, Byron, East Granger, Glade, Grandview Central, Mabton Town, Mabton Rural, Grandview Central, North Grandview, South Grandview, Sunnyside Rural 1 through 4, Waneta, Wendell Phillips; and all the precincts in the cities of Grandview, Granger and Sunnyside.

**NEW SECTION.** Sec. 14.

(1) District 12-A—the following precincts in the county of Chelan: Canyon, Colledge, Millardale, Monitor, Olds, River, Sleepy Hollow, Sunny-slope, Suburban, the city of Wenatchee, and the following area in the county of Douglas surrounding the town of East Wenatchee: Beginning at the intersection of Fourth St. S.E. and Highline Dr., proceed north along Highline Dr. and Eastmont Ave., west along 19th St. N.E. to the Columbia River, downstream along the Columbia River, east along Fourth St. S.E. to the point of origin.

(2) District 12-B—the areas and precincts in the counties of Chelan and Douglas, not included in District 12-A as described in subsection (1) of this section.

**NEW SECTION.** Sec. 15. District 13—the counties of Grant and Kittitas.

**NEW SECTION.** Sec. 16. District 14—the following precincts in the county of Yakima: Airport, Cascade, Castlevale, Country Club, East Fruitvale, East Moxee, East Summitview, Fairgrounds, Fairview, Holland, Jefferson, Leamingberg, Moxee City, Moxee Rural, Old Town, Riverside, Slavin, South Broadway, Sumach, Terrace Heights, Union Gap 1, 2 and 3 and West Fruitvale; and the following precincts in the city of Yakima 1 through 67.

**NEW SECTION.** Sec. 17. District 15—the following precincts in the county of Yakima: Bradshaw, Brownstown, Buena, Cottonwood, East Ahtanum, East Natches, East Selah, East Summitview, East Tieton, East Wapato, East Zillah, Englewood, Eschbach, Glead, Growmore, Harrah, Harwood, Liberty, Lower Wenas, McKinley, Naches City, Naches Heights, Nile, North Buena, North Cowiche, Orchardvale, Outlook, Parker Heights, Selah Central, Selah Extension, Selah Heights, Selah Rural, South Cowiche, South Nob Hill, Tempico, Tieton Rural, Tieton, Toppenish Rural 1, 2 and 3, Upper Wenas, West Ahtanum, West Naches, West Nob Hill, West Parker, West Summitview, West Tieton, West Wapato, White Swan, Wide Hollow, Wiley City, Zillah Town; and all the precincts in the cities of Selah, Toppenish and Wapato.

**NEW SECTION.** Sec. 18. District 16—the county of Franklin, and the following area in the county of Benton: Those parts of townships 8 north and 9 north in each of ranges 29 east through 31 east, Willamette Meridian, and township 8 north in each of ranges 27 east and 28 east, Willamette Meridian; those parts of townships 9 north and 10 north in each of ranges 27 east and 28 east, Willamette Meridian, south of the Yakima River; and those parts of township 9 north, range 27 east, Willamette Meridian, west of the Yakima River; and those parts of sections 30 and 31, township 10 north, range 27 east, Willamette Meridian, west of the Yakima River.

**NEW SECTION.** Sec. 19. District 17—the counties of Klickitat and Skamania, and the following precincts in the county of Clark: Alpine, Battle Ground North, Battle Ground South, Camas 101 through 114, Cedar Creek, Charter Oak, Chelatchie, Columbia West, English, Fern Prairie East, Fern Prairie West, Gibbons, Haagen, Hall, Hayes, Heisson, La Center, Lackamas North, Lackamas South, Lewisville, Lockwood Creek, Manor, Meadow Glade, Mt. View, Norway, Pioneer, Paradise Point, Proebstel, Russell, Skye, Twin Falls, Washougal "A" through "F", Woodburn, Yacolt, Baker, Bliss, Brush Prairie, Daybreak, Enterprise, Fishers, Gee Creek, Glenwood Heights, Greeley, Lamb, Miller, Ridgefield North, Ridgefield South, that part of Sifton South precinct south of N.E. 39th St. and east of N.E. 132nd Ave., Whipple Creek, 5-15, 5-20, that part of 5-50 precinct east of N.E. 132nd Ave., that part of 5-75 precinct west of N.E. 94th Ave., that part of 5-80 precinct not included in district 49 as described in section 51 of this act, 5-85, 6-85, 6-90, 6-95.

**NEW SECTION.** Sec. 20. District 18—the counties of Cowlitz and Wahkiakum.

**NEW SECTION.** Sec. 21. District 19—the county of Pacific, and the following precincts in the county of Grays Harbor: Aberdeen wards 1 through 6, Aberdeen County 2 & 3, Aloha, Artic, Axford, Carlisle, Central Park 1 & 2, Coats Landing, Copalis, Cosmopolis 1 & 2, Cosmopolis Rural, Fairview, Gray Gables, Grayland, Grove, Hoquiam wards 1 through 6, Hoquiam Rural 4-1, Humptulips, Johns River, Junction, Melbourne, Moclips, Montesano 1 through 5, Montesano Rural, Neeson, Neilton, Ocean City, Coasts, Pacific Beach, Quinault, Simpson, Springfield, Toholah, Vesta, Westport, Westport Rural, Wilderness, Wilson, Wishkah, Woodlawn, Wynooche.

**NEW SECTION.** Sec. 22. District 20—the county of Lewis, and the following precincts in the county of Grays Harbor: Block House, Brady, Bush, Calder, Connie, Delezenne, Elma 1 through 4, Fords Prairie, Malone, McCleary 1 & 2, McCleary Rural, Oakville 1, Oakville 2 (Rural), Porter, Satsop.

**NEW SECTION.** Sec. 23. District 21—the islands of Vashon and Maury, and the area of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of Puget Sound and the King-Pierce county line, proceed east along the King-Pierce county line, north along the King-Kittitas county line, west along the line dividing township 21 north and township 22 north, north along the line dividing range 7 east and range 8 east, Willamette Meridian, west along S.E. 208th St., north along 252nd Ave. S.E., west along S.E. 192nd St., north along 244th Ave. S.E., west along S.E. 176th St., north along 228th Ave. S.E., west along S.E. 128th St., south along 144th Ave. S.E., west along S.E. 136th St., south along 132nd Ave. S.E., west along S.E. 176th St. to the east city limits of the city of Renton, south along the east city limits of the city of Renton, east along the logical extension of S. 180th St., generally



south and west along the east and south boundary of district 30 as described in section 32 of this act to the point of origin.

**NEW SECTION.** Sec. 24. District 22—the county of Thurston.

**NEW SECTION.** Sec. 25. District 23—the following precincts in the county of Kitsap: Annapolis 1 & 2, Bangor, Bayview, Bothel 1 through 3, Bremerton 2 through 30, 33, 37 through 40, 44, 45, 48, 53, 55 through 60, Bremerton Heights, Burley, Carter, Charland, Chico, Colby, Crosby, Davis 1 through 3, Erlands Point 1 & 2, Fernwood, Forest Ridge, Fragaria, Glenwood, Gorst 1 through 3, Harper, Hillcrest, Holly, Kitsap Lake 1 through 3, Long Lake, Manchester, Manchester Heights, Navy Yard City 1 through 4, North Silverdale, Olalla, Phinney Bay, Port Orchard 1 through 7, Rocky Point 1 & 2, Seabeck, Shorewood Drive, Sidney, South Colby, Sunnyslope, Twin Lakes, Veterans 1 & 2, Waterman, West Silverdale.

**NEW SECTION.** Sec. 26. District 24—the counties of Clallam, Jefferson and Mason.

**NEW SECTION.** Sec. 27. District 25—the area in the county of Pierce and the city of Tacoma encompassed by the following boundaries: Beginning at the intersection of the Pierce-King county line and Meridian St. N., proceed south along Meridian St. N., down the Puyallup River, west along U. S. Highway 5, south along E. "M" St., west along E. 72nd St., south along E. "A" St., east along 96th St. E., south along McKinley Ave., east along 128th St. and Collins Rd., south along Lundblat Rd. and its logical extension, east along First Commissioner's District of Pierce county, northerly and westerly along the Pierce county line to the point of origin.

**NEW SECTION.** Sec. 28. District 26—the following precincts in the county of Pierce: Anderson Island, Artondale, Fox Island, Gig Harbor 1 & 2, Hales Pass, Home, Lake Bay, Long Branch, Minter, Purdy, Richmond, Ruston, Rosedale, Shore Acres, Vaughn, Wollochet; and the area in the city of Tacoma encompassed by the following boundaries: Beginning at the intersection of Olympic Blvd. and The Narrows, proceed south along Olympic Blvd. and Jackson Ave., east along S. 12th St., north along Shirley St., east along 6th Ave. and Division Ave., south along Tacoma Ave., east on S. 11th St. and E. 11th St., south along the Port of Tacoma Rd., east and north along the city limits of Tacoma, northwest along the Pierce-King county line, generally west and south through Puget Sound and The Narrows to the point of origin.

**NEW SECTION.** Sec. 29. District 27—the area in the county of Pierce and in the city of Tacoma encompassed by the following boundaries: Beginning at the intersection of S. 12th St. and Shirley St., proceed south along Shirley St., east along S. 19th St., south along Monroe St., east along S. 35th St., south along Union Ave., east along S. 40th St., south along E. "A" St., east along E. 72nd St., north along E. "M" St., east along U. S. Highway 5, up the Puyallup River, north along Meridian St. N., northwest along the Pierce-King county line, generally west along the southern boundary of district 26 as described in section 28 of this act to the point of origin.

**NEW SECTION.** Sec. 30. District 28—the area in the county of Pierce and in the city of Tacoma encompassed by the following boundaries: Beginning at the intersection of Olympic Blvd. and The Narrows, proceed south along Olympic Blvd. and Jackson Ave., east along S. 12th St., south and east along the southern and western boundaries of district 27 as described in section 29 of this act to S. 46th St., west along S. 46th St., south along S. "M" St., west along S. 47th St., south along U. S. Highway 5, west along S. 50th St., south along Pine St., west along S. 56th St., south and east along the city limits of Tacoma, southwest along U. S. Highway 5, west along Thorne La. N.S.W., north through American Lake to the logical extension of 92nd Ave. S.W., north along 92nd Ave. S.W., west and north along Old Military Rd., north on 103rd Ave. S.W., west on Chamber Creek Rd. and its logical extension to Puget Sound, north through Puget Sound and The Narrows to the point of origin.

**NEW SECTION.** Sec. 31. District 29—the area in the county of Pierce and the city of Tacoma not included in the districts described in sections 27 through 30 of this act.

**NEW SECTION.** Sec. 32. District 30—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of Puget Sound and S.W. 160th St., proceed easterly along S.W. 160th St. and S. 160th St., south and east along the west and south city limits of Renton, east along S. 180th St. and S.E. 180th St., south along 108th Ave. S.E., west along S.E. 208th St., generally south and west along the eastern and southern city limits of Kent, south along 83rd Ave S. to the logical extension of S. 285th St., west along S. 285th St. and its logical extension to the Pacific Highway, south along the Pacific Highway, west along

S. 288th St. to Puget Sound, generally north along the outer harbor line of Puget Sound to the point of origin.

**NEW SECTION.** Sec. 33. District 31—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of Puget Sound and S.W. 160th St., proceed east along S.W. 160th St., north along 1st Ave. S., west along S. 146th St., north along 4th Ave. S.W., east along S.W. Roxbury St., north along 1st Ave. S., west along the southern boundary of district 34 as described in section 36 of this act, south through Puget Sound to the point of origin.

**NEW SECTION.** Sec. 34. District 32—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the center line of Union Bay and the logical extension of 30th Ave. N.E., proceed generally west along the center lines of Union Bay and Lake Washington Canal, northwest through Portage Bay into Lake Union, southwest and northwest through Lake Union to the Lake Washington Canal, northwest along the center lines of the Lake Washington Canal and the Salmon Bay Waterway, north along 20th Ave. N.W., east along N.W. 58th St. and N. 58th St., north along Greenwood Ave. N., east along N. 65th St., south along W. Greenlake Dr. and Ashworth Ave. N., east along N. 50th St. and N.E. 50th St., north along Roosevelt Way N.E., east along N.E. 65th St., south along 15th Ave. N.E., east along N.E. 52nd St., north along 20th Ave. N.E., east along N.E. 61st St., north along 22nd Ave. N.E., east along N.E. 65th St., south along 40th Ave. N.E., west along N.E. 55th St., south along 30th Ave. N.E., west along N.E. 55th St., south along 30th Ave. N.E. to point of origin.

**NEW SECTION.** Sec. 35. District 33—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of the western shore of Lake Washington and E. Yesler Way, proceed west along E. Yesler Way, to Boren Ave., southeast along Boren Ave. S. and Rainier Ave. S. to the logical extension of 15th Ave. S., south along 15th Ave. S., west along S. Dearborn St., south along 12th Ave. S., west along S. Judkins St., south along 11th Ave. S., east along Columbian Way, south along Columbian Way and 15th Ave. S., south and east along Swift Ave. S., east along S. Othello St., generally north along the outer harbor line of the western shore of Lake Washington to the point of origin.

**NEW SECTION.** Sec. 36. District 34—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of Elliott Bay and Cherry St., proceed northeast along Cherry St., southeast along Boren Ave. and Rainier Ave. S. to the logical extension of 15th Ave. S., south along 15th Ave. S., generally south along the western boundary of district 33 as described in section 35 of this act, west along south Webster St. and S.W. Webster St., north along 35th Ave. S.W., west along S.W. Morgan St. to Puget Sound, generally north and then generally east along the outer harbor line of Puget Sound and Elliott Bay to the point of origin.

**NEW SECTION.** Sec. 37. District 35—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the King-Snohomish county line and 116th Ave. N.E., proceed south along 116th Ave. N.E., generally south along the eastern city limits of the city of Bothell, south along 116th Ave. N.E., east along N.E. 165th St., south along 148th Ave. N.E., east along N.E. 116th St., south along 204th Ave. N.E., west along N.E. 50th St., north along 140th Ave. N.E., west along N.E. 90th St., generally north and west along the eastern and northern city limits of the city of Kirkland, north along 98th Ave. N.E., west along N.E. 112th St., generally northwest through Lake Washington, west along N.E. 145th St., north along 1st Ave. N.E., west along N. 165th St. and N.W. 165th St., north along the logical extension of 8th Ave. N.W., east along N.W. 185th St., north along the logical extension of Greenwood Ave. N., east along the King-Snohomish county line to the point of origin.

**NEW SECTION.** Sec. 38. District 36—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of Shilshole Bay and the center line of the Salmon Bay Waterway, proceed generally southeast along the center line of the Salmon Bay Waterway, south and east along the western and southern boundaries of district 32 as described in section 34 of this act, south through the center of Lake Union, south along Waterway No. 3 and the logical extension of the same to Westlake Ave. N., south along Westlake Ave. N. and Westlake Ave., west along Denny Way, generally northwest along the outer harbor line of Elliott Bay, Puget Sound and Shilshole Bay to the point of origin.

**NEW SECTION.** Sec. 39. District 37—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of Elliott Bay and Denny Way, proceed east along Denny Way, north along Melrose Ave. E., east along Mercer St. and E. Mercer St., east along E. Republican St., south along Belmont Ave., east along E. Harrison St., north along Federal Ave. E., east along E. Mercer St., north along Malden Ave. E., east along E. Roy St., south along 20th Ave. E., east along E. Mercer St., generally south along the outer harbor line of the west shore of Lake Washington, generally west along the northern boundary of district 33 as described in section 35 of this act, north and west along the north boundary of district 34 as described in section 36 of this act, generally north along the outer harbor line of Elliott Bay to the point of origin.

**NEW SECTION.** Sec. 40. District 38—the following precincts in the county of Snohomish: Center, Dakota, Eastmont, Everett 1 through 103, Hilton's Lake, Hiway, Intercity, Mukilteo, Nelson, Olivia, Rivercrest, Ward, Whaleback, Wilson.

**NEW SECTION.** Sec. 41. District 39—the following precincts in the county of Snohomish: Allen Creek, Alma, Arlington 1 through 5, Armstrong, Bear Creek, Bee, Bly, Boulder, Bryant, Cathcart, Cedarhome, Clearview, Cliff, Darrington, Davies, East Everett, Ebey, Edgecomb, Elwood, Fir, Florence, Fortson, Getchell, Glenwood, Gold Bar, Granite Falls, Gregory, Hartford, Hazel, Highland, Howell, Index, Jim Creek, Kennard, Lake, Lake Cassidy, Lake Goodwin, Lake Stevens 1 & 2, Lakeview, Lakewood, Lochsloy, Loma, Ludwig, Machias, Maltby, Marion, Marsh, Marysville 1 through 7, McDougall, Millard, Milton, Minor, Monroe 1 through 3, Moran, Newberg, Norden, Norm, Norman, Olney, Oso, Outlook, Park Place, Pearson, Port Susan, Priest Point, Quill, Rainier, Riverview, Robe, Robin, Roosevelt, Sauk, Sexton, Shorts, Shoultes, Silvana, Sparlin, Skykomish, Skyline, Snohomish 1 through 9, South Lake Stevens, South Snohomish, Stanby, Stanwood 1 & 2, Stitch, Sultan 1 & 2, Sultan River, Sunnyside, Three Lakes, Trafton, Trail, Tualco, Tulalip, Tyee, Union, Valley, Vernon, Village, Wallace, Welangdon, Winter Lake.

**NEW SECTION:** Sec 42. District 40—the counties of San Juan and Skagit.

**NEW SECTION.** Sec. 43.

(1) District 41-A—the following precincts in the county of Snohomish: Ash, Brier, Canyon, Cascade, Crest, Crystal Springs, Cypress, East Shore, Emander, Fernwood, Freeway, Hilltop, Hunt, Jeff, Kenmore, Larch, Locust, Lyncrest, Lynnwood 1 through 14, Magnolia, Manor, Manordale, Martha Lake, Meridian, Morris, Mountlake Terrace 1 through 16, North Alderwood, Omdal, Russett, Silver Lake, South Alderwood, Spruce, Stickney, Thomas Lake, Vine.

(2) District 41-B—the following precincts in the county of Snohomish: Alicia, Berry, Chase, Cherry, Dale, Edmonds 1 through 39, Field, Firdale, Fordshee, Gate, Glen, Hadley, Holly, Lund, Maple, Meadowdale, Nolyn, Perrin, Radar, Ridge, Rob, Seattle Heights, Serene, Shelby, Shore, Snoline, Summit, Wood, Woodway 1 & 2, Yost.

**NEW SECTION.** Sec. 44. District 42—the county of Whatcom.

**NEW SECTION.** Sec. 45. District 43—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of the west shore of Lake Washington and N.E. 95th St., proceed west along N.E. 95th St., south along 35th Ave. N.E., east along N.E. 75th St., south along 55th Ave. N.E., west along N.E. 65th St., south along 40th Ave. N.E., west along N.E. 55th St., south along 30th Ave. N.E., to Union Bay, west through the Lake Washington Ship Canal, generally north and west through Portage Bay, generally south and west through Lake Union, south along Waterway No. 3 to Westlake Ave. N., south along Westlake Ave. N. and Westlake Ave., generally east along the boundary of district 37 as described in section 39 of this act, north along the outer harbor line of the west shore of Lake Washington to the point of origin.

**NEW SECTION.** Sec. 46.

(1) District 44-A—the area in the city of Seattle that is encompassed by the following boundaries: Beginning at the intersection of Puget Sound and the logical extension of N.W. 65th St., proceed east along N.W. 65th St., north along 32nd Ave. N.W., east along N.W. 85th St., north along 14th Ave. N.W., east along N.W. 110th St., south along 8th Ave. N.W., west along N.W. 58th St., south along 20th Ave. N.W., generally northwest along the center line of Salmon Bay Waterway, generally north through Shilshole Bay and Puget Sound to the point of origin.

(2) District 44-B—the area in the city of Seattle and the county of King that is encompassed by the following boundaries: Beginning at the intersection of Puget Sound and the King-Snohomish county line, proceed east along the King-Snohomish county

line, south along Greenwood Ave. N., west along N.W. 185th St., south along 8th Ave. N.W., east along the logical extension of N. 165th St., south along the logical extension of 1st Ave. N.E., west along N.W. 145th St., south along Aurora Ave. N., west along the logical extension of N. 115th St. and N.W. 115th St., south along 8th Ave. N.W., west and south along the north and west boundaries of district 44-A as described in subsection (1) of this section, generally north through Puget Sound to the point of origin.

**NEW SECTION.** Sec. 47. District 45—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of N. 145th St. and Aurora Ave. N., proceed generally south and west, along the eastern boundary of district 44 as described in section 46 of this act, generally east along the northern boundary of district 32 as described in section 34 of this act, north along Roosevelt Way N.E., west along N.E. 70th St., north and west along Seattle freeway, north along 5th Ave. N.E., west along N.E. 145th St. and N. 145th St. to the point of origin.

**NEW SECTION.** Sec. 48. District 46—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of the western shore of Lake Washington and N.E. 145th St., proceed west along N.E. 145th St., south along 5th Ave. N.E., generally southeast along the Seattle freeway, east along N.E. 70th St., south along Roosevelt Way N.E., east along Ravenna Blvd., south along 15th Ave. N.E., east along N.E. 52nd St., north along 20th Ave. N.E., east along N.E. 63rd St., north along 22nd Ave. N.E., east along N.E. 65th St., north along 55th Ave. N.E., west along N. 75th St., north along 35th Ave. N.E., east along N.E. 95th St., generally north along the outer harbor line of the western shore of Lake Washington to the point of origin.

**NEW SECTION.** Sec. 49. District 47—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of the southern shore of Lake Washington and 84th Ave. S., proceed generally southwest along the southeast boundary of district 2 as described in section 4 of this act, generally south along the western city limits of the city of Tukwila, east along S. 160th St., south and then east along the western and southern city limits of Renton, generally east along the northern boundary of district 19 as described in section 21 of this act, generally north along the King-Kittitas and King-Chelan county lines, west along the King-Snohomish county line, generally south and east along the eastern boundary of district 35 as described in section 37 of this act, generally south through Lake Sammamish, west along S.E. 34th St., S.E. 36th St., and Sunset Hwy., generally south and west along the southern city limits of Bellevue, generally south and west along the outer harbor line of the eastern and southern shores of Lake Washington to the point of origin.

**NEW SECTION.** Sec. 50. District 48—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the outer harbor line of the east shore of Lake Washington and N.E. 112th St., proceed generally east and south along the southern boundary of district 35 as described in section 37 of this act, generally south and then west along the western boundary of district 47 as described in section 49 of this act, generally south through the east waters of Lake Washington, generally north through the west waters of Lake Washington, encompassing Mercer Island, to the point of origin.

**NEW SECTION.** Sec. 51. District 49—the following precincts in the county of Clark: Clyde, Connor, Elkins, Fruit Valley, Sifton North, that part of Sifton South precinct not included in district 17 as described in section 19 of this act, Vancouver 163 through 235, 5-00, 5-05, 5-10, 5-25, 5-30, 5-35, 5-40, 5-45, that part of 5-50 precinct lying west of N.E. 132nd Ave., 5-55, 5-60, 5-65, 5-70, that part of 5-75 precinct lying east of N.E. 94th Ave., that part of 5-80 precinct lying south of N.E. 99th St. and east of N.E. 94th Ave., 5-90, 5-95, 5-100, 5-105, 5-110, 5-115, 5-120, 5-125, 5-130, 5-135, 5-140, 5-145, 5-150, 5-155, 5-160, 5-165, 5-170, 5-175, 5-180, 5-185, 5-190, 5-195, 6-00, 6-05, 6-10, 6-15, 6-20, 6-25, 6-30, 6-35, 6-40, 6-45, 6-50, 6-55, 6-60, 6-65, 6-70, 6-75, 6-80.

**NEW SECTION.** Sec. 52. The senate shall consist of forty-nine members, one of whom shall be elected from each of the forty-nine districts as set forth in sections 3 through 51 of this act.

**NEW SECTION.** Sec. 53. The house of representatives shall consist of ninety-nine members to be elected from fifty-six representative districts as set forth in sections 3 through 51 of this act.

**NEW SECTION.** Sec. 54. The second, third, fourth, fifth, sixth, seventh, eighth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twenty-

tieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, fortieth, forty-third, forty-fifth, forty-sixth, forty-seventh, forty-eighth, and forty-ninth districts as set forth in this act, shall each have two representatives.

**NEW SECTION.** Sec. 55. The forty-second district as set forth in section 44 of this act shall have three representatives.

**NEW SECTION.** Sec. 56. The following districts as set forth in this act shall each embrace two representative districts with one representative to be elected from each district as follows: First, one from 1-A as set forth in section 3 (1) and one from 1-B as set forth in section 3 (2); ninth, one from 9-A as set forth in section 11 (1) and one from 9-B as set forth in section 11 (2); tenth, one from 10-A as set forth in section 12 (1) and one from 10-B as set forth in section 12 (2); eleventh, one from 11-A as set forth in section 13 (1) and one from 11-B as set forth in section 13 (2); twelfth, one from 12-A as set forth in section 14 (1) and one from 12-B as set forth in section 12 (2); forty-first, one from 41-A as set forth in section 43 (1) and one from 41-B as set forth in section 43 (2); forty-fourth, one from 44-A as set forth in section 46 (1) and one from 44-B as set forth in section 46 (2).

**NEW SECTION.** Sec. 57. Of the senators provided for in this act, one senator shall be elected from each of the following districts set forth in this act, at the general election to be held on the first Tuesday after the first Monday in November, 1966, and every four years thereafter, for a term of four years: 2, 6, 7, 8, 13, 15, 21, 26, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 42, 43, 44, 45, 46, 47, 48. A senator shall be elected from each of the other districts, set forth in this act at the general election to be held on the first Tuesday after the first Monday in November, 1968, and every four years thereafter, for a term of four years.

**NEW SECTION.** Sec. 58. The representatives provided for in this act shall be elected at the general election to be held on the first Tuesday after the first Monday in November, 1966, and every two years thereafter.

**NEW SECTION.** Sec. 59. The terms of all senators elected at the general election in November, 1964 for the term ending January, 1969 shall expire in January, 1969.

**NEW SECTION.** Sec. 60.

(1) Water boundaries follow the outer harbor line of first class shorelands, the outer limits or line of extreme low tide of second class shorelands, or the main thread of the river or stream.

(2) Street descriptions follow the center line of the named or numbered streets, and a straight line extension thereof where such named or numbered streets have not been cut through, except where the context expressly indicates otherwise.

(3) Street descriptions are as numbered or named, and as delineated, on the records of the county assessor and in conformity with a numbering scheme as set forth by the county engineer, except where the context expressly indicates otherwise.

(4) Municipal and district boundaries are those boundaries of political subdivisions of this state as they existed on January 1, 1965, unless the context expressly dictates otherwise.

(5) Precinct designations are those precincts which were in existence in the various counties of this state on the first Tuesday following the first Monday in November, 1964.

**NEW SECTION.** Sec. 61.

(1) Any area not specifically included within the boundaries of any of the districts as described in this act, and which is completely surrounded by a particular district, shall be a part of that district. Any such area not completely surrounded by a particular district, shall be a part of the district having the smallest number of inhabitants and having territory contiguous to such area in the same county in which the area is located.

(2) Any area described in this act as specifically embraced in two or more non-inclusive districts shall be a part of the adjoining district having the smallest number of inhabitants and shall not be a part of the other district or districts.

(3) Any area specifically mentioned as embraced within a district but separated from such district by one or more other districts, shall be assigned as though it had not been included in any district specifically described.

(4) The 1960 United States census shall be used for determining the number of inhabitants under the provisions of this act.

**NEW SECTION.** Sec. 62. This act shall not affect the membership, districts or other organization of the thirty-ninth legislature nor abolish nor shorten any terms of office of any member of the legislature commenced prior to the effective date of this act.

**NEW SECTION.** Sec. 63. The following acts or parts of acts are each repealed:

- (1) Chapter 5, Laws of 1957;
- (2) Chapter 289, Laws of 1957; and
- (3) Chapter 44.06 RCW.

**NEW SECTION.** Sec. 64. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.",  
and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

It was moved by Senator McCutcheon that Senate Bill No. 333, together with the House amendments thereto, be referred to the Committee on Constitutions, Elections and Legislative Processes.

Debate ensued.

#### POINT OF INQUIRY

Senator Mardesich:

"Mr. President:

"Would Senator McCutcheon yield to a question?"

Senator McCutcheon:

"Yes."

Senator Mardesich:

"Senator McCutcheon, can you indicate at this time whether or not the committee will meet to discuss this bill, or is it a motion to transfer it to committee for final rites?"

Senator McCutcheon:

"It is not my intention to transfer it for final rites. It is just my intention to transfer it to committee."

The motion was carried and Senate Bill No. 333, together with the House amendments thereto, was referred to the Committee on Constitutions, Elections and Legislative Processes.

#### PARLIAMENTARY INQUIRY

Senator Greive:

"Parliamentary inquiry, Mr. President:

"Is Engrossed House Bill No. 196 now before us?"

President Pro Tempore Gissberg:

"It is, Senator Greive."

#### MOTION

It was moved by Senator Greive that the Senate adhere to its position on Engrossed House Bill No. 196 and the Senate amendments thereto and that the House be asked to concur therein.

Debate ensued.

Senator Greive demanded a roll call and the demand was sustained by Senators Herrmann, Bailey, Knoblauch, McCutcheon, Rasmussen, Morgan, Dore, Lewis and Neill.

#### ROLL CALL

The Secretary called the roll on the motion by Senator Greive that the Senate adhere to its position on Engrossed House Bill No. 196 and the Senate amendments thereto and that the House be asked to concur therein. The motion was carried by the following vote: Yeas, 39; nays, 10.

Those voting yea were: Senators Atwood, Bailey, Chytil, Cooney, Cowen, Donohue, Dore, England, Freise, Gissberg, Greive, Guess, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—39.

Those voting nay were: Senators Charette, Connor, Durkan, Foley, Gallagher, Hallauer, Hanna, McCormack, Mardesich, Rasmussen—10.

#### MOTIONS

It was moved by Senator Greive that the Secretary be ordered to delay transmittal to the House the Senate action on Engrossed House Bill No. 196 for one hour.

Debate ensued.

The motion was carried.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 12:30 p. m., on motion of Senator Greive, the Senate recessed until 1:30 p. m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:30 p. m.

The Secretary called the roll and announced to the President that all Senators were present.

#### MOTION

On motion of Senator Greive, all bills on the second reading calendar for today were ordered to retain their places on the second reading calendar for tomorrow.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of Mr. Joel F. Gould and appointed a special committee consisting of Senators Herrmann, Cowen, McCormack, Mardesich, Freise and Williams to escort Mr. Gould to a place of honor upon the rostrum.

With leave of the Senate, business was suspended to permit Senator Herrmann to present a copy of Senate Resolution No. 1965-8 to Mr. Gould and to permit Mr. Gould to address the Senate.

#### MOTION

At 2:20 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Friday, February 26, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## FORTY-SEVENTH DAY

### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Friday, February 26, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Donohue, who was excused.

The Color Guard, consisting of Pages W. Wallace Raugust, Color Bearer, and Teresa Hallauer, presented the Colors.

Doctor Maurice L. Haehlen, minister of the United Churches of Olympia, offered prayer as follows:

"Almighty God, Thou Eternal Father of us all. Thou who hast committed unto us a Sacred trust, help us to regard no task as too unimportant but that we should do it well.

"We thank Thee that we live in a moment when old patterns of thought and society are breaking up and a new and a better world can be built. Give us the courage to face the uncertainties that lie ahead and the wisdom to act wisely so that we are not the victims of circumstances. By Thy Grace let us be masters and not slaves creating our own destiny after the fashion of Thy Kingdom. Amen."

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

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate, Ladies and Gentlemen:

"The President should like to have the privilege this morning of presenting to you three very handsome, outstanding and brave young men. You may remember several weeks ago that the young gentleman in the middle, Bryan Philbrick, was in great danger of losing his life when he was sucked into a storm sewer. Due to the bravery, intelligence, ingenuity and quick-thinking of his brother James and James' friend Michael Fairbanks, they were able to rescue him. The President thought it would be a wonderful idea to have three such outstanding and brave young men presented to the Senate so that they could observe you in your deliberations."

On motion of Senator Cowen, Bryan and James Philbrick and Michael Fairbanks were made Honorary Pages for today.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

**Senate Bill No. 54:**

Senate Chamber,

Olympia, Wash., February 23, 1965.

Allowing first class cities to create separate department to manage civic centers (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY; *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.



**Senate Bill No. 63:**

Senate Chamber,  
Olympia, Wash., February 25, 1965.

Authorizing cities and towns to combine their garbage and refuse disposal systems with water systems and/or sewerage systems (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 173:**

Senate Chamber,  
Olympia, Wash., February 25, 1965.

Giving mayors of third and fourth class cities tie-breaking vote (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 176:**

Senate Chamber,  
Olympia, Wash., February 25, 1965.

Redefining circumstances precluding benefits to city firemen for non-duty disability (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 278:**

Senate Chamber,  
Olympia, Wash., February 25, 1965.

Giving mayors pro tempore right to serve more than one day (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 285:**

Senate Chamber,  
Olympia, Wash., February 25, 1965.

Allowing acquisition and operation of sewer systems by irrigation districts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Joe Chytil, Frank Connor, Michael J. Gallagher, Al Henry, James Keefe, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 400:**

Senate Chamber,  
Olympia, Wash., February 24, 1965.

Extending militia retirement age (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass.

AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 428:**

Senate Chamber,  
Olympia, Wash., February 24, 1965.

Requiring loyalty oaths of public officers and employees (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass.

AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, George W. Kupka, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 454:**

Senate Chamber,  
Olympia, Wash., February 25, 1965.

Authorizing the acquisition of certain water rights by cities and towns (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Michael J. Gallagher, Al Henry, James Keefe, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE SENATE PAGES**

"The pages of the Washington State Senate would like to thank all the Senators. Mr. Bowden, Mr. Cherberg and Mr. Johnson for attending our Mock Session of last Wednesday evening. We would like to thank those Senators who acted as pages. A special thanks goes to Senator Guess for being the only 'page' to 'stick it out'.

"Thank you again.

The Senate Pages of 1965."

**INTRODUCTION AND FIRST READING OF BILL**

The following was introduced, read first time by title, and acted upon as indicated:

**Senate Bill No. 517**, by Senators Lewis, Dore and Foley:

An Act for the reimbursement of the city of Olympia; and making an appropriation.

Referred to Committee on Ways and Means.

**SECOND READING OF BILLS**

**Senate Bill No. 272**, by Senators Thompson, Jr., Knoblauch and Bailey:

Extending state employees' retirement system to cover certain school district employees.

The bill was read the second time by sections.

It was moved by Senator Ryder that the following amendment be adopted:

On page 1, section 1, line 16, after the word "system" insert a colon and the following: *Provided further*, That the board of each district coming into the system under the 1965 amendatory act shall have an option to assume all or part of the past service obligation for its employees".

Debate ensued.

#### POINT OF INQUIRY

Senator McCormack:

"Would Senator Ryder yield to a question?"

"Senator Ryder, I don't have all of the figures on this subject that you have. I wonder if you could give me some information that would get at some sort of perspective here. Did you use the figure, \$130,000?"

Senator Ryder:

"Yes, I did."

Senator McCormack:

"And this is per year?"

Senator Ryder:

"This would be the cost per year."

Senator McCormack:

"To all of the school districts?"

Senator Ryder:

"Yes, to all of the school districts if they funded it over a period of fifteen years, Senator. Of course it would be two million dollars if they picked it up all at one time."

Senator McCormack:

"Now, Senator, what would the impact be in equivalent employees for a given school district? Would it be a fifth of one employee per year, or something like this? Would it be a thousand dollars per school district, or would it be two-fifths of an employee?"

Senator Ryder:

"I don't know what you mean by a fifth of an employee."

Senator McCormack:

"Mr. President and Senator Ryder:

"We can assume the average employee might be paid a salary of \$5,000 per year. Now are we assuming that we are going to increase the total cost of the school district by a thousand dollars per year, the equivalent of one-fifth of an employee, or something like this? What I'm trying to get at here, \$130,000 sounds like a lot of money. Can you interpret it in terms of school districts. We might find that this would be a very, very small expenditure if we interpret it in this way. This is what I want to clarify."

Senator Ryder:

"Senator McCormack, it would cost one thousand dollars per employee. The cost per year would be around seventy-five dollars per employee if they funded it over a period of fifteen years."

Senator McCormack:

"And, Senator, this would be for the employees that are hired now?"

Senator Ryder:

"Those that are on the system now, employees of the school district. This is correct."

Debate ensued.

It was moved by Senator Charette that the amendment be laid upon the table.

The motion was carried on a rising vote and the amendment was laid upon the table.

#### MOTION TO RECONSIDER

Senator Lewis:

"Mr. President:

"Having voted on the prevailing side, I do now move that the Senate reconsider the vote by which the amendment was laid upon the table."

Debate ensued.

#### POINTS OF ORDER

Senator Gallagher:

"Point of order, Mr. President:

"Does the Secretary's record show on which side Senator Lewis voted?"

The President:

"The Secretary has no record, Senator Gallagher."

Senator Charette:

"Point of order, Mr. President:

"I call the President's attention to Reed's Rules, No. 204, which says that a motion to lay on the table is not subject to reconsideration."

Senator Lewis:

"Mr. President:

"The motion to lay on the table is not subject to reconsideration, but we have laid the amendment on the table, which is now subject to reconsideration. I think that is a more proper interpretation of the rules."

#### RULING BY THE PRESIDENT

The President:

"The President, in ruling upon the point of order as presented by Senator Charette, it is the President's ruling in accordance with Reed's Rules No. 204 that the point of order is well taken. The Senate cannot reconsider the motion."

Senator Lewis:

"Mr. President:

"I move to suspend the rules and now reconsider the vote by which the motion of Senator Ryder was laid upon the table."

Senator Greive:

"Mr. President:

"I respectfully suggest to Senator Lewis that the proper motion is not to move for reconsideration, but simply to take the amendment from the table. This is the reason why reconsideration isn't in order. There is simply another motion which does exactly the same thing. A motion to take from the table solves the problem."

#### MOTION

It was moved by Senator Lewis that the motion by Senator Ryder be taken from the table.

Debate ensued.

#### POINT OF ORDER

Senator McCormack:

"Mr. President, point of order:

"A motion to take from the table is not debatable."

## RULING BY THE PRESIDENT

The President:

"The President agrees and your point of order is well taken, Senator McCormack, but the President believes the motion to take from the table could have a brief explanation in this instance."

The motion was lost on a rising vote.

It was moved by Senator McCutcheon that Senate Bill No. 272 be ordered to retain its place on the second reading calendar for the next working day.

Debate ensued.

The motion was carried on a rising vote.

**Senate Bill No. 256**, by Senators Charette, Petrich and Atwood:

Pertaining to the use of purse seines in the taking of salmon.

The bill was read the second time by sections.

It was moved by Senator Stender that the following amendment be adopted:

On page 2, section 1, line 8, after the word "nets," strike "round haul nets, purse seines."

Debate ensued.

## POINT OF INQUIRY

Senator Riley:

"Mr. President, would Senator Charette yield to a question?"

Senator Charette:

"I yield."

Senator Riley:

"Senator Charette, is it true that the passage of this bill would throw the entire Puget Sound area inside the Initiative 77 line except for a few designated areas prescribed by law?"

Senator Charette:

"That is partially true, Senator Riley. This law would allow the only type of fisheries that are now excluded to be regulated and, if they secured permission of the Department of Fisheries, they would be allowed to go in and fish. But it does not throw it open of itself. This law, if passed without amendment, would merely allow purse seiners to go in on the directive of the Department of Fisheries, and I am sure the Department of Fisheries would not allow that except when there was an excess of fish."

Senator Riley:

"One further question. Why is it that someone like Ken McCloud, who presumably is an authority, opposes this?"

Senator Charette:

"I don't know. I have been chairman of the Committee on Fisheries and he has not contacted me or said anything to me about it. I have never met Ken McCloud."

Debate ensued.

Senator Stender demanded a roll call and the demand was not sustained.

The motion was lost on a rising vote, and the amendment was not adopted.

Senate Bill No. 256 was referred to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 144**, by Senators Keefe, Guess and Kupka:

Authorizing negotiations to purchase St. Luke's Hospital.

On motion of Senator Keefe, Senate Bill No. 144 was referred to the Committee on Rules and Joint Rules.

**Senate Joint Resolution No. 2**, by Senators Peterson (Lowell), Gissberg, Mardesich and Hanna (by Executive request of Governor Rosellini):

Proposing constitutional amendment changing residence qualifications for voting to six months in state, thirty days in county, city, town, ward, or precinct.

The resolution was read the second time by sections and passed to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 338**, by Senators Dore, Petrich, Moriarty, Jr. and Cowen:

Authorizing transfer of stock pursuant to community survivor's agreement.

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

**Senate Bill No. 134**, by Senators Hallauer and Charette:

Creating presumption that game code and regulations are necessary for conservation of wild life.

#### REPORT OF STANDING COMMITTEES

##### **Senate Bill No. 134:**

Senate Chamber,  
Olympia, Wash., February 20, 1965.

Creating presumption that game code and regulations are necessary for conservation of wild life (reported by Judiciary Committee):

MAJORITY recommends that it do pass with the following amendments:

Strike everything following the colon on line 5 and insert "Provisions of this title and rules and regulations promulgated by the commission relating to game fish in the establishment of escapement and taking seasons, the amount taken, the methods of taking, and equipment used in the taking, shall be presumed reasonable and necessary for the conservation and preservation of game fish within the state."

In line 1 of the title, after "Relating to" and before "game fish" strike "game and".

JOHN A. PETRICH, *Chairman*.

We concur in this report: Robert L. Charette, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, August P. Mardesich, Charles P. Moriarty, Jr. Marshall A. Neill, Nat Washington, Walter B. Williams, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendments were adopted.

Senate Bill No. 134 was ordered engrossed and passed to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 120**, by Senators Moriarty, Jr., Neill and Foley:

Consolidating 1959 amendments of materialmen's lien statute.

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

**Senate Bill No. 366**, by Senators Raugust, Washington and Herr (by State Highway Commission request):

Requiring payment of fee and deposit by bidders on highway projects for maps, plans, etc.

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

**Senate Bill No. 167**, by Senators Kupka, Redmon and Gallagher:  
 Authorizing public transportation tax subsidies.

On motion of Senator Kupka, Substitute Senate Bill No. 167 was substituted for Senate Bill No. 167, and Substitute Senate Bill No. 167 was placed on second reading.

The bill was read the second time by sections.

It was moved by Senator Kupka that the following amendment be adopted:

On page 2, section 4, line 31, after "municipality" and before ":", insert "": *Provided*, That the owner of a single private dwelling shall not be taxed pursuant to the taxes which may be levied or imposed hereunder to exceed one dollar per month for each single private dwelling owned by him".

Debate ensued.

Senators Riley, Greive and Cowen demanded the previous question and the demand was sustained.

The motion was lost on a rising vote and the amendment was not adopted.

On motion of Senator Gallagher Substitute Senate Bill No. 167 was ordered to retain its place on the second reading calendar for the next working day.

**MOTION**

At 12:30 p. m., on motion of Senator Greive, the Senate recessed until 2:30 p. m.

**AFTERNOON SESSION**

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

The President declared the Senate to be at ease.

The President called the Senate to order at 5:00 p. m.

**PROTEST OF FEDERAL COURT ACTION**

Senator Lennart:

"Mr. President:

"With the permission of the President and the Senate, I would like to read a protest into the record."

The President:

"With the consent of the Senate, it is so ordered."

Senator Lennart:

"Mr. President and members of the Senate:

"I wish to protest the handling of Thigpen vs. Meyers by the attorneys and the court. The lawyers and judges have persisted in handling this most important matter in an informal way. They have seen fit to handle the public's business in private ex parte hearings so that the public and the press learn of what is going on by publicity handouts after the deeds are done.

"The court and counsel, instead of aiding in settlement of the redistricting matter, worked a delay of the redistricting matter by listening to and granting a continuance based upon affidavits apparently signed by the attorneys involved without consultation with their clients or knowledge of the true state of affairs.

"At any rate, the attorney general announces that he needs more time in order to evaluate the situation. This is the most important piece of business in his office today. He has responded to the request of the legislature to evaluate plans before him on short notice. The only plan now before him has been available to him for a sufficient period for him to have evaluated it. It has been suggested that

the convenience of the court is advanced by the continuance since the three judges thereof are busy trying cases elsewhere. They should have thought of that when they set February 26, 1965 as the date for the report of the legislature. There is no more important matter before the court. Apparently this date had been reserved by the court after reviewing its own calendar. Wide publicity had been given to this fact. It is, or should be, unthinkable that any other matter or matters should take precedence when the convenience of all of the people of the state of Washington is involved.

"I cannot understand why the court would permit the incorrect order of October 26, 1964 to remain incorrect for so long a period, requiring the legislature to act under a cloud and not knowing what its true authority was for such a period. I mean the order which said no committee could pass out a bill until redistricting was passed. It is difficult to understand how a court should preclude a legislature from passing any bill except redistricting; and then nullify that order to permit the private interest bill of the Attorney General, concerning his salary, to constitute an exception. While I hope and trust that the redistricting legislation will pass and that it will be approved, all in good order, I cannot help but comment that the informal handling of this matter has caused the loss of confidence on my part, and many others, in the independence of the court and integrity of the bar."

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., February 26, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 196 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 26, 1965.

MR. PRESIDENT:

The Speaker has signed House Bill No. 196, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### SIGNED BY THE PRESIDENT

**The President signed: House Bill No. 196.**

#### PRESIDENT'S PRIVILEGE

The President:

"Senator Greive, the President should like the privilege of saying that there are many people in the Washington State Senate and many well-informed citizens in the state that are deeply grateful to you for the intense effort you have put into this measure."

#### MOTION

At 5:15 p. m., on motion of Senator Greive, the Senate adjourned until noon, Monday, March 1, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*



## FIFTIETH DAY

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### NOON SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Monday, March 1, 1965.

The Senate was called to order at noon by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Gilbert H. Sneed, Color Bearer, and Connie L. Sullivan, presented the Colors.

Reverend Dave Carlson, pastor of the Assembly of God Church of Olympia, offered prayer as follows:

"Almighty God and Heavenly Father, we come humbly before Thy Throne of Grace as children wholly dependent upon Thee; as Thy Word declares, 'In Thee we live, and move, and have our being.'

"All the days are Thy gifts to us, and Thou dost mean us to use them well, that we may give a good accounting to Thee, and to those we serve.

"Thou hast not only given us the day, Thou hast given us the strength and the grace needful to make the most of it in working out our calling, doing our duty and fulfilling the tasks laid upon us. Grant unto us, Lord, largeness of heart and purpose, delivering us from meanness and selfishness in aims and work. In the moments and the days that are before us, grant, O God, that we may use them to make the months and the years to come to profit by good, courageous, honest work done now.

"Pity us in our weakness, forgive us in our failures, and help us so that those who pray for us shall not have placed their confidence in us in vain. For the needs of this day we now implore Thy mercy, wisdom and strength to do Thy will, in the name of Jesus Christ, our Lord. Amen."

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

### APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of Princess Kathleen Stockstill, Princess Amy Radewan and Queen Barbara Erickson, Apple Blossom Festival Royalty from Wenatchee. The President appointed a special committee consisting of Senators Hanna, Woodall, Henry, Moriarty, Jr., Knoblauch and Kupka to escort the visitors to a place of honor upon the rostrum.

With leave of the Senate, business was suspended to permit Queen Barbara Erickson to address the Senate and to present the President with a box of apples.

### MOTION

At 12:25 p. m., on motion of Senator Greive, the Senate recessed until 1:30 p. m.

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### AFTERNOON SESSION

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The President called the Senate to order at 1:30 p. m.  
The President declared the Senate to be at ease.

The President called the Senate to order at 1:40 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senator England.

On motion of Senator Atwood, Senator England was excused.

#### MOTIONS

It was moved by Senator Henry that the Committee on State Government be relieved of further consideration of Senate Bill No. 450.

The motion was carried.

On motion of Senator Henry, Senate Bill No. 450 was referred to the Committee on Higher Education.

On motion of Senator Sandison, the Committee on Higher Education was relieved of further consideration of Senate Bill No. 9.

On motion of Senator Sandison, Senate Bill No. 9 was referred to the Committee on Ways and Means.

On motion of Senator Petrich, the Judiciary Committee was relieved of further consideration of Senate Bill No. 477.

On motion of Senator Petrich, Senate Bill No. 477 was referred to the Committee on Liquor Control.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., February 26, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 134 have inspected same, and find it correctly engrossed.

FRANK W. FOLEY, *Chairman*.

We concur in this report: Fred H. Dore, Michael J. Gallagher, R. R. Bob Greive, Marshall A. Neill.

#### Senate Bill No. 87:

Senate Chamber,  
Olympia, Wash., February 25, 1965.

Increasing city mayor-commissioners' salaries (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

#### Senate Bill No. 113:

Senate Chamber,  
Olympia, Wash., February 20, 1965.

Requiring physicians and institutions to report cases of child neglect and abuse (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended. JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, William A. Gissberg, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 179:**

Senate Chamber,  
Olympia, Wash., February 25, 1965.

Authorizing cities to operate off-street parking facilities (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Joe Chytil, Frank Connor, Dewey C. Donohue, Al Henry, James Keefe, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 183:**

Senate Chamber,  
Olympia, Wash., February 26, 1965.

Changing regulations relating to forest protection from spark-emitting electric, gasoline, etc., engines (reported by Committee on Natural Resources):

Recommends that Substitute Senate Bill No. 183 be substituted therefor and the substitute bill do pass. LOWELL PETERSON, *Chairman*.

We concur in this report: Joe Chytil, William A. Gissberg, Wilbur G. Hallauer, Gordon Herr, Harry B. Lewis, Mike McCormack, August P. Mardesich, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 212:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Providing for bid proposal deposits to accompany sewer contract bids (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Sam C. Guess, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 216:**

Senate Chamber,  
Olympia, Wash., February 25, 1965.

Requiring bid proposal deposits when contracting for water districts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 279:**

Senate Chamber,  
Olympia, Wash., February 25, 1965.

Eliminating school district free public libraries (reported by Committee on Higher Education and Libraries):

Recommends that it do pass as amended. GORDON SANDISON, *Chairman*.

We concur in this report: R. Frank Atwood, Frank W. Foley, Wilbur G. Hallauer, Karl Herrmann, Harry B. Lewis, Mike McCormack, Marshall A. Neill, John N. Ryder, Don L. Talley, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 371:**

Senate Chamber,  
Olympia, Wash., February 25, 1965.

Providing a method to pay for continuous operation of diking improvement districts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 373:**

Senate Chamber,  
Olympia, Wash., February 26, 1965.

Reconveying certain property from the state to Lewis county (reported by Committee on Natural Resources):

Recommends that it do pass.

LOWELL PETERSON, *Chairman*.

We concur in this report: Joe Chytil, William A. Gissberg, Wilbur G. Hallauer, Gordon Herr, Harry B. Lewis, Mike McCormack, August P. Mardesich, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 406:**

Senate Chamber,  
Olympia, Wash., February 26, 1965.

Creating a flood control revolving fund and specifying its uses (reported by Committee on Natural Resources):

Recommends that it do pass and be referred to Committee on Ways and Means.

LOWELL PETERSON, *Chairman*.

We concur in this report: Joe Chytil, William A. Gissberg, Wilbur G. Hallauer, Gordon Herr, Harry B. Lewis, Mike McCormack, August P. Mardesich, Fred G. Redmon, Gordon Sandison.

On motion of Senator Riley, the committee report was adopted and Senate Bill No. 406 was referred to the Committee on Ways and Means.

**Senate Bill No. 426:**

Senate Chamber,  
Olympia, Wash., February 25, 1965.

Removal of stream bed material (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 466:**

Senate Chamber,  
Olympia, Wash., February 25, 1965.

Exempts highways from application for electrical installations code under stated conditions (reported by Committee on Highways):

MAJORITY recommends that it do pass.

NAT WASHINGTON, *Chairman*.

AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, H. B. Hanna, Reuben A. Knoblauch, Ernest W. Lenart, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Fred G. Redmon, Gordon Sandison, John H. Stender, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 484:**

Senate Chamber,  
Olympia, Wash., February 25, 1965.

Permitting leases on contracts relative to state ferry system to be ten years in duration (reported by Committee on Highways):

MAJORITY recommends that it do pass.

NAT WASHINGTON, *Chairman*.  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Herbert H. Freise, Wilbur G. Hallauer, H. B. Hanna, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Fred G. Redmon, Gordon Sandison, John H. Stender, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 489:**

Senate Chamber,  
Olympia, Wash., February 25, 1965.

Creating a temporary advisory council on public higher education and setting forth its powers and duties (reported by Committee on Higher Education and Libraries):

MAJORITY recommends that it do pass as amended and be referred to Committee on Ways and Means.

GORDON SANDISON, *Chairman*.

We concur in this report: R. Frank Atwood, Wilbur G. Hallauer, Karl Herrmann, Mike McCormack, Marshall A. Neill, John N. Ryder, Don L. Talley.

On motion of Senator Riley, the committee report was adopted and Senate Bill No. 489 was referred to Committee on Ways and Means.

**Senate Joint Memorial No. 6:**

Senate Chamber,  
Olympia, Wash., February 26, 1965.

Memorializing Congress to amend the United States Constitution to set out the right of the people to choose whether or not they wish to have one house of the legislature of their state apportioned on the basis of factors other than population (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass.

JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, Al Henry, Karl Herrmann, Ernest W. Lennart, David E. McMillan, Frances Haddon Morgan, Marshall A. Neill, W. C. Raugust, Fred G. Redmon.

Passed to Committee on Rules and Joint Rules for second reading.

**INTRODUCTION AND FIRST READING OF BILLS**

The following was introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 518**, by Senators Washington, Morgan, Sandison, Moriarty, Jr., Bailey, Peterson (Lowell), Mardesich, Stender, Herr and Greive (by State Highway Commission request):

An Act relating to urban mass transportation; authorizing the state highway commission to make application to the United States for a grant of financial assistance for the acquisition of new ferry vessels; authorizing the sale of limited obligation bonds and the use of the proceeds for acquisition of new ferry vessels; and making an appropriation; and declaring an emergency.

Referred to Committee on Highways.

On motion of Senator Washington, the rules were suspended and additional names were permitted as sponsors to Senate Bill No. 518.

## SECOND READING OF BILLS

**Senate Bill No. 272**, by Senators Thompson, Jr., Knoblauch and Bailey:

Extending state employees' retirement system to cover certain school district employees.

The bill was read the second time by sections.

It was moved by Senator Guess that the following amendment be adopted:

On page 1, section 1, line 24, after "330" insert "Provided, That contributions for past service credits of noncertificated school district employees shall be paid by appropriation from the state general fund".

Debate ensued.

## POINT OF INQUIRY

Senator Rasmussen:

"Would Senator Ryder yield to a question, Mr. President?"

Senator Ryder:

"Yes."

Senator Rasmussen:

"Senator Ryder, do you believe that this amendment is workable and that it will do what Senator Guess intends it to do?"

Senator Ryder:

"Yes. That is why I had the amendment re-read. I believe it will do this and that we, the state, would merely have to appropriate the money to the local school district to pay the past liability of the employees in that school district. Then from this time forward, of course, it would be necessary for the local school district to pay that portion of the state's contribution for future service. This would be a one time liability of the state and actually, as I understand it, would probably cost somewhere in the neighborhood of two million dollars."

Senator Bailey:

"Would Senator Ryder yield to a question?"

Senator Ryder:

"Yes."

Senator Bailey:

"Senator Ryder, it is my understanding that if the school districts pay this, they have several years in which to pay it, is that right?"

Senator Ryder:

"Yes, they can fund it over a period of fifteen years."

Senator Bailey:

"Do you propose then under this amendment that the state would do the same over a period of fifteen years, or would they make the two million dollar appropriation this session?"

Senator Ryder:

"I believe the state could do it over a period of fifteen years, and it would cost \$130,000 per year. I see no reason why the state could not also fund it over the same period of time."

It was moved by Senator Charette that the amendment be laid upon the table.

Senator Knoblauch demanded a roll call and the demand was sustained by Senators Charette, Rasmussen, Herrmann, Greive, Bailey, Donohue, Connor and Washington.

**ROLL CALL**

The Secretary called the roll. The motion was carried and the amendment was laid upon the table by the following vote: Yeas, 33; nays, 15; excused, 1.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Morgan, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Stender, Talley, Thompson, Jr., Washington—33.

Those voting nay were: Senators Atwood, Cowen, Gissberg, Guess, Lewis, McCutcheon, Mardesich, Moriarty, Jr., Neill, Redmon, Riley, Ryder, Sandison, Williams, Woodall—15.

Excused: Senator England—1.

It was moved by Senator McCutcheon that the following amendment be adopted:

On page 1, section 1, line 19, strike "1949" and insert "1959".

Debate ensued.

It was moved by Senator Charette that the amendment proposed by Senator McCutcheon be laid upon the table.

Senator Knoblauch demanded a roll call and the demand was sustained by Senators Charette, Bailey, Kupka, Gallagher, Guess, Peterson (Ted), Moriarty, Jr., and Thompson, Jr.

**ROLL CALL**

The Secretary called the roll. The motion was carried and the amendment was laid upon the table by the following vote: yeas, 30; nays, 16; absent, 2; excused, 1.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Donohue, Durkan, Foley, Freise, Gallagher, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McMillan, Mardesich, Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Sandison, Stender, Talley, Thompson, Jr., Washington—30.

Those voting nay were: Senators Atwood, Dore, Gissberg, Greive, Guess, Hallauer, Herr, Lennart, Lewis, McCutcheon, Moriarty, Jr., Raugust, Riley, Ryder, Williams, Woodall—16.

Absent or not voting: Senators Cowen, Durkan—2.

Excused: Senator England—1.

It was moved by Senator McCutcheon that the following amendment be adopted:

On page 1, section 1, line 19, strike "1949" and insert "1957".

Debate ensued.

**POINT OF INQUIRY**

Senator Donohue:

"Would Senator Ryder yield to a question? Do the non-certificated employees also have to make their contribution together with the school district for this past period?"

Senator Ryder:

"No, Senator Donohue, they do not. These are two different funds, actually. One is an annuity which their own contributions purchase. The other is the pension which is purchased by the employer. They would not, of course, share in the annuity, except from this time on to the time they retired. Their annuities would start at the time

they got into the system and started paying five percent of their salaries, but it would not be necessary for them to go back to 1949 and pay from then on."

Further debate ensued.

Senator Charette moved that the amendment be laid upon the table.

Senator Knoblauch demanded a roll call and the demand was sustained by Senators Charette, Kupka, Herrmann, Connor, Washington, Peterson (Ted), Thompson, Jr., Ryder and Stender.

#### ROLL CALL

The Secretary called the roll. The motion was carried and the amendment was laid upon the table by the following vote: Yeas, 28; nays, 21.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Donohue, Durkan, Foley, Freise, Gallagher, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McMillan, Morgan, Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Stender, Talley, Thompson, Jr., Washington—28.

Those voting nay were: Senators Atwood, Cowen, Dore, England, Gissberg, Greive, Guess, Hallauer, Herr, Lennart, Lewis, McCutcheon, Mardesich, Moriarty, Jr., Raugust, Redmon, Riley, Ryder, Sandison, Williams, Woodall—21.

Senate Bill No. 272 was referred to the Committee on Rules and Joint Rules for third reading.

**Substitute Senate Bill No. 167**, by Committee on Highways:

Subsidizing public transportation.

The bill was read the second time by sections.

It was moved by Senator Kupka that the following amendment be adopted:

On page 3, line 20, add a new section following section 8 as follows:

"**NEW SECTION.** Sec. 9. No municipality shall impose any of the taxes authorized by this bill without referring the matter of the imposition of such taxes for approval to the voters of the municipality."

Debate ensued.

The President called upon Senator Gissberg to preside.

Senators Riley, Gallagher, and Greive demanded the previous question and the demand was sustained.

The motion was lost and the amendment by Senator Kupka was not adopted.

The President Pro Tempore called upon Senator Cowen to preside.

It was moved by Senator Gissberg that the following amendment be adopted:

On page 2, section 4, line 23, after "," and before "and shall" insert "other than a retail sales tax defined in chapter 82.08 RCW and a use tax defined in chapter 82.12 RCW".

Debate ensued.

The motion was carried and the amendment was adopted.

It was moved by Senator Rasmussen that the following amendment be adopted:

On page 1, section 1, line 4, strike section 1 and renumber the remaining sections consecutively.

Debate ensued.

President Pro Tempore Gissberg assumed the chair.

On motion of Senator Talley, the amendment by Senator Rasmussen was laid upon the table.



It was moved by Senator Rasmussen that the following amendment be adopted:

On page 1, section 1, line 5, after the word "owned" strike the comma and the words "or leased and operated".

Debate ensued.

#### MOTIONS

On motion of Senator Gallagher, Substitute Senate Bill No. 167 was ordered to retain its place on the second reading calendar for tomorrow.

At 3:25 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Tuesday, March 2, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## FIFTY-FIRST DAY

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### NOON SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Tuesday, March 2, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Herr and Morgan.

On motion of Senator Bailey, Senators Herr and Morgan were excused.

The Color Guard, consisting of Pages Joel Cunningham, Color Bearer, and Kathleen De Santo, presented the Colors.

Reverend Dave Carlson, pastor of the Assembly of God Church of Olympia, offered prayer as follows:

"Eternal God and Heavenly Father, Thine eye is upon us continually; there is not a thought in our heart, a word on our tongue, but Thou knowest it altogether. Enable us to remember at all times that Thine eye is upon us for good and not for judgment only; and that Thy Divine Spirit can be our constant guide.

"Watch over our lives this day and help us to yield to Thee so as to bring honor to Thee; make us good men, sound of heart, bright of mind and obedient of will. Teach us that obedience to God is greatness; teach us that God's will is better than our own way.

"Help us ever to be mindful of the needs of our constituents and help us to meet those needs with wisdom and the enablement of Thy giving.

"Forgive us our errors in judgment and grant unto us Thy divine aid to ever avoid errors in principle. Write Thou upon the fleshly tablets of our hearts the divine directions that shall keep us as a God fearing nation.

"We thank Thee for the privilege of prayer, and we pray renew in our hearts an assurance of Thy guidance and of Thy care of the affairs of state.

"This we ask in the name of Jesus Christ, our Lord. Amen."

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

## MOTIONS

On motion of Senator McCormack, the Committee on Education was relieved of further consideration of Senate Bill No. 143.

On motion of Senator McCormack, Senate Bill No. 143 was referred to the Committee on Ways and Means.

The Secretary read:

**SENATE RESOLUTION**  
No. 1965-25

By Senators Greive and Neill:

*Be It Resolved*, That the Temporary Rules of the Senate for the thirty-ninth session be the permanent rules of the Senate with the exception of Rule 28, which shall be amended to read as follows:

**SUSPENSION OF RULES**

Rule 28. No standing rule or order of this senate shall be rescinded or changed without a vote of *two-thirds* of the members, and one day's notice of the motion thereof: *Provided*, Adoption of permanent rules may be by simple majority without notice, but a rule or order may be temporarily suspended for a special purpose by a vote of *two-thirds* of the members present. When the suspension of a rule is called, and after due notice from the president, no objection is offered, he may announce the rule suspended, and the senate may proceed accordingly.

On motion of Senator Greive, the resolution was adopted.

**SENATE RESOLUTION**  
No. 1965-26

By Senators Keefe, Guess, Kupka, Cowen and Freise:

WHEREAS, The problem with respect to institutional care for mentally retarded children in the state of Washington has become acute; and

WHEREAS, One thousand two hundred and fifty-two mentally retarded children are presently on the waiting list for admission to overcrowded state institutions where proper care is available to them; and

WHEREAS, As soon as possible, the situation must be remedied; and

WHEREAS, St. Luke's Hospital in Spokane will shortly be abandoned;

*Now, Therefore, Be It Resolved*, By the Senate of the state of Washington, that the director of the department of institutions be requested to consult with the authorities in charge of St. Luke's Hospital in Spokane, with a view to eventual purchase of this facility as a home for mentally retarded children, and to make preliminary studies concerning matters related thereto, including cost of acquisition, and the extent of any remodeling that may be necessary for the purposes set forth in this resolution; and

*Be It Further Resolved*, That the director of the department of institutions be requested to report the results of his investigations to the Senate of the state of Washington at the fortieth regular session of the legislature, or, if practicable, at an earlier session thereof, and to make to the Senate such recommendations and requests for funds as may be necessary to accomplish the purchase of St. Luke's Hospital; and

*Be It Further Resolved*, That the Secretary of the Senate is hereby directed to deliver a copy of this resolution to the director of the department of institutions.

On motion of Senator Keefe, the resolution was adopted.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**Senate Bill No. 6:**

Senate Chamber,  
Olympia, Wash., February 26, 1965.

Establishing a code of probate law and procedure (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended. JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Frank W. Foley, William A. Gissberg, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 125:**

Senate Chamber,  
Olympia, Wash., March 1, 1965.

Pertaining to extrahazardous employment (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, John T. McCutcheon, George W. Kupka, August P. Mardesich, John H. Stender, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 129:**

Senate Chamber,  
Olympia, Wash., February 26, 1965.

Providing procedure for certification of local law by federal courts to the state supreme court (reported by Judiciary Committee):

MAJORITY recommends that it do pass. JOHN A. PETRICH, *Chairman*.

We concur in this report: Robert L. Charette, Fred H. Dore, Martin J. Durkan, Frank W. Foley, H. B. Hanna, August P. Mardesich, Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 217:**

Senate Chamber,  
Olympia, Wash., February 26, 1965.

Revising the justice of the peace act (reported by Judiciary Committee):

MAJORITY recommends that Substitute Senate Bill No. 217 be substituted therefor and that Substitute Bill do pass. JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Frank W. Foley, H. B. Hanna, August P. Mardesich, Nat Washington, Walter B. Williams.

**Senate Bill No. 217:**

Senate Chamber,  
Olympia, Wash., February 26, 1965.

Revising the justice of the peace act (reported by Judiciary Committee):

MINORITY recommends that Substitute Senate Bill No. 217 be substituted therefor and that Substitute Bill do not pass. \_\_\_\_\_, *Chairman*.

We concur in this report: Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 294:**

Senate Chamber,  
Olympia, Wash., March 1, 1965.

Providing for reports on and examination of employee welfare trust funds (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, John T. McCutcheon, Sam C. Guess, George W. Kupka, August P. Mardesich, John H. Stender, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 298:**

Senate Chamber,  
Olympia, Wash., March 1, 1965.

Requiring employers to furnish employees with statements of wages and deductions (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass as amended.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, John T. McCutcheon, George W. Kupka, August P. Mardesich, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 318:**

Senate Chamber,  
Olympia, Wash., March 1, 1965.

Requiring fringe benefits and specifying procedures to insure payment of prevailing rate of wage on public works contracts (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass as amended.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, John T. McCutcheon, George W. Kupka, August P. Mardesich, John H. Stender, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 321:**

Senate Chamber,  
Olympia, Wash., February 26, 1965.

Providing for closing of estate where amount of liens, taxes, final expenses and awards equals value of estate (reported by Judiciary Committee):

MAJORITY recommends that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, August P. Mardesich, Marshall A. Neill, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 340:**

Senate Chamber,  
Olympia, Wash., March 1, 1965.

Providing for collective bargaining between port districts and their employees' representatives (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, John T. McCutcheon, George W. Kupka, August P. Mardesich, John H. Stender, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 389:**

Senate Chamber,  
Olympia, Wash., February 26, 1965.

Establishing transitional procedures for counties electing to operate under the justice court districting act of 1961 (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, August P. Mardesich, Marshall A. Neill, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 392:**

Senate Chamber,  
Olympia, Wash., March 1, 1965.

Prohibiting the importation of persons in connection with labor disputes (reported by Committee on Labor and Social Security):  
MAJORITY recommends that it do pass as amended.

A. L. RASMUSSEN, *Chairman.*

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, John T. McCutcheon, George W. Kupka, August P. Mardesich, John H. Stender, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Memorial No. 1:**

Senate Chamber,  
Olympia, Wash., March 1, 1965.

Requesting federal action placing health needs of retired people under social security (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass. A. L. RASMUSSEN, *Chairman.*

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, George W. Kupka, August P. Mardesich, John T. McCutcheon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Resolution No. 6:**

Senate Chamber,  
Olympia, Wash., March 2, 1965.

Eliminating uncontested judicial positions from ballot (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends the Substitute Senate Joint Resolution No. 6 be substituted therefor and the Substitute Resolution do pass.

JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Dewey C. Donohue, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, Gordon Herr, Karl Herrmann, James Keefe, Ernest W. Lennart, David E. McMillan, Marshall A. Neill, W. C. Raugust, Fred G. Redmon, John H. Stender, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Resolution No. 12:**

Senate Chamber,  
Olympia, Wash., March 2, 1965.

Revising publication requirements for referendum ballot (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass. JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Michael J. Gallagher, Wilbur G. Hallauer, Gordon Herr, Karl Herrmann, James Keefe, Ernest W. Lennart, David E. McMillan, Marshall A. Neill, Fred G. Redmon, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE WASHINGTON STATE HIGHWAY COMMISSION**

Department of Highways, Highways-License Building,  
Olympia, February 24, 1965.

*The Honorable, The Senate of the State of Washington*

LADIES AND GENTLEMEN:

At its duly convened meeting on February 15, 1965, the Washington State Highway Commission was pleased to note in its official record receipt of Senate Resolution No. 1965-11, introduced by the Honorable Sam C. Guess and adopted by the Senate of the state of Washington on January 28, 1965.

The members of the Commission and the staff of the Department of Highways are most honored and gratified by this tribute to those who maintain the mountain pass highways during the winter period. In accordance with the request set forth in this resolution, the Commission was pleased to authorize the award of suitable certificates to these employees recognizing their dedicated contribution to the purpose of providing the best possible conditions for highway travel at all times.

The thoughtful action of the Washington State Senate is deeply appreciated.

Yours very truly,

WASHINGTON STATE HIGHWAY COMMISSION  
ERNEST A. COWELL, *Chairman.*

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 1, 1965.

MR. PRESIDENT:

Under the provisions of Chapter 36, Laws of 1947, the Speaker has appointed as members of the Washington State Legislative Council:

Representatives

Robert F. Brachtenbach  
Jack L. Burtch  
Thomas L. Copeland  
Avery Garrett  
Slade Gorton  
Edward F. Harris  
Helmut L. Jueling  
William J. S. May  
Ann T. O'Donnell  
Robert M. Schaefer  
Richard Taylor

S. R. HOLCOMB, *Chief Clerk.*

#### SECOND READING OF BILLS

**Substitute Senate Bill No. 167**, by Committee on Highways:

Subsidizing public transportation.

The bill was read the second time by sections.

It was moved by Senator Rasmussen that the following amendment be adopted:

On page 1, section 1, line 5, after the word "owned" strike ", or leased, and operated".

Debate ensued.

On motion of Senator Talley, the amendment was laid upon the table.

It was moved by Senator Rasmussen that the following amendment be adopted:

On page 2, section 3, line 18, after "owned" and before "and" strike "or leased".

With the consent of the Senate, the amendment was withdrawn.

It was moved by Senator Rasmussen that the following amendment be adopted:

On page 2, section 3, line 19, after "systems", strike "without" and insert "with".

#### POINT OF ORDER

Senator Gallagher:

"Point of order, Mr. President:"

The President:

"The Senator will state his point of order."

Senator Gallagher:

"This amendment was offered by Senator Kupka yesterday and was defeated by the Senate. Now, I wonder if the Secretary will check this?"

Senator Rasmussen:

"Speaking on the point of order, this amendment was not offered by Senator Kupka. He offered an amendment embracing a new section which had a different text entirely, Senator Gallagher. This amendment by Senator Rasmussen merely makes a change in section 3."

Senator Gallagher:

"Mr. President, speaking on the point of order:

"The effect of the amendment as submitted by Senator Kupka was the very same thing. It may have been in a different section, but the effect was the same."

#### RULING BY THE PRESIDENT

The President:

"The President, ruling upon the point of order as presented by Senator Gallagher, rules that the amendment is properly before the Senate because the amendment, whereas the effect is the same, involves a different section. Also, there has been intervening business. The President believes the point of order is not well taken. The amendment is properly before the Senate and it is up to the Senate to dispose of the amendment according to their wishes."

Debate ensued.

It was moved by Senator Talley that the amendment be laid upon the table.

Senator Rasmussen demanded a roll call and the demand was sustained by Senators Bailey, Kupka, Peterson (Lowell), Peterson (Ted), Williams, Lewis, Redmon, Atwood and Moriarty, Jr.

#### ROLL CALL

The Secretary called the roll, and the amendment by Senator Rasmussen was laid upon the table by the following vote: Yeas, 26; nays, 18; absent or not voting, 3; excused, 2.

Those voting yea were: Senators Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Freise, Gallagher, Greive, Hanna, Henry, Lennart, McCutcheon, Neill, Peterson (Lowell), Peterson (Ted), Raugust, Redmon, Riley, Ryder, Stender, Talley, Thompson, Jr., Washington, Woodall—26.

Those voting nay were: Senators Atwood, Bailey, England, Gissberg, Guess, Hallauer, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McMillan, Mardesich, Moriarty, Jr., Rasmussen, Sandison, Williams—18.

Absent or not voting: Senators Durkan, Foley, Petrich—3.

Excused: Senators Herr, Morgan—2.

It was moved by Senator Rasmussen that the following amendment be adopted:

On page 3, section 7, line 13, strike "Sec. 7." and renumber "Sec. 8." "Sec. 7."

Debate ensued.

On motion of Senator Talley, the amendment was laid upon the table.

It was moved by Senator Lewis that the following amendment be adopted:

On page 2, section 4, line 26, after the word "system" insert ": PROVIDED, That such ordinance shall be submitted to the people of the municipality involved for their adoption and ratification, or rejection, at the next regular municipal election following the adoption of the ordinance in accordance with the provisions of law relating to referendums".

Debate ensued.

It was moved by Senator Greive that the amendment be laid upon the table.

Senator Lewis demanded a roll call and the demand was sustained by Senators Mardesich, Guess, Peterson (Ted), Thompson, Jr., Ryder, Woodall, Neill and Moriarty, Jr.

## ROLL CALL

The Secretary called the roll, and the amendment was laid upon the table by the following vote: Yeas, 40; nays, 6; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—39.

Those voting nay were: Senators Gissberg, Guess, Lewis, Mardesich, Moriarty, Jr., Rasmussen—6.

Absent or not voting: Senators Foley, McCormack—2.

Excused: Senators Herr, Morgan—2.

It was moved by Senator Stender that the following amendment be adopted:

On page 2, section 3, line 19, after "systems," insert a period and strike the rest of the section.

Debate ensued.

On motion of Senator Talley, the amendment was laid upon the table.

On motion of Senator Freise, the following amendment was adopted:

On page 3, following section 6, on line 12, add a new section as follows:

"NEW SECTION. Sec. 7. In the event the corporate authorities of any municipality during the term of a lease or any renewal thereof of a public transportation system desire to purchase the said system, the purchase price shall be no greater than the fair market value of the said system at the commencement of the lease."

Renumber the remaining sections consecutively.

It was moved by Senator Stender that the following amendment be adopted:

On page 3, section 7, renumbered section 8, line 15, after "govern" insert ": PROVIDED, That no emergency clause may be imposed under provisions of this act by the governing authority."

Debate ensued.

The motion was carried and the amendment was adopted.

## POINTS OF INQUIRY

Senator Mardesich:

"Mr. President, would Senator Gallagher yield to a question?"

The President:

"Will Senator Gallagher yield?"

Senator Gallagher:

"Yes, Mr. President."

Senator Mardesich:

"Senator Gallagher, I note the title of this bill is rather broad; however, if you look at page 2, line 23, the word 'shall' is used: 'The corporate authorities of a municipality are authorized to adopt ordinances for the levy and collection of excise taxes, and shall appropriate and use the proceeds derived therefrom only for the operation, maintenance, and capital needs of its municipally owned . . .' and so on. I wonder if these words and this bill in effect allows the cities to adopt ordinances, collect an excise tax and in effect, requires that those taxes shall be used only and solely for the operation, maintenance and so on of these municipal systems. Now, it may be stretching the point a little, but would it be possible that this would prohibit the levy of excise taxes for purposes other than support of a municipal transit system?"



Senator Gallagher:

"Senator Mardesich, I believe the city now has authority and does exercise it in other fields. It is not, I am sure, the intent of the bill, and I hope this is for the purpose of the record, to prohibit the city from levying excise taxes in areas in which they already do so. The intent here is that the excise taxes to be levied under this authority would be used only for the purpose of a transportation system. I think they do have that authority and do exercise it now for uses in other areas of city government."

Senator Dore:

"Would Senator Gallagher yield to another question?"

"Senator Gallagher, this speaks of excise tax. Would that include the sales tax, too?"

Senator Gallagher:

"No, there was a qualifying amendment yesterday that clarified that. This amendment was proposed by Senator Glissberg. It does not include sales tax."

Substitute Senate Bill No. 167 was ordered engrossed and passed to the Committee on Rules and Joint Rules for third reading.

#### PERSONAL PRIVILEGE

Senator Talley:

"Mr. President, point of personal privilege."

The President:

"The Senator will speak on point of personal privilege."

Senator Talley:

"I am having trouble with my conscience right now and I would like to speak on that point. I have been standing on this floor fighting for the city of Tacoma, and I can remember when they shoved the Cowlitz Dam right down my district's throat. It has bothered me a bit."

#### MOTION

At 11:45 a. m., on motion of Senator Greive, the Senate recessed until 2:00 p. m.

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#### AFTERNOON SESSION

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

The President declared the Senate to be at ease.

The President called the Senate to order at 2:10 p. m.

The Secretary called the roll and announced to the President that all Senators were present.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of Sister Mary Laurentia from Holy Rosary High School and appointed a special committee of honor consisting of Senator Greive, Mr. Robert Cour, Representative John L. O'Brien, Senator Moriarty, Jr., and Senator Keefe to escort Sister Mary Laurentia to a place of honor upon the rostrum.

The Secretary read:

## SENATE RESOLUTION

No. 1965 - 27

By Senator Greive:

WHEREAS, Sister Mary Laurentia from Holy Rosary High School at Seattle, Washington, is visiting the State Capitol today with a group of her students; and

WHEREAS, Sister Laurentia is well known by some of the members of the legislature because of her keen interest in state government; and

WHEREAS, The members of the Senate recognize that it is for the best interests of the citizens of the state of Washington that the teachers of elementary and high school take an active interest in state government and attempt to pass on this interest to their students; and

WHEREAS, Sister Laurentia has always urged her students to study state government and has always made this subject interesting to her students, creating an intellectual curiosity in this important subject; and

WHEREAS, Senator Robert R. Greive, the majority floor leader in the Senate, and Representative John O'Brien, majority floor leader in the House of Representatives, are both former students of Sister Laurentia and their interest in state government was stimulated by her teachings; and

WHEREAS, Robert Cour, political writer for the Seattle Post-Intelligencer, is also a former student of Sister Laurentia and his knowledge of state government is also attributable to her efforts; and

WHEREAS, The members of the Senate wish to recognize Sister Laurentia for her affirmative effort and excellent teaching in this important field of education;

*Now, Therefore, Be It Resolved*, That Sister Mary Laurentia is hereby commended by the members of the Senate for her admirable success in teaching state government to her students in the state of Washington and creating in her students an interest in this important subject; and

*Be It Further Resolved*, That the Secretary of the Senate be and is hereby instructed to send to Sister Mary Laurentia, Holy Rosary High School at Seattle, Washington, a copy of this resolution.

On motion of Senator Greive, the resolution was adopted.

With the consent of the Senate, business was suspended to permit Sister Mary Laurentia to address the Senate.

## SECOND READING OF BILLS

**Senate Bill No. 454**, by Senators Woodall, Talley and Redmon:

Authorizing the acquisition of certain water rights by cities and towns.

The bill was read the second time by sections.

On motion of Senator Freise, the following amendments were adopted:

On page 3, section 3, line 19, after "acquiring" and before "constructing" strike "or" and insert ","

On page 5, section 5, line 12, strike the comma after "which".

Senate Bill No. 454 was ordered engrossed and referred to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 179**, by Senators Riley, Ryder and Keefe:

Authorizing cities to operate off-street parking facilities.

## REPORT OF STANDING COMMITTEE

**Senate Bill No. 179:**

Senate Chamber,  
Olympia, Wash., February 25, 1965.

Authorizing cities to operate off-street parking facilities (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass with the following amendment:

On page 2, section 2, line 20, after "[shall]" strike "may" and insert "shall".

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Joe Chytil, Frank Connor, Dewey C.

Donohue, Al Henry, James Keefe, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Talley, the committee amendment was adopted.

It was moved by Senator Dore that the following amendment be adopted:

On page 1, section 1, line 14, after the word "thereof" insert a semicolon. Strike lines 15, 16 and 17 through the word "facilities." on line 17, add the following: "PROVIDED, HOWEVER, Cities over 100,000 may operate such off-street parking space and/or facilities for the operation thereof, when such off-street parking space and/or facilities are primarily accessory to a municipal building, park, stadium, auditorium, theatre, convention hall, or complex of such facilities."

Debate ensued.

On motion of Senator Hallauer, Senate Bill No. 179 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 126**, by Senators Petrich, Gallagher, Dore and Moriarty, Jr.: Increasing salaries of justices of the peace.

On motion of Senator Woodall, Senate Bill No. 126 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 358**, by Senators Raugust, Peterson (Lowell) and Washington (by State Highway Commission request):

Establishing procedure for planning and adopting limited access facilities by highway commission.

#### REPORT OF STANDING COMMITTEE

##### Senate Bill No. 358:

Senate Chamber,  
Olympia, Wash., February 18, 1965.

Establishing procedure for planning and adopting limited access facilities by highway commission (reported by Committee on Highways):

MAJORITY recommends that it do pass with the following amendments:

On page 4, section 5, line 10, after "party to" and before "may" strike "such hearing" and insert "the hearing provided for in this amendatory act"

On page 4, section 5, line 11, after "court" strike all the matter down to and including "superior court" in line 13.

NAT WASHINGTON, *Chairman*.  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, Herbert H. Freise, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, Gordon Herr, James Keefe, Reuben A. Knoblauch, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Don L. Talley, Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendments were adopted.

On motion of Senator Riley, the following amendment was adopted:

On page 3, section 3, line 20, after "manner." strike the remainder of the section.

It was moved by Senator Washington that the following amendment be adopted:

On page 2, section 2, line 30, after "inspected." add "In the event that all of such owners and the county and/or city or town shall give written waivers or written approvals of the plan the highway authorities may proceed to establish and construct the highway without such hearing."

Debate ensued.

With the consent of the Senate, Senator Washington was permitted to withdraw the amendment.

On motion of Senator Freise, the following amendment was adopted:

On page 2, section 1, line 6, strike the comma after "town".

Senate Bill No. 358 was ordered engrossed and passed to the Committee on Rules and Joint Rules for third reading.

**Senate Joint Memorial No. 6**, by Senators Gissberg, Neill, Riley, Herrmann, Lennart, Atwood, Raugust, Woodall, McMillan, Henry, Donohue, Lewis, Guess and Talley:

Memorializing Congress to amend the United States Constitution to set out the right of the people to choose whether or not they wish to have one house of the legislature of their state apportioned on the basis of factors other than population.

On motion of Senator Gissberg, Senate Joint Memorial No. 6 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 368**, by Senators Thompson, Jr., Herr and Hallauer:

Authorizing use of public lands for public parks, recreation and educational purposes.

#### REPORT OF STANDING COMMITTEE

##### Senate Bill No. 368:

Senate Chamber,  
Olympia, Wash., February 18, 1965.

Authorizing use of public lands for public parks, recreation and educational purposes (reported by Committee on Parks, Capitol Grounds and Public Buildings):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 2, beginning on line 26, strike all the material down to the period on page 2, line 7, and insert the following:

"Scenic Beach State Park (56412); Sun Lakes State Park (55711); Field Springs State Park (55710); Palouse Falls State Park (55709); Mt. Spokane State Park (55708); Lake Wenatchee State Park (55707); Kamiak Butte State Park (55706); Bridle Trails State Park (54862); Beacon Rock State Park (54861); Camano Island State Park (54860); Moran State Park (54859); Federation Forest State Park (54858); Sequim Bay State Park (54855); Bogachiel State Park (54854); Rainbow Falls State Park (54848); Ginkgo State Park (54715); Mt. Pilchuck State Park (54653); Rockport State Park (54643); Blake Island State Park (54570); South Whidbey State Park (54281); Kopachuck State Park (48123); Penrose Point State Park (45518); Lake Wenatchee, Nason Creek (53618)"

On page 2, line 8, after section 2, insert a new section as follows:

"NEW SECTION. Sec. 3. That such use of any common school lands shall be subject to the power of the state board of education upon sixty days' notice, to make any other disposition, sale or lease of such property."

Renumber section 3 to read section 4.

GORDON HERR, *Chairman*.

We concur in this report: Jack England, H. B. Hanna, Lowell Peterson, Albert C. Thompson, Jr.

The bill was read the second time by sections.

The Secretary read the committee amendment to page 1.

On motion of Senator Thompson, Jr., the following amendment to the committee amendment was adopted:

On page 1, section 2, beginning on line 26, strike all the material down to the period on page 2, line 7, and insert the following:

"Scenic Beach State Park; Sun Lakes State Park; Field Springs State Park; Palouse Falls State Park; Mt. Spokane State Park; Lake Wenatchee State Park; Kamiak Butte State Park; Bridle Trails State Park; Beacon Rock State Park; Camano Island State Park; Moran State Park; Federation Forest State Park; Sequim Bay State Park; Boga-

chiel State Park; Rainbow Falls State Park; Ginkgo State Park; Mt. Pilchuck State Park; Rockport State Park; Blake Island State Park; South Whidbey State Park; Kopathuck State Park; Penrose Point State Park; Lake Wenatchee, Nason Creek".

On motion of Senator Thompson, Jr., the committee amendment to page 1, as amended, was adopted.

The Secretary read the committee amendment to page 2.

On motion of Senator Thompson, Jr., the following amendment to the committee amendment was adopted:

On page 2, line 8, after section 2, insert a new section as follows:

"**NEW SECTION.** Sec. 3. That such use of any common school lands or higher education grant lands shall be subject to the power of the state board of education or the governing board of the institution of higher learning involved, as the case may be upon sixty days' notice, to make any other disposition, sale or lease of such property."

Renumber section 3 to read section 4.

On motion of Senator Thompson, Jr., the committee amendment to page 2, as amended, was adopted.

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

On page 1, section 1, line 9, after "lands" strike the comma.

On line 10, after "lands" insert ", higher education grant lands when requested to do so by the governing board of the institution involved regarding higher education grant lands".

Senate Bill No. 368 was ordered engrossed and referred to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 54**, by Senators Riley and Ryder:

Allowing first class cities to create separate department to manage civic centers.

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

**Senate Bill No. 285**, by Senators Herrmann, Cooney and Donohue:

Allowing acquisition and operation of sewer systems by irrigation districts.

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

**Senate Bill No. 287**, by Senators Morgan, Sandison, Kupka, Raugust, McCutcheon, Greive, Stender, Guess, Washington, Henry, Talley, Cowen, Marde-sich, Donohue, Charette, Peterson (Lowell), Herrmann, Rasmussen, Woodall, Moriarty, Jr., Thompson, Jr., Cooney, Lewis, Herr, Knoblauch, Atwood, Giss-berg, Williams, Chytil, England, Gallagher, Hallauer, Connor, Petrich, Riley, Keefe, Peterson (Ted), Hanna, Bailey and McMillan (by Executive request):

Authorizing the purchase, lease, or lease with option of Harrison Memorial Hospital in Kitsap county.

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

**Senate Bill No. 173**, by Senators Knoblauch, Freise and McMillan:

Giving mayors of third and fourth class cities tie-breaking vote.

The bill was read the second time by sections.

On motion of Senator Freise, the following amendment was adopted:

On page 2, section 1, line 3, strike "less" and insert "[less] lesser".

Senate Bill No. 173 was ordered engrossed and referred to the Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 279**, by Senators Donohue, Charette and Neill:  
Eliminating school district free public libraries.

**REPORT OF STANDING COMMITTEE**

**Senate Bill No. 279:**

Senate Chamber,  
Olympia, Wash., February 25, 1965.

Eliminating school district free public libraries (reported by Committee on Higher Education and Libraries):

Recommends that it do pass with the following amendments:

On page 6, section 6, line 2, after "district" and before "libraries" insert "public"

On page 6, section 6, line 4, after "abolished" and before "." insert "as of January 1, 1966"

On page 6, section 6, line 5, after "district" and before "library" insert "public"

On page 6, section 6, line 7, after "district" and before "is located" insert "public library".  
GORDON SANDISON, *Chairman*.

We concur in this report: R. Frank Atwood, Frank W. Foley, Wilbur G. Hallauer, Karl Herrmann, Harry B. Lewis, Mike McCormack, Marshall A. Neill, John N. Ryder, Don L. Talley, Nat Washington.

The bill was read the second time by sections.

On motion of Senator Donohue, the committee amendments were adopted. Senate Bill No. 279 was ordered engrossed and referred to the Committee on Rules and Joint Rules for third reading.

**MOTION**

At 3:15 p. m., on motion of Senator Greive, the Senate adjourned until 11:00 a. m., Wednesday, March 3, 1965.

JOHN A. CHERBERG, *President of the Senate*.

WARD BOWDEN, *Secretary of the Senate*.

**FIFTY-SECOND DAY**

**MORNING SESSION**

SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, March 3, 1965.

The Senate was called to order at 11:00 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Jack Powell, Color Bearer, and Nora Petrich, presented the Colors.

Reverend Dave Carlson, pastor of the Assembly of God Church of Olympia, offered prayer as follows:

"Our Father which art in heaven, we thank Thee for the noblest of all Thy gifts to man, the privilege of prayer, by which we can come in faith to the throne of grace. We thank Thee that you invite our fellowship through Thy Son, Jesus Christ, and that we can be made partners with Thee to accomplish Thy purposes in Thy world.

"Grant unto us, O Lord, wisdom and understanding in the affairs of state that concern us this day. We seek Thy guidance and ask Thine aid as we formulate policy,

then imbue us with a strong sense of moral rightness and equity in fulfilling the obligations we have assumed in representing our people.

"We pray, bless our national leaders today, and grant to our President and his cabinet divine wisdom as they are called upon to make vital global decisions.

"We receive this day as Thy gift to us, and we pray, may a keen sense of stewardship help us to use the hours honorably and well.

"This we pray in the Name of Jesus Christ, our Lord. Amen."

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

#### MOTIONS

On motion of Senator Henry, the Committee on State Government and Veterans' Affairs was relieved of further consideration of Senate Bill No. 461.

On motion of Senator Henry, Senate Bill No. 461 was referred to the Committee on Labor and Social Security.

The Secretary read:

#### SENATE RESOLUTION No. 1965 - 28

By Senators Hallauer and Woodall:

WHEREAS, The state of Washington is singularly honored in that the Indian peoples constituting the membership of the great Colville Indian Reservation wish to find an equitable means of terminating federal supervision over the property and affairs of the Colville Indian Reservation and become full-fledged citizens both of this nation and of the state; and

WHEREAS, This desire on the part of the membership has been evidenced by the action of the members of its Tribal Council; and

WHEREAS, Senator Henry Jackson introduced legislation in the past session of our National Congress providing for an end to the Colville Reservation and restoration to full rights as citizens to the membership and Representative Thomas Foley has introduced like legislation for the present session of Congress;

Now, Therefore, Be It Resolved, By the Senate, That this petition be most respectfully submitted to the House of Representatives and to the Senate of the United States and to the Honorable Lyndon B. Johnson, President of the United States, urging immediate action to fulfill the desires of the membership of the Colville Reservation to become citizens enjoying equal rights, privileges and responsibilities as other citizens of this state and this nation;

And Be It Further Resolved, That the Secretary of the Senate submit copies of this Resolution to the Honorable Lyndon B. Johnson, President of the United States, to the Speaker of the House of Representatives of the United States, to the President of the Senate of the United States, and to each member of Congress from the state of Washington.

On motion of Senator Hallauer, the resolution was adopted.

The Secretary read:

#### SENATE RESOLUTION No. 1965-30

By Senators Raugust, Bailey, Washington, Lennart, Hallauer, Redmon, Donohue, McMillan, Neill, Freise and Hanna:

WHEREAS, The Bureau of the Budget has proposed that the Soil Conservation Service appropriation for assisting locally organized and locally managed soil and water conservation districts be reduced by twenty million dollars and that soil and water conservation districts and cooperating farmers, ranchers and other landowners shall pay the federal government up to fifty percent of the cost of technical assistance furnished in the design, layout and installation of planned soil and water conservation practices on their lands; and

WHEREAS, The federal government has, for some thirty years, provided technical assistance to owners and operators of privately owned lands believing that it is

in the total public interest, and one of the most urgent national needs to protect and improve the soil and water resources of this nation; and

WHEREAS, Over ninety-six percent of Washington privately owned land is included in its sixty-eight soil and water conservation districts and nearly a third of Washington's farmers and ranchers are annually using the technical assistance in the design, layout and installation of planned soil and water conservation measures on their lands; and

WHEREAS, The supervisors of such districts have continuously requested additional technical assistance to meet the needs of farmers and ranchers to accelerate the application of conservation practices; and

WHEREAS, Recent state-wide storms and floods of disastrous proportions have resulted in heavy erosion and loss of valuable top soil, in heavy sediment deposits in our reservoirs, lakes, streams and rivers which also have spread over valuable bottom lands and in other flood damage to both public and private property together with destruction or severe damage to thousands of water control and use structures, requiring greater, rather than reduced efforts in the application of soil and water conservation practices; and

WHEREAS, Such assessments of payments to the federal government will discourage and seriously curtail the application of soil and water conservation measures on lands so vital to the strength and welfare of the state of Washington and the nation and will seriously affect fall harvest on family farms and the holdings of small operators; and

WHEREAS, This proposed additional burden added to the costs of farmers and ranchers already in a depressed economic condition, would limit the ability of these people to participate in the existing agricultural conservation program and similar programs which have in the past contributed substantially to the conservation development, and the prudent use of these soil and water resources.

Now, Therefore, *Be it Resolved*, by the Senate of the state of Washington that we respectfully make application to the Congress of the United States to continue the long established policy of providing technical assistance to soil and water conservation districts and their cooperating land owners and operators without requiring them to pay the federal government any portion of cost of such technical assistance; and

*Be It Further Resolved*, That the Congress provide the increases in technical assistance requested by the soil and water conservation districts in Washington and throughout the nation to meet the needs of land owners and operators to accelerate the planning and application of conservation measures on their privately owned lands; and

*Be It Further Resolved*, That copies of this resolution be transmitted to the Honorable Lyndon B. Johnson, President of the United States, the President of the United States Senate and the Speaker of the House of Representatives, the Chief of the Soil and Conservation Service, and to each Senator and Representative in Congress from the state of Washington.

On motion of Senator Bailey, the resolution was adopted.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., March 2, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Substitute Senate Bill No. 167; also

Senate Bill No. 173; also

Senate Bill No. 279; also

Senate Bill No. 358; also

Senate Bill No. 368; also

Senate Bill No. 454 have inspected same, and find them correctly engrossed.

FRANK W. FOLEY, *Chairman*.

We concur in this report: Martin J. Durkan, R. R. Bob Greive.



**Senate Bill No. 25:**

Senate Chamber,  
Olympia, Wash., March 2, 1965.

Allocating income from lands granted for normal school purposes to the bond retirement funds of the state colleges (reported by Committee on Ways and Means):  
MAJORITY recommends that it do pass as amended.

FRANK W. FOLEY, *Chairman*,  
FRED H. DORE, *Chairman*,  
Committee on Appropriations,  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue & Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, David C. Cowen, Dewey C. Donohue, William A. Gissberg, Wilbur G. Hallauer, Ernest W. Lennart, David E. McMillan, August P. Mardesch, Charles P. Moriarity, Jr., Marshall A. Neill, John A. Petrich, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 26:**

Senate Chamber,  
Olympia, Wash., March 2, 1965.

Allocating Washington State University income derived from land grants to bond retirement purposes (reported by Committee on Ways and Means):  
MAJORITY recommends that it do pass as amended.

FRANK W. FOLEY, *Chairman*,  
FRED H. DORE, *Chairman*,  
Committee on Appropriations,  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue & Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, William A. Gissberg, Ernest W. Lennart, David E. McMillan, August P. Mardesch, Charles P. Moriarity, Jr., Marshall A. Neill, John A. Petrich, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 29:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Providing apportionment of school funds to school districts monthly and providing for emergency advancements thereof (reported by Committee on Ways and Means):  
MAJORITY recommends that it do pass.

FRANK W. FOLEY, *Chairman*,  
FRED H. DORE, *Chairman*,  
Committee on Appropriations,  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue & Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, David C. Cowen, Dewey C. Donohue, William A. Gissberg, R. R. Bob Greive, Sam C. Guess, Wilbur G. Hallauer, Ernest W. Lennart, Mike McCormack, David E. McMillan, August P. Mardesch, Charles P. Moriarity, Jr., John A. Petrich, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 39:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Raising certain benefits under industrial insurance (reported by Committee on Labor and Social Security):  
MAJORITY recommends that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, George W. Kupka, John T. McCutcheon, August P. Mardesich, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 50:**

Senate Chamber,  
Olympia, Wash., March 2, 1965.

Establishing a law enforcement officers' training commission (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass as amended.

FRANK W. FOLEY, *Chairman*,  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue & Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, David C. Cowen, Dewey C. Donohue, William A. Gissberg, R. R. Bob Greive, Ernest W. Lennart, David E. McMillan, August P. Mardesich, Charles P. Moriarty, Jr. John A. Petrich, Edward F. Riley, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 140:**

Senate Chamber,  
Olympia, Wash., March 1, 1965.

Waiving receipt of public pension by a person re-employed in full time public employment (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass as amended.

AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Charles P. Moriarty, Jr. A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 148:**

Senate Chamber,  
Olympia, Wash., February 25, 1965.

Authorizing the University of Washington to sell lands in Benton county (reported by Committee on Higher Education and Libraries):

Recommends that it do pass as amended.

GORDON SANDISON, *Chairman*.

We concur in this report: R. Frank Atwood, Frank W. Foley, Wilbur G. Hallauer, Karl Herrman, Harry B. Lewis, Mike McCormack, Marshall A. Neill, John N. Ryder, Don L. Talley, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 155:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Preventing theft and destruction of initiative and referendum petitions (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Herbert H. Freise, Michael J. Gallagher, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 188:**

Senate Chamber,  
Olympia, Wash., March 1, 1965.

Prescribing rules for service of court orders in domestic cases when directed to bank or branch (reported by Committee on Banks, Financial Institutions and Insurance): MAJORITY recommends that it do pass.

KARL HERRMANN, *Chairman*,  
AUGUST P. MARDESICH, *Vice Chairman*.

We concur in this report: Robert L. Charette, Frank W. Foley, George W. Kupka, John T. McCutcheon, Charles P. Moriarty, Jr., Fred G. Redmon, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 189:**

Senate Chamber,  
Olympia, Wash., March 1, 1965.

Requiring garnishment writs to be served on particular branches of mutual savings banks (reported by Committee on Banks, Financial Institutions and Insurance): MAJORITY recommends that it do pass.

KARL HERRMANN, *Chairman*,  
AUGUST P. MARDESICH, *Vice Chairman*.

We concur in this report: Robert L. Charette, Frank W. Foley, George W. Kupka, John T. McCutcheon, Charles P. Moriarty, Jr., Fred G. Redmon, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 200:**

Senate Chamber,  
Olympia, Wash., March 1, 1965.

Specifying time of investment fee deductions for certain public funds (reported by Committee on Banks, Financial Institutions and Insurance): MAJORITY recommends that it do pass as amended.

KARL HERRMANN, *Chairman*,  
AUGUST P. MARDESICH, *Vice Chairman*.

We concur in this report: Robert L. Charette, Frank W. Foley, Charles P. Moriarty, Jr., Fred G. Redmon, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 259:**

Senate Chamber,  
Olympia, Wash., March 1, 1965.

Permitting creation of guaranty and expense funds of mutual savings banks by issuance of debentures (reported by Committee on Banks, Financial Institutions and Insurance):

MAJORITY recommends that it do pass.

KARL HERRMANN, *Chairman*,  
....., *Vice Chairman*.

We concur in this report: Robert L. Charette, Frank W. Foley, George W. Kupka, John T. McCutcheon, Charles P. Moriarty, Jr., Fred G. Redmon, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 292:**

Senate Chamber,  
Olympia, Wash., March 1, 1965.

Supplementing and changing insurance law (reported by Committee on Banks, Financial Institutions and Insurance):

MAJORITY recommends that it do pass as amended.

KARL HERRMANN, *Chairman*,  
....., *Vice Chairman*.

We concur in this report: Robert L. Charette, Frank W. Foley, Charles P. Moriarty, Jr., Fred G. Redmon, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 304:**

Senate Chamber,  
Olympia, Wash., March 2, 1965.

Authorizing the creation of intermediate school districts (reported by Committee on Education):

MAJORITY recommends that it do pass.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert L. Charette, Fred H. Dore, Herbert H. Freise, Karl Herrmann, Reuben A. Knoblauch, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, John H. Stender, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 337:**

Senate Chamber,  
Olympia, Wash., March 1, 1965.

Extending gift tax provisions to gifts to minors (reported by Judiciary Committee):

MAJORITY recommends that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Herbert H. Freise, Michael J. Gallagher, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 352:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Increasing industrial insurance pensions (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Martin J. Durkan, George W. Kupka, August P. Mardesich, Edward F. Riley, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 356:**

Senate Chamber,  
Olympia, Wash., March 1, 1965.

Provides notice of revocation or suspension of driver's license be given state patrol and local police; permits stopping vehicle during period and checking driver's license of operator (reported by Committee on Highways):

MAJORITY recommends that it do pass as amended.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, William A. Gissberg, Sam C. Guess, H. B. Hanna, Gordon Herr, Karl Herrmann, James Keefe, Reuben A. Knoblauch, August P. Mardesich, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 360:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Providing for collective bargaining for certain public employees (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, George W. Kupka, John T. McCutcheon, August P. Mardesich, Edward F. Riley, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 408:**

Senate Chamber,  
Olympia, Wash., March 2, 1965.

Making possession of liquor identification card not issued to holder thereof a misdemeanor (reported by Committee on Liquor Control):

Recommends that it do pass.

FRANK CONNOR, *Chairman*.

We concur in this report: Al Henry, George W. Kupka, Harry B. Lewis, Edward F. Riley, Don L. Talley, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 417:**

Senate Chamber,  
Olympia, Wash., March 1, 1965.

Establishing refunding bond procedures (reported by Committee on Banks, Financial Institutions and Insurance):

MAJORITY recommends that it do pass.

KARL HERRMANN, *Chairman*,  
AUGUST P. MARDESICH, *Vice Chairman*.

We concur in this report: Robert L. Charette, Frank W. Foley, George W. Kupka, John T. McCutcheon, Charles P. Moriarty, Jr., John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 422:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Increasing industrial insurance permanent partial disability benefits (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass as amended. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, George W. Kupka, John T. McCutcheon, August P. Mardesich, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 2, 1965.

MR. PRESIDENT:

The House has passed House Bill No. 38; also

Engrossed House Bill No. 77; also

Engrossed House Bill No. 154; also

House Bill No. 324, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

**INTRODUCTION AND FIRST READING OF RESOLUTION**

The following was introduced, read first time by title and acted upon as indicated:

**Senate Concurrent Resolution No. 9**, by Senators Riley and Woodall:

Adopting joint rules of the thirty-ninth legislature.

On motion of Senator Riley, the rules were suspended, Senate Concurrent Resolution No. 9 was advanced to second reading and read the second time in full.

On motion of Senator Riley, the rules were suspended, Senate Concurrent Resolution No. 9 was advanced to third reading, the second reading considered the third, the resolution placed on final passage and adopted.

On motion of Senator Riley, Senate Concurrent Resolution No. 9 was ordered immediately transmitted to the House.

## FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**House Bill No. 38**, by Representatives Olsen, Litchman, Chatalas, O'Donnell, Taylor and Smith (by Executive request of Governor Rosellini):

An Act relating to the participation of counties and cities in the financing, acquisition, construction, operation, or maintenance of an all-purpose or multi-purpose sports stadium; authorizing the acquisition by condemnation or otherwise of necessary property therefor; authorizing an election; authorizing the issuance of bonds and matters incident thereto; prescribing powers, duties, and functions of public officers in relation thereto; and declaring an emergency.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 77**, by Representatives Garrett, Grant and Litchman:

An Act relating to school districts; and authorizing school districts to provide insurance for school children.

Referred to Committee on Education.

**Engrossed House Bill No. 154**, by Representatives Brouillet, Sawyer and Copeland:

An Act relating to education; recognizing the right of employee organizations to represent certificated employees in their relations with school districts.

Referred to Committee on Education.

**House Bill No. 324**, by Representatives Uhlman, Morphis, Elder, Smith, Sheridan, Chatalas, Grant, O'Donnell, Mahaffey, Garrett and Backstrom:

An Act relating to police pensions in first class cities; and adding a new section to chapter 41.20 RCW.

Referred to Committee on Ways and Means.

## SECOND READING OF BILLS

**Senate Bill No. 179**, by Senators Riley, Ryder and Keefe:

Authorizing cities to operate off-street parking facilities.

The bill was read the second time by sections.

The Senate resumed consideration of the following amendment by Senator Dore:

Beginning on line 15 strike all the underlined material down to and including "facilities" on line 17, and insert " : *Provided, However, That cities over 100,000 may operate such off-street parking space and/or facilities for the operation thereof, when such off-street parking space and/or facilities are primarily accessory to a municipal building, park, stadium, auditorium, theatre, convention hall, or complex of such municipal facilities*".

Debate ensued.

The motion was carried and the amendment was adopted.

It was moved by Senator Rasmussen that the following amendment be adopted:

On page 2, section 2, line 18, add a new section as follows:

"**NEW SECTION. Sec. 2.** The corporate authorities of a municipality are authorized to adopt ordinances for the levy and collection of excise taxes, and shall appropriate and use the proceeds derived therefrom only for the operation, maintenance, and capital

needs of its municipally owned or leased and municipally operated public off-street parking space."

Renumber the remaining sections consecutively.

Debate ensued.

On motion of Senator Rasmussen, Senate Bill No. 179 was ordered to retain its place at the end of the second reading calendar for today.

**Senate Bill No. 126**, by Senators Petrich, Gallagher, Dore and Moriarty, Jr.:

Increasing salaries of justices of the peace.

The bill was read the second time by sections.

It was moved by Senator Woodall that the following amendment be adopted:

On line 17 add a new section as follows: "Sec. 2. Section 4, chapter 156, Laws of 1951 and RCW 3.16.004 are each amended to read as follows: In cities having a population of more than twenty thousand, the justices of the peace shall devote their full time to the duties of the office *and shall not engage in the practice of law* and receive a salary of [five thousand four hundred] *ten thousand* dollars per annum: *Provided*, [That in cities of the first class the county commissioners shall have the power to raise the salaries of justices of the peace to an amount not to exceed six thousand five hundred dollars per annum: *Provided further*,] That where justices of the peace in cities over the population of twenty thousand are also acting as police judges their salaries shall be fixed by the legislative body of the city, [three] *five* thousand dollars of which shall be charged against the counties and the remainder shall be paid by the municipality."

Debate ensued.

On motion of Senator Rasmussen, Senate Bill No. 126 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Joint Memorial No. 6**, by Senators Gissberg, Neill, Riley, Herrmann, Lennart, Atwood, Raugust, Woodall, McMillan, Henry, Donohue, Lewis, Guess and Talley:

Memorializing Congress to amend the United States Constitution to set out the right of the people to choose whether or not they wish to have one house of the legislature of their state apportioned on the basis of factors other than population.

On motion of Senator Gissberg, Senate Joint Memorial No. 6 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 334**, by Senators Henry, Washington, Donohue and Raugust (by Highway Interim Committee request):

Regulating motor vehicle driver licensing.

On motion of Senator Washington, Senate Bill No. 334 was ordered to retain its place on the second reading calendar for tomorrow.

**Substitute Senate Bill No. 34**, by Senators McCormack, Greive, Petrich, Neill, Rasmussen, Kupka, Dore and Riley (by Executive request of Governor Rosellini):

Providing for promotion and development of nuclear industry through new division of department of commerce and economic development.

On motion of Senator McCormack, Second Substitute Senate Bill No. 34 was substituted for Substitute Senate Bill No. 34 and Second Substitute Senate Bill No. 34 was placed on second reading.

Second Substitute Senate Bill No. 34 was read the second time by sections.

On motion of Senator McCormack, the following amendments by Senators Henry, Durkan and McCormack were adopted.

On page 1, section 1, line 25, after "thereof" and before the semicolon, insert "by others"

On page 4, section 5 (1), line 8, after "arrangement" and before the period, insert " : *Provided, however,* That nothing herein shall be deemed to authorize the state to acquire nuclear facilities or property to engage in competition with organizations or persons"

On motion of Senator Petrich, the following amendment by Senators Petrich and McCormack was adopted:

On page 4, section 5, line 24, after "shall" and before "be" insert " , subject to the provisions herein,".

On motion of Senator McCormack, the rules were suspended, Engrossed Second Substitute Senate Bill No. 34 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 34 and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senators Durkan, Herr—2.

Engrossed Second Substitute Senate Bill No. 34 having received the constitutional 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. 181**, by Senators Kupka, Washington and Raugust:

Clarifying financing procedures for off-street parking in cities and towns.

On motion of Senator Gallagher, Senate Bill No. 181 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 462**, by Senators Thompson, Jr., and Gissberg:

Including pharmacists within health care services.

The bill was read the second time by sections.

On motion of Senator Thompson, Jr., the rules were suspended, Senate Bill No. 462 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 462 and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Durkan, Herr, McCormack, Riley—4.



Senate Bill No. 462, having received the constitutional majority, was declared passed.

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

#### MOTION

At 12:10 p. m., on motion of Senator Greive, the Senate recessed until 2:00 p. m.

### AFTERNOON SESSION

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

The Secretary called the roll and announced to the President that all Senators were present.

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

#### THIRD READING OF BILLS

**Senate Bill No. 3**, by Senators Charette, Moriarty, Jr and Neill:

Enacting a title of the Revised Code of Washington to be known as Title 35—Cities and Towns.

On motion of Senator Neill, the rules were suspended, the second reading considered the third, and Senate Bill No. 3 was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 3, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—44.

Those voting nay were: Senator Herrmann—1.

Absent or not voting: Senators Dore, Durkan, Raugust, Talley—4.

Senate Bill No. 3, having received the constitutional majority, was declared passed.

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

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

The Secretary read:

#### SENATE RESOLUTION

No. 1965 - 29

By Senators Keefe and Woodall:

WHEREAS, On February 26, 1965, which was the forty-seventh legislative day of this thirty-ninth regular session of the Washington State Legislature, a new reapportionment plan for the state of Washington was enacted; and

WHEREAS, The members of the Senate recognize that the acceptable accomplishment of this measure was an extremely difficult task; and

WHEREAS, Senator Robert Greive and Senator Marshall Neill, two prominent members of this body, are among those who are primarily responsible for the passage of the reapportionment act; and

WHEREAS, Senator Greive, the Majority Floor Leader has spent countless hours working on this measure for over four years and has worked night and day without rest for forty-seven consecutive days in order to bring about this landmark legislation; and

WHEREAS, Senator Neill, the Minority Caucus Chairman, has also worked with immense effort to pass this legislation and has through his well-earned reputation within his Caucus contributed much by urging and working out a compromise; and

WHEREAS, These two Senators were able to accomplish this task, which seemed impossible, because each has, over the course of years, earned the confidence and trust of all the members of the Senate; and

WHEREAS, Though all members of the Senate may not agree that the reapportionment bill is perfect, all do agree that the two distinguished Senators have done excellent work on this legislation; and

WHEREAS, The members of the Senate wish to commend both Senator Greive and Senator Neill for their successful effort and recognize this effort as an achievement worthy of respect;

*Now, Therefore, Be It Resolved*, That the members of the Senate do hereby commend Senator Greive and Senator Neill for their untiring efforts, without which the reapportionment of the state of Washington could not have been accomplished by this legislature; and

*Be It Further Resolved*, That the Secretary of the Senate be and he is hereby instructed to have this resolution suitably inscribed and presented to Senator Robert Greive and Senator Marshall Neill.

On motion of Senator Keefe, the resolution was adopted.

With the leave of the Senate, business was suspended to permit Mrs. Robert Greive and Mrs. Marshall Neill to address the Senate.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed a special committee consisting of Senators Woodall and Keefe to escort Senators Greive and Neill to the rostrum and to present them with copies of Senate Resolution No. 1965-29.

#### PRESENTATION OF GIFTS TO SENATE PAGES

With leave of the Senate, business was suspended to permit each of the Senate pages to be presented with a wristwatch on behalf of Senator Cowen.

Page Eric Freise responded on behalf of the Senate Pages expressing their appreciation of Senator Cowen's gift to them.

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

#### THIRD READING OF BILLS

**Engrossed Senate Bill No. 4**, by Senators Charette, Moriarty, Jr. and Neill:

Enacting a title of the Revised Code of Washington to be known as Title 43—State Government—Executive.

On motion of Senator Charette, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 4 was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4 and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Durkan, Henry, Petrich, Talley—4.

Engrossed Senate Bill No. 4, having received the constitutional 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. 5**, by Senators Charette, Moriarty, Jr. and Neill:

Enacting a title of the Revised Code of Washington to be known as Title 29—Elections.

On motion of Senator Charette, the rules were suspended, the second reading considered the third, and Senate Bill No. 5 was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 5, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senators Durkan, Henry—2.

Senate Bill No. 5, having received the constitutional majority, was declared passed.

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

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

#### SECOND READING OF BILLS

**Senate Bill No. 253**, by Senators Hanna and Williams:

Authorizing the formation of medical professional corporations.

On motion of Senator Hanna, Senate Bill No. 253 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 364**, by Senators Rasmussen, Morgan and Foley:

Removing residence requirement for applicant for aid to the blind.

The bill was read the second time by sections.

On motion of Senator Williams, the following amendment was adopted:

On page 2, line 5, add a new subsection as follows:

*"(4) Who has resided in this state for six months immediately preceding the date of application, or who suffered loss of sight while a resident of this state and has resided continuously in this state since such loss of sight except for any temporary absence from the state incident to receiving treatment for the injury or disease causing loss of sight or for the attempt of restoring sight."*

On motion of Senator Rasmussen, the rules were suspended, Engrossed Senate Bill No. 364 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 364, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senator Henry—1.

Excused: Senator Durkan—1.

Engrossed Senate Bill No. 364, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 389**, by Senators Atwood and Petrich:

Establishing transitional procedures for counties electing to operate under the justice court districting act of 1961.

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 389:**

Senate Chamber,  
Olympia, Wash., February 26, 1965.

Establishing transitional procedures for counties electing to operate under the justice court districting act of 1961 (reported by Judiciary Committee):

MAJORITY recommends that it do pass with the following amendments:

On page 3, add a new section following section 3 as follows:

"**NEW SECTION.** Sec. 4. Any prior action by the county commissioners of any county of the first, second, third, fourth, fifth, sixth, seventh, eighth or ninth class to make the provisions of chapters 3.30 through 3.74 applicable to their county and the organization of any justice court as a result thereof, and all other things and proceedings done or taken by such county or by their respective officers acting under or in pursuance to such prior action and organization and hereby declared legal and valid and of full force and effect."

On page 3, add a new section following section 4 as follows:

"Sec. 5. Section 10, chapter 299, Laws of 1961 and RCW 3.34.010 are each amended to read as follows:

The number of justices of the peace to be elected in each county shall be: Adams, three; Asotin, one; Benton, four; Chelan, four; Clallam, one; Clark, four; Columbia, one; Cowlitz, five; Douglas, three; Ferry, two; Franklin, one; Garfield, one; Grant, [five] three; Grays Harbor, four; Island, three; Jefferson, one; King, twenty; Kitsap, [four] two; Kittitas, [three] two; Klickitat, two; Lewis, four; Lincoln, four; Mason, one; Okanogan, two; Pacific, three; Pend Oreille, two; Pierce, eight; San Juan, one; Skagit, three; Skamania, two; Snohomish, six; Spokane, seven; Stevens, two; Thurston, one; Wahkiakum, one; Walla Walla, three; Whatcom, two; Whitman, three; Yakima, seven."

In line 5 of the title, after "RCW" and before the period, insert " ; amending section 10, chapter 299, Laws of 1961 and RCW 3.34.010; and validating certain procedures".

JOHN A. PERRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, August P. Mardesich, Marshall A. Neill, Walter B. Williams, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Atwood, the committee amendments were adopted.

On motion of Senator Atwood, the rules were suspended, Engrossed Senate Bill No. 389 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 389, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Those voting nay were: Senator Morgan—1.

Excused: Senator Durkan—1.

Engrossed Senate Bill No. 389, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 315**, by Senators Washington and Lewis (by Departmental request):

Changing law generally relating to financial responsibility of motor vehicle operators and owners.

## REPORT OF STANDING COMMITTEE

**Senate Bill No. 315:**

Senate Chamber,  
Olympia, Wash., February 18, 1965.

Changing law generally relating to financial responsibility of motor vehicle operators and owners (reported by Committee on Highways):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 1, line 17, after "accident" and before "if" insert ","

On page 1, section 1, line 17, after "accident" and before "an" strike "," and insert "[,]"

On page 1, section 1, line 21 after "time of the accident" strike "," and insert "[,]"

On page 2, section 1, line 20, after "with permission;" strike "or" and insert "[or]"

On page 2, section 1, line 24, after "such vehicle;" add "or"

On page 2, section 1, line 27, after "his vehicle," insert "*However, in such case, the requirements as to security and suspension in this chapter shall apply in the event a third party, not a driver, is injured.*"

On page 3, section 4, line 22, after "foregoing" insert " , however," and on line 23 after "shall not" strike " , however," and insert "[, however,]"

NAT WASHINGTON, Chairman,  
AL HENRY, Vice Chairman.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Frank W. Foley, Herbert H. Freise, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, Gordon Herr, James Keefe, Reuben A. Knoblauch, August P. Mardesich, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Don L. Talley, Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Washington, the first committee amendments to page 1 were adopted.

Senator Washington moved that the committee amendments to page 2 be adopted.

On motion of Senator Lewis, the following amendment to the committee amendment was adopted:

On the last line of the committee amendment to page 2, following "injured" strike the period and add: "*and has not been compensated for such injury.*"

Senator Dore moved that the following amendment to the committee amendment as amended, be adopted:

Strike subsection (11) on page 2, section 1.

Debate ensued.

On motion of Senator Gallagher, Senate Bill No. 315 was ordered to retain its place on the second reading calendar for tomorrow.

#### MOTIONS

On motion of Senator Greive, Senate Bills No. 39, 51 and 179 were ordered to retain their places on the second reading calendar for tomorrow.

At 3:30 p. m., on motion of Senator Greive, the Senate recessed until 7:30 p. m.

#### EVENING SESSION

The President called the Senate to order at 7:30 p. m.

The President declared the Senate to be at ease.

The President called the Senate to order at 8:00 p. m.

The Secretary called the roll and all Senators were present.

#### PRESIDENT'S PRIVILEGE

The President:

"The President should like to announce that the order of modification filed in the U.S. District Court, Southwestern District of Washington, Northern Division, March 3, 1965, has been received."

The Secretary read:

#### ORDER OF MODIFICATION

##### IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON NORTHERN DIVISION

JAMES THIGPEN and KEITH W. SHAW, Plaintiffs,  
vs.  
A. LUDLOW KRAMER, Secretary of State  
of the State of Washington, et al., Defendants.  
LEAGUE OF WOMEN VOTERS OF  
WASHINGTON, Intervenor

No. 5597

ORDER OF  
MODIFICATION

THIS MATTER having come on before the undersigned Judge of the above-entitled Court on a motion by John J. O'Connell, Attorney General of the State of Washington on behalf of the State of Washington and its officers named as defendants herein, for an Order modifying the Decree of the Order of this Court entered herein on October 26, 1964; and the Attorney General of the State of Washington having furnished each member of this Court with a copy of Chapter 5, Laws of 1965, as enacted by the Legislature of the State of Washington and signed by the Governor of the State of Washington on February 26, 1965; and the Attorney General having filed his formal opinion with each member of this Court upholding the validity of said Chapter 5, Laws of 1965; this Court having considered the Motion and Affidavit submitted by the Attorney General together with his opinion; and the Court being fully advised in the premises, it is Now, Therefore,

ORDERED, ADJUDGED AND DECREED that the effectiveness of the Judgment and Decree of this Court under the date of May 27, 1963, as modified by the Order of October 26, 1964, insofar as it enjoins the enactment of any bills, resolutions and other measures, be and the same is further stayed until further order of this Court following the review and decision upon Chapter 5, Laws of 1965, State of Washington by this Court on or after hearing on March 9, 1965, to the extent of permitting the Washington State Legislature at its 1965 Regular Session and any subsequent Special Session or sessions to consider and pass any bill, bills or other measures without restriction as to subject matter; and to the extent of further permitting the President of the Washington State Senate and the Speaker of the Washington State House of Representatives to sign such bills or other measures.

And it is further Ordered, Adjudged and Decreed that the parties and Intervenor hereto may file such briefs and memoranda as they deem necessary and advisable concerning the constitutionality of Chapter 5, Laws of 1965, State of Washington, such briefs and other memoranda to be filed on or before March 9, 1965.

DONE, this 1st day of March, 1965.

Gilbert H. Jertbert, William J. Lindberg, William T. Beeks.

Presented by:

JOHN J. O'CONNELL, *Attorney General*.  
By PHILIP H. AUSTIN, *Assistant Attorney General*.

UNITED STATES OF AMERICA }  
WESTERN DISTRICT OF WASHINGTON } ss:

I, HAROLD W. ANDERSON, Clerk of the United States District Court for the Western District of Washington, do hereby certify that the annexed and foregoing is a true and full copy of the original Order of Modification dated March 1, 1965 and filed and entered March 3, 1965, In The Matter Of JAMES THIGPEN and KEITH W. SHAW, *Plaintiffs*, vs. A. LUDLOW KRAMER, *Secretary of State of the State of Washington*, et al., *Defendants*, LEAGUE OF WOMEN VOTERS OF WASHINGTON, *Intervenor*, Cause No. 5597, now remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at Seattle, Washington this 3rd day of March, A.D. 1965.

HAROLD W. ANDERSON, *Clerk*.  
By BILLIE DEE BOBAIRE, *Deputy Clerk*.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**Senate Bill No. 23:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Providing for permanent partial disability pension awards under workmen's compensation (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass as amended.  
A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, George W. Kupka, John T. McCutcheon, August P. Mardesich.

**Senate Bill No. 23:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Providing for permanent partial disability pension awards under workmen's compensation (reported by Committee on Labor and Social Security):

MINORITY recommends that it do not pass.  
We concur in this report: Sam C. Guess.  
....., *Chairman*.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 28:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Changing administrative procedures under employment security claims (reported by Committee on Labor and Social Security):  
MAJORITY recommends that it do pass as amended.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Frank Connor, Martin J. Durkan, George W. Kupka, John T. McCutcheon, August P. Mardesich.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 97:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Authorizing purchase of equipment and supplies for Echo Lake juvenile institution (reported by Committee on Public Institutions):

MAJORITY recommends that it do pass. FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Herbert H. Freise, James Keefe, Reuben A. Knoblauch, George W. Kupka, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 223:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Changing generally provisions relating to state employees' retirement system (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass as amended.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, Sam C. Guess, George W. Kupka, John T. McCutcheon, Edward F. Riley, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 229:**

Senate Chamber,  
Olympia, Wash., March 2, 1965.

Limiting notice requirement for county purchases (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 235:**

Senate Chamber,  
Olympia, Wash., March 2, 1965.

Creating a temporary municipal code committee (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.



**Senate Bill No. 238:**

Senate Chamber,  
Olympia, Wash., February 20, 1965.

Making the failure to return rented property a gross misdemeanor (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, William A. Gissberg, Nat Washington, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 323:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Continuing program of state aid for county probation services until June 30, 1967 (reported by Committee on Public Institutions):

MAJORITY recommends that it do pass.

FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Herbert H. Freise, James Keefe, Reuben A. Knoblauch, George W. Kupka, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 326:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Amending interstate compact on juveniles to provide out-of-state confinement (reported by Committee on Public Institutions):

MAJORITY recommends that it do pass.

FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Herbert H. Freise, James Keefe, Reuben A. Knoblauch, George W. Kupka, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 413:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Providing presentence hearing before sentencing in criminal cases where jury may impose death penalty (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Fred H. Dore, Jack England, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 423:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Reducing the period of separation necessary as grounds for divorce (reported by Judiciary Committee):

MAJORITY recommends that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Fred H. Dore, Martin J. Durkan, Jack England, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, John T. McCutcheon, August P. Mardesich, Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

## THIRD READING OF BILLS

**Senate Bill No. 44**, by Senator Freise:

Changing requirements for posting of probate notices.

On motion of Senator Freise, the rules were suspended, the second reading considered the third, and Senate Bill No. 44 was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 44, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Cooney, Herr, Talley—3.

Senate Bill No. 44, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 48**, by Senator Freise:

Permitting stays in declaratory judgment proceedings.

On motion of Senator Freise, the rules were suspended, the second reading considered the third, and Senate Bill No. 48 was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 48, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senators McMillan, Talley—2.

Senate Bill No. 48, having received the constitutional 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. 54**, by Senators Riley and Ryder:

Allowing first class cities to create separate department to manage civic centers.

On motion of Senator Riley, the rules were suspended, the second reading considered the third, and Senate Bill No. 54 was placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 54, and the bill passed the Senate by the following vote: Yeas, 42; nays, 5; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—42.

Those voting nay were: Senators Dore, Lewis, McCutcheon, Mardesich, Petrich—5.

Absent or not voting: Senators Gissberg, Talley—2.

Senate Bill No. 54, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 70**, by Senator Neill:

Authorizing Washington State University to exchange land.

On motion of Senator Neill, the rules were suspended, the second reading considered the third, and Senate Bill No. 70 was placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 70, and the bill passed the Senate by the following vote: Yeas, 49; nays, 0; absent or not voting, 0.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—49.

Senate Bill No. 70, having received the constitutional 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. 72**, by Senators Freise, Lewis, Kupka and Keefe:

Removing the term "epileptics" from provisions dealing with non-resident deportation.

On motion of Senator Freise, the rules were suspended, the second reading considered the third, and Senate Bill No. 72 was placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 72 and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Mor-

gan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Absent or not voting: Senator Henry—1.

Senate Bill No. 72, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 86**, by Senators Gissberg, Cowen and Atwood:

Removing county immunity for acts of sheriffs.

On motion of Senator Atwood, the rules were suspended, the second reading considered the third, and Senate Bill No. 86 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 86, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Absent or not voting: Senator McCutcheon—1.

Senate Bill No. 86, having received the constitutional majority, was declared passed.

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

**Engrossed Senate Bill No. 91**, by Senators Gissberg and Cowen:

Changing meeting date of county board equalization.

On motion of Senator Gissberg, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 91 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 91, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Absent or not voting: Senator McCutcheon—1.

Engrossed Senate Bill No. 91, having received the constitutional 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. 96**, by Senators Woodall, Greive and Petrich (by Legislative Council request):

Changing jurisdiction of certain justices of the peace.

On motion of Senator Greive, Engrossed Senate Bill No. 96 was ordered to retain its place on the third reading calendar for tomorrow.

**Engrossed Senate Bill No. 109**, by Senators Petrich, Durkan and Dore:

Precluding redemption by real estate mortgagor where abandonment preceded foreclosure.

On motion of Senator Petrich, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 109 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 109, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Absent or not voting: Senator McCutcheon—1.

Engrossed Senate Bill No. 109, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 120**, by Senators Moriarty, Jr., Neill and Foley:

Consolidating 1959 amendments of materialmen's lien statute.

On motion of Senator Moriarty, Jr., the rules were suspended, the second reading considered the third, and Senate Bill No. 120 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 120 and the bill passed the Senate by the following vote: Yeas, 49; nays, 0; absent or not voting, 0.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—49.

Senate Bill No. 120, having received the constitutional 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. 121**, by Senators Hanna, Talley and Atwood:

Providing for method of recording instruments.

On motion of Senator Hanna, the rules were suspended, the second reading considered the third, and Senate Bill No. 121 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 121, and the bill passed the Senate by the following vote: Yeas, 49; nays, 0; absent or not voting, 0.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—49.

Senate Bill No. 121, having received the constitutional 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. 138**, by Senators Lewis, Williams, Freise, Riley, Mardesich, Connor, Dore, Woodall, Peterson (Ted), Raugust, Redmon and Durkan (by Executive request):

Removing restriction on percentage of handicapped persons acceptable for rehabilitation from certain agencies.

On motion of Senator Lewis, the rules were suspended, the second reading considered the third, and Senate Bill No. 138 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 138, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams—47.

Those voting nay were: Senator Mardesich—1.

Absent or not voting: Senator Woodall—1.

Senate Bill No. 138, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 149**, by Senators Freise, Petrich, Moriarty, Jr. and Dore (by Departmental request):

Permitting director of licenses to administer the receipt of fees.

On motion of Senator Freise, the rules were suspended, the second reading considered the third, and Senate Bill No. 149 was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Riley:

"I wonder if Senator Freise would yield to two questions. First, Senator Freise, what would be the financial impact of raising this from ten to twenty-five dollars a day, and the second question is: Does the department have these funds, or will it be necessary for us to increase their requested appropriations to provide for this increase?"

Senator Freise:

"Senator Riley, the financial impact is practically nil. They are not called very often, I think they are called about a half dozen times a year, and most, if not all of the Departments except this one are paying twenty-five dollars a day."

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 149, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—47.

Those voting nay were: Senator Thompson, Jr.—1.

Absent or not voting: Senator McCutcheon—1.

Senate Bill No. 149, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 150**, by Senators Hanna, Bailey and Freise:

Providing necessary expenses for port district commissioners and employees.

On motion of Senator Freise, the rules were suspended, the second reading considered the third, and Senate Bill No. 150 was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 150, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senators McCutcheon, Petrich—2.

Senate Bill No. 150, having received the constitutional majority, was declared passed.

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

**Engrossed Senate Bill No. 152**, by Senators McCormack, Washington and Riley:

Authorizing port district improvement and operation of certain park and recreational facilities.

On motion of Senator McCormack, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 152 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 152, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—45.

Those voting nay were: Senators Lewis, Talley—2.

Absent or not voting: Senators Gissberg, Petrich—2.

Engrossed Senate Bill No. 152, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 157**, by Senators Talley, Lewis and Sandison:

Allowing consolidation of port districts lying in more than one county.

On motion of Senator Talley, the rules were suspended, the second reading considered the third, and Senate Bill No. 157 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 157, and the bill passed the Senate by the following vote: Yeas, 48; nays, 1; absent or not voting, 0.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Those voting nay were: Senator Gallagher—1.

Senate Bill No. 157, having received the constitutional 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. 158**, by Senators McCormack, Bailey and Ryder:

Limiting the total dues assessment by the school directors' association.

On motion of Senator Bailey, the rules were suspended, the second reading considered the third, and Senate Bill No. 158 was placed on final passage.



**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 158, and the bill passed the Senate by the following vote: Yeas, 43; nays, 6; absent or not voting, 0.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Those voting nay were: Senators Dore, Guess, McCutcheon, McMillan, Mardesich, Petrich—6.

Senate Bill No. 158, having received the constitutional 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. 163, by Senators Cooney and McMillan:**

Designating "Lake Spokane".

On motion of Senator Hallauer, the rules were suspended and Senate Bill No. 163 was returned to second reading for the purpose of amendments.

On motion of Senator Hallauer, the following amendments were adopted:

On line 18 following section 2, insert a new section to read as follows:

"NEW SECTION. Sec. 3. Similar confusion exists also with regard to "Conconully Lake" in Okanogan county. Such lake is hereby officially named "Conconully Lake" and shall be so designated in all literature published by the state wherein it is necessary and proper to refer to that body of water."

Renumber section 3 to read "Sec. 4."

In Sec. 3, renumbered as Sec. 4, line 20, strike "body" and insert "bodies"

Beginning on line 1, strike the title and insert:

"An Act relating to certain lakes; officially naming them, and requiring their proper designation."

On motion of Senator Hallauer, the rules were suspended. Engrossed Senate Bill No. 163 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 163 and the bill passed the Senate by the following vote: Yeas, 49; nays, 0; absent or not voting, 0.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—49.

Engrossed Senate Bill No. 163, having received the constitutional 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. 167, by Committee on Highways:**

Subsidizing public transportation.

On motion of Senator Washington, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 167 was placed on final passage.

Debate ensued.

Senators Greive, Gallagher and Kupka demanded the previous question and the demand was sustained.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 167, and the bill passed the Senate by the following vote: Yeas, 43; nays, 3; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Kupka, Lewis, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Those voting nay were: Senators Charette, Knoblauch, Rasmussen—3.

Absent or not voting: Senators Lennart, McCormack, McMillan—3.

Engrossed Substitute Senate Bill No. 167, having received the constitutional 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. 171**, by Senators Talley, Knoblauch and Raugust:

Removing prohibition against increasing compensation of appointive third class city and town officials.

On motion of Senator Talley, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 171 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 171, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Lennart, McMillan, Stender—3.

Engrossed Senate Bill No. 171, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 174**, by Senators Woodall, Henry and Cooney:

Authorizing the appointment of police judges pro tempore in third class cities and towns.

On motion of Senator Woodall, the rules were suspended, the second reading considered the third, and Senate Bill No. 174 was placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 174, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Dore, Lennart, McMillan—3.

Senate Bill No. 174, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 182**, by Senators Knoblauch, Atwood and Talley:

Permitting storm sewers to be financed on a revenue basis.

On motion of Senator Atwood, the rules were suspended, the second reading considered the third, and Senate Bill No. 182 was placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 182, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Lennart, McMillan, Rasmussen—3.

Senate 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.

**Senate Bill No. 184**, by Senators Sandison, Bailey and Chytil (by Departmental request):

Permitting supervisor of natural resources to designate open areas during normal closed forest season.

On motion of Senator Sandison, the rules were suspended, the second reading considered the third, and Senate Bill No. 184 was placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 184, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher,

Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senators Lennart, Rasmussen—2.

Senate Bill No. 184, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 199**, by Senators Talley, Redmon and Bailey:

Allowing delivery of tax roll directly from the county assessor to the county treasurer.

On motion of Senator Talley, the rules were suspended, the second reading considered the third, and Senate Bill No. 199 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 199, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senators Petrich, Rasmussen—2.

Senate Bill No. 199, having received the constitutional 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. 247**, by Senators Talley, Henry and Gissberg:

Increasing compensation of elective officials of diking improvement districts.

On motion of Senator Talley, the rules were suspended, the second reading considered the third, and Senate Bill No. 247 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 247, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Hallauer, Rasmussen, Raugust—3.

Senate Bill No. 247, having received the constitutional 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. 279**, by Senators Donohue, Charette and Neill: Eliminating school district free public libraries.

On motion of Senator Donohue, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 279 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 279, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Absent or not voting: Senator Lennart—1.

Engrossed Senate Bill No. 279, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 280**, by Senators McCutcheon and Talley:

Increasing the maximum area of municipal corporation having more than fifteen hundred population to four miles.

On motion of Senator McCutcheon, the rules were suspended, the second reading considered the third, and Senate Bill No. 280 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 280, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senators Henry, Lennart—2.

Senate Bill No. 280, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 295**, by Senators Stender, Washington, Knoblauch and Thompson, Jr.:

Permitting certain cities and towns to operate dock facilities.

On motion of Senator Stender, the rules were suspended, the second reading considered the third, and Senate Bill No. 295 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 295, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Absent or not voting: Senator Lennart—1.

Senate Bill No. 295, having received the constitutional 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. 316**, by Senators Charette and Raugust:

Regulating the appointment of town marshals and prescribing powers and duties relative thereto.

On motion of Senator Charette, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 316 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 316 and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Absent or not voting: Senator Lennart—1.

Engrossed Senate Bill No. 316, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 338**, by Senators Dore, Petrich, Moriarty, Jr. and Cowen:

Authorizing transfer of stock pursuant to community survivor's agreement.

On motion of Senator Dore, the rules were suspended, the second reading considered the third, and Senate Bill No. 338 was placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 338, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Guess, Lennart, Talley—3.

Senate Bill No. 338, having received the constitutional 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. 348**, by Senators McMillan, Cooney and Donohue: Authorizing sale of Chewelah Armory and the Prosser Armory.

On motion of Senator McMillan, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 348 was placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 348, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Absent or not voting: Senator Lennart—1.

Engrossed Senate Bill No. 348, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 350**, by Senators Hallauer and Hanna:

Permitting town to sell waterfront created by dams.

On motion of Senator Hallauer, the rules were suspended, the second reading considered the third, and Senate Bill No. 350 was placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 350, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe,

Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Absent or not voting: Senator Lennart—1.

Senate Bill No. 350, having received the constitutional 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. 358**, by Senators Raugust, Peterson (Lowell) and Washington (by State Highway Commission request):

Establishing procedure for planning and adopting limited access facilities by highway commission.

On motion of Senator Washington, Engrossed Senate Bill No. 358 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 366**, by Senators Raugust, Washington and Herr (by State Highway Commission request):

Requiring payment of fee and deposit by bidders on highway projects for maps, plans, etc.

On motion of Senator Washington, the rules were suspended, the second reading considered the third, and Senate Bill No. 366 was placed on final passage.

#### POINT OF INQUIRY

Senator Moriarty, Jr.:

"Mr. President, would Senator Washington yield to a question?

"Senator Washington, is it the intention of the Highway Commission, to your knowledge or to your information, to charge the actual cost of the material, or do you know of any particular amount they may place on these items?"

Senator Washington:

"No. At the present time, it is two dollars, which is much too small, and they will place there a reasonable sum. As I understand, it will include the cost of the material and will cover some of the cost of clerical work. It will be more than just the bare cost of mimeographing the specifications and making the blueprints and so forth. We left it purposely 'a reasonable amount' to have the Commission determine what it should be. The Highway Commission doesn't want to discourage bidders, but they do feel they should be getting more for these materials than they are now."

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 366, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senator Lennart—1.

Senate Bill No. 366, having received the constitutional majority, was declared passed.



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

**Engrossed Senate Bill No. 368**, by Senators Thompson, Jr., Herr and Hallauer:

Authorizing use of public lands for public parks, recreation and educational purposes.

On motion of Senator Thompson, Jr., the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 368 was placed on final passage.

#### POINT OF INQUIRY

Senator Ryder:

"Mr. President, would Senator Thompson yield to a question?"

Senator Thompson, Jr.:

"Yes."

Senator Ryder:

"Senator Thompson, would this allow the Commissioner of Natural Resources to lease this land without consulting the board on a dollar a year basis or rent free basis without consulting the permanent school fund administrators or board of regents if it were to apply to a university or college?"

Senator Thompson, Jr.:

"No, it would not, Senator Ryder. We carefully wrote into the bill in both sections 1 and 3 that the determination of this would be by the board of regents if it is a university held piece of land, or by the state board of education or by the county school board. There would be no discretion on the part of the commissioner. The decision for the use of the land would be made by the owner, in other words, the board of regents if it is a university, or the state board of education in the case of common school land. There is no discretion on the part of the commissioner to use the land without their requests."

Senator Ryder:

"Senator Thompson, except in the sale of land, at the moment the commissioner of the Board of Natural Resources does have this power, does he not? He can lease public land without the consent of the institution that owns them but he can't sell. He can lease, can he not?"

Senator Thompson, Jr.:

"This is correct, but we are talking here about only lands that are appropriate for park purposes, and first the request has to come from the Park Commission to the board of regents or the state board of education and if both the Park Commission and the board of regents agree that the best use for the people of the state is to use this for park and recreation or education purposes. Then they can make the determination and instruct the commissioner to make it available for this use and reserve the right on sixty day notice to cancel it for that use and let it revert back to the use it had before it was turned into a recreational or educational use."

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 368, and the bill passed the Senate by the following vote: Yeas, 45; nays, 3; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan,

Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Those voting nay were: Senators Chytil, Neill, Ryder—3.

Absent or not voting: Senator Lennart—1.

Engrossed Senate Bill No. 368, having received the constitutional 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. 454**, by Senators Woodall, Talley and Redmon: Authorizing the acquisition of certain water rights by cities and towns.

On motion of Senator Redmon the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 454 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 454 and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senators Lennart, McCormack—2.

Engrossed Senate Bill No. 454, having received the constitutional majority, was declared passed.

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

#### MOTION

At 10:30 p. m., on motion of Senator Greive, the Senate adjourned until 11:00 a. m., March 4, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

**FIFTY-THIRD DAY**

**MORNING SESSION**

SENATE CHAMBER,  
OLYMPIA, WASH., Thursday, March 4, 1965.

The Senate was called to order at 11:00 a.m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Robert Fitch, Color Bearer, and Bonnie Blanchette, presented the Colors.

Reverend Dave Carlson, pastor of the Assembly of God Church of Olympia, offered prayer as follows:

"Our gracious God and Heavenly Father, Thou who changeest not; whose faithfulness is from everlasting to everlasting; we come to Thee through the genius of Thy providence—the miracle of prayer. We pause before Thy throne recognizing our full dependence upon Thee, and pray lead us in the paths of Thy choosing this day.

"Thou hast entrusted us with solemn responsibilities; enable us to understand their meaning, to feel their pressure, and to respond with all our hearts to their demands.

"We thank Thee for Thy gift to us of health and strength, mentally and physically; but help us to remember our constituents who are infirm, impaired, needy, aged and homeless. Grant unto us Thy love and compassion to meet these needs.

"Give us vision, O God, so that we may plan properly for the future needs of the citizens of this state, physically and morally.

"Forgive us, Lord, our failures, and enable us to acquit ourselves well this day in the place of leadership Thou has granted in which we serve. In Christ's name we pray. Amen."

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 163, have inspected the same and find it correctly engrossed.

....., *Chairman.*

We concur in this report: Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, R. R. Bob Greive, John A. Petrich.

**Senate Bill No. 147:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Relating to the selection of jurors in the superior court (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended. JOHN A. PETRICH, *Chairman.*

We concur in this report: R. Frank Atwood, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Karl Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 162:**

Senate Chamber,  
Olympia, Wash., March 2, 1965.

Creating a temporary municipal budget committee (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended. DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**LETTER OF INTEREST**

Apt. #1504, Grosvenor House,  
Seattle, Wash., March 1, 1965.

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

DEAR MR. KRAMER:

On behalf of myself and members of Stub's family, I wish to express my appreciation and sincere thanks to you and members of the 1965 Legislature for the adoption of Senate Concurrent Resolution No. 4 honoring the memory of my late husband, Russell "Stub" Nelson.

I think the memorial aptly expresses the fine qualities that "Stub" possessed.

The tribute inscribed on parchment paper and with the gold seal of Washington State will be a treasured memento. Thank you all very much.

Sincerely yours,  
MRS. RUSSELL J. NELSON

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 3, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 10; also  
Engrossed House Bill No. 33; also  
Engrossed House Bill No. 142; also  
House Bill No. 186; also  
House Bill No. 239; also  
Engrossed House Bill No. 337; also  
House Bill No. 437; also  
House Bill No. 491; also  
House Joint Memorial No. 26; also

Reengrossed House Joint Resolution No. 25, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

**INTRODUCTION AND FIRST READING OF SENATE RESOLUTION**

The following was introduced, read first time by title and acted upon as indicated:

**Senate Concurrent Resolution No. 10**, by Senators Herrmann, Bailey, Greive, Mardesich, Redmon, Woodall and Thompson, Jr.:

Creating an interim committee on insurance and setting out its powers and duties.

On motion of Senator Greive, the rules were suspended, Senate Concurrent Resolution No. 10 was advanced to second reading and read the second time in full.

On motion of Senator Greive, Senate Concurrent Resolution No. 10 was ordered to retain its place on the second reading calendar for tomorrow.

**FIRST READING OF HOUSE BILLS MEMORIAL AND RESOLUTION**

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 10**, by Representatives Olsen, O'Brien, Chatalas and Litchman:

An Act authorizing participation in the Economic Opportunity Act of 1964; adding a new section to chapter 4, Laws of 1963 and to chapter 36.32 RCW; and declaring an emergency.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 33**, by Representatives Beck, Sheridan, Bottiger, Gallagher, Rogers, Swayze and Humiston (by Executive request of Governor Rosellini):

An Act relating to highways; providing that the Tacoma Narrows bridge shall become toll free; and adding a new section to chapter 13, Laws of 1961 and to chapter 47.56 RCW.

Referred to Committee on Highways.

**Engrossed House Bill No. 142**, by Representatives Conner, Haussler and Brachtenbach:

An Act relating to counties; authorizing the exchange of county real property for privately owned real property of equal value; prescribing procedures relating thereto; and adding a new section to chapter 4, Laws of 1963 and to chapter 36.34 RCW.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 186**, by Representatives Taylor, Radcliffe and DeJarnatt:

An Act relating to intercounty rural library districts; and amending section 2, chapter 75, Laws of 1947 as amended by section 1, chapter 82, Laws of 1961 and RCW 27.12.100.

Referred to Committee on Higher Education and Libraries.

**House Bill No. 239**, by Representatives Sawyer, Huntley, McCormick, Conner, Wang, O'Dell, Bozarth and Warnke (by Highway Interim Committee request):

An Act relating to motor vehicle license fees; adding new sections to chapter 12, Laws of 1961 and chapter 46.68 RCW; amending section 46.16.060, chapter 12, Laws of 1961 as amended by section 9, chapter 7, Laws of 1961 extraordinary session and RCW 46.16.060; amending section 46.68.030, chapter 12, Laws of 1961 as amended by section 17, chapter 7, Laws of 1961 extraordinary session and RCW 46.68.030; amending section 46.68.060, chapter 12, Laws of 1961 and RCW 46.68.060; repealing section 46.68.040, chapter 12, Laws of 1961 as amended by section 10, chapter 39, Laws of 1963 and RCW 46.68.040; and providing an effective date.

Referred to Committee on Highways.

**Engrossed House Bill No 337**, by Representatives Day, Marzano, King (Chet), O'Donnell, Backstrom, May, Elder, Traylor, Perry and Grant:

An Act relating to the treatment of workmen subject to the industrial insurance act through medical aid contracts; and amending section 51.40.020, chapter 23, Laws of 1961 and RCW 51.40.020.

Referred to Committee on Labor and Social Security.

**House Bill No. 437**, by Representatives Wolf, Day and Hurley:

An Act relating to excise taxes on spirits, wine, or strong beer; amending

section 82.08.150, chapter 15, Laws of 1961, as amended by section 2, chapter 24, Laws of 1961 extraordinary session and RCW 82.08.150; adding a new section to chapter 15, Laws of 1961 and to chapter 82.08 RCW; and prescribing an effective date.

Referred to Committee on Liquor Control.

**House Bill No. 491**, by Representatives Conner, Savage and Haussler:

An Act authorizing the exchange of certain state forest lands for other lands of equal value for county park purposes.

Referred to Committee on Parks, Capitol Grounds and Public Buildings.

**House Joint Memorial No. 26**, by Representatives Flanagan, Jolly, Bledsoe, Newhouse, Kull and Canfield:

Memorializing Congress to amend federal sugar act.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Reengrossed House Joint Resolution No. 25**, by Representatives Burtch, Dootson, Rogers, Gorton and Wolf:

Establishing constitutional reapportionment procedure.

Referred to Committee on Constitution, Elections and Legislative Processes.

#### SECOND READING OF BILLS

**Senate Bill No. 126**, by Senators Petrich, Gallagher, Dore and Moriarty, Jr.: Increasing salaries of justices of the peace.

The bill was read the second time by sections.

The Senate resumed consideration of the following amendment by Senator Woodall:

On line 17 add a new section as follows: "Sec. 2. Section 4, chapter 156, Laws of 1951 and RCW 3.16.004 are each amended to read as follows: In cities having a population of more than twenty thousand, the justices of the peace shall devote their full time to the duties of the office *and shall not engage in the practice of law* and receive a salary of [five thousand four hundred] *ten thousand* dollars per annum: *Provided*, [That in cities of the first class the county commissioners shall have the power to raise the salaries of justices of the peace to an amount not to exceed six thousand five hundred dollars per annum: *Provided Further*,] That where justices of the peace in cities over the population of twenty thousand are also acting as police judges their salaries shall be fixed by the legislative body of the city, [three] *five* thousand dollars of which shall be charged against the counties and the remainder shall be paid by the municipality."

On motion of Senator Rasmussen, Senate Bill No. 126 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Joint Memorial No. 6**, by Senators Gissberg, Neill, Riley, Herrmann, Lennart, Atwood, Raugust, Woodall, McMillan, Henry, Donohue, Lewis, Guess and Talley:

Memorializing Congress to amend the United States Constitution to set out the right of the people to choose whether or not they wish to have one house of the legislature of their state apportioned on the basis of factors other than population.

The memorial was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, Senate Joint Memorial No. 6 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

The President called upon President Pro Tempore Gissberg to preside.

**MOTION**

At 12:30 p. m., on motion of Senator Greive, the Senate recessed until 2:00 p. m.

**AFTERNOON SESSION**

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

The President declared the Senate to be at ease.

The President called the Senate to order at 2:50 p. m.

The Secretary called the roll and announced to the President that all Senators were present.

The Senate resumed consideration of Senate Joint Memorial No. 6 on final passage.

Debate ensued.

Senators Henry, Gallagher and Connor demanded the previous question and the demand was sustained.

Senators Gissberg, Cooney, and Freise demanded a Call of the Senate. A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Gissberg, the Senate proceeded under the Call of the Senate.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Joint Memorial No. 6 and the memorial passed the Senate by the following vote: Yeas, 30; nays, 19.

Those voting yea were: Senators Atwood, Bailey, Chytil, Cooney, Cowen, Donohue, England, Freise, Gissberg, Guess, Henry, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Neill, Peterson (Lowell), Raugust, Redmon, Riley, Ryder, Sandison, Talley, Woodall—30.

Those voting nay were: Senators Charette, Connor, Dore, Durkan, Foley, Gallagher, Greive, Hallauer, Hanna, Herr, McCormack, Moriarty, Jr., Peterson (Ted), Petrich, Rasmussen, Stender, Thompson, Jr., Washington, Williams—19.

Senate Joint Memorial No. 6, having received the constitutional majority, was declared passed.

**MOTIONS**

On motion of Senator Gissberg, the Senate dispensed with the Call of the Senate.

On motion of Senator Woodall, Senate Joint Memorial No. 6 was ordered immediately transmitted to the House.

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

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 4, 1965.

MR. PRESIDENT:

The House has passed Senate Bill No. 3; also  
Engrossed Senate Bill No. 4; also  
Senate Bill No. 5, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 4, 1965.

MR. PRESIDENT:

The House has adopted Senate Concurrent Resolution No. 9, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 3; also,  
Senate Bill No. 4; also,  
Senate Bill No. 5; also,  
Senate Concurrent Resolution No. 9.**

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

**THIRD READING OF BILLS**

**Senate Bill No. 15**, by Senators McCormack, Hallauer, Ryder, Rasmussen and Kupka (by Executive request of Governor Rosellini):

Amending law relating to development, regulation and utilization of sources of ionizing radiation.

On motion of Senator McCormack, the rules were suspended, the second reading considered the third, and Senate Bill No. 15 was placed on final passage.

The President called on President Pro Tempore Gissberg to preside.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 15, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent, or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senators McMillan, Riley—2.

Senate Bill No. 15, having received the constitutional 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. 38**, by Senators Greive, Gallagher, Durkan, Connor, Riley and Dore (by Executive request of Governor Rosellini):

Enabling counties and cities to participate in a sports stadium.

On motion of Senator Durkan, the rules were suspended, the second



reading considered the third, and Senate Bill No. 38 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 38, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Those voting nay were: Senators Hallauer, Rasmussen—2.

Absent or not voting: Senators McCormack, Raugust—2.

Senate 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.

**Senate Bill No. 57**, by Senators Atwood, Gissberg and Petrich: Modernizing the personal exemptions statute.

On motion of Senator Atwood, the rules were suspended, the second reading considered the third, and Senate Bill No. 57 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 57, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 5.

Those voting yea were: Senators Atwood, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Those voting nay were: Senator Morgan—1.

Absent or not voting: Senators Bailey, Lennart, McCormack, Raugust, Stender—5.

Senate Bill No. 57, having received the constitutional 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. 61**, by Senators Atwood, Gissberg and Woodall:

Providing for reasonable attorney's fees and assumption of appeal costs for indigents accused of crime.

On motion of Senator Atwood, the rules were suspended, the second reading considered the third, and Senate Bill No. 61 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 61, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson, (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Woodall—45.

Absent or not voting: Senators McCormack, McMillan, Raugust, Williams—4.

Senate Bill No. 61, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 67**, by Senators Guess, McMillan and Herr:

Establishing safety standards for underground construction workers.

On motion of Senator Guess, the rules were suspended, the second reading considered the third, and Senate Bill No. 67 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 67, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Donohue, McCormack, McMillan, Raugust—4.

Senate Bill No. 67 having received the constitutional 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. 71**, by Senators Gallagher, Rasmussen and Gissberg:

Requiring municipal corporations to observe existing labor contracts when purchasing existing transportation system.

On motion of Senator Gallagher, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 71 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 71 and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, Mardesich, Morgan, Moriarty, Jr.,

Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Hallauer, McCormack, McMillan, Raugust—4.

Engrossed Senate 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.

**Engrossed Senate Bill No. 73**, by Senators Gallagher, Freise and Durkan:

Eliminating county auditor's liability for damage caused by misspelled words or incorrect names.

On motion of Senator Gallagher, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 73 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 73 and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators McCormack, McMillan, Raugust—3.

Engrossed Senate Bill No. 73, having received the constitutional majority, was declared passed.

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

**Engrossed Senate Bill No. 77**, by Senators Guess, Redmon and Riley:

Defining combination of services as applied to motor freight carriers.

On motion of Senator Guess, Engrossed Senate Bill No. 77 was ordered to retain its place at the beginning of the second reading calendar for tomorrow.

**Senate Bill No. 84**, by Senators Gallagher, Moriarty, Jr. and Kupka:

Relating to fuel tax refunds for urban transportation systems.

On motion of Senator Gallagher, the rules were suspended, the second reading considered the third, and Senate Bill No. 84 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 84, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson

(Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Hallauer, Lennart, McCormack, McCutcheon, Raugust—5.

Senate Bill No. 84 having received the constitutional majority, was declared passed.

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

**Engrossed Senate Bill No. 90**, by Senators Sandison, Ryder and Riley:  
Eliminating death requirement on safe deposit boxes.

On motion of Senator Sandison the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 90 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 90, and the bill passed the Senate by the following vote: Yeas, 41; nays, 1; absent or not voting, 7.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—41.

Those voting nay were: Senator Petrich—1.

Absent or not voting: Senators Dore, Durkan, Hallauer, Lewis, McCormack, McCutcheon, Raugust—7.

Engrossed Senate Bill No. 90 having received the constitutional majority, was declared passed.

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

**Engrossed Substitute Senate Bill No. 93**, by Judiciary Committee:  
Regulating charitable solicitations.

On motion of Senator Dore the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 93 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 93, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—45.

Those voting nay were: Senator Moriarty, Jr.—1.

Absent or not voting: Senators England, Raugust, Thompson, Jr.—3.

Engrossed Substitute Senate Bill No. 93, having received the constitutional 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. 94**, by Senators Woodall, Greive and Petrich (by Legislative Council request):

Pertaining to qualifications of police judges in third class cities.

On motion of Senator Woodall, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 94 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 94, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators McCutcheon, McMillan, Raugust—3.

Engrossed Senate Bill No. 94, having received the constitutional 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. 95**, by Senators Woodall, Greive and Petrich (by Legislative Council request):

Raising justice of the peace jurisdiction to one thousand dollars.

On motion of Senator Woodall, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 95 was placed on final passage.

The President resumed the chair.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 95, and the bill passed the Senate by the following vote: yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators McCutcheon, McMillan, Raugust—3.

Engrossed Senate Bill No. 95, having received the constitutional majority, was declared passed.

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

**Engrossed Senate Bill No. 96**, by Senators Woodall, Greive and Petrich (by Legislative Council request):

Changing jurisdiction of certain justices of the peace.

On motion of Senator Petrich, the rules were suspended and Engrossed Senate Bill No. 96 was returned to second reading for the purpose of amendment.

On motion of Senator Petrich, the following amendment was adopted:

Strike all the material in the committee amendment to page 3, section 1, line 17, being page 3, section 1, lines 16 and 17 of the engrossed bill.

On motion of Senator Woodall, the rules were suspended, Reengrossed Senate Bill No. 96 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Reengrossed Senate Bill No. 96 and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

The Secretary called the roll on the final passage of Re-Engrossed Senate Bill No. 96. Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Absent or not voting: Senators McCutcheon, Morgan, Neill, Rasmussen, Raugust, Redmon—6.

Reengrossed Senate Bill No. 96, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 98**, by Senators Knoblauch and Woodall:

Raising chiropody licensing fees.

On motion of Senator Woodall, the rules were suspended, the second reading considered the third, and Senate Bill No. 98 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 98, and the bill passed the Senate by the following vote: Yeas, 42; nays, 1; absent or not voting, 6.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—42.

Those voting nay were: Senator Rasmussen—1.

Absent or not voting: Senators McCutcheon, Morgan, Neill, Petrich, Raugust, Redmon—6.

Senate 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.

**Senate Bill No. 99**, by Senators Knoblauch and Lewis:

Extending health care services reimbursements.

On motion of Senator Knoblauch, the rules were suspended, the second reading considered the third, and Senate Bill No. 99 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 99, and the bill passed the Senate by the following vote: yeas, 41; nays, 3; absent or not voting, 5.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Woodall—41.

Those voting nay were: Senators Charette, Rasmussen, Williams—3.

Absent or not voting: Senators Donohue, McCutcheon, Morgan, Neill, Raugust—5.

Senate Bill No. 99 having received the constitutional majority, was declared passed.

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

**Engrossed Senate Bill No. 134**, by Senators Hallauer and Charette:

Creating presumption that game code and regulations are necessary for conservation of wild life.

On motion of Senator Charette, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 134 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 134, and the bill passed the Senate by the following vote: Yeas, 39; nays, 4; absent or not voting, 6.

Those voting yea were: Senators Atwood, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McMillan, Mardesich, Peterson (Lowell), Peterson (Ted), Petrich, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—39.

Those voting nay were: Senators Lennart, Lewis, Moriarty, Jr., Rasmussen—4.

Absent or not voting: Senators Bailey, Donohue, McCutcheon, Morgan, Neill, Raugust—6.

Engrossed Senate Bill No. 134 having received the constitutional majority, was declared passed.

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

**Engrossed Senate Bill No. 159**, by Senators Hallauer, Knoblauch and Lennart:

Authorizing cooperative financing of vocational or technical facilities by school districts.

On motion of Senator Lennart, the rules were suspended and Engrossed Senate Bill No. 159 was returned to second reading for the purpose of amendment.

On motion of Senator Lennart, the following amendment was adopted:

On line 9 of the engrossed bill, after "proved" strike the remainder of the sentence and insert "by the state board of vocational education before it is organized" thus striking the Senate committee amendment and restoring the remainder of the sentence following "approved" in line 9 of the printed bill.

On motion of Senator Lennart, the rules were suspended, Reengrossed Senate Bill No. 159 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Reengrossed Senate Bill No. 159 and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Durkan, McCutcheon, Morgan, Neill, Raugust—5.

Reengrossed Senate Bill No. 159, having received the constitutional majority, was declared passed.

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

#### MOTIONS

On motion of Senator Greive, Senate Bills No. 39, 360 and 125 were ordered to retain their places at the beginning of the second reading calendar for tomorrow.

On motion of Senator Greive, all bills passed today were ordered immediately transmitted to the House.

On motion of Senator Washington, Engrossed Senate Bill No. 358 was referred to the Committee on Highways.

It was moved by Senator Charette that the Senate do now consider Engrossed Senate Bill No. 77 on final passage.

The motion was carried.

**Engrossed Senate Bill No. 77**, by Senators Guess, Redmon and Riley:

Defining combination of services as applied to motor freight carriers.

On motion of Senator Guess, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 77 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 77, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.



Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McMillan, Mardesich, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators McCormack, McCutcheon, Morgan, Neill, Raugust—5.

Engrossed Senate Bill No. 77, having received the constitutional majority, was declared passed.

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

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

#### SECOND READING OF BILLS

**Senate Bill No. 334**, by Senators Henry, Washington, Donohue and Raugust (by Highway Interim Committee request):

Regulating motor vehicle driver licensing.

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 334:**

Senate Chamber,  
Olympia, Wash., February 18, 1965.

Regulating motor vehicle driver licensing (reported by Committee on Highways):  
MAJORITY recommends that it do pass with the following amendments:

On page 8, section 9, line 7, after "this section." add "The liability imposed by this subsection (but only the liability imposed by this subsection) shall be limited to the amounts specified in RCW 46.29.090 setting forth the acceptable limits of a liability insurance policy under the financial responsibility laws of this state."

On page 21, section 40, line 17 before "may require" strike "and" and insert "in the manner and subject to the conditions provided in chapter 5.56 RCW relating to the issuance of subpoenas. In addition the department"

On page 22, section 44, line 29, after "(4)" and before "fail or" strike "To" and insert "Wilfully to"

On page 23, line 7 following section 44, strike all of section 45 and renumber the remaining sections consecutively.  
NAR WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, Gordon Herr, James Keefe, Reuben A. Knoblauch, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, John H. Stender, Don L. Talley, Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendments were adopted:

On motion of Senator Gallagher, the following amendments were adopted:

On page 4, section 4, line 12, after "law" and before ";" insert " : *Provided, However*, That no person so adjudged shall be denied a license for such cause if the superior court should find him able to operate a motor vehicle with safety upon the highways during such incompetency"

On page 4, section 4, line 19, after "good" strike "cause to believe" and insert "and substantial evidence to reasonably conclude"

On page 7, section 8, line 23, after "charge" and before "." insert " : *Provided, However*, That the other licensing jurisdiction extends the same privilege to the state

of Washington otherwise there shall be a reasonable charge for transmittal of record, the amount whereof to be fixed by the director of the department"

On page 24, section 48, line 5, after "authorize" and before "knowingly" strike "or" and insert "and".

On motion of Senator Washington, the following amendment was adopted:

On page 23, after section 44 of the printed bill, add a new section as follows:

"Sec. 45. Section 46.20.340, chapter 12, Laws of 1961 and RCW 46.20.340 are each amended to read as follows:

The suspension, revocation, cancellation, or refusal by the director of any license or certificate provided for in [this and] chapters 46.12 [,] and 46.16 [and 46.20,] shall be conclusive unless the person whose license or certificate is suspended, revoked, canceled, or refused appeals to the superior court of Thurston county, or at his option to the superior court of the county of his residence, for the purpose of having the suspension, revocation, cancellation, or refusal of such license or certificate set aside. Notice of appeal must be filed within ten days after receipt of the notice of suspension, revocation, cancellation, or refusal. The appeal shall not supersede the suspension, revocation, cancellation or refusal of the license or certificate by the director. Upon the filing of the notice of appeal the court shall issue an order to the director to show cause why the license should not be granted or reinstated, which order shall be returnable not less than ten days after the date of service thereof upon the director. Service shall be in the manner prescribed for service of summons and complaint in other civil actions. Upon the hearing on the order to show cause, the court shall hear evidence concerning matters with reference to the suspension, revocation, cancellation, or refusal of the license or certificate and shall enter judgment either affirming or setting aside such suspension, revocation, cancellation, or refusal."

Renumber the remaining sections consecutively.

It was moved by Senator Washington that the following amendment be adopted:

On page 24, section 49, line 24 of the printed bill, after "46.20.310, and" strike all of the matter down to and including "46.20.360" on line 25 and insert "section 46.20.330, chapter 12, Laws of 1961, and RCW 46.20.330; section 46.20.350, chapter 12, Laws of 1961 and RCW 46.20.350; section 46.20.360, chapter 12, Laws of 1961 and RCW 46.20.360."

Debate ensued.

#### MOTION

On motion of Senator Gallagher, Engrossed Senate Bill No. 334 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 181**, by Senators Kupka, Washington and Raugust:

Clarifying financing procedures for off-street parking in cities and towns. The bill was read the second time by sections.

It was moved by Senator Gallagher that the following amendment be adopted:

On page 3, section 3, line 13, after "bonds" and before "." insert " : *Provided, That the amendments made herein to section 35.86.020, chapter . . . , Laws of 1965 and RCW 35.86.020 shall not apply to cities of the first class which have a population in excess of one hundred thousand inhabitants*".

Debate ensued.

On motion of Senator Kupka, Senate Bill No. 181 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 253**, by Senators Hanna and Williams:

Authorizing the formation of medical professional corporations.

On motion of Senator Greive, Senate Bill No. 253 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 179**, by Senators Riley, Ryder and Keefe:

Authorizing cities to operate off-street parking facilities.

On motion of Senator Riley, Senate Bill No. 179 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 51**, by Senators Washington, Bailey and Raugust:  
Creating a department of motor vehicles.

**REPORT OF STANDING COMMITTEE**

**Senate Bill No. 51:**

Senate Chamber,  
Olympia, Wash., February 4, 1965.

Creating a department of motor vehicles (reported by Committee on Highways):  
MAJORITY recommends that it do pass with the following amendments:

On page 7, section 17, line 4, after the period following "thereon" strike the remainder of the section.

On page 8, line 13, following section 20, add a new section as follows:

**NEW SECTION.** Sec. 21. (1) All employees of the department of licenses who are employed exclusively or principally in performing the functions vested in the department of motor vehicles shall, upon the effective date of this amendatory act, be transferred to the department of motor vehicles.

(2) All civilian employees of the Washington state patrol who are employed exclusively or principally in performing driver examining and licensing functions and driver improvement functions shall, upon the effective date of this amendatory act, be transferred to the department of motor vehicles.

(3) All such employees transferred to the department of motor vehicles as provided in this section shall continue to be governed by the provisions of chapter 41.06 RCW, the state civil service law without any loss of rights granted by said law.

Renumber the remaining sections consecutively.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, Herbert H. Freise, William A. Gissberg, Wilbur G. Hallauer, H. B. Hanna, Gordon Herr, James Keefe, Reuben A. Knoblauch, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Don L. Talley, Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendments were adopted.

On motion of Senator Washington, the following amendments were adopted:

On page 3, line 26, strike all of section 5 and substitute the following:

**"NEW SECTION.** Sec. 5. All powers, functions and duties now vested by law in the director of licenses or the department of licenses, other than those enumerated in section 4 of this amendatory act, shall be transferred to a division of professional licensing hereby created within the department of motor vehicles."

On page 3, section 6, line 33, after "licenses" strike all the material down to and including "thereof" on page 4, line 2.

On page 4, section 6, line 3 after the period following "vehicles" strike the remainder of the section.

On motion of Senator Washington, the following amendment by Senators Gallagher and Washington was adopted:

On page 5, section 12, line 9, after "licenses" strike all of the matter down to and including "act" on line 10.

It was moved by Senator Washington that the following amendment be adopted:

On page 7, add a new section following section 18 as follows:

**"NEW SECTION.** Sec. 19. The director of motor vehicles may designate the Washington State Patrol as an agent to secure the surrender of drivers' licenses which have been suspended, revoked, or cancelled pursuant to law."

Renumber the remaining sections consecutively.

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Washington, the following amendments were adopted:

On page 7, section 19, line 20 after "(7)" strike "the department of licenses, (8)" and insert "[the department of licenses, (8)]"

On line 21 strike "(9)" and insert "[ (9) ] (8)"

On line 22 strike "(10)" and insert "[ (10) ] (9)"

On line 22, strike "(11)" and insert "[ (11) ] (10)"

On line 24 strike "[ (12) ] (13)" and insert "(12)".

On page 8, section 20, line 1 after "(7)" strike "the director of licenses, (8)" and insert "[the director of licenses, (8)]"

On line 2 strike "(9)" and insert "[ (9) ] (8)" and on line 2 strike "(10)" and insert "[ (10) ] (9)"

On line 3 strike "(11)" and insert "[ (11) ] (10)" and on line 3 strike "(12)" and insert "[ (12) ] (11)"

On line 4 strike "[ (12) ] (13)" and insert "(12)"

In line 4 of the title after "vehicles;" and before "providing" insert "establishing a division of professional licensing;"

#### MOTIONS

On motion of Senator Gallagher, Senate Bill No. 51 was ordered to retain its place on the second reading calendar for tomorrow.

On motion of Senator Greive, Senate Bill No. 315 and Senate Concurrent Resolution No. 10 were ordered to retain their places at the end of the second reading calendar for tomorrow.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 4, 1965.

MR. PRESIDENT:

The House has passed Engrossed Second Substitute Senate Bill No. 34, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### SIGNED BY THE PRESIDENT

**The President signed: Second Substitute Senate Bill No. 34.**

#### MOTION

At 6:00 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Friday, March 5, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

**FIFTY-FOURTH DAY**

**MORNING SESSION**

SENATE CHAMBER,  
OLYMPIA, WASH., Friday, March 5, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Foley, Gissberg and Rasmussen.

On motion of Senator Bailey, Senators Gissberg and Foley were excused.

The Color Guard, consisting of Pages Michael Robinson, Color Bearer, and Karen Knudson, presented the Colors.

Reverend Dave Carlson, pastor of the Assembly of God Church of Olympia, offered prayer as follows:

"Almighty God, Thou art every day showing us Thy goodness; and we are not worthy of the least of Thy mercies. Each morning we are reminded that we have a full day of opportunities to serve Thee, and each evening we find that Thou has rewritten Thy covenant of faithfulness to us. Thy kingdom ruleth over all, and we come before Thy throne humbly in prayer.

"Lord, look upon us in all the relations of life this day; in this Senate Chamber, in the homes where our loved ones dwell, in the classrooms housing our children, and grant to all of us the wisdom to live in obedience to Thee and Thy word. Thou knowest what our purposes are; if they are good, healthy, sound and useful, bring them into fruition; if they are otherwise, crush them and deliver our souls from anything unworthy of Thine approval.

"May Thy loving kindness and tender mercy be fully appreciated by our hearts this day; forgive us our shortcomings, and give us strength, courage and inspiration for the work before us. We thank Thee that Thou hearest us, for we ask these things in the name of Thy Son, the Lord Jesus Christ. Amen."

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., March 4, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Engrossed Senate Bill No. 96; also

Engrossed Senate Bill No. 159, have inspected same, and find them correctly re-engrossed.

....., *Chairman.*

We concur in this report: Michael J. Gallagher, R. R. Bob Greive, Perry B. Woodall.

Senate Chamber,  
Olympia, Wash., March 4, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 3; also

Senate Bill No. 4; also

Senate Bill No. 5; also

Senate Concurrent Resolution No. 9, have inspected same, and find them correctly enrolled and certified.

....., *Chairman.*

We concur in this report: Fred H. Dore, Michael J. Gallagher, John A. Petrich.

**Senate Bill No. 68:**

Senate Chamber,  
Olympia, Wash., March 4, 1965.

Providing inheritance tax exemptions for firemen's pensions (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass.

FRANK W. FOLEY, *Chairman*,  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Frank Connor, John L. Cooney, Dewey C. Donohue, Jack England, Michael G. Gallagher, William A. Gissberg, R. R. Bob Greive, Sam C. Guess, Mike McCormack, August B. Mardesich, Marshall A. Neill, John A. Petrich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 83:**

Senate Chamber,  
Olympia, Wash., March 4, 1965.

Determining number of voters permissible, number of machines necessary, in precincts throughout state (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass as amended.

JOHN T. MCCUTCHEON, *Chairman*.

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Fred H. Dore, R. R. Bob Greive, Al Henry, Gordon Herr, Karl Herrmann, Ernest W. Lennart, David E. McMillan, Frances Haddon Morgan, Fred G. Redmon, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 236:**

Senate Chamber,  
Olympia, Wash., February 19, 1965.

Establishing parallel standards for police judges in first, second and third class cities, and in towns (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended. JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, Karl Herrmann, August P. Mardesich, Nat Washington, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 281:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Requiring director of labor and industries to issue rules pertaining to electricians and increasing certain fees (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass as amended. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Sam C. Guess, George W. Kupka, John T. McCutcheon, August P. Mardesich, John H. Stender, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 283:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Regulating hairdressing and beauty culture establishments and the owners, operators, employees and students thereof (reported by Committee on Commerce, Manufacturing and Licenses):

MAJORITY recommends that it do pass as amended. GEORGE W. KUPKA, *Chairman*.

We concur in this report: John L. Cooney, Dr. David C. Cowen, Michael J. Gallagher, Sam C. Guess, James Keefe, Reuben A. Knoblauch, Harry B. Lewis, August P. Mardesich, Ted G. Peterson.

**Senate Bill No. 283:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Regulating hairdressing and beauty culture establishments and the owners, operators, employees and students thereof (reported by Committee on Commerce, Manufacturing and Licenses):

MINORITY recommends that it do not pass. ...., *Chairman.*

We concur in this report: Frank Connor, Fred H. Dore.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 286:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Making it unlawful to drive under the influence of intoxicating liquor and/or drugs or if an habitual user of drugs (reported by Committee on Highways):

MAJORITY recommends that it do pass.  
NAT WASHINGTON, *Chairman,*  
AL HENRY, *Vice Chairman.*

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Martin J. Durkan, Herbert H. Freise, Sam C. Guess, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 305:**

Senate Chamber,  
Olympia, Wash., March 4, 1965.

Allowing employees time off from employment to vote (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass as amended.  
JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, R. R. Bob Greive, Al Henry, Gordon Herr, Karl Herrmann, James Keefe, Frances Haddon Morgan, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 335:**

Senate Chamber,  
Olympia, Wash., March 4, 1965.

Providing for authorized but unissued stock and stock option plans for banks and trust companies (reported by Committee on Banks, Financial Institutions and Insurance):

Recommends that it do pass.  
KARL HERRMANN, *Chairman,*  
AUGUST P. MARDESICH, *Vice Chairman.*

We concur in this report: Robert L. Charette, Fred H. Dore, Frank W. Foley, George W. Kupka, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Fred G. Redmon, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 416:**

Senate Chamber,  
Olympia, Wash., March 4, 1965.

Authorizing the acquisition, regulation and rental of state capitol parking facilities (reported by Committee on Parks, Capitol Grounds and Public Buildings):

Recommends that it do pass.  
GORDON HERR, *Chairman.*

We concur in this report: Jack England, Wilbur G. Hallauer, H. B. Hanna, Lowell Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 446:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Increasing state park commissioner's per diem (reported by Committee on State Government and Veterans' Affairs):

Recommends that it do pass.

AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 449:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Providing for alcoholic rehabilitation facilities (reported by Committee on State Government and Veterans' Affairs):

Recommends that it do pass.

AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 464:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Providing administrative procedure on loss of warrant or other instrument of indebtedness of the state and certain political subdivisions (reported by Committee on State Government and Veterans' Affairs):

Recommends that it do pass.

AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 465:**

Senate Chamber,  
Olympia, Wash., March 2, 1965.

Providing further financing for second Lake Washington bridge (reported by Committee on Highways):

MAJORITY recommends that it do pass.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Herbert H. Freise, H. B. Hanna, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 468:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Providing for interim committee on tourism (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan.

Passed to Committee on Rules and Joint Rules for second reading.



**Senate Bill No. 470:**

Senate Chamber,  
Olympia, Wash., March 2, 1965.

Providing bonds for Lake Washington bridges may be payable from moneys other than tolls or revenues derived therefrom (reported by Committee on Highways):

MAJORITY recommends that it do pass.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Herbert H. Freise, H. B. Hanna, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 472:**

Senate Chamber,  
Olympia, Wash., March 2, 1965.

Authorizing an additional bridge across Lake Washington (reported by Committee on Highways):

MAJORITY recommends that it do pass.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Herbert H. Freise, H. B. Hanna, Reuben A. Knoblauch, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 474:**

Senate Chamber,  
Olympia, Wash., March 2, 1965.

Authorizing selection of route for cross sound bridge (reported by Committee on Highways):

MAJORITY recommends that it do pass as amended.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Ernest W. Lennart, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 476:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Transferring authority over teletypewriter communications network to chief of Washington state patrol (reported by Committee on State Government and Veterans' Affairs):

Recommends that it do pass.

AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 483:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Changing name of horse racing commission (reported by Committee on State Government and Veterans' Affairs):

Recommends that it do pass.

AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 491:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Permitting overweight and oversize increase in loads if federal government allows; allowing state patrol to confiscate permits if violations occur (reported by Committee on Highways):

MAJORITY recommends that Substitute Senate Bill No. 491 be substituted therefor and that Substitute Bill do pass.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, H. B. Hanna, Reuben A. Knoblauch, Ernest W. Lennart, August P. Mardesich, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 504:**

Senate Chamber,  
Olympia, Wash., March 4, 1965.

Completing capitol campus plan (reported by Committee on Parks, Capitol Grounds and Public Buildings):

Recommends that it do pass.

GORDON HERR, *Chairman*.

We concur in this report: Jack England, Wilbur G. Hallauer, H. B. Hanna, Lowell Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Resolution No. 10:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Authorizing the investment of public pension fund moneys in corporate securities (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass.

AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Concurrent Resolution No. 7:**

Senate Chamber,  
Olympia, Wash., March 4, 1965.

Establishing legislative building interim committee (reported by Committee on Parks, Capitol Grounds and Public Buildings):

Recommends that it do pass.

GORDON HERR, *Chairman*.

We concur in this report: Jack England, Wilbur G. Hallauer, H. B. Hanna, Lowell Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 324:**

Senate Chamber,  
Olympia, Wash., March 4, 1965.

Exempting police pensions from attachment (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass.

FRANK W. FOLEY, *Chairman*.  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Frank Connor, Dewey C. Donohue, Jack England, Michael J. Gallagher, William A. Gissberg, R. R. Bob Greive, Sam C. Guess, Mike McCormack, August P. Mardesich, Marshall A. Neill, John A. Petrich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**GUBERNATORIAL APPOINTMENTS**

The following appointments by the Governor were acted upon as indicated:

COMMISSIONER OF THE DEPARTMENT OF EMPLOYMENT SECURITY  
Sidney E. Smith, appointed February 15, 1965, succeeding Jack F. Gordon.

Referred to the Committee on State Government.

DIRECTOR, DEPARTMENT OF GENERAL ADMINISTRATION  
William E. Schneider, appointed January 14, 1965, succeeding Fred Martin.

Referred to the Committee on State Government.

DIRECTOR, DEPARTMENT OF LABOR AND INDUSTRIES  
A. L. Willie, appointed January 14, 1965, succeeding Helmer Stubbs.

Referred to the Committee on State Government.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 4, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 9; also  
Engrossed House Bill No. 51; also  
Engrossed House Bill No. 56; also  
House Bill No. 58; also  
Engrossed House Bill No. 64; also  
Engrossed House Bill No. 74; also  
Engrossed House Bill No. 91; also  
Engrossed House Bill No. 117; also  
Engrossed House Bill No. 137; also  
Engrossed House Bill No. 160; also  
Engrossed House Bill No. 173; also  
Engrossed House Bill No. 184; also  
House Bill No. 189; also  
Substitute House Bill No. 252; also  
Engrossed House Bill No. 276; also  
House Bill No. 295; also  
Engrossed House Bill No. 315; also  
Engrossed House Bill No. 326; also  
House Bill No. 335; also  
Engrossed House Bill No. 351; also

Engrossed House Bill No. 383; also  
House Bill No. 409; also  
Engrossed House Bill No. 442; also  
House Joint Resolution No. 12, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 5, 1965.

MR. PRESIDENT:

The House has adopted House Concurrent Resolution No. 17, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 4, 1965.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 3; also  
Senate Bill No. 4; also  
Senate Bill No. 5; also  
Senate Concurrent Resolution No. 9, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 4, 1965.

MR. PRESIDENT:

The Speaker has signed Second Substitute Senate Bill No. 34, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### FIRST READING OF HOUSE BILLS AND RESOLUTIONS

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 9**, by Representatives Uhlman, Gorton and Garrett:

Requiring the mayor or his delegate to prepare budgets for first class cities with population over three hundred thousand.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 51**, by Representatives Uhlman, Garrett, Pritchard, Whetzel, Smith and Olsen:

An Act relating to elections; amending section 29.30.080; chapter ....., Laws of 1965, and RCW 29.30.080; and adding a new section to chapter 29.18 RCW.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Engrossed House Bill No. 56**, by Representatives Berentson, Olsen and Bottiger (by Departmental request):

An Act relating to securities; defining powers and duties; establishing fees; providing penalties and providing for effective date; amending section 6, chapter 282, Laws of 1959; amending section 11, chapter 282, Laws of 1959; amending section 27, chapter 282, Laws of 1959 as amended by section 7, chapter 37, Laws of 1961; amending section 34, chapter 282, Laws of 1959 as amended by section 9, chapter 37, Laws of 1961; amending section 40, chapter 282, Laws of 1959 and RCW 21.20.060, 21.20.110, 21.20.270, 21.20.340, 21.20.400.

Referred to Judiciary Committee.

**House Bill No. 58**, by Representatives Uhlman, Grant and Andersen (James A.):

An Act relating to employment conditions in school districts.

Referred to Committee on Education.

**Engrossed House Bill No. 64**, by Representatives DeJarnatt, Copeland, Sawyer, Uhlman, Mahaffey and Radcliffe:

An Act relating to the purchase of tax deferred annuities for employees of the state educational institutions or school districts; and amending section 1, chapter 223, Laws of 1937 as last amended by section 1, chapter 256, Laws of 1957 and RCW 28.76.240.

Referred to Committee on Education.

**Engrossed House Bill No. 74**, by Representative Moon:

An Act relating to state parks and recreation; establishing Wallace Falls State Park; and providing for the acquisition of certain lands for park purposes.

Referred to Committee on Parks, Capitol Grounds and Public Buildings.

**Engrossed House Bill No. 91**, by Representatives Harris, Sawyer and May:

An Act relating to justice courts; amending section 110, chapter 299, Laws of 1961 and RCW 3.62.060; and declaring an emergency.

Referred to Judiciary Committee.

**Engrossed House Bill No. 117**, by Representatives Uhlman, O'Donnell and Leland:

An Act relating to escrow, escrow agents, and escrow transactions; and prescribing penalties.

Referred to Judiciary Committee.

**Engrossed House Bill No. 137**, by Representatives Litchman, Kink, Andersen (James A.), Lux, King (Richard "Dick"), Chatalas, Moon, Leland, Ahlquist, Johnson (Doris), Garrett, Taylor, Gallagher, Marzano, Kirk, Smith, O'Donnell, Brouillet, Olsen, Pritchard, Bottiger, Valle, Sawyer, Uhlman, Whetzel, Radcliffe, Copeland, O'Brien, Witherbee, Pierre, Haussler, Bozarth and Backstrom:

An Act relating to community colleges; amending section 11, chapter 198, Laws of 1961, as amended by section 9, chapter 2, Laws of 1963 first extraordinary session, and RCW 28.84.260.

Referred to Committee on Higher Education and Libraries.

**Engrossed House Bill No. 160**, by Representatives Olsen, Smith and Garrett:

An Act relating to joint governmental activity by cities and counties, and adding a new section to chapter 4, Laws of 1963 and to chapter 36.64 RCW.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 173**, by Representatives O'Brien, Garrett and Brachtenbach:

An Act relating to funeral directors and embalmers; and amending section 1, chapter 108, Laws of 1937 and RCW 18.39.010; amending section 2, chapter 52, Laws of 1955 and RCW 18.39.030; amending section 4, chapter 108, Laws of 1937 as last amended by section 2, chapter 105, Laws of 1947 and RCW 18.39.040 and amending section 5, chapter 108, Laws of 1937 and RCW 18.39.070.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Engrossed House Bill No. 184**, by Representatives Conner, Copeland and O'Brien:

An Act relating to protection and security of the life and person of the governor and his family; and adding a new section to chapter ....., Laws of

1965 (Senate Bill No. 4) and to chapter 43.43 RCW and declaring an emergency.

Referred to Committee on State Government and Veterans' Affairs.

**House Bill No. 189**, by Representatives Moon, Kalich, Hood, Kull, Bledsoe and Newhouse:

An Act relating to the Washington state dairy products commission; providing for the election of commission members; amending section 15.44.020, chapter 11, Laws of 1961 and RCW 15.44.020; amending section 15.44.025, chapter 11, Laws of 1961 and RCW 15.44.025; amending section 15.44.030, chapter 11, Laws of 1961 and RCW 15.44.030; amending section 15.44.032, chapter 11, Laws of 1961 and RCW 15.44.032; adding new sections to chapter 15.44 RCW; repealing section 15.44.034, chapter 11, Laws of 1961 and RCW 15.44.034, and section 15.44.036, chapter 11, Laws of 1961 and RCW 15.44.036; and declaring an emergency.

Referred to Committee on Agriculture and Horticulture.

**Substitute House Bill No. 252**, by Committee on Water Resources and Pollution Control:

An Act relating to ground waters; creating a state water well commission within the department of conservation; providing for the licensing of water well contractors and the regulation of water well construction; prescribing fees and providing for the disposition thereof; providing penalties; and declaring an effective date.

Referred to Committee on State Government and Veterans' Affairs.

**Engrossed House Bill No. 276**, by Representatives Epton, Adams and Savage (by Departmental request):

An Act relating to public assistance; amending section 74.12.010, chapter 26, Laws of 1959 as last amended by section 18 chapter 228, Laws of 1963 and RCW 74.12.010.

Referred to Committee on Labor and Social Security.

**House Bill No. 295**, by Representatives Klein, DeJarnatt and Huntley:

An Act relating to the interstate library compact.

Referred to Committee on Higher Education and Libraries.

**Engrossed House Bill No. 315**, by Representatives Garrett, Swayze and Rogers:

Regulating psychologists.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

**Engrossed House Bill No. 326**, by Representatives Epton, Johnston (Elmer E.), Radcliffe and Anderson (Eric O.):

An Act relating to mentally or physically deficient persons; and amending sections 1, 2 and 4, chapter 251, Laws of 1961 and RCW 72.33.800, 72.33.805 and 72.33.815.

Referred to Committee on Public Institutions.

**House Bill No. 335**, by Representatives O'Brien, Chatalas, Copeland, Humiston, Smith, Taylor, Gallagher, DeJarnatt, Sawyer, Brouillet, Radcliffe, Sheridan, O'Donnell, Andersen (James A.), McDougall, Newschwander, Whetzel, Saling, Wolf and Cunningham:

An Act relating to vocational rehabilitation of certain nondisabled vocationally handicapped persons; and amending section 74.11.040, chapter 26, Laws of 1959 as amended by section 4, chapter 118, Laws of 1963 and RCW 74.11.040.

Referred to Committee on Education.

**Engrossed House Bill No. 351**, by Representatives Conner, Savage and Traylor:

An Act relating to the department of natural resources; authorizing development, operation and acquisition of outdoor recreation areas and participation in outdoor recreation funding measures; and adding three new sections to chapter ....., Laws of 1965 (Senate Bill No. 4) and chapter 43.30 RCW.

Referred to Committee on Parks, Capitol Grounds and Public Buildings.

**Engrossed House Bill No. 383**, by Representatives May and McCormick:

An Act relating to counties; authorizing the issuance of revenue bonds; prescribing purposes for which bonds may be issued and sold; prescribing the terms, forms, terms of sale and payment; and adding new sections to chapter 4, Laws of 1963 and to chapter 36.67 RCW.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 409**, by Representatives Uhlman, Goldsworthy and Marzano:

An Act relating to the militia; and amending section 21, chapter 130, Laws of 1943, as amended by section 3, chapter 210, Laws of 1961, and RCW 38.12.030.

Referred to Committee on State Government and Veterans' Affairs.

**Engrossed House Bill No. 442**, by Representatives Brouillet, Litchman and Saling:

An Act relating to the legislature; creating a joint committee on education; prescribing its powers and duties; providing for citizen participation; and repealing chapter 19, Laws of 1963 first extraordinary session and RCW 44.33.010 through 44.33.180.

Referred to Committee on Education.

**House Joint Resolution No. 12**, by Representatives Andersen (James A.), Brouillet, DeJarnatt, Angevine, Gorton, Saling, McCaffree, Bottiger, Chatalas, O'Donnell, Johnson (Doris), Uhlman, Garrett, Conner, Olsen, Witherbee, Gallagher, Sheridan, Kink, Thompson, Valle, Grant, Taylor, Cunningham, Whetzel, King (Richard "Dick"), Marzano, Elder, Litchman, Warnke, Sawyer, Wolf, Beck and Traylor:

Providing for a constitutional convention.

Referred to Committee on Constitution, Elections and Legislative Processes.

**House Concurrent Resolution No. 17**, by Representative O'Brien:

Relating to a joint session to receive United States Senator Warren G. Magnuson.

The resolution was read first time by title.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 17 was advanced to second reading and read the second time in full.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 17 was advanced to third reading, the second reading considered the third, the resolution placed on final passage and adopted.

**MOTION**

At 11:05 a. m., on motion of Senator Greive, the Senate recessed until 11:40 a. m.

**SECOND MORNING SESSION**

The President called the Senate to order at 11:40 a. m.  
 The President declared the Senate to be at ease.  
 The President called the Senate to order at 12:40 p. m.

**MOTION**

At 12:40 p. m., on motion of Senator Greive, the Senate recessed until 1:40 p. m.

The President called the Senate to order at 1:40 p. m.  
 The President declared the Senate to be at ease.  
 The President called the Senate to order at 2:00 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Durkan, Foley and Gissberg, who were excused.

The Secretary read:

**SENATE RESOLUTION  
 NO. 1965-31**

By Senator Knoblauch:

*Resolved*, That the Secretary of the Senate be and he is hereby instructed to purchase and deliver to the members of the Senate, and the officers of the Senate fifty dollars (\$50.00) worth of postage.

On motion of Senator Knoblauch, the resolution was adopted.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
 Olympia, Wash., March 5, 1965.

MR. PRESIDENT:

The Speaker has signed House Concurrent Resolution No. 17, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

**SIGNED BY THE PRESIDENT**

**The President signed: House Concurrent Resolution No. 17.**

**INTRODUCTION AND FIRST READING OF RESOLUTION**

The following was introduced, read first time by title, and acted upon as indicated:

**Senate Concurrent Resolution No. 11**, by Senators Riley and Woodall:  
 Establishing a time limitation for the consideration of bills.

On motion of Senator Riley, the rules were suspended, Senate Concurrent Resolution No. 11 was advanced to second reading and read the second time in full.

On motion of Senator Riley, the rules were suspended, Senate Concurrent Resolution No. 11 was advanced to third reading, the second reading considered the third, the resolution placed on final passage and adopted.



## SECOND READING OF BILLS

**Senate Bill No. 126**, by Senators Petrich, Gallagher, Dore and Moriarty, Jr.:  
Increasing salaries of justices of the peace.

The bill was read the second time by sections.

The Senate resumed consideration of the following amendment by Senator Woodall:

On line 17 add a new section as follows:

"Sec. 2. Section 4, chapter 156, Laws of 1951 and RCW 3.16.004 are each amended to read as follows:

In cities having a population of more than [twenty] *thirty* thousand, the justices of the peace shall devote their full time to the duties of the office *and shall not engage in the practice of law* and receive a salary of [five thousand four hundred] *ten thousand* dollars per annum: *Provided*, [That in cities of the first class the county commissioners shall have the power to raise the salaries of justices of the peace to an amount not to exceed six thousand five hundred dollars per annum: *Provided Further*,] That where justices of the peace in cities over the population of [twenty] *thirty* thousand are also acting as police judges their salaries shall be fixed by the legislative body of the city, [three] *five* thousand dollars of which shall be charged against the counties and the remainder shall be paid by the municipality."

Debate ensued.

On motion of Senator Woodall, the amendment was adopted.

On motion of Senator Gallagher, the following amendment was adopted:

Add a new section following new Sec. 2 to read as follows:

"Sec. 3. Section 35.20.160, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.20.160 are each amended to read as follows:

The total of the salaries of each municipal judge under this chapter shall be fixed by the legislative body of the city at not less than nine thousand dollars per annum, to be paid in monthly or semimonthly installments as for other officials of the city [or county], and such total salaries shall not be more than the salaries paid the superior court judges in the county in which the court is located. [Three thousand dollars of the total salaries shall be paid by the county treasurer and the remainder shall be paid by the city treasurer.]"

It was moved by Senator Rasmussen that the following amendment be adopted:

On line 11, after "*Further*," strike the underlined matter down to and including "*dollars*" on line 12 and insert "*That in class AA counties the annual salary of such justice shall be fifteen thousand dollars and in class A counties the annual salary of such justice shall be twelve thousand five hundred dollars*".

Debate ensued.

On motion of Senator Charette, Senate Bill No. 126 was ordered to retain its place on the second reading calendar for today, immediately following Senate Bill No. 179.

**Senate Bill No. 334**, by Senators Henry, Washington, Donohue and Raugust (by Highway Interim Committee request):

Regulating motor vehicle driver licensing.

The bill was read the second time by sections.

The Senate resumed consideration of the following amendment by Senator Washington:

On page 24, section 49, line 24, after "46.20.310, and" strike all of the matter down to and including "46.20.360" on line 25 and insert "section 46.20.330, chapter 12, Laws of 1961 and RCW 46.20.330; section 46.20.350, chapter 12, Laws of 1961 and RCW 46.20.350; section 46.20.360, chapter 12, Laws of 1961 and RCW 46.20.360".

On motion of Senator Washington, the amendment was adopted.

On motion of Senator Washington, the following amendments by Senators Gissberg and Washington were adopted:

On page 4, section 4, line 4, after "adjudicated." insert "The deposit of bail by a person charged with a violation of any law regulating the operation of motor vehicles on highways shall be deemed an appearance in court for the purpose of this section."

On page 4, section 5, line 25, after "department" and before "permit" strike "is authorized to" and insert "shall".

The Secretary read the following amendment by Senator Woodall:

On page 23, after section 44 of the printed bill add a new section as follows:

"Sec. 45. Section 46.20.340, chapter 12, Laws of 1961 and RCW 46.20.340 are each amended to read as follows:

The suspension, revocation, cancellation, or refusal by the director of any license or certificate provided for in [this and] chapters 46.12[,] and 46.16 [and 46.20,] shall be conclusive unless the person whose license or certificate is suspended, revoked, canceled, or refused appeals to the superior court of Thurston county, or at his option to the superior court of the county of his residence, for the purpose of having the suspension, revocation, cancellation, or refusal of such license or certificate set aside. Notice of appeal must be filed within ten days after receipt of the notice of suspension, revocation, cancellation, or refusal. The appeal shall not supersede the suspension, revocation, cancellation or refusal of the license or certificate by the director. Upon the filing of the notice of appeal the court shall issue an order to the director to show cause why the license should not be granted or reinstated, which order shall be returnable not less than ten days after the date of service thereof upon the director. Service shall be in the manner prescribed for service of summons and complaint in other civil actions. Upon the hearing on the order to show cause, the court shall hear evidence concerning matters with reference to the suspension, revocation, cancellation, or refusal of the license or certificate and shall enter judgment either affirming or setting aside such suspension, revocation, cancellation, or refusal."

Re-number the remaining sections consecutively.

With the consent of the Senate, Senator Woodall was permitted to withdraw the amendment.

On motion of Senator Woodall, the following amendments were adopted:

On page 14, section 25, line 29, before the period insert " : *Provided, That perfection of notice of appeal shall stay the execution of sentence including the suspension and/or revocation of the driver's license.*"

On page 15, section 25, line 6, strike subsection (3) and renumber subsection (4) as subsection (3).

On page 19, section 35, line 28, after "exceed" strike "fourteen" and insert "seven"

On page 23, section 46, line 19, after "less than" strike "two" and insert "ten"

On page 23, section 44, line 5, strike subsection (7).

It was moved by Senator Stender that the following amendment be adopted:

On page 4, section 4, line 22, after "highways" and before the period, insert " ; subject to review by a court of competent jurisdiction".

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Woodall, the following amendment was adopted:

On page 22, section 42, line 1, after "denied" insert "a license or".

It was moved by Senator Woodall, that the following amendment be adopted:

On page 22, section 42, line 6, after "file" strike the balance of the section and insert "a notice of appeal in the superior court in the county of his residence. The hearing on the appeal hereunder shall be de novo."

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Washington, the following amendments were adopted:

On page 1, line 11 of the title, after "46.20.270;" and before "repealing" insert "amending section 46.20.340, chapter 12, Laws of 1961 and RCW 46.20.340;"

On page 2, line 1 of the title, after "46.20.310," strike all of the matter down to and including "46.20.360" on line 3 and insert "section 24.20.330, chapter 12, Laws of 1961 and RCW 46.20.330; section 46.20.350, chapter 12, Laws of 1961 and RCW 46.20.350; section 46.20.360, chapter 12, Laws of 1961 and RCW 46.20.360".

On motion of Senator Washington, the rules were suspended, Engrossed Senate Bill No. 334 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 334 and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 2; excused, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators McCutcheon, Peterson (Ted)—2.

Excused: Senators Durkan, Foley, Gissberg—3.

Engrossed Senate Bill No. 334, having received the constitutional majority, was declared passed.

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

#### MOTION

It was moved by Senator Greive that the Senate do now consider Senate Bill No. 360, Senate Bill No. 39 and Senate Bill No. 223, in that order.

The motion was carried.

Senators Moriarty, Jr., Greive and Connor demanded a Call of the Senate. A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senators Durkan, Foley and Gissberg, who were excused.

On motion of Senator Moriarty, Jr., the Senate proceeded under the Call of the Senate.

#### MOTION

On motion of Senator Keefe, Senate Bill No. 179 was referred to the Committee on Rules and Joint Rules.

**Senate Bill No. 360**, by Senators Durkan, Gissberg and Stender:

Providing for collective bargaining for certain public employees.

The bill was read the second time by sections.

It was moved by Senator Atwood that the following amendment be adopted:

On page 2, Section 4, line 19, strike "shall" and insert "may".

Debate ensued.

On motion of Senator Bailey, the amendment was laid upon the table.

It was moved by Senator Mardesich that the following amendment be adopted:

On page 1, section 1, line 9, after "corporation" insert a period and strike the balance of the section.

It was moved by Senator McCutcheon that the amendment be laid upon the table.

The motion was carried on a rising vote and the amendment was laid upon the table.

It was moved by Senator Williams that the following amendment by Senators Williams and Guess be adopted:

On page 2, section 4, line 24, insert a period after "organization" and strike the balance of the section.

Debate ensued.

#### POINT OF INQUIRY

Senator Moriarty, Jr.:

"Would Senator Petrich yield to a question?"

"Senator, this is a legitimate inquiry. One of the things that has bothered me a great deal about this bill, and I'm sorry I don't know enough about labor law, national or state, to answer the question myself, but I would like to have you answer this question and, if you can't, refer it to anyone else who might have the information.

"If this language stays in the act, would it not be true that each and every employee organization and each and every employer as defined by the act would come under the jurisdiction of the National Labor Relations Board; and, if that be the case, are we not then subjecting each and every employee organization which might be formed and operate under this act, and the employers who are political subdivisions, to the jurisdiction of the National Labor Relations Board?"

Senator Petrich:

"Senator Moriarty, I'm sorry that I am not able to answer that particular question. I will have to refer it perhaps to Senator Greive."

Senator Greive:

"In answer to the question of Senator Moriarty, it could be I am wrong since I am not a labor lawyer, but it is my understanding that the National Labor Relations Board applies only to those matters which deal with interstate commerce. I hardly think the state of Washington or the political subdivisions of the state of Washington would be the hallmark of somebody in interstate commerce. It could only apply to the affairs and business of that particular state, so if there is anything left in the doctrine of state sovereignty, then I think certainly it would apply in this case."

Debate ensued.

On motion of Senator Gallagher, the amendment was laid upon the table.

It was moved by Senator Greive that the rules be suspended, that Senate Bill No. 360 be advanced to third reading, the second reading considered the third, and the bill placed on final passage.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Thompson, Jr., Guess, Stender, Redmon, Atwood, Greive, Bailey, Connor and Knoblauch.

#### ROLL CALL

The Secretary called the roll and the motion was carried by the following vote: Yeas, 32; nays, 14; excused, 3.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Dono-

hue, Dore, England, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Riley, Sandison, Stender, Talley, Washington—32.

Those voting nay were: Senators Atwood, Chytil, Cowen, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Raugust, Redmon, Ryder, Thompson, Jr., Williams, Woodall—14.

Excused: Senators Durkan, Foley, Gissberg—3.

#### POINT OF INQUIRY

Senator Dore:

"Would Senator Greive yield to a question?"

"Senator Greive, in section 4, it says the representatives of the city will bargain with the representative employees. Now my question is this: In a councilman-mayor form of government that we have in most of the cities in this state, if a representative of the council signs an agreement and the majority of the council vote against him and refuse to go along with the written agreement and pass an ordinance to carry out the written agreement, how are these objections going to be met by this bill?"

Senator Greive:

"Mr. President:

"It would seem to me that we would be in fact exactly in the same position as we are nowadays in complicated labor relations. Oftentimes groups negotiate for the management on one side and for the unions on the other side. Both sides invariably have to take their agreements back to the parent body and have it ratified before it goes into effect and it seems to me a simple device. It is a good deal the way Senator Neill, Senator Bailey and myself negotiated on redistricting. We didn't know if we had the votes, but we tendered the agreement. Fortunately, it was ratified, at least from my point of view. It may have been if Senator Gallagher's point of view had prevailed, it would not have been ratified."

Senator Atwood:

"Would Senator Greive yield to further questions?"

Senator Greive:

"Yes."

Senator Atwood:

"Senator Greive, I want to ask you this: If the council passes an ordinance and enacts a collective bargaining agreement, and the mayor vetoes it and subsequently the mayor is upheld, which would control; the written agreement or the ordinance?"

Senator Greive:

"I feel, quite obviously, the city government operates as a whole. The mayor has to function with the council, and that agreement certainly wouldn't be ratified until it went through that procedure."

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 360 and the bill passed the Senate by the following vote: Yeas, 34; nays, 12; excused, 3.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Riley, Sandison, Stender, Talley, Washington—34.

Those voting nay were: Senators Atwood, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Raugust, Redmon, Ryder, Thompson, Jr., Williams, Woodall—12.

Excused: Senators Durkan, Foley, Gissberg—3.

Senate Bill No. 360, having received the constitutional majority, was declared passed.

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

#### EXPLANATION OF VOTE

I support the federal policy that local governmental units not be subject to regulation in labor-management relations. Permissive or compulsory arbitration delegates decisional authority to private individuals serving as members of an arbitration board and abrogates the responsibility vested in legislative bodies by the electorate. An arbitrator not directly responsible to the electorate for the tax rate should not be permitted to finally decide what the tax rate should be.

Government differs from business. Revenue is based on taxes rather than the sale of products. There is little flexibility in adjustment of government services. A city cannot discontinue fire or police protection or garbage collection and disposal because of a demand for higher wages. Pressures to hold down taxes are strong and continuous.

The adoption of Section 4 of Senate Bill No. 360, insofar as it gives legislative endorsement to binding collective bargaining agreements, if not an unconstitutional delegation of legislative power to the bargaining representatives, is, at least, an unwarranted and unwise surrender of a right and duty of elective representatives of the people, whose conscience the elected officials reflect.

SENATOR R. FRANK ATWOOD.

**Senate Bill No. 39**, by Senators Greive, Bailey and Rasmussen (by Executive request of Governor Rosellini):

Raising certain benefits under industrial insurance.

The bill was read the second time by sections.

It was moved by Senator Williams that the following amendment be adopted:

On page 1, section 1, line 9, strike sections 1 and 2; renumber section 3 as section 1.

Debate ensued.

On motion of Senator Gallagher, the amendment was laid upon the table.

On motion of Senator Greive, the rules were suspended, Senate Bill No. 39 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 39, and the bill passed the Senate by the following vote: Yeas, 40; nays, 6; excused, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Woodall—40.

Those voting nay were: Senators Guess, Lewis, Moriarty, Jr., Redmon, Ryder, Williams—6.

Excused: Senators Durkan, Foley, Gissberg—3.

Senate 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.

**Senate Bill No. 223**, by Senators Bailey, Freise and Knoblauch (by request of State Employees' Retirement Board):

Changing generally provisions regulating to state employees' retirement system.

#### REPORT OF STANDING COMMITTEE

##### Senate Bill No. 223:

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Changing generally provisions relating to state employees' retirement system (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass with the following amendments:

On page 7, section 2, line 15 after "tion" and before "operated" insert "of higher learning"

On page 7, section 2, line 16 after "training" and before ";" insert " , or the education or training of a spouse"

On page 7, section 2, line 30, following subsection (11) add a new subsection as follows:

*"(12) Persons hired in eligible positions on a temporary basis for a period not to exceed six months: Provided, That if such employees are employed for more than six months in an eligible position they shall become members of the system."*

On page 10, line 14, after section 3, add:

"Sec. 4. Section 17, chapter 274, Laws of 1947 as last amended by section 9, chapter 174, Laws of 1963 and RCW 41.40.160 are each amended to read as follows:

(1) Subject to the provisions of RCW 41.40.150, at retirement the total service credited to a member shall consist of all his membership service and, if he is an original member, all of his certified prior service.

(2) Employees of a public utility or other private enterprise *all or any portion of which has been heretofore or may be hereafter acquired by a public agency as a matter of public convenience and necessity, where it is in the public interest to retain the trained personnel of such enterprise, all service to that enterprise shall, upon the acquiring public agency becoming an employer as defined in RCW 41.40.010 (4) be credited on the same basis as if rendered to the said employer: Provided, That this shall apply only to those employees who [are] were in the service of the enterprise at or prior to the time of acquisition by the public agency and who remain in the service of the acquiring agency until they attain membership in the state employees' retirement system; and to those employees who were in the service of the enterprise at the time of acquisition by the public agency and subsequently attain membership through employment with any participating agency: Provided Further, In the event that the acquiring agency is an employer at the time of the acquisition, employer's contributions in connection with members achieving service credit hereunder shall be made on the same basis as set forth in RCW 41.40.361 for an employer admitted after April 1, 1949."*

Renumber remaining sections consecutively.

In line 9 of the title after "RCW 41.40.150;" insert "amending section 17, chapter 274, Laws of 1947 as last amended by section 9, chapter 174, Laws of 1963 and RCW 41.40.160;".

A. L. RASMUSSEN, Chairman.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, Sam C. Guess, George W. Kupka, John T. McCutcheon, John H. Stender, Edward F. Riley.

The bill was read the second time by sections.

It was moved by Senator Rasmussen that the committee amendments to page 7 be adopted.

It was moved by Senator Ryder that the following amendment to the committee amendment be adopted:

On page 7, section 2, strike subsection (12), being a portion of the committee amendment by the committee on labor and social security.

Debate ensued.

It was moved by Senator Gallagher that the amendment to the committee amendment be laid upon the table.

Senator Bailey demanded a roll call and the demand was sustained by Senators Connor, Washington, McCutcheon, Stender, Rasmussen, Knoblauch, Gallagher, Kupka, Herrmann and Cooney.

#### ROLL CALL

The Secretary called the roll and the motion was carried by the following vote: Yeas, 24; nays, 22; excused, 3.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Freise, Gallagher, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Peterson (Lowell), Rasmussen, Talley, Washington—24.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Guess, Hallauer, Lennart, Lewis, Mardesich, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Williams, Woodall—22.

Excused: Senators Durkan, Foley, Gissberg—3.

On motion of Senator Rasmussen, the committee amendments to page 7 were adopted.

On motion of Senator Rasmussen, the committee amendment to page 10 was adopted.

It was moved by Senator Ryder that the following amendment be adopted:

On page 6, section 2, lines 12 and 13, strike the underlined matter.

Debate ensued.

It was moved by Senator Gallagher that the amendment be laid upon the table.

Senator Greive demanded a roll call and the demand was sustained by Senators Connor, Rasmussen, Herr, Sandison, Dore, Bailey, Herrmann, Kupka and Cooney.

#### ROLL CALL

The Secretary called the roll and the motion was carried by the following vote: Yeas, 27; nays, 19; excused, 3.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Freise, Gallagher, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Sandison, Stender, Talley, Washington—27.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Guess, Hallauer, Lennart, Lewis, McMillan, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Thompson, Jr., Williams, Woodall—19.

Excused: Senators Durkan, Foley, Gissberg—3.

It was moved by Senator Ryder that the following amendment be adopted:

On page 8, section 3, line 17, strike "eight" and insert "ten".

Debate ensued.



The motion was carried and the amendment was adopted.

It was moved by Senator Ryder that the following amendment be adopted:

On page 14, beginning on line 1, strike sections 7 and 8; renumber section 9 as section 7 and renumber the remaining sections consecutively.

Debate ensued.

On motion of Senator Gallagher, the amendment was laid upon the table.

On motion of Senator Freise, the committee amendment to the title was adopted.

On motion of Senator Rasmussen, the rules were suspended, Engrossed Senate Bill No. 223 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 223, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; excused, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Excused: Senators Durkan, Foley, Gissberg—3.

Engrossed Senate Bill No. 223, having received the constitutional majority, was declared passed.

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

#### MOTIONS

On motion of Senator Keefe, the Senate dispensed with the Call of the Senate.

At 5:30 p. m., on motion of Senator Greive, the Senate recessed until 8:00 p. m.

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#### EVENING SESSION

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The President called the Senate to order at 8:00 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Hanna, Herrmann, Morgan and Foley, who were excused.

The Secretary read:

#### MESSAGES FROM THE GOVERNOR

Executive Department,  
Olympia, March 5, 1965.

*To the Honorable, the Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bills, entitled:

**Senate Bill No. 3:**

"An Act relating to state and local government; enacting a title of the Revised Code of Washington to be known as Title 35—Cities and Towns; providing penalties; repealing certain acts and parts of acts; and declaring an emergency."

**Senate Bill No. 4:**

"An Act relating to government; enacting a title of the Revised Code of Washington to be known as Title 43—State Government—Executive; providing penalties; repealing certain acts and parts of acts; and declaring an emergency."

**Senate Bill No. 5:**

"An Act relating to state and local government; enacting a title of the Revised Code of Washington to be known as Title 29—Elections; providing penalties; repealing certain acts and parts of acts; and declaring an emergency."

Very truly yours,

RAYMOND W. HAMAN,

*Legal Counsel to the Governor.*

There being no objection, the Senate advanced to the seventh order of business.

**SECOND READING OF BILLS****Senate Bill No. 181**, by Senators Kupka, Washington and Raugust:

Clarifying financing procedures for off-street parking in cities and towns.

On motion of Senator Gallagher, the following amendment was adopted:

On page 3, section 3, line 13, after "bonds" and before the period, insert " : *Provided, That the amendments made herein to section 35.86.020, chapter ....., Laws of 1965 and RCW 35.86.020 shall not apply to cities of the first class which have a population in excess of three hundred thousand inhabitants.*"

It was moved by Senator England that the following amendment be adopted:

On page 3 line 14, add a new section to the bill to be known as Section 4 as follows: "Sec. 4. section 3, chapter 302, Laws of 1959 as last amended by section 3, chapter 186, Laws of 1961 and RCW 35.86.030 are each amended to read as follows: Such cities are authorized to obtain by lease, purchase donation and/or gift, or by eminent domain in the manner provided by law for the exercise of this power by cities, such real property for off-street parking as the legislative bodies thereof determine to be necessary by ordinance, *Provided, That such cities shall not be authorized to obtain existing parking facilities by eminent domain proceedings.* Such property or any fraction or fractions thereof may be sold, transferred, exchanged, leased, or otherwise disposed of by the city when its legislative body has determined by ordinance such property or fraction or fractions thereof is no longer necessary for off-street parking purposes."

On motion of Senator Talley, Senate Bill No. 181 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 253**, by Senators Hanna and Williams:

Authorizing the formation of medical professional corporations.

On motion of Senator Williams, Senate Bill No. 253 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 126**, by Senators Petrich, Gallagher, Dore and Moriarty, Jr.:  
Increasing salaries of justices of the peace.

The Senate resumed consideration of Senate Bill No. 126 and the following amendment by Senator Rasmussen:

On line 11, after "*Further,*" strike the underlined matter down to and including "*dollars*" on line 12 and insert "*That in class AA counties the annual salary of such justice shall be fifteen thousand dollars and in class A counties the annual salary of such justice shall be twelve thousand five hundred dollars.*"

On motion of Senator Rasmussen, the amendment was adopted.

On motion of Senator Petrich, the following amendment by Senator Dore was adopted:

Strike all of the title and substitute the following:

"An Act relating to justices of the peace; providing increases in salaries; changing the method of paying salaries of judges of courts of limited jurisdiction; amending section 100, chapter 299, Laws of 1961 and RCW 3.58.010; amending section 4, chapter 156, Laws of 1951 and RCW 3.16.004; and amending Laws of 1965 (Senate Bill No. 3) and RCW 35.20.160."

On motion of Senator Rasmussen, the rules were suspended, Engrossed Senate Bill No. 126 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 126, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 3; excused, 4.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—42.

Absent or not voting: Senators Charette, Dore, Lewis—3.

Excused: Senators Foley, Hanna, Herrmann, Morgan—4.

Engrossed Senate Bill No. 126, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 51**, by Senators Washington, Bailey and Raugust:

Creating a department of motor vehicles.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Senate Bill No. 51 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Gallagher:

"Would Senator Moriarty yield to a question?"

Senator Moriarty, Jr.:

"Yes."

Senator Gallagher:

"Senator Moriarty, now this does create within an existing department, a new department. Would you be able to give us some assurance, at least to the best of your knowledge and ability, whether or not this might lead to dismissing a number of employees who are now covered by the merit system within the department; and, in addition, if you know, how much additional money this is going to take to set up this new department in the Highway Department, and is there going to be any savings by using this method?"

Senator Moriarty, Jr.:

"Senator Gallagher, to the best of my knowledge, there will be no employees dismissed. That is to the best of my knowledge. Secondly, I understand—and

I'm searching my memory now—the cost would be in the neighborhood of \$51,400. I stand to be corrected on that by Senator Washington. However, I also understand once this is in operation, the savings should absorb the cost within the very near future."

#### POINT OF INQUIRY

Senator Woodall:

"Would Senator Washington yield? I would like a rather restricted answer, if possible, Senator. Time is of the essence."

Senator Washington:

"You know in court you can't ask a witness to say 'yes' or 'no.'"

Senator Woodall:

"Well, they wouldn't get anywhere if they asked you. That's for sure! Anyway, what I would simply like to know: As the bill is now, we have changed the name from 'license' to 'motor vehicle', is that correct?"

Senator Washington:

"That is correct."

Senator Woodall:

"All right, we have in it all the departments we have always had, is that correct?"

Senator Washington:

"That is correct."

Senator Woodall:

"And we have added a few more?"

Senator Washington:

"That's correct."

Senator Woodall:

"Thank you."

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 51, and the bill passed the Senate by the following vote: Yeas, 37; nays, 6; absent or not voting, 2; excused, 4.

Those voting yea were: Senators Bailey, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Freise, Gallagher, Gissberg, Guess, Hallauer, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams—37.

Those voting nay were: Senators Atwood, Durkan, Greive, McCutcheon, Mardesich, Woodall—6.

Absent or not voting: Senators Charette, Lewis—2.

Excused: Senators Foley, Hanna, Herrmann, Morgan—4.

Senate 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.

**Senate Bill No. 125**, by Senators Charette, Bailey and Lennart:  
Pertaining to extrahazardous employment.

On motion of Senator Bailey, Senate Bill No. 125 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 25**, by Senators Durkan, Sandison, Neill, McCormack and Foley (by Executive request of Governor Rosellini):

Allocating income from lands granted for normal school purposes to the bond retirement funds of the state colleges.

**REPORT OF STANDING COMMITTEE**

**Senate Bill No. 25:**

Senate Chamber,  
Olympia, Wash., March 2, 1965.

Allocating income from lands granted for normal school purposes to the bond retirement funds of the state colleges (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass with the following amendment:

On page 1, section 1, line 13, after "act" strike "or otherwise".

FRANK W. FOLEY, *Chairman*.  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, David C. Cowen, Dewey C. Donohue, William A. Gissberg, Wilbur G. Hallauer, Ernest W. Lennart, David E. McMillan, August P. Mardesich, Charles P. Moriarity, Jr. Marshall A. Neill, John A. Petrich, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Sandison, the committee amendment was adopted.

On motion of Senator Sandison, the rules were suspended, Engrossed Senate Bill No. 25 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 25, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 1; excused, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senator McCutcheon—1.

Excused: Senators Foley, Hanna, Herrmann, Morgan—4.

Engrossed Senate Bill No. 25, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 26**, by Senators Durkan, Neill, Sandison and Donohue (by Executive request of Governor Rosellini):

Allocating Washington State University income derived from land grants to bond retirement purposes.

## REPORT OF STANDING COMMITTEE

**Senate Bill No. 26:**

Senate Chamber,

Olympia, Wash., March 2, 1965.

Allocating Washington State University income derived from land grants to bond retirement purposes (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 1, line 6, after "act" strike "or otherwise"

On page 1, section 1, line 7, after "school" strike "or for an agricultural college"

On page 1, line 16, add a new section following section 1 as follows:

"NEW SECTION. Sec. 2. Whenever federal law shall permit, but in no event prior to July 1, 1967, all moneys received from the lease or rental of lands set apart by the enabling act for an agricultural college all interest or income arising from the proceeds of the sale of such lands or of the timber, fallen timber, stone, gravel or other valuable material thereon; and all moneys received as interest on deferred payments on contracts for the sale of such lands shall be deposited in the Washington State University bond retirement fund to be expended for the purposes set forth in RCW 28.80.540."

ReNUMBER section 2 to read "Sec. 3."

FRANK W. FOLEY, *Chairman.*FRED H. DORE, *Chairman,*

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*

Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, William A. Gissberg, Ernest W. Lennart, David E. McMillan, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Neill, the committee amendments were adopted.

On motion of Senator Neill, the rules were suspended, Engrossed Senate Bill No. 26 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 26, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; excused, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Excused: Senators Foley, Hanna, Herrmann, Morgan—4.

Engrossed Senate Bill No. 26, having received the constitutional 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. 29**, by Senators Foley, Durkan, Rasmussen and McCormack (by Executive request of Governor Rosellini):

Providing apportionment of school funds to school districts monthly and providing for emergency advancements thereof.

The bill was read the second time by sections.

On motion of Senator Dore, the rules were suspended, Senate Bill No. 29 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Riley:

"Would Senator Dore yield to a question?"

Senator Dore:

"Certainly."

Senator Riley:

"Mr. President, Senator Dore:

"My question is, in your remarks you used the word 'save.' Now aren't we in effect using it in an improper fashion? Actually, it's not a saving, it's a postponement?"

Senator Dore:

"No, Senator, that's not correct. Actually, in accordance with proper bookkeeping procedure, what we are doing now, we are paying our school teachers in June for three months during the summer, June, July and August, rather than giving them a check in July and a check in August. Actually we are paying them in advance. This would merely spread it over twelve months, rather than ten months as it is at the present time. It's a one biennium pick up of forty-two million dollars a real savings. Of course, next biennium you will have to pay it over the twelve month period."

Senator Stender:

"Well, it comes again to my thinking that we wouldn't have an extra forty-two million in the cash register. We may have it there temporarily, but we'll still have to distribute it if we don't use it this biennium. We'll have to distribute it the next."

Senator Dore:

"No, it's not merely an accounting change. It's an actual savings of forty-two million dollars. It will have no effect on the next biennium whatsoever."

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 29, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; excused, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Excused: Senators Foley, Hanna, Herrmann, Morgan—4.

Senate Bill No. 29, having received the constitutional 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. 309**, by Senators Dore, Moriarty, Jr., Williams, Herr, England and Hallauer (by Executive request, by Departmental request, by Interim Committee on Education request):

Authorizing increase of school district indebtedness.

On motion of Senator Bailey, Senate Bill No. 309 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 50**, by Senators Gissberg, Atwood and Hanna:  
Establishing a law enforcement officers' training commission.

#### REPORTS OF STANDING COMMITTEES

##### Senate Bill No. 50:

Senate Chamber,  
Olympia, Wash., February 10, 1965.

Establishing a law enforcement officers' training commission (reported by Committee on State Government and Veterans' Affairs):

Recommends that it do pass with the following amendments:

On page 4, section 9, lines 29 and 30, after "of" on line 29 and before "this act" on line 30 strike "sections 1 through 14 of"

On page 4, section 9, line 30, after "shall not" and before "cities" strike "be mandatory upon" and insert "apply to"

On page 5, section 10, line 5, before "day of" strike "thirty-first" and insert "thirtieth"

On page 7, section 19, line 30, after "training" and before "meeting" insert a comma

On page 7, section 19, line 31, after the comma and before "during" insert "during the period when such officer is physically engaged in such training"

On page 8, section 19, line 3, after "such salary" insert "and living expenses".

AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

##### Senate Bill No. 50:

Senate Chamber,  
Olympia, Wash., March 2, 1965.

Establishing a law enforcement officers' training commission (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass with the following amendment:

On page 6, strike all of section 16 and renumber the remaining sections consecutively.

FRANK W. FOLEY, *Chairman*.

FRED H. DORE, *Chairman*,

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,

Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, David C. Cowen, Dewey C. Donohue, William A. Gissberg, R. R. Bob Greive, Ernest W. Lennart, David E. McMillan, August P. Mardesich, Charles P. Moriarty, Jr., John A. Petrich, Edward F. Riley, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Atwood, the committee amendments by the Committee on State Government and Veterans' Affairs were adopted.

On motion of Senator Atwood, the committee amendment by the Committee on Ways and Means was adopted.

On motion of Senator Gissberg, the following amendment was adopted:

On page 1, lines 4 and 5 of the title, after "fund;" strike "making an appropriation;"

On motion of Senator Atwood, the rules were suspended, Engrossed Senate Bill No. 50 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.



## POINT OF INQUIRY

Senator Charette:

"Will Senator Gissberg yield to a question?"

"Senator Gissberg, under the terms of section 17 of this bill, how much will it cost the current state school fund?"

Senator Gissberg:

"Under the terms of it, it isn't going to cost them anything at this point because the appropriation has been stricken. However, there will be \$25,000 annually which would go out of the current school fund into a special account, a law enforcement officers' training account. These funds, however, Senator, come from an area which we believe it is proper for them to come, namely; violations of orders, injunctions, contempt of court and other criminal penalties, which we feel is certainly proper that they should accrue to the benefit of this account. Ultimately Senator Foley and Senator Dore in the Committee on Ways and Means and Appropriations will have to make the financial determination as to how much, if any, of these funds are to be appropriated for the benefit of this account."

Senator Charette:

"Mr. President, Senator Gissberg, one additional question:

"As I read the bill, there is \$35,000 appropriated. Then, in addition to that, in section 17 there are certain fines and penalties that are now going to the permanent school fund that will go into this fund, and I would like to know how much money will be taken from the permanent school fund."

Senator Gissberg:

"Senator, I'm sorry I didn't make myself clear. All I can say again is just what I have said and hope that it will be clear to you. The fact of the matter is, there has been established by this act a law enforcement officers' training fund within the general fund, into which will be paid a sum not to exceed \$25,000, the fines and forfeitures that now go into the common school fund, so if this bill is passed there will be a total amount of \$50,000 which will accrue to the special fund within the general fund during the next biennium. However, none of that will be expended unless there is specifically appropriated those amounts out of that fund for the purpose for which this bill is designed to accomplish. However, there is no appropriation provided. You see, section 16 provided for the appropriation of \$35,000 for the first biennium, but that has been stricken from this bill. But if the Ways and Means Committee does not make any appropriation, then there will be within the general fund the sum of \$50,000 for that biennium unexpended."

Further debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 50, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 1; excused, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—43.

Those voting nay were: Senator Talley—1.

Absent or not voting: Senator Henry—1.

Excused: Senators Foley, Hanna, Herrmann, Morgan—4.

Engrossed Senate Bill No. 50, having received the constitutional majority, was declared passed.

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

On motion of Senator Gallagher, the Senate returned to the second order of business.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### Senate Bill No. 8:

Senate Chamber,  
Olympia, Wash., March 4, 1965.

Declaring as vagrants persons who loiter about schools or institutions of higher learning (reported by Judiciary Committee):

MAJORITY recommends that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Jack England, Herbert H. Freise, John T. McCutcheon, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 47:

Senate Chamber,  
Olympia, Wash., March 5, 1965.

Increasing judges' salaries (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended. JOHN A. PETRICH, *Chairman.*

We concur in this report: Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, John T. McCutcheon, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 111:

Senate Chamber,  
Olympia, Wash., March 5, 1965.

Creating a state advisory investment council to public pension systems (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass.

....., *Chairman.*

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 509:

Senate Chamber,  
Olympia, Wash., March 4, 1965.

Providing for the distribution by counties of funds received from the federal government for forest reserves located within such counties (reported by Committee on Education):

MAJORITY report without recommendation. MIKE MCCORMACK, *Chairman.*

We concur in this report: Fred H. Dore, Karl Herrmann, Reuben A. Knoblauch, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, John H. Stender, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

##### House Bill No. 154:

Senate Chamber,  
Olympia, Wash., March 5, 1965.

Recognizing employee organizations for certificated employees of school districts (reported by Committee on Education):

MAJORITY recommends that it do pass as amended.

MIKE MCCORMACK, *Chairman.*

We concur in this report: Robert L. Charette, Fred H. Dore, Herbert H. Freise, Karl Herrmann, Reuben A. Knoblauch, A. L. Rasmussen, John H. Stender, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

There being no objection, the Senate advanced to the seventh order of business.

#### SECOND READING OF BILLS

**Senate Bill No. 200**, by Senators Redmon, Charette and Foley:  
Specifying time of investment fee deductions for certain public funds.

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 200:**

Senate Chamber,  
Olympia., Wash., March 1, 1965.

Specifying time of investment fee deductions for certain public funds (reported by Committee on Banks, Financial Institutions and Insurance):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 1, beginning on line 11, after "in" strike all the matter down to and including "banks," on line 12, and insert "*savings or time accounts in banks, trust companies and mutual savings banks which are doing business in this state, up to the amount of insurance afforded such accounts by the Federal Deposit Insurance Corporation, or in accounts in savings and loan associations which are doing business in this state, up to the amount of insurance afforded such accounts by the Federal Savings and Loan Insurance Corporation,*"

On page 2, section 2, beginning on line 16, after "in" strike all the matter down to and including "banks," on line 17, and insert "*savings or time accounts in banks, trust companies and mutual savings banks which are doing business in this state, up to the amount of insurance afforded such accounts by the Federal Deposit Insurance Corporation, or in accounts in savings and loan associations which are doing business in this state, up to the amount of insurance afforded such accounts by the Federal Savings and Loan Insurance Corporation,*"

On page 2, after section 2, add a section as follows:

"Sec. 3. Section 11, chapter 176, Laws of 1963 and RCW 32.12.100 are each amended to read as follows:

Any funds of the state and of any municipal corporation, taxing district, political subdivision, or political entity thereof, and any funds held in trust by or under the management of any of the above may be deposited or invested in a mutual savings bank.

All the deposits or investments must be fully insured by the federal deposit insurance corporation."

In line 2 of the title after "RCW 28.58.440;" and before "and" insert "amending section 11, chapter 176, Laws of 1963 and RCW 32.12.100;"

KARL HERRMANN, *Chairman,*  
AUGUST P. MARDESICH, *Vice Chairman.*

We concur in this report: Robert L. Charette, Frank W. Foley, George W. Kupka, Charles P. Moriarty, Jr., Fred G. Redmon, John N. Ryder.

The bill was read the second time by sections.

On motion of Senator Redmon, the committee amendments were adopted.

On motion of Senator Redmon, the rules were suspended, Engrossed Senate Bill No. 200 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 200, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 3; excused, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive,

Guess, Hallauer, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—42.

Absent or not voting: Senators Donohue, McCormack, Rasmussen—3.

Excused: Senators Foley, Hanna, Herrmann, Morgan—4.

Engrossed Senate 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.

**Senate Bill No. 377**, by Senators McCormack, Lewis, Hallauer, Guess, Thompson, Jr., Atwood and Cowen:

Expanding the powers and duties of the state capitol historical association and the duties of its director.

#### REPORT OF STANDING COMMITTEE

##### Senate Bill No. 377:

Senate Chamber,  
Olympia, Wash., February 17, 1965.

Expanding the powers and duties of the state capitol historical association and the duties of its director (reported by Committee on State Government and Veterans' Affairs):

Recommends that it do pass with the following amendments:

On page 3, line 14, after section 4 add a new section as follows:

"NEW SECTION. Sec. 5. There is added to chapter 44, Laws of 1941 and to chapter 27.36 RCW a new section to read as follows: All moneys collected under this chapter shall be paid to the state treasurer who shall deposit them in an account which is hereby established and shall be known as the state capitol historical association museum account, within the general fund, which shall be expended for such museum purposes as shall be determined proper by a majority of the board of trustees of said association. Moneys in the state capitol historical association museum trust fund at the time of the effective date of this act shall be transferred to, and shall constitute a part of, the and insert "new sections."

AL HENRY, *Chairman.*

In line 5 of the title, after "adding" and before "to chapter" strike "a new section" and insert "new sections"

AL HENRY, *Chairman.*

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Lewis, the committee amendments were adopted.

On motion of Senator Lewis, the rules were suspended, Engrossed Senate Bill No. 377 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 377 and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 2; excused, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Herr, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Absent or not voting: Senators Henry, Lewis—2.

Excused: Senators, Foley, Hanna, Herrmann, Morgan—4.

Engrossed Senate Bill No. 377, having received the constitutional 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. 211**, by Senator Mardesich:

Proposing additional security devices for public hospital contracts.

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 211:**

Senate Chamber,  
Olympia, Wash., February 16, 1965.

Proposing additional security devices for public hospital contracts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass with the following amendment:

On page 1, section 1, line 20, after "cashier's check," and before "money" insert "postal".

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Sam C. Guess, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Mardesich, the committee amendment was adopted.

On motion of Senator Mardesich, the rules were suspended, Engrossed Senate Bill No. 211 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 211 and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 2; excused, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Absent or not voting: Senators Gallagher, Petrich—2.

Excused: Senators Foley, Hanna, Herrmann, Morgan—4.

Engrossed Senate Bill No. 211 having received the constitutional 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. 6**, by Senators Petrich, Neill and Gissberg:

Establishing a code of probate law and procedure.

On motion of Senator Gallagher, Senate Bill No. 6 was ordered to retain its place at the end of the second reading calendar for tonight.

**Senate Bill No. 315**, by Senators Washington and Lewis (by Departmental request):

Changing law generally relating to financial responsibility of motor vehicle operators and owners.

The Senate resumed consideration of Senate Bill No. 315 on second reading and the committee amendment as amended to page 2, as amended by Senator Lewis.

Senator Dore moved the adoption of the following amendment to the committee amendment as amended by Senator Lewis:

On page 2, section 1, strike subsection (11).

Debate ensued.

The motion was carried and the amendment by Senator Dore to the committee amendment as amended by Senator Lewis, was adopted.

On motion of Senator Dore, the committee amendment as amended was adopted.

On motion of Senator Washington, page 2, section 1, line 24 of the committee amendment was adopted.

On motion of Senator Freise, the following amendments were adopted:

On page 2, section 1, line 25, after "owner" remove the comma.

On page 4, section 6, line 12, after "person" remove the comma.

It was moved by Senator Woodall that the following amendment be adopted:

Beginning on page 1, section 1, line 26, strike "To a driver or owner whose liability for damages resulting from the accident is, in the judgment of the department, covered by any form of liability insurance policy or bond;" and insert "[To a driver or owner whose liability for damages resulting from the accident is, in the judgment of the department, covered by any other form of liability insurance policy or bond;] *To the driver, whether or not the owner, if there is a bona fide claim on the part of the driver that there was in effect at the time of the accident, an automobile liability policy or bond insuring or covering such driver.*

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Washington, the rules were suspended, Engrossed Senate Bill No. 315 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 315 and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 4; excused, 4.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Greive, Guess, Hallauer, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—41.

Absent or not voting: Senators Atwood, Gissberg, McCormack, McCutcheon—4.

Excused: Senators Foley, Hanna, Herrmann, Morgan—4.

Engrossed Senate 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.

**Senate Concurrent Resolution No. 10**, by Senators Herrmann, Bailey, Greive, Mardesich, Redmon, Woodall and Thompson, Jr.:

Creating an interim committee on insurance and setting out its powers and duties.

On motion of Senator Bailey, Senate Concurrent Resolution No. 10 was ordered to retain its place at the beginning of the second reading calendar for tomorrow.

On motion of Senator Greive, the Senate resumed consideration of Senate Bill No. 6.

**Senate Bill No. 6**, by Senators Petrich, Neill and Gissberg:  
Establishing a code of probate law and procedure.

#### REPORT OF STANDING COMMITTEE

##### Senate Bill No. 6:

Senate Chamber,  
Olympia, Wash., February 26, 1965.

Establishing a code of probate law and procedure (reported by Judiciary Committee):  
MAJORITY recommends that it do pass with the following amendments:

On page 5, section 11.04.015, following subsection (d), add a new subsection as follows:

"(e) If the intestate not be survived by issue nor by either parent, nor by any issue of the parent or parents who survive the intestate, nor by any grandparent or grandparents who survive the intestate, then to the issue of any grandparent or grandparents who survive the intestate, the issue of any maternal grandparent or grandparents sharing equally with the issue of the paternal grandparent or grandparents."

On page 46, section 11.44.070, line 12, after "more" strike all of the material down to and including "fee" on line 15.

On page 56, section 11.52.050, line 17, after "SENTATIVE." strike all of the material down to and including "representative." on line 21 and insert "If it is made to appear to the court that the amount of funeral expenses, expenses of last illness, expenses of administration, general taxes and special assessment which were liens at the time of the death of the deceased spouse together with the unpaid balance of any mortgage or mechanic's, laborer's or materialmen's, or vendor's liens upon the property to be set off under the provisions of RCW 11.52.010 through 11.52.024 together with the amount of the award to be made by the court under the provisions of RCW 11.52.010 through 11.52.040 shall be equal to the gross value of the decedent's estate subject to probate, then the court at the time of making such award shall enter its judgment setting aside all of the property of the estate, subject to the aforementioned charges, to the petitioner, shall order the estate closed, discharge the executor or administrator and exonerate the executor's or administrator's bond."

On page 100, section 11.88.160, line 26, after "approval," strike all of the material down to and including "transfer" on line 27 and insert "the clerk of the court shall re-index the cause as a decedent's estate, using the same file number which is assigned to the guardianship proceeding"

On page 113, section 11.99.010, line 25, after "day of" strike "January, 1966" and insert "July, 1967".

JOHN A. PETRICH, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Frank W. Foley, William A. Gissberg, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendments were adopted.

On motion of Senator Petrich, the rules were suspended, Engrossed Senate Bill No. 6 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6 and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 2; excused, 4.

Those voting yea were: Senators Atwood, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—43.

Absent or not voting: Senators Bailey, Talley—2.

Excused: Senators Foley, Hanna, Herrmann, Morgan—4.

Engrossed Senate Bill No. 6, having received the constitutional majority, was declared passed.

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

#### MOTIONS

On motion of Senator Peterson (Lowell), the Senate returned to the first order of business.

On motion of Senator Peterson (Lowell), the Committee on State Government was relieved of further consideration of Substitute House Bill No. 252.

On motion of Senator Peterson (Lowell), Substitute House Bill No. 252 was referred to the Committee on Natural Resources.

At 10:25 p.m., on motion of Senator Greive, the Senate adjourned until 10:30 a.m., Saturday, March 6, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## FIFTY-FIFTH DAY

### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Saturday, March 6, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Morgan, who was excused.

The Color Guard, consisting of Pages Bruce Norton, Color Bearer, and Yvonne Lovrovich, presented the Colors.

Reverend Dave Carlson, pastor of the Assembly of God Church of Olympia, offered prayer as follows:

"Eternal God and Heavenly Father, we thank Thee that we are not left alone to stumble through the journey of life, but that Thou has promised Thy presence if we would but come to Thee. We come to Thee, sincerely, and humbly, by the avenue of prayer.

"In view of the tasks before us this day, deliver us from mediocrity in purpose and labor; and set before us high goals, for which Thy strength will be supplied, and for this we petition Thee now. Deliver us from fear of criticism in making decisions that are right, but may not be popular; that will benefit the most, but not favor a few; and teach us that in this we are learning to do Thy will.

"Where pressures are brought upon us, we seek Thy peace; in the weariness of long hours of labor, grant a renewing of strength by Thy presence.



"All that we have and know, we have received from Thee; and with the great responsibilities upon us, grant that our stewardship will stand the scrutiny of Thine examination, as well as that of our citizenry. Help us to this end, we pray in Christ's name. Amen."

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., March 5, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 6; also

- Senate Bill No. 25; also
- Senate Bill No. 26; also
- Senate Bill No. 50; also
- Senate Bill No. 51; also
- Senate Bill No. 126; also
- Senate Bill No. 200; also
- Senate Bill No. 211; also
- Senate Bill No. 223; also
- Senate Bill No. 315; also
- Senate Bill No. 334; also

Senate Bill No. 377 have inspected same, and find them correctly engrossed.  
....., *Chairman.*

We concur in this report: Fred H. Dore, Martin J. Durkan, John A. Petrich.

**Senate Bill No. 250:**

Senate Chamber,  
Olympia, Wash., March 5, 1965.

Reducing overload fees (reported by Committee on Highways):

MAJORITY recommends that Substitute Senate Bill 250 be substituted therefor, and that the Substitute Bill do pass.  
NAT WASHINGTON, *Chairman,*

....., *Vice Chairman.*

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Martin J. Durkan, Frank W. Foley, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, Gordon Herr, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, W. C. Raugust, Fred G. Redmon, Gordon Sandison, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 477:**

Senate Chamber,  
Olympia, Wash., March 5, 1965.

Regulating sale of liquor on election day (reported by Committee on Liquor Control):

Recommends that it do pass as amended.  
FRANK CONNOR, *Chairman.*

We concur in this report: Al Henry, George W. Kupka, Harry B. Lewis, Edward F. Riley, Don L. Talley, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 482:**

Senate Chamber,  
Olympia, Wash., March 5, 1965.

Setting out child welfare service as provided through department of public assistance (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass as amended.

A. L. RASMUSSEN, *Chairman.*

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, Sam C. Guess, George W. Kupka, August P. Mardesich, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 502:**

Senate Chamber,  
Olympia, Wash., March 4, 1965.

Changing commercial fishing license application date (reported by Committee on Fisheries, Game and Game Fish):

Recommends that it do pass.

ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Ernest W. Lennart, Lowell Peterson, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, Fred G. Redmon, Gordon Sandison, John H. Stender, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 518:**

Senate Chamber,  
Olympia, Wash., March 5, 1965.

Authorizing application for federal assistance in acquisition of ferry vessels and providing state financing to implement grant (reported by Committee on Highways):

MAJORITY recommends that it do pass. NAT WASHINGTON, *Chairman*,

....., *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, Gordon Herr, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Gordon Sandison, John H. Stender, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 5, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 14; also  
House Bill No. 50; also  
House Bill No. 52; also  
Engrossed House Bill No. 60; also  
House Bill No. 61; also  
Substitute House Bill No. 67; also  
Engrossed House Bill No. 73; also  
House Bill No. 76; also  
House Bill No. 81; also  
House Bill No. 86; also  
Engrossed House Bill No. 88; also  
House Bill No. 103; also  
Engrossed House Bill No. 105; also  
House Bill No. 112; also  
House Bill No. 132; also  
House Bill No. 133; also  
Engrossed House Bill No. 145; also  
Engrossed House Bill No. 149; also  
House Bill No. 151; also  
House Bill No. 152; also  
Engrossed House Bill No. 156; also  
Engrossed House Bill No. 161; also  
Engrossed House Bill No. 162; also  
Engrossed House Bill No. 175; also  
House Bill No. 187; also  
House Bill No. 192; also  
House Bill No. 216; also  
House Bill No. 217; also  
House Bill No. 218; also

House Bill No. 219; also  
House Bill No. 220; also  
Reengrossed House Bill No. 222; also  
Engrossed House Bill No. 229; also  
House Bill No. 231; also  
House Bill No. 237; also  
House Bill No. 241; also  
House Bill No. 242; also  
Engrossed House Bill No. 243; also  
House Bill No. 244; also  
House Bill No. 245; also  
House Bill No. 248; also  
House Bill No. 249; also  
House Bill No. 253; also  
House Bill No. 257; also  
House Bill No. 258; also  
House Bill No. 259; also  
House Bill No. 264; also  
House Bill No. 267; also  
Substitute House Bill No. 268; also  
House Bill No. 270; also  
House Bill No. 271; also  
House Bill No. 274; also  
House Bill No. 277; also  
House Bill No. 283; also  
House Bill No. 293; also  
House Bill No. 298; also  
House Bill No. 299; also  
House Bill No. 304; also  
House Bill No. 309; also  
Engrossed House Bill No. 313; also  
House Bill No. 339; also  
Engrossed House Bill No. 343; also  
House Bill No. 366; also  
Engrossed House Bill No. 369; also  
Engrossed House Bill No. 371; also  
Reengrossed House Bill No. 372; also  
House Bill No. 439; also  
House Bill No. 450; also  
House Bill No. 464; also  
Engrossed House Bill No. 494; also  
Engrossed House Bill No. 513; also  
House Bill No. 549; also  
Engrossed House Bill No. 592; also  
House Joint Memorial No. 9; also  
House Joint Memorial No. 10; also  
House Joint Memorial No. 15; also  
House Joint Memorial No. 18; also  
Engrossed Substitute House Joint Resolution No. 16; also  
House Concurrent Resolution No. 6, and the same are herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

#### FIRST READING OF HOUSE BILLS, MEMORIALS AND RESOLUTIONS

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 14**, by Representatives Lux, Thompson, Bergh, Litchman, Beck and Angevine (by Executive request of Governor Rosellini):

An Act relating to state government; creating a higher education facilities commission; providing for the selection, term, and reimbursement of certain expenditures of the members of the commission, and conferring rights, powers, duties and prescribing the functions of the commission; and declaring an emergency.

Referred to Committee on Higher Education and Libraries.

**House Bill No. 50**, by Representatives Uhlman, Pritchard and Haussler:

An Act relating to port districts; amending section 3, chapter 17, Laws of 1959 and RCW 53.12.010; amending section 4, chapter 17, Laws of 1959 as amended by section 1, chapter 175, Laws of 1959 and RCW 53.12.020; amending section 9, chapter 175, Laws of 1959 and RCW 53.12.035; amending section 7, chapter 17, Laws of 1959 as amended by section 2, chapter 175, Laws of 1959 and RCW 53.12.040; amending section 10, chapter 175, Laws of 1959 and RCW 53.12.055; amending section 3, chapter 92, Laws of 1911 as last amended by section 3, chapter 175, Laws of 1959 and RCW 53.12.120; amending section 2, chapter 62, Laws of 1913 as last amended by section 11, chapter 17, Laws of 1959 and RCW 53.12.130; adding a new section to chapter 53.12; and repealing section 3, chapter 68, Laws of 1951 and RCW 53.12.173.

Referred to Committee on Constitution, Elections and Legislative Processes.

**House Bill No. 52**, by Representatives Jolly, Johnson (Doris), and Flanagan:

An Act relating to irrigation districts; increasing directors' compensation; and amending section 39, page 692, Laws of 1889-90, as last amended by section 1, chapter 189, Laws of 1951, and RCW 87.03.460.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 60**, by Representatives Uhlman, Brachtenbach and Sawyer:

Enacting the Washington business corporation act.

Referred to Judiciary Committee.

**House Bill No. 61**, by Representatives Johnston (Elmer E.), Leland and Avey (by Departmental request):

An Act relating to mining; amending section 2, chapter 45, Laws of 1899 as last amended by section 1, chapter 64, Laws of 1963, and RCW 78.08.060; and amending section 1, chapter 114, Laws of 1959 as amended by section 2, chapter 64, Laws of 1963, and RCW 78.08.072.

Referred to Committee on Natural Resources.

**Substitute House Bill No. 67**, by Committee on Medicine, Dentistry and Drugs:

An Act relating to health and welfare of children and authorizing the reporting by practitioners of the healing arts of suspected cases of child abuse or neglect.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

**Engrossed House Bill No. 73**, by Representatives Kull, Newschwander and Lynch:

An Act relating to metropolitan park districts; amending section 35.61.130, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.61.130; and amending section 84.52.052; chapter 15, Laws of 1961 as amended by section 1, chapter 112, Laws of 1963 and RCW 84.52.052.

Referred to Committee on Parks, Capitol Grounds and Public Buildings.

**House Bill No. 76**, by Representatives Flanagan, Kink and McCormick:

An Act relating to campus police at state colleges; and amending sections 1, 2, and 3, chapter 123, Laws of 1949, and RCW 28.76.310, 28.76.320 and 28.76.330.

Referred to Committee on Higher Education and Libraries.

**House Bill No. 81**, by Representatives Morphis, Garrett and Newschwander (by State Public Pension Commission request):

An Act relating to port districts; and amending section 1, chapter 64, Laws of 1955 and RCW 53.08.170.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 86**, by Representatives Bledsoe, Flanagan and Jolly:

An Act relating to crimes and punishments; and amending section 40, page 82, Laws of 1854 as last amended by section 2, chapter 11, Laws of 1963 and RCW 9.09.020; and prescribing penalties.

Referred to Judiciary Committee.

**Engrossed House Bill No. 88**, by Representatives Garrett, Leland and Taylor:

An Act relating to fire protection districts; and adding a new section to chapter 34, Laws of 1939, and chapter 52.08 RCW.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 103**, by Representatives Witherbee, Angevine and Valle:

An Act relating to fire districts; amending section 3, chapter 70, Laws of 1941 as last amended by section 3, chapter 237, Laws of 1959 and RCW 52.08.060; and amending section 5, chapter 176, Laws of 1953 as amended by section 1, chapter 42, Laws of 1963 and RCW 52.24.090.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 105**, by Representatives Brouillet, Backstrom and Moos:

An Act relating to education; permitting school boards in second and third class districts to determine the date and time of their regular meetings; amending section 6, page 299, Laws of 1909 and RCW 28.63.030; and amending section 6, page 302, Laws of 1909 and RCW 28.63.032.

Referred to Committee on Education.

**House Bill No. 112**, by Representatives Olsen, Smith and Rogers:

An Act relating to local improvements of cities and towns; amending section 35.43.170, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.43-.170; and amending section 35.43.180, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.43.180.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 132**, by Representatives Gorton, Uhlman and Dootson (by Departmental request):

An Act relating to school district boundaries; amending section 5, chapter 266, Laws of 1947, as last amended by section 1, chapter 208, Laws of 1963, and RCW 28.57.150; and declaring an emergency.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 133**, by Representatives Witherbee, Warnke and Perry:

An Act relating to counties; and amending section 36.21.050, chapter 4, Laws of 1963 and RCW 36.21.050.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 145**, by Representatives Huntley, Johnston (Elmer E.) and Sawyer:

An Act relating to an approach to Eastern Washington State College;

providing for the location, acquisition, financing and maintenance thereof; making an appropriation and a reappropriation; and declaring an emergency.

Referred to Committee on Highways.

**Engrossed House Bill No. 149**, by Representatives Burtch, Jolly and McDougall:

An Act relating to port districts; providing for the sale of property no longer needed for district purposes; amending section 2, chapter 65, Laws of 1955 and RCW 53.08.090; and authorizing the sale of such property by contract.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 151**, by Representatives Beck, Swayze and Haussler:

An Act relating to fire districts; adding new sections to chapter 34, Laws of 1939 and to chapter 52.08 RCW.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 152**, by Representatives Burtch, Andersen (James A.) and Anderson (Eric O.):

An Act relating to port districts; and amending sections 1 and 2, chapter 29, Laws of 1925 and RCW 53.36.070 and 53.36.080.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 156**, by Representatives Olsen, Haussler and Gallagher:

An Act relating to property sales by counties; amending section 36.34.080, chapter 4, Laws of 1963 and RCW 36.34.080; amending section 46.52.110, chapter 12, Laws of 1961 as amended by section 1, chapter 44, Laws of 1963 and RCW 46.52.110; amending section 49, chapter 255, Laws of 1927 as amended by section 20, chapter 257, Laws of 1959 and RCW 79.01.196; amending section 20, chapter 130, Laws of 1925 extraordinary session, as last amended by section 1, chapter 8, Laws of 1963 and RCW 84.64.080; amending section 84.64.270, chapter 15, Laws of 1961 and RCW 84.64.270; and adding a new section to chapter 4, Laws of 1963 and to chapter 36.16 RCW.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 161**, by Representatives Olsen, Haussler and Garrett:

An Act relating to county boards of adjustment and amending section 36.70.210, chapter 4, Laws of 1963, and RCW 36.70.210.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 162**, by Representatives Haussler, Huntley and Olsen:

An Act relating to the formation of county road improvement districts; amending section 36.88.010, chapter 4, Laws of 1963 as amended by section 1, chapter 84, Laws of 1963 and RCW 36.88.010; and amending section 36.88.015, chapter 4, Laws of 1963 as amended by section 2, chapter 84, Laws of 1963 and RCW 36.88.015.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 175**, by Representatives Leland, Garrett and Brouillet:

An Act relating to school districts; and adding a new section to chapter 28.58 RCW.

Referred to Committee on Education.

**House Bill No. 187**, by Representatives Leland, Avey and Goldsworthy:

An Act relating to streets and roads.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 192**, by Representatives Adams, Johnston (Elmer E.) and Conner:

An Act relating to mentally ill and mentally deficient persons; adopting the interstate compact on mental health relating to care and treatment of such persons in this and other participating states; authorizing agreements supplemental thereto; providing for the administration thereof; and adding a new chapter to chapter 28, Laws of 1959 and to Title 72 RCW.

Referred to Committee on Public Institutions.

**House Bill No. 216**, by Representatives King (Chet), Hawley, Taylor, Wang, Hood, Mahaffey, Kink and Berentson (by Departmental request):

An Act relating to food fish and shellfish; making it unlawful to dig hard shell clams for commercial purposes, except on licensed clam farms; and amending section 75.28.285, chapter 12, Laws of 1955 and RCW 75.28.285.

Referred to Committee on Fisheries, Game and Game Fish.

**House Bill No. 217**, by Representatives King (Chet), Hawley, Taylor, Wang, Hood, Mahaffey, Kink and Berentson (by Departmental request):

An Act relating to food fish and shellfish; and amending section 2, chapter 276, Laws of 1955 as last amended by section 1, chapter 236, Laws of 1961 and RCW 75.12.140.

Referred to Committee on Fisheries, Game and Game Fish.

**House Bill No. 218**, by Representatives Hawley, King (Chet), Taylor, Wang, Hood, Mahaffey, Kink, Berentson and Thompson (by Departmental request):

An Act relating to food fish and shellfish; requiring wholesale fish dealer's license for certain commercial activities; and amending section 75.28.300, chapter 12, Laws of 1955 as amended by section 11, chapter 212, Laws of 1955 and RCW 75.28.300.

Referred to Committee on Fisheries, Game and Game Fish.

**House Bill No. 219**, by Representatives Hawley, King (Chet), Taylor, Wang, Hood, Mahaffey, Kink, Thompson, Berentson and Bergh (by Departmental request):

An Act relating to food fish and shellfish; and amending section 75.28.350, chapter 12, Laws of 1955 and RCW 75.28.350.

Referred to Committee on Fisheries, Game and Game Fish.

**House Bill No. 220**, by Representatives King (Chet), Hawley, Taylor, Wang, Hood, Mahaffey, Conner, Kink, Berentson and Thompson (by Departmental request):

An Act relating to food fish and shellfish; and amending section 75.28.060, chapter 12, Laws of 1955 as last amended by section 8, chapter 309, Laws of 1959 and RCW 75.28.060.

Referred to Committee on Fisheries, Game and Game Fish.

**Reengrossed House Bill No. 222**, by Representatives Hawley, King (Chet), Taylor, Wang, Hood, Mahaffey, Kink, Berentson, Bergh and Thompson (by Departmental request):

An Act relating to food fish and shellfish; prohibiting alien commercial fishing activities and fraudulent application for license by alien; adding two

new sections to chapter 12, Laws of 1955 and to chapter 75.28 RCW; and prescribing penalties.

Referred to Committee on Fisheries, Game and Game Fish.

**Engrossed House Bill No. 229**, by Representatives Anderson (Eric O.), Burtch and Conner:

An Act relating to foodfish and shellfish, permitting a limit catch for the physically infirm by members of their immediate family; and adding a new section to chapter 75.24 RCW.

Referred to Committee on Fisheries, Game and Game Fish.

**House Bill No. 231**, by Representatives Beck, Haussler and Goldsworthy (by Departmental request):

An Act relating to the use of water in the state of Washington and the right to the use thereof; providing fees to be collected by the supervisor of water resources; and amending section 44, chapter 117, Laws of 1917 as last amended by section 5, chapter 57, Laws of 1951 and RCW 90.03.470.

Referred to Committee on State Government and Veterans' Affairs.

**House Bill No. 237**, by Representatives Brachtenbach, Klein and O'Dell:

An Act relating to the selection of jurors; and amending section 4, chapter 57, Laws of 1911 as amended by section 2, chapter 191, Laws of 1925, extraordinary session, and RCW 2.36.090.

Referred to Judiciary Committee.

**House Bill No. 241**, by Representatives Bledsoe, Newhouse and Berentson (by Departmental request):

An Act relating to the identification of livestock; amending sections 2 and 9, chapter 54, Laws of 1959 and RCW 16.57.020 and 16.57.090; and amending section 8, chapter 54, Laws of 1959 as amended by section 1, chapter 148, Laws of 1961 and RCW 16.57.080.

Referred to Committee on Agriculture and Horticulture.

**House Bill No. 242**, by Representatives Newhouse, Marsh and Kalich (by Departmental request):

An Act relating to agricultural commodities and products thereof; and amending section 23, chapter 256, Laws of 1961 and RCW 15.65.230.

Referred to Committee on Agriculture and Horticulture.

**Engrossed House Bill No. 243**, by Representatives Canfield, Jolly and McDougall (by Departmental request):

An Act relating to agricultural fairs; and amending sections 5 and 6, chapter 61, Laws of 1961 and RCW 15.76.140 and 15.76.150.

Referred to Committee on Ways and Means.

**House Bill No. 244**, by Representatives Burtch, Moon, Moos, Backstrom and Leland (by Departmental request):

Making general changes in flood control district law; repeals earlier 1935 law on such districts.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 245**, by Representatives Gallagher, Taplin and Jolly (by Departmental request):

An Act relating to vehicle licenses; amending section 46.16.020, chapter 12, Laws of 1961 and RCW 46.16.020; and declaring an emergency.

Referred to Committee on Highways.



**House Bill No. 248**, by Representatives McDougall, Canfield and Flanagan (by Departmental request):

An Act relating to horticultural pests and diseases; and adding a new section to chapter 11, Laws of 1961 and chapter 15.08 RCW.

Referred to Committee on Agriculture and Horticulture.

**House Bill No. 249**, by Representatives Jolly, Huntley and Bozarth (by Departmental request):

An Act relating to motor vehicle licenses; amending section 46.16.270, chapter 12, Laws of 1961 and RCW 46.16.270.

Referred to Committee on Highways.

**House Bill No. 253**, by Representatives Klein, Warnke and Hawley:

An Act relating to sewer districts; and adding a new section to chapter 210, Laws of 1941 and to chapter 56.08 RCW.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 257**, by Representatives DeJarnatt and Thompson:

An Act relating to diking improvement districts; providing a method to pay for the continuous operation of such districts; adding a new chapter to Title 85 RCW; and declaring an emergency.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 258**, by Representatives DeJarnatt and Thompson:

An Act relating to diking improvement districts; increasing the compensation of election officials thereof; and amending section 20, chapter 176, Laws of 1913 as last amended by section 1, chapter 338, Laws of 1955 and RCW 85.08.300.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 259**, by Representatives DeJarnatt and Thompson:

An Act relating to diking improvement districts; and adding new sections to chapter 85.08 RCW.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 264**, by Representatives Slagle, Adams, Chatalas and Newchwander (by Departmental request):

An Act relating to public assistance; adding a new section to chapter 26, Laws of 1959 and Title 74 RCW; repealing section 74.08.330, chapter 26, Laws of 1959 and RCW 74.08.330; providing penalties; and declaring an emergency.

Referred to Committee on Labor and Social Security.

**House Bill No. 267**, by Representatives Beck, Newhouse and Elder (by Departmental request):

An Act relating to escapees from state correctional institutions or other institutions under the supervision of the department of institutions, county and city jails; providing for the determination, computation and certification of time loss on escape of convicted persons and defining the term escape.

Referred to Committee on Public Institutions.

**Substitute House Bill No. 268**, by Committee on Public Institutions and Youth Development:

An Act relating to the conditional licensing to practice medicine and surgery of certain employees of the department of institutions; prescribing a two year limitation on such licenses; and amending section 1, chapter 189,

Laws of 1959 and RCW 18.71.095; and amending section 2, chapter 189, Laws of 1959 as amended by section 1, chapter 65, Laws of 1963 and RCW 18.71.096.

Referred to Committee on Public Institutions.

**House Bill No. 270**, by Representatives Beck, Epton and Elder (by Departmental request):

An Act relating to the department of institutions and the state bureau of criminal identification; providing for the establishment of the state bureau of criminal identification at the Washington correctional center at Shelton and qualifications for the superintendent of the bureau; and amending section 72.50.010 and 72.50.020, chapter 28, Laws of 1959 and RCW 72.50.010 and 72.50.020.

Referred to Committee on Public Institutions.

**House Bill No. 271**, by Representatives Hurley, Chatalas and Epton (by Departmental request):

An Act relating to public assistance; amending section 74.04.265, chapter 26, Laws of 1959 and RCW 74.04.265.

Referred to Committee on Labor and Social Security.

**House Bill No. 274**, by Representatives Newschwander, Chatalas and O'Donnell (by Departmental request):

An Act relating to public assistance; amending section 74.09.090, chapter 26, Laws of 1959 and RCW 74.09.090; amending section 4, chapter 211, Laws of 1963 and RCW 74.09.430; and declaring an emergency.

Referred to Committee on Labor and Social Security.

**House Bill No. 277**, by Representatives Savage, Humiston and Marzano (by Departmental request):

An Act relating to public assistance; amending section 74.08.120, chapter 26, Laws of 1959 and RCW 74.08.120.

Referred to Committee on Labor and Social Security.

**House Bill No. 283**, by Representatives Taplin, Day and Huntley:

An Act relating to public highways; authorizing and directing the state highway commission to make a feasibility study of the need of constructing a section of primary state highway No. 3 in Asotin county; and making an appropriation.

Referred to Committee on Highways.

**House Bill No. 293**, by Representatives Beck, Flanagan and Haussler:

An Act relating to port districts and providing a method for the dissolution of inactive port districts.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 298**, by Representatives Canfield, Haussler and Garrett:

An Act relating to water districts; providing that a notice of adoption of certain resolutions relating to local improvement districts and utility local improvement districts shall be published rather than the full text of the resolution; amending section 11, chapter 18, Laws of 1959 and RCW 57.16.060; and amending section 13, chapter 114, Laws of 1929 and RCW 57.16.090.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 299**, by Representatives Canfield, Haussler and Garrett:

An Act relating to sewer districts; providing that a notice of adoption of certain resolutions relating to local improvement districts and utility local

improvement districts shall be published rather than the full text of the resolution; amending section 27, chapter 210, Laws of 1941 as amended by section 17, chapter 250, Laws of 1953 and RCW 56.20.020; and amending section 32, chapter 210, Laws of 1941 and RCW 56.20.080.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 304**, by Representatives Bledsoe, Flanagan and Bozarth:

An Act relating to agricultural products; and adding a new section to chapter 139, Laws of 1959 and to chapter 20.01 RCW.

Referred to Committee on Agriculture and Horticulture.

**House Bill No. 309**, by Representatives Hood, Kink and Radcliffe:

An Act authorizing the Washington state historical society to convey the real property constituting the site of Pickett House, in Whatcom county, Washington, to the Daughters of the Pioneers of Washington, Whatcom Chapter No. 5.

Referred to Committee on State Government and Veterans' Affairs.

**Engrossed House Bill No. 313**, by Representatives Andersen (James A.), Chatalas and Litchman:

An Act relating to crimes and punishment; and adding a new section to chapter 249, Laws of 1909 and chapter 9.54 RCW.

Referred to Judiciary Committee.

**House Bill No. 339**, by Representatives Uhlman and DeJarnatt:

An Act relating to the publication of session laws of the state of Washington; making an appropriation; and declaring an emergency.

Referred to Committee on Ways and Means.

**Engrossed House Bill No. 343**, by Representatives Avey, Slagle, Huntley, McDougall and Taplin:

An Act relating to public highways; and adding new sections to chapter 12, Laws of 1961 and to chapter 46.44 RCW.

Referred to Committee on Highways.

**House Bill No. 366**, by Representatives Leland, Chatalas and Kirk (by Executive request):

An Act relating to public assistance and providing for an advisory council on aging; adding a new chapter to chapter 26, Laws of 1959 and to Title 74 RCW.

Referred to Committee on Labor and Social Security.

**Engrossed House Bill No. 369**, by Representatives Gallagher, Valle and Humiston:

An Act relating to the judicial council; amending section 1, chapter 45, Laws of 1925, extraordinary session as last amended by section 1, chapter 271, Laws of 1961 and RCW 2.52.010.

Referred to Judiciary Committee.

**Engrossed House Bill No. 371**, by Representatives Warnke and Garrett:

An Act relating to sewer district contracts; authorizing the use of bid bonds; and amending section 44, chapter 210, Laws of 1941 and RCW 56.08.070.

Referred to Committee on Cities, Towns and Counties.

**Reengrossed House Bill No. 372**, by Representatives Warnke and Garrett:

An Act relating to water district contracts; authorizing the use of bid bonds;

and amending section 21, chapter 114, Laws of 1929 as amended by section 2, chapter 216, Laws of 1947 and RCW 57.08.050.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 439**, by Representatives Marsh, Brouillet, Elder and O'Dell:  
An Act relating to accident reports, and amending section 46.52.080, chapter 12, Laws of 1961 and RCW 46.52.080.

Referred to Judiciary Committee.

**House Bill No. 450**, by Representatives Epton, May and Saling:  
An Act relating to education and the support thereof; and adding a new section to chapter 28.47 RCW.

Referred to Committee on Education.

**House Bill No. 464**, by Representatives Kull, Canfield and Newhouse:  
An Act relating to apiaries; and amending section 15.60.030, chapter 11, Laws of 1961 and RCW 15.60.030.

Referred to Committee on Agriculture and Horticulture.

**Engrossed House Bill No. 494**, by Representatives Kull, Haussler and Ahlquist:

An Act relating to spring triggered devices and their use for predator control.

Referred to Committee on Agriculture and Horticulture.

**Engrossed House Bill No. 513**, by Representatives Beck, Haussler and O'Brien:

An Act relating to prosecuting attorneys; and amending section 36.27.020, chapter 4, Laws of 1963 and RCW 36.27.020.

Referred to Judiciary Committee.

**House Bill No. 549**, by Representatives Pritchard, Witherbee and O'Brien:  
Providing for state trade fairs and the support thereof.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Engrossed House Bill No. 592**, by Representatives Thompson, Johnston (Elmer E.) and Klein:

An Act relating to family courts; amending section 5, chapter 50, Laws of 1949, and RCW 26.12.050.

Referred to Judiciary Committee.

**House Joint Memorial No. 9**, by Representatives Conner and Traylor:  
Memorializing Secretary of Interior to preserve Dungeness Spit.

Referred to Committee on Natural Resources.

**House Joint Memorial No. 10**, by Representatives Kink and Hood:

Requesting a Peace Arch commemorative postage stamp.

Referred to Committee on Commerce, Manufacturing and Licenses.

**House Joint Memorial No. 15**, by Representatives Traylor, Wolf and Rogers:  
Petitioning for dogfish study.

Referred to Committee on Fisheries, Game and Game Fish.

**House Joint Memorial No. 18**, by Representatives Backstrom, Moon, Taylor and King (Richard "Dick"):

Memorializing Congress to take action to alleviate Snohomish River flooding.

Referred to Committee on Natural Resources.

**Engrossed Substitute House Joint Resolution No. 16**, by Committee on Constitution, Elections and Reapportionment:

Advancing the inauguration and the commencement of the terms of elected state officials.

Referred to Committee on Constitution, Elections and Legislative Processes.

**House Concurrent Resolution No. 6**, by Representative Olsen:

Congratulating Boeing Company on its fiftieth anniversary.

Referred to Committee on Commerce, Manufacturing and Licenses.

#### MOTIONS

On motion of Senator Thompson, Jr., the Senate returned to the first order of business.

On motion of Senator Thompson, Jr., the following editorial from the Bellevue American, dated March 4, 1965, was ordered spread upon the pages of the journal:

#### SIDE LINES — By Bruce Helberg

##### Living in the Lap of 'Luxury'

While we're on the subject of the legislature, we think it's high time someone stood up and defended the legislators on the matter of their so-called "high pay".

The Seattle Times, using righteous tones, has condemned the legislature for voting itself \$40 per day expense money.

The Seattle Post-Intelligencer using trickier methods, "exposed" the fact the senate and house have their own lunch rooms.

Both papers should know better. We suspect that the publisher of the Times would think nothing of entering \$40 per day for expense money if he found it necessary to travel away from home, as the legislators have to do.

And the Post-Intelligencer should know all about the lunch rooms, because their reporters eat there regularly themselves.

Let's look at this matter of pay from the eyes of a legislator.

He draws the magnificent salary of \$100 per month. Leaving campaign expenses out of it, he's lucky to break even on this amount when he figures his time and travel spent going to various meetings during the off-session.

During the session, he won't be so lucky, even with this giant \$40 per day in expense money.

The typical legislator will rent a room in Olympia, and get gouged by the patriotic Olympia landlords in the process. He'll have to leave his family at home because not even \$40 per day would permit him to pay for their expenses in Olympia.

So he has his own living to pay for, plus maintaining his home for his family. If he happens to be a professional man, he has to keep paying his office secretary and his office overhead during the two or three months the legislature is in session.

Then on top of this, of course, he has no income from his profession, since he's spending at least six days and six nights a week in Olympia.

So he gets to come home for one night and one day a week during the session— at his own expense, since he is allowed mileage only for one trip to Olympia at the beginning of the session and one trip home at the end.

If he were paid \$80 per day in expense money during the session, he might come closer to breaking even.

Why, then, does a good man consent to beat himself to death financially to serve in the legislature and get insulted in the process?

Well, you've got some pretty good people asking themselves that question right now. And when the next election rolls around there will be some who will say: "Not me, brother. Not me again."

And so democracy loses one more good public servant, while the people make their big jokes about those overpaid "clowns" in Olympia.

You won't catch us joining in those jokes. We don't think it's funny.

The President declared the Senate to be at ease.

The President called the Senate to order at 11:47 a. m.

The Secretary called the roll and announced to the President that all Senators were present.

The President declared the Senate to be at ease.

At 11:55 a. m., the Senate retired to the House chamber to meet in Joint Session for the purpose of hearing an address by United States Senator Warren G. Magnuson.

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### JOINT SESSION

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

The Speaker invited the Senators to seats within the House, and the President of the Senate to a seat on the rostrum beside the Speaker.

The Speaker turned the gavel over to President of the Senate John A. Cherberg.

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

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

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

The President of the Senate announced that the purpose of the joint session was to present United States Senator Warren G. Magnuson and to receive an address from him.

The President appointed the following committee to escort Senator Magnuson from the State Reception Room to the rostrum: Senators Gallagher, Keefe, and Redmon and Representatives O'Brien, O'Donnell, and Chatalas.

The committee retired.

The Sergeant at Arms of the House announced the arrival of the Honorable Warren G. Magnuson and Mrs. Magnuson at the bar of the House, and the President of the Senate instructed the committee to escort them to seats on the rostrum.

The President of the Senate:

"Members of the Senate and House, Ladies and Gentlemen:

"It is certainly a very welcome responsibility that the President has this morning in presenting two very charming and respected visitors. It is appropriate that at this time we first present the lovely and gracious Mrs. Warren G. Magnuson. (Applause.)

"Ladies and gentlemen and members of the Washington State Legislature, it was sometime during the mid-twenties that our respected visitor chose to ride the rods from the Middle West to the great Northwest and become a student at the University of Washington, where he successfully worked his way through that school and also served with considerable distinction as quarterback on the University of Washington Husky football team.

"There are many members that recall that Senator Magnuson was a member of this particular body at one time and occupied the seat presently held by the Honorable John L. O'Brien, representing the 37th District. His accomplishments are widely known to all, but to mention a few, it is safe to say that without the endeavors and the influence of our Senator we would not have the Bonneville Power Administration or the Hanford atomic plant. Senator Magnuson is also responsible for the \$9 million federal appropriation for the 1962 Seattle World's Fair—and incidentally, I could amend that remark to make that around \$12.5. He was also a primary sponsor and great help to the Boeing Plant in Seattle, the Puget Sound Naval Shipyards and Sand Point Naval Air Station. Incidentally, the Senator himself is a member of the United

States Navy, holding the rank of Lieutenant Commander in the Naval Reserve. Foremost in the minds of all of us was the evening in Seattle when our late beloved President John Fitzgerald Kennedy, in presenting Senator Magnuson, remarked 'What is his business? Oh, nothing important. Just the Grand Coulee Dam.' From this tremendous accomplishment, the entire Pacific Northwest has prospered.

"Now, it is Senator Magnuson's theory that if you have the votes you do not need the speech and if you need the speech you do not have the votes. As a veteran campaigner of a dozen elections, the Senator has always managed to have the votes. Those of us who have known the respected Senator for many years know that because of his dedicated efforts in behalf of the citizens of the state of Washington, he will always have the votes.

"Ladies and gentlemen, it is with pleasure and pride that I present United States Senator Warren G. Magnuson." (Applause.)

### Senator Magnuson:

"Members of the House and Senate, Ladies and Gentlemen:

"Of course I would be derelict to what I feel if I did not say that I consider this a great honor to be here with you today and to have the opportunity to talk with you. I have been back here since I was a member on other occasions but never under such auspicious circumstances. I deeply appreciate your invitation.

"I bring you greetings from the entire Washington delegation in the Congress of the United States. Many of them would of course have liked to have been here today too, but they are busy, as you are, and felt that they must stay back there and do the job that they were sent to do by the electorate.

"It is good, as I say, to talk with you. I do remember back thirty-two years ago when I sat down there in one of these seats as a young, concerned legislator. I remember it so vividly because it was a time in this state of depression. It was a time of unemployment, bank failures, problems and wants, and, yes, even rights, and I remember how concerned I was and some days how helpless I felt in my job to meet the needs of the time. People had demanded many things, and rightly so, and sometimes as a legislator it was difficult for me to evaluate what we could do in the legislative field to take care of those serious problems. We did take care of them to the best of our ability. And I suspect that thirty-two years later you folks here are faced also with the problems of the time—they don't change—and should I be fortunate enough to come back here thirty-two years hence, those members of the legislature will be faced with the same trying problems. I know that you can only do so much, but I do know that the concern of the legislators for the problems of the times is great and their contribution is great. And I must sadly say that these problems don't seem to change. They are ever present, and particularly ever present in a growing country and a growing state with many of the things that we are attempting to do to make this state and this country a better place in which to live.

"But we prevailed thirty-two years ago and you will prevail now and those who sit in this body here and across the hall will prevail thirty-two years from now too, and I think as an American it is a glorious feeling to know that legislative bodies such as yours exist. I know that you have your critics. I know that the going is sometimes tough and I suppose you feel the same sense of frustration occasionally that I felt at that time. I have been a legislator ever since. I have never lost that. I don't think you folks ever will either. But your worst critics would be the first to complain if we should change in any material way the legislative processes of what we call a democracy. They would be the first to shout the loudest. If there is a bulwark of democracy, if there is a bulwark that has kept America along the road of having the greatest government in the world, it is because legislative bodies exist and they exist in the fashion in which you meet here today, under the same rules, the same procedures. Oh, I know that people want to spout off at you. They want to criticize. They want to gossip. They want to air their views, and sometimes I suspect that you wonder if it is worth it. Sometimes you probably think that they think they own you body and soul. But they don't think that way. And I want to hasten to suggest to you that without you democracy wouldn't succeed and without them it wouldn't either. Sometimes people seem to think that this is a way in which they want to exercise their duties of citizenship, and this is true too. Some days I know that you feel you are kind of muddling along, but in the long run history will record what you do here for the state. In the long run, the legislative

processes as we know them have been labeled by all historians as good, good for the people.

"So I join with you as a sort of fellow soldier. I have been in legislative bodies, as I said, most of my adult life and our problems in the Congress are just the same as yours here. The results are the same. The growing needs of the people are the same, but probably there is more of a partnership now than there was thirty-two years ago when I first came down here, and I want to talk a little bit, if I may encroach upon your busy time, about that partnership, what it means to the state, what it means to you, what it means to the country, and what it means to the future of Americans.

"We share, of course, common problems, but the most difficult problem we face today is that of fiscal policy, of government spending and taxation. It is just as difficult to talk about the federal budget as it is to have an intelligent, unheated discussion of the state budget. There is a peculiar language in its terms and all of the money is not necessarily in the same pot where you can actually control it, any more than we can control the total federal budget. There are fixed charges that must be met, bi-partisan programs over which no one argues and which everyone supports; there are trust funds over which little or no legislative control can be exercised.

"The federal administration budget runs today \$100 billion, but members of Congress have control actually of about 22 percent of it, because the bulk is for the federal responsibility—defense, veterans' administration, and interest on a debt which is primarily a war debt. And although increases in the federal budget are significant, the real growth of government spending has taken place at the level of some 90,000 state and local units of government. In the past three years we have seen the high cost item, the defense item, level off a little, but the needs of the local communities, the states, the cities, the counties, of course increase, and last year the total revenue allotted to state and local government was about 15 percent, and this doesn't include many programs in research.

"But we have common problems. The highway program: in twelve years, you will have spent in this state \$567 million under the federal highway program. It is actually a state program. It isn't federal; we are merely tax collectors for you. Last year \$57 million was taken out of the state; \$71 million was put back in, or a plus of \$14 million, in the fields of education, in the field of impact areas, in the field of social security, fisheries, all of these things in which we have common problems, and these are just some of the specifics of the federal-state fiscal program. Federal spending has leveled out in our greatest and most important cost area, defense and payment for past wars, and if we can maintain the relative peace of today and our economy remains on the high plane, then federal revenues will continue to rise faster than our actual federal needs, so additional revenue will be available for general government needs, for investment in human resources, in development and conservation of our natural resources and the making of our nation a better place to live. This could be true on the federal level because our federal tax structure is geared to produce more as the gross national product rises.

"Now, what is the pattern of your state and local government where you have many of these pressing needs, much more pressing and much more timely than even some of the federal needs? They grow faster and the cost of current programs races far ahead of your revenue gains, and your committees in the legislature and your county and local budget officials know these problems better than anyone else. Your urbanization, the increased cost of services in metropolitan areas, increasing percentages of both young and old people, and tremendous increases and demands in education, public institutions for the mentally ill, the retarded, the juvenile criminal, assistance in the needs of the crippled and the blind, and all of these problems which of course are not new, seem to loom larger in any state legislative body. And we share these problems. We can't ignore or forget them.

"What is the answer? You have some answers already. You have taken care at the state level of many of these problems in the field of education, the field of better pay for teachers, in the field of social security, in the field of natural resources. But they still remain the same. They are still here in a growing community. And so I say we have got to start to decide together what we are going to do with increased revenue and new potential at the federal level, and here is what we must decide. Do we increase or expand tax cuts with no regard to the ultimate utilization of financial resources? Do we increase and expand federal grants-in-aid to state and local government? Do we in some way free federal revenue sources so that state and local



governments can pick up the slack? Or do we make some form of outright gift or rebate to the state with no strings? These are the alternatives and it is here that we are going to face in the future our common problems. Grants-in-aid should be of course without control or strings, and there is no one at the federal level but would enjoy the release of any semblance of control in the aid or in these common programs to the local level.

"So I suggest to you that we do have these common problems. They are going to persist in the field of natural resources and education and many of the things that are going to plague you here until you finally recess. If I had any suggestion to make to the legislature, I would suggest and I would greatly appreciate—I speak for all members of Congress that represent this great state—one of your interim committees delving into this business, not only to study the entire scope of federal-state-local fiscal relationship but to establish itself as a legislative oversight committee inquiring into the current problems in which there is federal participation and to tell us through yourselves and through the people where these programs are faltering, where they are good, where there is needed more cooperation, where maybe there is needed more grants or less grants, and where in some cases a program may be cut out entirely. And I think that is the only way that legislative bodies can face the future, because the common problems grow greater, the situation in many of these things has reached sometimes a place where there aren't particularly state boundaries, and I think that we need a lot of advice and a lot of counsel from the local bodies themselves as to how federal programs are working, if they are working at all. We expect that advice; it will be helpful to us; it will be helpful to the future of this state and will be helpful to the welfare of these entire United States.

"Thank you so much for listening." (Applause.)

Following Senator Magnuson's address there was a question and answer period during which he answered questions propounded by members of the legislature.

The President of the Senate:

"Senator and Mrs. Magnuson, it has been a real honor and a delightful pleasure to have you with us today. We have been most impressed by your importance but even more by your friendliness, your sincerity and your generous spirit of cooperation. Your remarks have been most informative and inspirational. We certainly want to extend to you our warmest, deepest appreciation for coming to spend the afternoon with us."

The President of the Senate instructed the special committee to escort Senator and Mrs. Magnuson from the rostrum to the State Reception Room.

#### MOTION

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

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

The Speaker instructed the Sergeants at Arms of the House and the Senate to conduct President of the Senate Cherberg and the members of the Senate back to the Senate Chamber.

Vice President Pro Tempore Cowen called the Senate to order at 1:00 p. m.

#### MOTION

At 1:00 p. m., on motion of Senator Greive, the Senate recessed until 2:00 p. m.

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**AFTERNOON SESSION**

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

The Secretary called the roll and announced to the President Pro Tempore that all Senators were present except Senators Dore, Durkan and Morgan, who were excused.

**SECOND READING OF BILLS**

**Senate Concurrent Resolution No. 10**, by Senators Herrmann, Bailey, Greive, Mardesich, Redmon, Woodall and Thompson, Jr.:

Creating an interim committee on insurance and setting out its powers and duties.

On motion of Senator Greive, Senate Concurrent Resolution No. 10 was ordered to retain its place on the second reading calendar for today immediately following Senate Bill No. 125.

**Senate Bill No. 181**, by Senators Kupka, Washington and Raugust:

Clarifying financing procedures for off-street parking in cities and towns.

The Senate resumed consideration of Senate Bill No. 181 on second reading and the following amendment by Senator England:

On page 3, line 14, add a new section as follows:

"Sec. 4. Section 3, chapter 302, Laws of 1959 as last amended by section 3, chapter 186, Laws of 1961 and RCW 35.86.030 are each amended to read as follows: Such cities are authorized to obtain by lease, purchase, donation and/or gift, or by eminent domain in the manner provided by law for the exercise of this power by cities, such real property for off-street parking as the legislative bodies thereof determine to be necessary by ordinance [.]; *Provided, That such cities shall not be authorized to obtain existing parking facilities by eminent domain proceedings.* Such property or any fraction or fractions thereof may be sold, transferred, exchanged, leased, or otherwise disposed of by the city when its legislative body has determined by ordinance such property or fraction or fractions thereof is no longer necessary for off-street parking purposes."

Senators Greive, Talley, Donohue, Rasmussen and Charette, demanded a Call of the Senate.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senators Dore, Durkan and Morgan who were excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

Debate ensued.

The motion was carried and the amendment by Senator England was adopted.

On motion of Senator England, the following amendment was adopted:

In line 3 of the title after ".020" insert " , and amending section 3, chapter 302, Laws of 1959 as last amended by section 3, chapter 186, Laws of 1961 and RCW 35.86.030".

On motion of Senator England, the rules were suspended, Engrossed Senate Bill No. 181 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 181, and the bill passed the Senate by the following vote: Yeas, 44; nays, 3; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gissberg, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—44.

Those voting nay were: Senators Gallagher, Greive, Thompson, Jr.—3.

Excused: Senators Durkan, Morgan—2.

Engrossed Senate Bill No. 181, having received the constitutional 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. 253**, by Senators Hanna and Williams:

Authorizing the formation of medical professional corporations.

## REPORT OF STANDING COMMITTEE

**Senate Bill No. 253:**

Senate Chamber,

Olympia, Wash., February 10, 1965.

Authorizing the formation of medical professional corporations (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 3, line 16, after the period following "3" strike "One" and insert "Three"

On page 1, section 3, lines 18 and 19, after "amended" on line 18 and before "professional" on line 19, strike "to render" and insert "for the sole purpose of rendering"

On page 1, section 3, line 22, strike the period and insert " : *Provided Further*, That all of the shareholders, officers, directors and RCW 18.71 medical employees of such corporation file statements that they do not own any interest, direct or indirect, in any pharmacy or drugstore doing business within the state."

On page 2, section 6, line 16 after the comma and before "and if" insert "and that none of them own any interest, direct or indirect, in any pharmacy or drugstore doing business within the state,"

On page 3, section 11, line 8, after the semicolon and before "(4)" strike "or"

On page 3, section 11, line 10 after "department" and before the period insert " ; or (5) if any shareholder, officer or RCW 18.71 licensed employee owns any interest, direct or indirect, in any pharmacy or drugstore doing business within the state".

DAVID E. McMILLAN, *Chairman*.

We concur in this report: John L. Cooney, David C. Cowen, R. R. Bob Greive, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator Thompson, Jr., the committee amendments were adopted.

It was moved by Senator Petrich that the following amendment be adopted:

On page 4, line 22, add a new section as follows:

"*NEW SECTION*. Section 19. This act shall not take effect until the corporations provided for herein are recognized and treated as corporations for tax purposes by the Internal Revenue Code and Regulations adopted thereto."

Debate ensued.

The motion was carried on a rising vote and the amendment was adopted.

It was moved by Senator Petrich that the following amendment be adopted:

On page 3, section 15, line 33, after "service" strike the remainder of the section down to line 1 on page 4 and insert the following: ". Each officer, shareholder and employee of the corporation authorized herein shall, together with the corporation, be jointly and severally liable for any act or omission of each and every officer, shareholder and employee of the corporation performed in the course of his or her employment."

Debate ensued.

It was moved by Senator Freise that Senate Bill No. 253 be referred to the Judiciary Committee with instructions that the committee report back to the Senate prior to the Senate convening on Monday, March 8, 1965.

Debate ensued.

It was moved by Senator Greive that the motion by Senator Freise be laid upon the table.

Senator Dore demanded a roll call and the demand was sustained by Senators Petrich, Freise, Greive, McMillan, Lewis, Knoblauch, Kupka, Bailey and Connor.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Greive was carried by the following vote: Yeas, 36; nays, 11; excused, 2.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, England, Foley, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Rile, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams—36.

Those voting nay were: Senators Atwood, Dore, Freise, Lennart, McCutcheon, Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Woodall—11.

Excused: Senators Durkan, Morgan—2.

It was moved by Senator Woodall that further consideration of Senate Bill No. 253 be deferred until after consideration of the third reading calendar for today.

Debate ensued.

The motion was carried.

President Pro Tempore Gissberg declared the Senate to be at ease.

President Pro Tempore Gissberg called the Senate to order at 3:15 p. m.

**Senate Bill No. 125**, by Senators Charette, Bailey and Lennart:  
Pertaining to extrahazardous employment.

#### PARLIAMENTARY INQUIRY

Senator Moriarty, Jr.:

"Mr. President, point of parliamentary inquiry:

"There is some confusion in the minds of some of the members as to the status of Rule 28. Am I correct that a suspension of the rules requires a two-thirds vote of the members present?"

President Pro Tempore Gissberg:

"Senator Greive, I think, will clarify that."

Senator Greive:

"Mr. President:

"Rule 61, if you look at it, for the purpose of advancing, after the forty-ninth day, takes care of this."

Senator Moriarty, Jr.:

"This is the reason, of course, why I raised the question. I do not read Rule 61 the same way Senator Greive reads Rule 61. He refers to Rule 61 which states: 'Every bill shall be read on three separate days unless the senate deems it expedient to suspend this rule: Provided, however, that after the forty-ninth day this rule may be suspended by a majority vote,' the motion to suspend the rules is not a reading of the bill and this is why I raise the point at this juncture."

Senator Greive:

"The rule we are speaking of now is the advancing from first, second and third reading and the way you define the three readings in the rules is by a reading on three separate days, so that's precisely what we do by majority vote. We can advance it by majority vote after the forty-ninth day."

Senator Thompson, Jr.:

"Mr. President:

"In reading Rule 61, as I read it, it says: 'The bill with the amendments, if there be any attached thereto, shall be sent to the committee on engrossed and enrolled bills, which committee shall see that all amendments are properly engrossed upon the original bill, and the bill returned to the secretary before the opening of the Senate on the next succeeding day.'

"We are not talking about suspending the reading of a bill. We are talking about a change in the rule which would bypass the committee on engrossed and enrolled bills. That, in my opinion, would require a suspension of the rules."

#### RULING BY THE PRESIDENT

President Pro Tempore Gissberg:

"The question of parliamentary inquiry has been raised by Senator Moriarty concerning Rule 61, as to whether or not it takes a majority or two-thirds vote to advance a bill to third reading. The President believes that that part of the rule which states: 'Provided, however, that after the forty-ninth day of every regular session this rule may be suspended by a majority vote,' applies to all of the provisions of Rule 61, and not only the first phrase of Rule 61. Therefore, the answer to your point of parliamentary inquiry is that it can be suspended and advanced by a majority vote."

Senator Moriarty, Jr.:

"Mr. President:

"I merely wanted the record to note my congratulations on the mental gymnastics."

President Pro Tempore Gissberg:

"Thank you, Senator Moriarty."

The bill was read the second time by sections.

It was moved by Senator Thompson, Jr., that the following amendment be adopted:

On page 3, line 28, add a new section to be known as section 3 as follows:

"**NEW SECTION.** Sec. 3. Employers of retail clerks obligated to finance benefits under this title may elect to purchase coverage from the state under the provisions of Title 51 RCW, or alternatively, to purchase coverage from insurance companies qualified to and doing business in the state writing such coverage so long as the policies provide equivalent or better benefits."

Debate ensued.

It was moved by Senator Charette that the amendment be laid upon the table.

Senator Charette demanded a roll call and the demand was sustained by Senators Greive, Bailey, Connor, Gallagher, Herrmann, Hallauer, Lewis and Cooney.

The President resumed the Chair.

#### ROLL CALL

The Secretary called the roll and the motion was carried by the following vote: Yeas, 29; nays, 18; excused, 2.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Sandison, Talley, Washington—29.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams, Woodall—18.

Excused: Senators Durkan, Morgan—2.

#### POINT OF INQUIRY

Senator Riley:

"Would Senator Thompson yield to a question?"

Senator Thompson, Jr.:

"Yes."

Senator Riley:

"Senator Thompson, to refresh my memory and make sure I understand what your amendment was to do, does your amendment give the employer, the opportunity to go under a private carrier; to take the state coverage, and any other alternatives?"

Senator Thompson, Jr.:

"Senator Riley:

"My amendment would allow an employer to elect to purchase coverage from the state under Title 51 RCW, or alternately, to provide coverage from an insurance company qualified to do business in the state that would provide coverage to an employee equivalent or better than he could get from the state under Title 51."

It was moved by Senator Thompson, Jr., that the following amendment be adopted:

On page 2, section 1, line 9, after "*merchandise*," insert "operation of power driven farm implements and equipment not requiring licensing for over the road use".

Debate ensued.

On motion of Senator Gallagher, the amendment was laid upon the table.

It was moved by Senator Thompson, Jr., that the following amendment be adopted:

On page 2, section 2, line 19, after "Using" insert "do it yourself" and after "grinders in" insert "retail stores or".

There being no objection, Senator Thompson, Jr., was permitted to withdraw the amendment.

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

On page 1, section 1, line 17, after "breweries," insert "*distilleries, wineries*,".

It was moved by Senator Woodall that the following amendment be adopted:

On page 1, section 1, line 25, after "storage;" add "all members of the Washington State Legislature".

Debate ensued.

There being no objection, Senator Woodall was permitted to withdraw the amendment.

It was moved by Senator Bailey that the following amendment be adopted:

On page 2, section 1, line 7, after "employing" strike "one" and insert "six".

**POINT OF INQUIRY**

Senator Thompson, Jr.:

"Mr. President, would Senator Bailey yield to a question?"

Senator Bailey:

"Yes."

Senator Thompson, Jr.:

"Senator Bailey, how would you define six employees? Do you mean six employees working a normal work week of forty hours? Are you talking about two hundred man hours in an establishment, or do you mean something else? What concerns me is if you had four full time employees and three delivery boys, would you have seven employees, or if they were part time, would you in reality have only five and a half employees?"

Senator Bailey:

"Senator, I would judge the department would probably have the formula figured out on this. I would say if you were concerned with a night shift and a day shift, three on each shift, it would be my opinion you had six employees. If they were part time employees, I would have to find out from the department what they would be considered. I am inclined to think if the part time were in just as hazardous work as the full time employees, they would be considered full time employees. You would pay on the basis of the amount earned, so this wouldn't really make a great deal of difference."

Senator Thompson, Jr.:

"May I ask another question, Senator?"

"If I understand your answer correctly, six employees would be six total employees, whether they were full time or part time? That's the way you intend the amendment?"

Senator Bailey:

"That, Senator, would hinge upon what the department has done in ruling in other cases. I don't know their formula. I would say six full or part time employees if they are regular employees."

Senator Thompson, Jr.:

"I'm not arguing with you. I want to know which way you intended the amendment. If you intended it to be full time employees, then perhaps the amendment should be rewritten. If you intended it to be full or part time employees, then I think the amendment should go the way it stands. It doesn't make any difference to me except I would like to know the purport of the amendment."

Debate ensued.

The motion was carried and the amendment was adopted.

It was moved by Senator Lewis that the following amendment be adopted:

Add the following on page 2 after Sec. 2:

"**NEW SECTION.** Sec. 3. There is added to chapter 23, Laws of 1961 and to Title 51 RCW two sections to read as follows:

"**NEW SECTION.** Sec. 4. An employer may elect to directly assume the responsibility for providing benefits and compensation due his injured workmen and their beneficiaries upon application to the director of labor and industries, after a determination by the insurance commissioner that the employer is qualified as a direct responsibility employer. An employer may qualify as a direct responsibility employer by establishing with the commissioner that such employer has sufficient financial ability to be

able to make certain the prompt payment of all benefits and compensation and to be able to pay all assessments which may become due from such employer. The insurance commissioner shall establish and promulgate rules, after hearing in accordance with Title 34 RCW, for the granting or denying of an application from an employer to become qualified as a direct responsibility employer. The commissioner shall also require the depositing in a depository of money, securities or bond in an amount reasonably sufficient to insure payment of benefits, compensation and assessments, but not less than the employer's normal expected annual claim liabilities, and in no event, less than \$100,000. In case of default on the part of a direct responsibility employer in payment of benefits, compensation or assessments, the director shall, on notice to the employer, use money or securities, sell securities or institute legal proceedings on surety bonds deposited or filed with the commissioner to the extent necessary to make such payments and such employer thereafter shall be prohibited from any election to directly assume the responsibility for providing such benefits for a period of ten years.

The director of labor and industries shall establish and promulgate rules governing an application by an employer electing to directly assume the responsibility for providing benefits and compensation to his injured workmen and their beneficiaries. A direct responsibility employer shall not pay the premiums required of other subject employers, but shall pay assessments as shall be established by the director in an amount sufficient to pay for the support of the board of industrial insurance appeals, for the support of the safety division of the department, and for the payment of such expenses of administration of the division of industrial insurance as are reasonably allocable to all employers. Such rules shall also provide the manner and means for handling of claims of such workmen and their beneficiaries resulting from injuries while in the employment of direct responsibility employers. No direct responsibility employer shall ever be relieved from full and primary responsibility for claims administration and the payment of benefits, compensation and assessments.

"NEW SECTION. Sec. 5. Any employer electing to become a direct responsibility employer shall not be relieved from any liability for contributions into the accident fund and medical aid fund arising from any obligation for treatment of injured workmen and payment to such workmen of their beneficiaries because of any accident or occupational disease which occurred prior to the election. If there should be a deficit in any existing class or subclass because of such obligation the director shall assess the same against all those who were contributors to such class or subclass during the period in which the deficit was incurred or created, including a direct responsibility employer."

Debate ensued.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Guess, Atwood, Peterson (Ted), Sandison, Greive, Bailey, Herrmann, Gallagher and Kupka.

#### ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Lewis and the amendment was not adopted by the following vote: Yeas, 17; nays, 30; excused, 2.

Those voting yea were: Senators Atwood, Chytil, Cowen, England, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Thompson, Jr., Williams, Woodall—17.

Those voting nay were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Stender, Talley, Washington—30.

Excused: Senators Durkan, Morgan—2.

It was moved by Senator Woodall that the following amendment be adopted:

On page 2, section 2, line 20, after "stores;" insert "selling fruit, produce and other agricultural products at roadside stands;"



Debate ensued.

The motion was lost and the amendment was not adopted.

It was moved by Senator Thompson, Jr., that the following amendment be adopted:

On page 1, section 1, line 24, after "refrigerator;" insert "clerical, secretarial and stenographic office employees and business machine operators".

Debate ensued.

It was moved by Senator Gallagher that the amendment be laid upon the table.

Senator Thompson, Jr., demanded a roll call and the demand was sustained by Senators Lewis, Redmon, Atwood, Guess, Moriarty, Jr., Bailey, Greive, Charette and Connor.

#### ROLL CALL

The Secretary called the roll and the motion was carried by the following vote: Yeas, 36; nays, 11; excused, 2.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Riley, Ryder, Sandison, Stender, Talley, Williams, Woodall—36.

Those voting nay were: Senators Atwood, Chytil, Cowen, Guess, Lewis, Mardesich, Moriarty, Jr., Petrich, Redmon, Thompson, Jr., Washington—11.

Excused: Senators Durkan, Morgan—2.

On motion of Senator Charette, the rules were suspended, Engrossed Senate Bill No. 125 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage:

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 125 and the bill passed the Senate by the following vote: Yeas, 32; nays, 15; excused, 2.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Dore, England, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Riley, Sandison, Stender, Talley, Washington—32.

Those voting nay were: Senators Atwood, Chytil, Cowen, Donohue, Freise, Guess, Lewis, Moriarty, Jr., Neill, Raugust, Redmon, Ryder, Thompson, Jr., Williams, Woodall—15.

Excused: Senators Durkan, Morgan—2.

Engrossed Senate Bill No. 125, having received the constitutional majority, was declared passed.

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

**Senate Concurrent Resolution No. 10**, by Senators Herrmann, Bailey, Greive, Mardesich, Redmon, Woodall and Thompson, Jr.:

Creating an interim committee on insurance and setting out its powers and duties.

The resolution was read the second time in full.

It was moved by Senator Riley that the following amendment be adopted:

On page 1, line 3, after "faith" strike ", an abstinence from deception, the practice of honesty."

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Woodall, the Senate dispensed with the Call of the Senate.

#### POINT OF INQUIRY

Senator Ryder:

"Mr. President, would Senator Herrmann yield to a question?

"Senator Herrmann, in reading this concurrent resolution, I would be given to understand that you feel there is something wrong with the insurance business in this state. Is there some particular thing that you are thinking about in this resolution? Is there some reason for it?"

Senator Herrmann:

"Yes, I think so, Senator, especially in regard to these mail order and fly-by-night health-accident-hospital policies. I think that many of their sales are tantamount to fraud. I think insurance being the broad and general field that it is, there are many other phases of the operation that could very well stand a study with a view of improving practices and serving the public interest."

Senator Ryder:

"Senator, in promulgating this, were you aware that there had been a study made just a few years ago by a committee which was chairmanned, I believe, by the now Speaker of the House, Mr. Schaefer, and that quite an extensive study was carried on by one of the professors at the University of Washington very recently of the insurance business? I don't have the reports at hand, but I understand that they were made and were quite comprehensive."

Senator Herrmann:

"I am aware of that, Senator, but we must realize that insurance is not a static industry. It is very dynamic. It is reaching out to all fields of our economy and all fields of our relations, and I don't think that because there has been a good job done in the past in looking into these matters that it has been so complete and thorough that they have provided for the future. I would say that at the present time, inasmuch as many conditions have changed, there is a need for an interim study on the situation. I'm not attempting to say that there is any great, flagrant fraud on the part of the major companies or anything of that sort. I don't mean to infer that. But I do feel that for the public interest, there is a tremendous need to look over the entire scope of the insurance field."

Senators Greive, Connor and Charette demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present, except Senators Cowen, Durkan and Morgan, who were excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

It was moved by Senator England that the following amendment be adopted:

On page 1, line 25, after "within" strike "or without".

Debate ensued.

The motion was carried and the amendment was adopted.

It was moved by Senator Herrmann that the rules be suspended, Engrossed

Senate Concurrent Resolution No. 10 advanced to third reading, the second reading considered the third, and the resolution placed on final passage.

The motion was lost.

It was moved by Senator Hallauer that Engrossed Senate Concurrent Resolution No. 10 be referred to the Committee on Ways and Means.

Debate ensued.

With the consent of the Senate, the motion was withdrawn.

Further debate ensued.

It was moved by Senator Neill that Engrossed Senate Concurrent Resolution No. 10 be referred to the Committee on Ways and Means.

Further debate ensued.

Senator Herrmann demanded a roll call and the demand was sustained by Senators Kupka, Connor, Rasmussen, Stender, Dore, Guess, Freise and Donohue.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Neill to refer Engrossed Senate Concurrent Resolution No. 10 to Committee on Ways and Means was carried by the following vote: Yeas, 25; nays, 21; excused, 3.

Those voting yea were: Senators Atwood, Chytil, Dore, England, Freise, Gissberg, Guess, Hallauer, Keefe, Lennart, Lewis, McCormack, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Thompson, Jr., Washington, Williams—25.

Those voting nay were: Senators Bailey, Charette, Connor, Cooney, Donohue, Foley, Gallagher, Greive, Hanna, Henry, Herr, Herrmann, Knoblauch, Kupka, McCutcheon, McMillan, Mardesich, Peterson (Lowell), Stender, Talley, Woodall—21.

Excused: Senators Cowen, Durkan, Morgan—3.

#### MOTIONS

On motion of Senator Greive, Senate Bill No. 309 was ordered to retain its place on the second reading calendar for tomorrow.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

On motion of Senator Greive, the Senate returned to the first order of business.

The Secretary read:

#### SENATE RESOLUTION

No. 1965 - 32

By Senators Rasmussen, Hallauer, Lennart, Bailey, Greive, Riley and Gissberg:

TO THE HONORABLE LYNDON B. JOHNSON, PRESIDENT OF THE UNITED STATES, TO THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES, IN CONGRESS ASSEMBLED:

We, Your Memorialists, the members of the Senate of the state of Washington, in legislative session assembled, respectfully represent and petition as follows:

WHEREAS, Within recent months, such nationally known figures as Edward R. Murrow, John Wayne, Freddie Hutchinson and Nat "King" Cole, have received operations for lung cancer, bringing to the attention of the people of the country, and particularly to our youth, the dangers inherent in the use of cigarettes; and

WHEREAS, Senator Magnuson has proposed that a bill be introduced in the Congress of the United States requiring that cigarettes be labeled as hazardous to health.

*Now, Therefore, Be It Resolved*, That your Memorialists applaud the position taken by Senator Magnuson, and urge the members of Congress, and particularly the members of the Congressional delegation from the state of Washington to give full support to such a bill, or to any other bill of like purport or intent that may be introduced in the Congress.

*Be It Further Resolved*, That the Secretary of the Senate transmit copies of this resolution to the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate and Speaker of the House of Representatives of the United States, and to each Senator and Representative from the state of Washington.

On motion of Senator Rasmussen, the resolution was adopted.

There being no objection, the Senate advanced to the second order of business.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### Senate Bill No. 116:

Senate Chamber,  
Olympia, Wash., March 6, 1965.

Changing the method of appraisalment for decedents' estates (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Fred H. Dore, Jack England, Frank W. Foley, Herbert H. Freise, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 119:

Senate Chamber,  
Olympia, Wash., March 6, 1965.

Relating to condominiums (reported by Judiciary Committee):

MAJORITY recommends that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Jack England, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 248:

Senate Chamber,  
Olympia, Wash., March 6, 1965.

Increasing compensation for public utility district commissioners (reported by Committee on Public Utilities):

MAJORITY recommends that it do pass.

AUGUST P. MARDESICH, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, John L. Cooney, H. B. Hanna, Karl Herrmann, James Keefe, Mike McCormack, A. L. Rasmussen, Edward F. Riley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 277:

Senate Chamber,  
Olympia, Wash., March 6, 1965.

Providing for state trade fairs and the support thereof (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass as amended.

FRANK W. FOLEY, *Chairman*.

FRED H. DORE, *Chairman*,

Committee on Appropriations.

....., *Chairman*,

Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Frank Connor, Dewey C. Donohue, Jack England, R. R. Bob Greive, Mike McCormack, David E. McMillan, August P. Mardesich, Charles P. Moriarity, Jr., John A. Petrich, A. L. Rasmussen, Edward F. Riley, Gordon Sandison, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 331:**

Senate Chamber,  
Olympia, Wash., March 6, 1965.

Establishing state scholarship program (reported by Committee on Higher Education and Libraries):

MAJORITY recommends that it do pass and be referred to Committee on Ways and Means.  
GORDON SANDISON, *Chairman*.

We concur in this report: R. Frank Atwood, Frank W. Foley, Karl Herrmann, Harry B. Lewis, Don L. Talley, Nat Washington.

On motion of Senator Greive, the committee report was adopted and Senate Bill No. 331 was referred to the Committee on Ways and Means.

**Senate Bill No. 332:**

Senate Chamber,  
Olympia, Wash., March 6, 1965.

Providing for the transfer or continuation of certain common carrier, contract carrier, or temporary carrier permits (reported by Committee on Public Utilities):

Recommends that it do pass.  
AUGUST P. MARDESICH, *Chairman*.

We concur in this report: Robert C. Bailey, Robert L. Charette, Joe Chytil, John L. Cooney, David C. Cowen, H. B. Hanna, Karl Herrmann, James Keefe, Harry B. Lewis, Mike McCormack, A. L. Rasmussen, Edward F. Riley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 346:**

Senate Chamber,  
Olympia, Wash., March 6, 1965.

Defining procedures for electrical construction (reported by Committee on Public Utilities):

MAJORITY recommends that it do pass.  
AUGUST P. MARDESICH, *Chairman*.

We concur in this report: Robert C. Bailey, Robert L. Charette, John L. Cooney, David C. Cowen, H. B. Hanna, Karl Herrmann, James Keefe, Harry B. Lewis, A. L. Rasmussen, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 382:**

Senate Chamber,  
Olympia, Wash., March 6, 1965.

Enabling merger of sewer districts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.  
DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Sam C. Guess, Al Henry, George W. Kupka, Lowell Peterson, Ted G. Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 383:**

Senate Chamber,  
Olympia, Wash., March 6, 1965.

Enabling consolidation of sewer district (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.  
DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil,

Frank Connor, Dewey C. Donohue, Sam C. Guess, Al Henry, George W. Kupka, Lowell Peterson, Ted G. Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 384:**

Senate Chamber,  
Olympia, Wash., March 6, 1965.

Simplifying mergers and consolidations of water districts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Sam C. Guess, Al Henry, George W. Kupka, Lowell Peterson, Ted G. Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 404:**

Senate Chamber,  
Olympia, Wash., March 6, 1965.

Authorizing the board of regents of Washington State University to establish an applied electrical research experiment station (reported by Committee on Higher Education and Libraries):

MAJORITY recommends that it do pass. GORDON SANDISON, *Chairman*.

We concur in this report: R. Frank Atwood, Frank W. Foley, Wilbur G. Hallauer, Harry B. Lewis, Mike McCormack, Marshall A. Neill, John N. Ryder, Don L. Talley, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 429:**

Senate Chamber,  
Olympia, Wash., March 6, 1965.

Prohibiting formation of a new sewer district in area of existing district without consent of latter or unless latter refuses service (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Sam C. Guess, Al Henry, George W. Kupka, Lowell Peterson, Ted G. Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 430:**

Senate Chamber,  
Olympia, Wash., March 6, 1965.

Prohibiting a new water district within three miles of existing water district without consent of latter or unless latter refuses service (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Sam C. Guess, Al Henry, George W. Kupka, Lowell Peterson, Ted G. Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 456:**

Senate Chamber,  
Olympia, Wash., March 6, 1965.

Authorizing reasonable attorney's fee when unemployment compensation appellant awarded benefits (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Jack England, George W. Kupka, John T. McCutcheon, August P. Mardesich, Edward F. Riley, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 485:**

Senate Chamber,

Olympia, Wash., March 6, 1965.

Changing law relating to child welfare agencies under public assistance (reported by Committee on Labor and Social Security):

MAJORITY recommends that Substitute Senate Bill No. 485 be substituted therefor, and that the Substitute Bill do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Jack England, Sam C. Guess, George W. Kupka, John T. McCutcheon, August P. Mardesich, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 505:**

Senate Chamber,

Olympia, Wash., March 5, 1965.

Disqualifying certain persons from receiving unemployment compensation benefits (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, George W. Kupka, John T. McCutcheon, August P. Mardesich, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 74:**

Senate Chamber,

Olympia, Wash., March 6, 1965.

Acquiring of Wallace River property for state parks purposes (reported by Committee on Parks, Capitol Grounds and Public Buildings):

Recommends that it do pass.

GORDON HERR, *Chairman*.

We concur in this report: Jack England, Wilbur G. Hallauer, H. B. Hanna, Lowell Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 366:**

Senate Chamber,

Olympia, Wash., March 6, 1965.

Creating a state council on aging and an interdepartmental committee on aging (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Jack England, Sam C. Guess, George W. Kupka, August P. Mardesich, Edward F. Riley, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 409:**

Senate Chamber,

Olympia, Wash., March 6, 1965.

Giving the adjutant general and assistant adjutants general pay parallel to major and brigadier generals in United States services (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass.

AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, George W. Kupka, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 491:**

Senate Chamber,

Olympia, Wash., March 6, 1965.

Authorizing acquisition of Shi Shi beach for county park purposes (reported by Committee on Parks, Capitol Grounds and Public Buildings):

Recommends that it do pass.

GORDON HERR, *Chairman*.

We concur in this report: Jack England, Wilbur G. Hallauer, H. B. Hanna, Lowell Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

#### MOTION

At 5:10 p. m., on motion of Senator Greive, the Senate adjourned until 7:00 p. m., Sunday, March 7, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## FIFTY-SIXTH DAY

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### EVENING SESSION

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#### SENATE CHAMBER,

OLYMPIA, WASH., Sunday, March 7, 1965.

The Senate was called to order at 7:00 p. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Robert Fitch, Color Bearer, and Rosemary Lundstrom, presented the Colors.

Reverend Dave Carlson, pastor of the Assembly of God Church of Olympia, offered prayer as follows:

"Almighty God, we love to look up to the place where Thine honor dwelleth. 'The heavens declare the glory of God and the firmament showeth His handiwork. Day unto day uttereth speech, and night unto night showeth knowledge.' Forgive us, that so often, having eyes we see not, and having ears we hear not, and our hearts do not understand. Deal with us in patience, O Lord, and bring our hearts into a place of faith where we shall have proper answer to Thee when asked—'Shall not the judge of the whole earth do right?' We bow before Thy throne this day in prayer.

"We pray, bless our land; our national leaders, our state leaders and our community officials. Endue them with moral and spritual qualities that shall fulfill the hopes and aspirations of our founding fathers in perpetuating the work so nobly begun. We do not ask Thee to just bless our efforts; but we ask that we may be led in the paths of Thy choice for us, and in serving our fellow man, we find ourselves serving Thee.

"For the needs of this session, give us illumination on items in question, wisdom to choose total good, and courage to ever stand for right.

"For Thine is the kingdom, and the power, and the glory, forever. Amen."

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



The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., March 6, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 125; also

Senate Bill No. 181, have inspected same and find them correctly engrossed.  
....., *Chairman*.

We concur in this report: Martin J. Durkan, R. R. (Bob) Greive, Marshall A. Neill.

**Senate Bill No. 313:**

Senate Chamber,  
Olympia, Wash., March 5, 1965.

Regulating collection agencies (reported by Committee on Commerce, Manufacturing and Licenses):

MAJORITY recommends that it do pass as amended. GEORGE W. KUPKA, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, Fred H. Dore, Jack England, R. R. Bob Greive, James Keefe, Reuben A. Knoblauch, Harry B. Lewis, August P. Mardesich, Ted G. Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 455:**

Senate Chamber,  
Olympia, Wash., March 6, 1965.

Requiring emergency lighting systems in certain buildings (reported by Committee on Commerce, Manufacturing and Licenses):

MAJORITY recommends that it do pass. GEORGE W. KUPKA, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, Jack England, Michael J. Gallagher, R. R. Bob Greive, James Keefe, Reuben A. Knoblauch, August P. Mardesich, Ted G. Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 184:**

Senate Chamber,  
Olympia, Wash., March 6, 1965.

Requiring the state patrol to protect the governor and his family (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass as amended. AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, George W. Kupka, John T. McCutcheon, Charles P. Moriarty, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 6, 1965.

MR. PRESIDENT:

The House has passed Engrossed Substitute House Bill No. 104; also House Bill No. 148; also Engrossed House Bill No. 307; also Engrossed House Bill No. 364; also House Bill No. 514, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 6, 1965.

MR. PRESIDENT:

The House has adopted Senate Concurrent Resolution No. 11, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

## INTRODUCTION AND FIRST READING OF RESOLUTION

**Senate Concurrent Resolution No. 12**, by Senators Greive, Hanna and McCormack:

Creating a legislative oversight committee.

On motion of Senator Greive, the rules were suspended, Senate Concurrent Resolution No. 12 was advanced to second reading and read the second time in full.

On motion of Senator Greive, Senate Concurrent Resolution No. 12 was ordered to retain its place at the end of the second reading calendar for today.

## FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**Engrossed Substitute House Bill No. 104**, by Committee on Higher Education:

An Act relating to community colleges; providing for the management thereof by community college districts; and amending section 10, chapter 2, Laws of 1963, extraordinary session, and RCW 28.84.215.

Referred to Committee on Education.

**House Bill No. 148**, by Representatives Conner and Johnston (Elmer E.):

An Act relating to the leasing of state lands; amending section 62, chapter 255, Laws of 1927 and RCW 79.01.248; amending section 63, chapter 255, Laws of 1927 and RCW 79.01.252; amending section 64, chapter 255, Laws of 1927 and RCW 79.01.256; amending section 65, chapter 255, Laws of 1927 and RCW 79.01.260; amending section 66, chapter 255, Laws of 1927 and RCW 79.01.264; and amending section 3, chapter 203, Laws of 1949 and RCW 79.12.590.

Referred to Committee on Natural Resources.

**Engrossed House Bill No. 307**, by Representatives Hurley, Pritchard, Traylor and Taylor:

An Act relating to eye care service benefits under certain insurance contracts; adding a new section to chapter 79, Laws of 1947 and to chapter 48.18 RCW; adding a new section to chapter 79, Laws of 1947 and to chapter 48.20 RCW; and adding a new section to chapter 79, Laws of 1947 and to chapter 48.21 RCW.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

**Engrossed House Bill No. 364**, by Representatives Brouillet, Goldsworthy, Johnson (Doris), Radcliffe, Saling, Cunningham, Braun, King (Richard "Dick"), Mahaffey and Sheridan:

An Act relating to the state teachers' retirement system, amending section 1, chapter 80, Laws of 1947 as last amended by section 1, chapter 14, Laws of 1963 extraordinary session and RCW 41.32.010; amending section 20, chapter 80, Laws of 1947 as last amended by section 3, chapter 14, Laws of 1963 extraordinary session, and RCW 41.32.200; amending section 24, chapter 80, Laws of 1947 as last amended by section 4, chapter 14, Laws of 1963 extraordinary session and RCW 41.32.240; amending section 47, chapter 80, Laws of 1947 as amended by section 15, chapter 14, Laws of 1963 extraordinary session, and RCW 41.32.470; amending section 50, chapter 80, Laws of 1947 as amended by section 23, chapter 274, Laws of 1955, and RCW 41.32.500; amending section

52, chapter 80, Laws of 1947 as last amended by section 3, chapter 183, Laws of 1957, and RCW 41.32.520; amending section 21, chapter 14, Laws of 1963 extraordinary session, and RCW 41.32.523; amending section 31, chapter 80, Laws of 1947 as amended by section 12, chapter 274, Laws of 1955, and RCW 41.32.310; and providing an effective date.

Referred to Committee on Education.

**House Bill No. 514**, by Representatives Beck and Moos:

An Act relating to game animals, game birds, and game fish; amending section 77.32.100, chapter 36, Laws of 1955 as amended by section 3, chapter 176, Laws of 1957 and RCW 77.32.100; amending section 77.32.103, chapter 36, Laws of 1955 as amended by section 4, chapter 176, Laws of 1957 and RCW 77.32.103; amending section 77.32.105, chapter 36, Laws of 1955 as amended by section 5, chapter 176, Laws of 1957 and RCW 77.32.105; amending section 77.32.110, chapter 36, Laws of 1955 as amended by section 6, chapter 176, Laws of 1957 and RCW 77.32.110; amending section 77.32.113, chapter 36, Laws of 1955 as amended by section 7, chapter 176, Laws of 1957 and RCW 77.32.113.

Referred to Committee on Fisheries, Game and Game Fish.

#### SECOND READING OF BILLS

**Senate Bill No. 309**, by Senators Dore, Moriarty, Jr., Williams, Herr, England and Hallauer (by Executive request) (by Departmental request) (by Interim Committee on Education request):

Authorizing increase of school district indebtedness.

It was moved by Senator McCormack that Senate Bill No. 309 be referred to the Committee on Rules and Joint Rules.

Debate ensued.

There being no objection, the motion was withdrawn.

On motion of Senator Dore, Senate Bill No. 309 was ordered to retain its place on the second reading calendar for tomorrow.

#### SIGNED BY THE PRESIDENT

**The President signed: Senate Concurrent Resolution No. 11.**

**Senate Bill No. 253**, by Senators Hanna and Williams:

Authorizing the formation of medical professional corporations.

On motion of Senator Greive, the Senate resumed consideration of Senate Bill No. 253 on second reading and the following pending amendment proposed by Senator Petrich:

On page 3, section 15, line 33, after word "service" strike remainder of section down to line 1 on page 4 and insert the following: ". Each officer, shareholder and employee of the corporation authorized herein shall, together with the corporation, be jointly and severally liable for any act or omission of each and every officer, shareholder and employee of the corporation performed in the course of his or her employment."

There being no objection, Senator Petrich was permitted to withdraw the amendment.

It was moved by Senator Petrich that the following amendment be adopted:

On page 3, section 15, line 33, after "service" insert a period (.) and strike all of the material down to the period on page 4, line 1 and insert "Each director, officer, shareholder and employee of the corporation who is licensed pursuant to chapter 18.71 RCW now or hereafter amended, shall be, together with the corporation authorized herein, jointly and severally liable for any act or omission of each and every director,

officer, shareholder and employee of the corporation performed or authorized in the course of his or her employment."

Debate ensued.

**POINT OF INQUIRY**

Senator Riley:

"Would Senator Petrich submit to a question?"

Senator Petrich:

"Yes."

Senator Riley:

"My question is this: With the adoption of this amendment, are we imposing greater responsibilities on the members of a corporation than we would to the officers of a corporation if they operated a grocery store or a wholesale plumbing supply store, or any other commercial enterprise?"

Senator Petrich:

"Yes, we would, but this is a special type of corporation limited to only people who are licensed to practice medicine."

Further debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Freise, the following amendment was adopted:

On page 2, section 5, line 4, after "to law" strike "or"

On line 4, after "law" insert "including, but not limited to the provisions set forth in RCW 23.01.040 and".

On motion of Senator Hanna, the rules were suspended, Engrossed Senate Bill No. 253 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**POINT OF INQUIRY**

Senator Durkan:

"Will Senator Williams yield to a question, Mr. President?"

Senator Williams:

"Yes."

Senator Durkan:

"Senator Williams, on page 3 of the bill, section 14, line 24, it states that no person who is not so licensed shall have any part of the ownership, management or control of such corporation. Now my question is simply this: In the event that we pass this bill and it becomes law, when there is an attachment made and the court decides that these shares can be attached, are you willing to come down here in two years and provide the necessary leadership which will take care of this problem?"

Senator Williams:

"If the problem arises, yes. This might well be covered by the articles or bylaws of the particular corporation that any voluntary transfer shall be null and void, but in the event of attachment or garnishment, the court might well direct some sort of liquidation or partial liquidation to satisfy the claim."

Senator Durkan:

"The answer to my question is 'yes'?"

Senator Williams:

"The answer is 'yes'."

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 253 and the bill passed the Senate by the following vote: yeas, 45; nays, 3; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Those voting nay were: Senators Lennart, Petrich, Rasmussen—3.

Absent or not voting: Senator Cowen—1.

Engrossed Senate Bill No. 253, having received the constitutional majority, was declared passed.

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

On motion of Senator Greive, the Senate returned to the fifth order of business.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 7, 1965.

MR. PRESIDENT:

The House has passed House Bill No. 288, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk*.

**FIRST READING OF HOUSE BILL**

The following was read first time by title and acted upon as indicated:

**House Bill No. 288**, by Representatives Beck, Wang, Rogers, Kirk, Lynch, Canfield, Gallagher, Smith, Traylor, Chatalas, Mahaffey, Haussler, McCormick, Litchman, Kink, Warnke, Whetzel, and Bozarth (by Executive request):

An Act relating to acquisition or lease of certain property in Kitsap county by the department of institutions; providing for the remodeling or repair, and operation thereof as a multi-use facility for the mentally and physically deficient and the mentally ill; and declaring an emergency.

On motion of Senator Greive, House Bill No. 288 was substituted for Senate Bill No. 287 on the second reading calendar for tonight and Senate Bill No. 287 was referred to the Committee on Rules and Joint Rules.

**MOTION**

On motion of Senator Greive, Senate Concurrent Resolution No. 12 was ordered to retain its place on the second reading calendar for tomorrow.

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

**THIRD READING OF BILLS**

**Senate Bill No. 172**, by Senators Thompson, Jr., Charette and Gallagher:

Authorizing special election to elect officers upon cities' advancement in classification.

On motion of Senator Thompson, Jr., the rules were suspended, the second reading considered the third, and Senate Bill No. 172 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 172, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hanna, Henry, Herr, Herrmann, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Gissberg, Hallauer, Keefe, McMillian—4.

Senate Bill No. 172, having received the constitutional 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. 173**, by Senators Knoblauch, Freise and McMillan:

Giving mayors of third and fourth class cities tie-breaking vote.

On motion of Senator Knoblauch, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 173 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 173, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 2.

Those voting yea were: Senators Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—46.

Those voting nay were: Senator Talley—1.

Absent or not voting: Senators Atwood, Connor—2.

Engrossed Senate Bill No. 173, having received the constitutional majority, was declared passed.

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

#### MOTION

Senator Washington:

"Mr. President:

"I move that, with the consent of the Senate, Senator Cowen be allowed to cast an 'aye' vote Engrossed Senate Bill No. 253 which was just passed."

Senator Riley registered a protest.

The motion was withdrawn.

**Engrossed Senate Bill No. 187**, by Senators Kupka, Woodall and Greive: Providing term of legislative council member terminates on his filing declaration of candidacy for elective state office.

On motion of Senator Kupka, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 187 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 187, and the bill passed the Senate by the following vote: Yeas, 40; nays, 7; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Williams, Woodall—40.

Those voting nay were: Senators Dore, Mardesich, Rasmussen, Stender, Talley, Thompson, Jr., Washington—7.

Absent or not voting: Senators Keefe, Lennart—2.

Engrossed Senate Bill No. 187, having received the constitutional majority, was declared passed.

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

**Engrossed Senate Bill No. 202**, by Senators Raugust, Donohue and Peterson (Lowell):

Changing fire district commission powers.

On motion of Senator Raugust, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 202 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 202, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Williams, Woodall—47.

Absent or not voting: Senators Keefe, Washington—2.

Engrossed Senate Bill No. 202, having received the constitutional 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. 205**, by Senators Knoblauch, Keefe and Freise:

Increasing maximum allowable unused vacation accrual time for state employees.

On motion of Senator Freise, the rules were suspended, the second reading considered the third, and Senate Bill No. 205 was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 205, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Morarity, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Absent or not voting: Senator Charette—1.

Senate Bill No. 205, having received the constitutional 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. 213**, by Senator Mardesich:

Requiring bid deposits for contracts entered into with county.

On motion of Senator Mardesich the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 213 was placed on final passage.

## POINT OF INQUIRY

Senator Petrich:

"Would Senator Mardesich yield to a question?"

"Senator, in the supplying of materials, not the doing of any particular work, but in the supplying of materials, say stationery to a county in excess of \$1,000, is the supplier required under this bill, to have a performance bond to supply those materials?"

Senator Mardesich:

"That is correct."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 213, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Those voting nay were: Senator Petrich—1.

Absent or not voting: Senator McCormack—1.

Engrossed Senate Bill No. 213, having received the constitutional 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. 220**, by Senators Freise and Donohue:

Concerns conveyance of land in Walla Walla county.

On motion of Senator Freise, the rules were suspended, the second reading



considered the third, and Engrossed Senate Bill No. 220 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 220, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Absent or not voting: Senator McCormack—1.

Engrossed Senate Bill No. 220, having received the constitutional 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. 221**, by Senators Kupka, Talley and McCutcheon (by request of State Auditor):

Authorizing claims against local governments.

On motion of Senator Talley, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 221 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 221, and the bill passed the Senate by the following vote: Yeas, 46; nays 2; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Cowen, Donohue, Dore Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Those voting nay were: Senators Charette, Lewis—2.

Absent or not voting: Senator McCormack—1.

Engrossed Senate Bill No. 221, having received the constitutional majority, was declared passed.

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

**Engrossed Senate Bill No. 224**, by Senator Knoblauch:

Requiring fencing by auto wrecking yards.

On motion of Senator Knoblauch, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 224 was placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 224, and the bill passed the Senate by the following vote: Yeas, 39; nays, 10; absent or not voting, 0.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Neill, Peterson (Lowell), Peterson (Ted), Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams—39.

Those voting nay were: Senators Charette, Dore, Hanna, Henry, Mardesich, Moriarty, Jr., Petrich, Rasmussen, Stender, Woodall—10.

Engrossed Senate Bill No. 224, having received the constitutional 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. 232**, by Senators Gissberg, Atwood and Hanna:

Authorizing the pledging of utility revenue to pay the principal and interest on general obligation bonds for municipal utilities.

On motion of Senator Atwood, the rules were suspended, the second reading considered the third, and Senate Bill No. 232 was placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 232, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Those voting nay were: Senator Charette—1.

Absent or not voting: Senator Freise—1.

Senate Bill No. 232, having received the constitutional majority, was declared passed.

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

**MOTION**

On motion of Senator Greive, all bills passed this evening were ordered immediately transmitted to the House.

**Senate Bill No. 240**, by Senators Cooney and Herrmann:

Authorizing townships to own and operate cemeteries jointly.

On motion of Senator Cooney, the rules were suspended, the second reading considered the third, and Senate Bill No. 240 was placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 240, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Absent or not voting: Senator Donohue—1.

Senate 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.

**Senate Bill No. 246**, by Senators Talley, Henry and Gissberg:

Giving power of eminent domain to diking improvement districts.

**POINT OF INQUIRY**

Senator Lewis:

"I wonder if Senator Gissberg would yield to a question?"

Senator Gissberg:

"Yes."

Senator Lewis:

"Senator Gissberg, I am not too familiar with this and I wonder if you could tell me how many other agencies have eminent domain? Is this a common consideration for agencies, this power of eminent domain that we are asking for diking districts? I understand the port districts have this, but just exactly what are we doing here?"

Senator Gissberg:

"We are considering Senate Bill No. 246, for one thing. To answer your first question, I was surprised, actually, when Senator Talley brought this bill around and asked me to co-sponsor it with him. I was very surprised to learn that diking districts do not now have the power of eminent domain. I was surprised to learn this because I thought that all municipal corporations and political subdivisions, which this would be, had that legal power given to them at this time."

**POINT OF INQUIRY**

Senator Petrich:

"Would Senator Talley or Senator Gissberg yield to a question?"

"I recall a case involving a park district in which no procedure was adopted to exercise the power of eminent domain. What particular procedures do you adopt for the eminent domain power in this bill? The reason I ask the question is that if we do not defer to the procedures or adopt some means by which this power is exercised, we may be in some difficulty. Now do you know whether or not we adopt by reference or by classification any other procedures to exercise the power of eminent domain for this diking district?"

Senator Gissberg:

"No, I cannot specifically say as a matter of law, Senator. I have been laboring under the assumption that the general eminent domain statute would apply and, as

you know, there is a considerable body of statute with respect to that, and I have been led to believe that would be the case, but I can't answer you categorically."

On motion of Senator Petrich, Senate Bill No. 246 was ordered to retain its place at the end of the second reading calendar for tonight.

**Engrossed Senate Bill No. 264**, by Senators Charette, Thompson, Jr. and Peterson (Ted) (by Departmental request):

Authorizing the director of fisheries to sell food fish or shellfish caught or taken during test fishing operation.

On motion of Senator Charette, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 264 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 264, and the bill passed the Senate by the following vote: Yeas, 44; nays, 2; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Those voting nay were: Senators Kupka, McCutcheon—2.

Absent or not voting: Senators Cooney, Gissberg, Petrich—3.

Engrossed Senate Bill No. 264, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 272**, by Senators Thompson, Jr., Knoblauch and Bailey:

Extending state employees' retirement system to cover certain school district employees.

On motion of Senator Thompson, Jr., the rules were suspended, the second reading considered the third, and Senate Bill No. 272 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 272, and the bill passed the Senate by the following vote: Yeas, 48; nays, 1; absent or not voting, 0.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Those voting nay were: Senator Guess—1.

Senate Bill No. 272, having received the constitutional 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. 274**, by Senators Washington, Raugust and McCormack (by Highway Interim Committee request):

Providing for the sale of bonds by the state to finance certain arterial and farm to market roads.

On motion of Senator Washington, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 274 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 274, and the bill passed the Senate by the following vote: Yeas, 49; nays, 0.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—49.

Engrossed Senate Bill No. 274, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 285**, by Senators Herrmann, Cooney and Donohue:

Allowing acquisition and operation of sewer systems by irrigation districts.

On motion of Senator Herrmann, the rules were suspended, the second reading considered the third, and Senate Bill No. 285 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 285, and the bill passed the Senate by the following vote: Yeas, 46; nays, 3; absent or not voting, 0.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Those voting nay were: Senators Atwood, Lewis, Redmon—3.

Senate Bill No. 285 having received the constitutional majority, was declared passed.

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

**House Bill No. 288**, by Representatives Beck, Wang, Rogers, Kirk, Lynch, Canfield, Gallagher, Smith, Traylor, Chatalas, Mahaffey, Haussler, McCormick, Litchman, Kink, Warnke, Whetzel and Bozarth (by Executive request):

Purchase, lease or lease with option Harrison Memorial Hospital in Kitsap county.

The bill was read the second time by sections.

On motion of Senator Morgan, the rules were suspended, the second reading considered the third, and House Bill No. 288 was placed on final passage.

**POINT OF INQUIRY**

Senator Charette:

"Would Senator Morgan yield to a question?"

"Senator Morgan, is House Bill No. 288 the same as Senate Bill No. 287 on which you secured forty signatures in this body?"

Senator Morgan:

"Yes, Senator, and there would have been more signatures had I gotten around to all of them."

**ROLL CALL**

The Secretary called the roll on the final passage of House Bill No. 288, and the bill passed the Senate by the following vote: Yeas, 49; nays, 0.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—49.

House Bill No. 288, having received the constitutional majority, was declared passed.

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

**PERSONAL PRIVILEGE**

Senator Morgan:

"Mr. President, personal privilege:

"May I say one or two words on personal privilege. I want to express my thanks to all of you and especially to thank Mrs. Adele Ferguson for the good publicity over a period of two years that has made this legislation possible."

**Senate Bill No. 246**, by Senators Talley, Henry and Gissberg:

Giving power of eminent domain to diking improvement districts.

On motion of Senator Talley, the Senate resumed consideration of Senate Bill No. 246.

On motion of Senator Henry, the rules were suspended and Senate Bill No. 246 was returned to second reading for the purpose of amendment.

The bill was read the second time by sections.

On motion of Senator Gissberg, the following amendment by Senators Gissberg and Talley was adopted:

On line 19 add a new section following section 2 as follows:

"**NEW SECTION.** Sec. 3. There is added to chapter 85.08 RCW a new section to read as follows:

Diking improvement districts exercising the power of eminent domain shall proceed in the name of the district in the manner provided by law for the appropriation of real property or of rights therein or thereto, by private corporations."

On motion of Senator Talley, the rules were suspended, Engrossed Senate Bill No. 246 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 246 and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Donohue, Durkan, Peterson (Ted)—3.

Engrossed Senate Bill No. 246, having received the constitutional majority, was declared passed.

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

#### MOTION

On motion of Senator Greive, all bills passed this evening and not previously transmitted were ordered immediately transmitted to the House.

**Engrossed Senate Bill No. 296**, by Senators Thompson, Jr., Durkan and McCutcheon:

Changing generally laws relating to elections.

On motion of Senator Thompson, Jr., the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 296 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 296, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Donohue, Durkan, Morgan, Talley—4.

Engrossed Senate Bill No. 296, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 301**, by Senators Gallagher, Freise and McCutcheon:

Providing a procedure for the cancellation of the registration of voters who do not reside at their registration address.

On motion of Senator Gallagher, Senate Bill No. 301 was ordered to retain its place on the second reading calendar for tonight immediately following Senate Bill No. 310.

**Senate Bill No. 310**, by Senators Raugust, Washington and Peterson (Lowell):

Prescribing procedural matters concerning hospital districts.

On motion of Senator Washington, the rules were suspended, the second reading considered the third, and Senate Bill No. 310 was placed on final passage.

## POINT OF INQUIRY

Senator Atwood:

"Mr. President, would Senator Washington yield?"

Senator Washington:

"Yes."

Senator Atwood:

"Senator Washington, I notice this bill carries an emergency clause. For what purpose is this necessary?"

Senator Washington:

"It perhaps doesn't need one, but I don't believe we should take the time to go back to second reading to remove it. I'm sure there is not going to be any referendum on it."

## POINT OF INQUIRY

Senator Lewis:

"Would Senator Washington yield?"

"Senator Washington, I have never been able to straighten out in my mind very clearly just why you do not want a doctor to be a commissioner. Would you explain this, please?"

Senator Washington:

"Basically, one of the reasons is the commissioners feel the doctors are on the board that is they are on the board as far as the hospital is concerned. They have a great deal to do in the policies of operating the hospital. Some felt that they perhaps might have a possible vested interest and I know in my area the doctors have absolutely no objections as far as I have heard. I have gotten no complaints. We have three hospital districts in our county and since it relates directly to their activities, this is not an anti-doctor bill in any sense; it was just the feeling of the commissioners of hospital districts that it perhaps could be administered on a better basis without having the doctors as members. Certainly this is no anti-doctor movement."

## POINT OF INQUIRY

Senator Woodall:

"Would Senator Washington yield?"

"It says, referring to the language as you now have it, that no commissioner shall be actively engaged in any of the healing arts utilizing the facilities of the hospital. The way you have it now, a medical doctor who practices in the hospital couldn't run for commissioner, but a chiropractor that they wouldn't let in the hospital would be free to run for commissioner. Is that not true?"

Senator Washington:

"I believe that would be true because he has no connection with the hospital. He couldn't take his patients there and he would have no one to question conflicts of interest. These are the things that are brought out. Occasionally people talk about conflicts of interest. I think they would be very few and far between, but this is an effort to remove that possible complaint."

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 310, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 4.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Washington, Williams—43.



Those voting nay were: Senators Sandison, Woodall—2.

Absent or not voting: Senators Atwood, Gissberg, Rasmussen, Talley—4.

Senate Bill No. 310, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 301**, by Senators Gallagher, Freise and McCutcheon:

Providing a procedure for the cancellation of the registration of voters who do not reside at their registration address.

The Senate resumed consideration of Senate Bill No. 301.

On motion of Senator Gallagher, the rules were suspended, Senate Bill No. 301 was returned to second reading and read the second time by sections.

On motion of Senator Moriarty, Jr., the following amendments were adopted:

On page 2, section 3, line 14, insert a new subsection 1 after "(1)" as follows: "That notice of intent to cancel the registration on account of a claimed change of residence shall be mailed by first class mail, postage prepaid, to the last known address of each voter whose registration has been so questioned."

Renumber the remaining subsections consecutively.

On page 2, section 3, line 28, after "such" insert "mailing or"

On page 2, section 3, line 11, after "following" insert "date of mailing or".

On motion of Senator Gallagher, the rules were suspended, Engrossed Senate Bill No. 301 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 301 and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senators Raugust, Talley—2.

Engrossed Senate Bill No. 301, having received the constitutional 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. 345**, by Senators Lewis, Gissberg, Redmon, Mardesich, Chytil, Sandison, Raugust, McMillan, Freise, Cooney and Washington:

Increasing volunteer firemen's death and disability benefits and employer contribution thereto.

On motion of Senator Lewis, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 345 was placed on final passage.

## POINT OF INQUIRY

Senator Dore:

"Mr. President, will Senator Lewis yield to a question?"

Senator Lewis:

"Yes."

Senator Dore:

"Senator Lewis, how many volunteer firemen would this affect and how much money are we talking about?"

Senator Lewis:

"There are twelve. There would be a total of \$330 per month or less than \$4,000 per year."

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 345, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—48.

Absent or not voting: Senator Talley—1.

Engrossed Senate Bill No. 345, having received the constitutional 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. 372**, by Senator Riley:

Prohibiting littering of highways.

On motion of Senator Riley, the rules were suspended, the second reading considered the third, and Senate Bill No. 372 was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 372, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senators McMillan, Talley—2.

Senate Bill No. 372, having received the constitutional 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. 2**, by Senators Peterson (Lowell), Gissberg, Mardesich and Hanna (by Executive request of Governor Rosellini):

Proposing constitutional amendment changing residence qualifications for voting to six months in state, thirty days in county, city, town, ward, or precinct.

On motion of Senator Lowell Peterson, the rules were suspended, the second reading considered the third, and Senate Joint Resolution No. 9 was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Resolution No. 2, and the resolution failed to pass the Senate by the following vote: Yeas, 31; nays, 18; absent or not voting, 0.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Sandison, Talley, Thompson, Jr., Washington, Williams—31.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Freise, Gallagher, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Stender, Woodall—18.

Senate Joint Resolution No. 2, having failed to receive the constitutional two-thirds majority, was declared lost.

#### NOTICE OF RECONSIDERATION

Senator Gallagher, having voted on the prevailing side, served notice that he would at a later time this evening move that the Senate reconsider the vote by which Senate Joint Resolution No. 2 failed to pass the Senate.

**Senate Bill No. 256**, by Senators Charette, Petrich and Atwood:

Pertaining to the use of purse seines in the taking of salmon.

On motion of Senator Charette, the rules were suspended, the second reading considered the third, and Senate Bill No. 256 was placed on final passage.

Debate ensued.

#### MOTION

It was moved by Senator Woodall that Senator Thompson, Jr., be excused. The motion was lost.

Senators Gissberg, Connor and Greive demanded a Call of the Senate. A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Gissberg, the Senate proceeded under the Call of the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 256 and the bill passed the Senate by the following vote: Yeas, 26; nays, 23.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, England, Foley, Freise, Guess, Hallauer, Hanna, Henry Herrmann, Keefe, Kupka, Lennart, McCormack, Mardesich, Peterson (Ted), Petrich, Ryder, Washington, Williams, Woodall—26.

Those voting nay were: Senators Cowen, Dore, Durkan, Gallagher, Gissberg, Greive, Herr, Knoblauch, Lewis, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr.—23.

Senate Bill No. 256, having received the constitutional majority, was declared passed.

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

#### MOTIONS

On motion of Senator Greive, the Senate returned to the first order of business.

On motion of Senator Petrich, the Committee on Medicine, Dentistry, Public Health, Air and Water Pollution was relieved of further consideration of Substitute House Bill No. 67.

On motion of Senator Petrich, Substitute House Bill No. 67 was referred to the Judiciary Committee.

On motion of Senator McCutcheon, the Committee on Constitution, Elections and Legislative Processes was relieved of further consideration of House Bill No. 442.

On motion of Senator McCutcheon, House Bill No. 442 was referred to the Committee on Education.

The Senate advanced to the second order of business.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### Senate Bill No. 75:

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Establishing division of probation and parole in department of institutions and setting forth powers and duties (reported by Committee on Public Institutions):

MAJORITY recommends that it do pass. FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, James Keefe, Reuben A. Knoblauch, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 76:

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Providing criminally insane be committed to jurisdiction of director of institutions and in such institutions as director determines (reported by Committee on Public Institutions):

Recommends that it do pass. FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, James Keefe, Reuben A. Knoblauch, George W. Kupka, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 317:**

Senate Chamber,  
Olympia, Wash., March 6, 1965.

Regulating the payment of dividends by savings and loan associations and providing for the amendment of their bylaws (reported by Committee on Banks, Financial Institutions and Insurance):

Recommends that Substitute Senate Bill No. 317 be substituted therefor, and that the Substitute Bill do pass.

KARL HERRMANN, *Chairman*,  
AUGUST P. MARDESICH, *Vice Chairman*.

We concur in this report: Robert L. Charette, Fred H. Dore, Frank W. Foley, George W. Kupka, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Fred G. Redmon, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 490:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Changing advisory committees to present department of public assistance (reported by Committee on Labor and Social Security):

Recommends that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, Sam C. Guess, George W. Kupka, John T. McCutcheon, August P. Mardesich, Edward Riley, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Resolution No. 20:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Repealing alien land laws (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass.

JOHN T. MCCUTCHEON, *Chairman*.

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, R. R. Bob Greive, Wilbur G. Hallauer, Al Henry, Gordon Herr, Karl Herrmann, Ernest W. Lennart, Frances Haddon Morgan, John N. Ryder, Nat Washington, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading

**House Bill No. 58:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Requiring lunch breaks for teachers (reported by Committee on Education):

MAJORITY recommends that it do pass.

MIKE MCCORMACK, *Chairman*.

We concur in this report: Robert L. Charette, Herbert H. Freise, Karl Herrmann, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, John H. Stender, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 64:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Authorizing teachers' tax deferred annuities (reported by Committee on Education):

Recommends that it do pass.

MIKE MCCORMACK, *Chairman*.

We concur in this report: Robert L. Charette, Joe Chytil, Fred H. Dore, Herbert H. Freise, Karl Herrmann, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, John H. Stender, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 81:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Preventing port district employees from belonging to both public and private pension systems (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Sam C. Guess, Al Henry, James Keefe, Frances Haddon Morgan, Lowell Peterson, W. C. Raugust, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 105:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Permitting school boards in second and third class districts to determine the date and time of their regular meetings (reported by Committee on Education):

Recommends that it do pass. MIKE McCORMACK, *Chairman*.

We concur in this report: Robert L. Charette, Joe Chytil, Fred H. Dore, Herbert H. Freise, Karl Herrmann, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, John H. Stender, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 149:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Providing for sale of port district property no longer needed for district purposes (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Sam C. Guess, Al Henry, James Keefe, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 175:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Increasing school district purchase authority (reported by Committee on Education):

MAJORITY recommends that it do pass. MIKE McCORMACK, *Chairman*.

We concur in this report: Robert L. Charette, Joe Chytil, Fred H. Dore, Herbert H. Freise, Karl Herrmann, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, A. L. Rasmussen, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 216:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Making it unlawful to dig hard shell clams for commercial purposes, except on licensed clam farms (reported by Committee on Fisheries, Game and Game Fish):

Recommends that it do pass. ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Ernest W. Lennart, Lowell Peterson, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, Fred G. Redmon, Gordon Sandison, John H. Stender, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 217:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Defining "Village Point" as the boundaries of a net fishing area (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass. ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Lowell Peterson, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, Fred G. Redmon, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 218:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Requiring wholesale fish dealer's license for certain business activities (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass. ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Ernest W. Lennart, Lowell Peterson, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, Fred G. Redmon, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 219:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Defining fish buyer (reported by Committee on Fisheries, Game and Game Fish):  
Recommends that it do pass.

ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Ernest W. Lennart, Lowell Peterson, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, Fred G. Redmon, Gordon Sandison, John H. Stender, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 220:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Requiring that commercial fishing gear be licensed according to residency of operator rather than owner (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass. ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Ernest W. Lennart, Lowell Peterson, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, Fred G. Redmon, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Reengrossed House Bill No. 222:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Declaring unlawful alien commercial fishing and fraudulent application for licenses (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass. ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Ernest W. Lennart, Lowell Peterson, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, Fred G. Redmon, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 257:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Providing a method to pay for continuous operation of diking improvement districts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Sam C. Guess, Al Henry, James Keefe, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 258:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Increasing compensation of election officials of diking improvement districts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Sam C. Guess, Al Henry, James Keefe, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 309:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Authorizing state historical society to sell Pickett House to Daughters of the Pioneers (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass. AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 335:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Providing for rehabilitation program and administration of same (reported by Committee on Education):

MAJORITY recommends that it do pass. MIKE McCORMACK, *Chairman*.

We concur in this report: Robert L. Charette, Joe Chytil, Fred H. Dore, Herbert H. Freise, Karl Herrmann, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, A. L. Rasmussen, John H. Stender, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Memorial No. 15:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Petitioning for dogfish study (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass. ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Ernest W. Lennart, Lowell Peterson, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, Fred G. Redmon, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTION FOR RECONSIDERATION**

It was moved by Senator Gallagher in accordance with prior notice given during this evening's session, that the Senate do now reconsider the vote by which Senate Joint Resolution No. 2 failed to pass the Senate.

It was moved by Senator Woodall that the Senate be at ease fifteen minutes for the purpose of a Republican caucus.

Senator Woodall demanded a roll call and the demand was sustained by Senators Neill, Moriarty, Jr., Chytil, Atwood, Redmon, Greive, Bailey, Herr, and Charette.

**ROLL CALL**

The Secretary called the roll on the motion by Senator Woodall and the motion was carried by the following vote: Yeas, 35; nays, 14.



Those voting yea were: Senators Atwood, Chytil, England, Freise, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—35.

Those voting nay were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Rasmussen, Sandison—14.

The President declared the Senate to be at ease.

The President called the Senate to order at 11:05 p. m.

The President declared the question before the Senate is: It has been moved by Senator Gallagher that the Senate do now reconsider the vote by which Senate Joint Resolution No. 2 failed to pass the Senate.

The motion was carried.

#### MOTIONS

On motion of Senator Greive, Senate Joint Resolution No. 2 was ordered to retain its place on the third reading calendar for tomorrow.

On motion of Senator Moriarty, Jr., the Senate dispensed with the Call of the Senate.

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

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 7, 1965.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 55; also House Bill No. 92; also Engrossed House Bill No. 100; also Reengrossed House Bill No. 111; also Engrossed House Bill No. 114; also Engrossed House Bill No. 203; also Engrossed House Bill No. 204; also Engrossed House Bill No. 226; also Engrossed House Bill No. 289; also Engrossed House Bill No. 296; also Engrossed House Bill No. 330; also Engrossed House Bill No. 332; also House Bill No. 334; also Engrossed House Bill No. 336; also House Bill No. 338; also House Bill No. 362; also House Bill No. 375; also House Bill No. 397; also House Bill No. 425; also House Bill No. 430; also House Bill No. 433; also House Bill No. 436; also House Bill No. 461; also House Bill No. 462; also House Bill No. 474; also House Bill No. 476; also House Bill No. 479, and the same are herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

House of Representatives,  
Olympia, Wash., March 7, 1965.

MR. PRESIDENT:

The Speaker has signed Senate Concurrent Resolution No. 11, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 7, 1965.

MR. PRESIDENT:

The Speaker has signed House Bill No. 288, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President signed: House Bill No. 288.**

**FIRST READING OF HOUSE BILLS**

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 55**, by Representatives May, Pierre and McCaffree:

An Act relating to motor vehicles; and amending section 46.44.030, chapter 12, Laws of 1961 as last amended by section 52, chapter 3, Laws of 1963 extraordinary session and RCW 46.44.030.

Referred to Committee on Highways.

**House Bill No. 92**, by Representatives Elmer E. Johnston, Lux and Conner: Revising law relating to mineral leases on state lands.

Referred to Committee on Natural Resources.

**Engrossed House Bill No. 100**, by Representatives Olsen, Kull and Mast: An Act relating to labor; adding new sections to chapter 249, Laws of 1909, and to chapter 49.44 RCW; and prescribing penalties.

Referred to Judiciary Committee.

**Reengrossed House Bill No. 111**, by Representatives Olsen, Smith and Haussler:

An Act relating to group hospitalization and medical aid for public employees, certain elected officials, and the dependents of such employees and officials; and amending section 1, chapter 75, Laws of 1963 and RCW 41.04.180; and section 2, chapter 75, Laws of 1963 and RCW 41.04.190.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 114**, by Representatives McDougall, Braun and Garrett:

An Act relating to cities and towns; permitting increasing the salaries of mayors and commissioners in cities and towns under the commission form of government; amending section 35.17.110, chapter ....., Laws of 1965 and RCW 35.17.110.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 203**, by Representatives Olsen, Lux and Wolf:

An Act relating to state government; increasing per diem allowances; and amending section 43.03.050, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.03.050.

Referred to Committee on State Government and Veterans' Affairs.

**Engrossed House Bill No. 204**, by Representatives Lux, Olsen and Wolf:

An Act relating to state government; increasing mileage allowance; and

amending section 43.03.060, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.03.060.

Referred to Committee on State Government and Veterans' Affairs.

**Engrossed House Bill No. 226**, by Representatives O'Brien, Whetzel and Valle:

An Act relating to open space land.

Referred to Committee on Parks, Capitol Grounds and Public Buildings.

**Engrossed House Bill No. 289**, by Representatives Brouillet, Wang and Garrett:

An Act relating to credit unions; amending section 11, chapter 23, Laws of 1957 and RCW 31.12.270; and amending section 12, chapter 23, Laws of 1957, as amended by section 7, chapter 138, Laws of 1959, and RCW 31.12.280.

Referred to Committee on Banks, Financial Institutions and Insurance.

**Engrossed House Bill No. 296**, by Representatives Lynch, Chatalas, Adams, Humiston and Cunningham (by Executive request):

An Act relating to public assistance; adding a new chapter to chapter 26, Laws of 1959 and Title 74 RCW; repealing section 74.12.130, chapter 26, Laws of 1959 as amended by section 20, chapter 228, Laws of 1963 and RCW 74.12.130; repealing section 74.12.230, chapter 26, Laws of 1959 and RCW 74.12.230; and declaring an emergency.

Referred to Committee on Labor and Social Security.

**Engrossed House Bill No. 330**, by Representatives May, Bottiger, Olsen, Marzano, Elder, Slagle and Pierre:

An Act relating to the settlement of disputes concerning wages, salaries, rates of pay, hours, working conditions and other terms and conditions of employment in municipal fire departments.

Referred to Committee on Labor and Social Security.

**Engrossed House Bill No. 332**, by Representatives Avey, Slagle and Braun:

An Act relating to the business of carriers of passenger charter parties; adding a new chapter to Title 81 RCW; levying certain fees; providing penalties; and making an effective date.

Referred to Committee on Commerce, Manufacturing and Licenses.

**House Bill No. 334**, by Representatives Bottiger, Avey and Goldsworthy:

An Act relating to aeronautics; providing for the registration and taxation of certain aircraft; amending section 25, chapter 165, Laws of 1947, as last amended by section 11, chapter 150, Laws of 1955 and RCW 14.04.250; and amending section 82.48.100, chapter 15, Laws of 1961 and RCW 82.48.100.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Engrossed House Bill No. 336**, by Representatives Beck, Mast and Bozarth:

An Act relating to the classification of game fish; amending section 77.08-.020, chapter 36, Laws of 1955 and RCW 77.08.020; and adding a new section to chapter 36, Laws of 1955 and to chapter 77.08 RCW.

Referred to Committee on Fisheries, Game and Game Fish.

**House Bill No. 338**, by Representatives Beck, Taplin and Moos:

An Act relating to game and game fish; adding new sections to chapter 36, Laws of 1955 and chapter 77.12 RCW.

Referred to Committee on Fisheries, Game and Game Fish.

**House Bill No. 362**, by Representatives Kull, Canfield and McDougall:

An Act relating to agriculture, and the marketing of soft tree fruits and amending section 15.28.180, chapter 11, Laws of 1961 as amended by section 4, chapter 51, Laws of 1963 and RCW 15.28.180.

Referred to Committee on Agriculture and Horticulture.

**House Bill No. 375**, by Representatives Gallagher, DeJarnatt and Conner:

An Act relating to public assistance; amending section 74.16.030; chapter 26, Laws of 1959 and RCW 74.16.030.

Referred to Committee on Labor and Social Security.

**House Bill No. 397**, by Representatives Jastad and Kalich:

An Act relating to state forest lands; and directing a reconveyance of certain lands to Lewis county.

Referred to Committee on Natural Resources.

**House Bill No. 425**: by Representatives Litchman, Johnson (Doris) and Saling:

An Act relating to education; and amending section 14, chapter 157, Laws of 1955, as amended by section 7, chapter 216, Laws of 1959 and RCW 28.19.060.

Referred to Committee on Education.

**House Bill No. 430**, by Representatives Sheridan, Klein and O'Donnell:

An Act relating to state government; authorizing parks and recreation commission to enter agreements with and to accept grants from the federal government for the support of the youth development and conservation corps program; and adding three new sections to chapter ....., Laws of 1965 (Senate Bill No. 4) and to chapter 43.51 RCW.

Referred to Committee on Parks, Capitol Grounds and Public Buildings.

**House Bill No. 433**, by Representatives Kirk, Johnson (Doris), O'Donnell, Swayze, Lynch and McCaffree:

An Act relating to persons exempt from jury service; and amending section 2, chapter 57, Laws of 1911 and RCW 2.36.080.

Referred to Judiciary Committee.

**House Bill No. 436**, by Representatives Swayze, Lynch, Kirk and O'Donnell:

An Act relating to civil actions and procedure; permitting women to sue alone in actions for personal injuries; and amending section 5, page 131, Laws of 1854 as last amended by section 6, Code of 1881 and RCW 4.08.030.

Referred to Judiciary Committee.

**House Bill No. 461**, by Representatives Garrett and Warnke:

An Act relating to water districts; providing certain contracting powers; and amending section 3, chapter 251, Laws of 1953, as amended by section 4, chapter 108, Laws of 1959, and RCW 57.08.045.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 462**, by Representatives Garrett and Warnke:

An Act relating to sewer districts; providing certain contract powers; and amending section 48, chapter 210, Laws of 1941, as last amended by section 3, chapter 103, Laws of 1959 and RCW 56.08.060.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 474**, by Representatives Lynch and Conner:

An Act relating to dairies and dairy products; permitting the use of oleo-margarine in state institutions; and amending section 15.32.370, chapter 11, Laws of 1961 and RCW 15.32.370.

Referred to Committee on Public Institutions.

**House Bill No. 476**, by Representatives Klein and Kull:

An Act relating to building construction and to glass doors; prohibiting the sale of certain doors and glass assemblies; amending section 3, chapter 128, Laws of 1963 and RCW 70.89.030; and providing penalties.

Referred to Committee on Commerce, Manufacturing and Licenses.

**House Bill No. 479**, by Representatives Klein, Thompson and Hood:

An Act relating to real property and authorizing the use of deeds of trust in security transactions and providing for the foreclosure thereof.

Referred to Judiciary Committee.

#### MOTION

At 11:16 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Monday, March 8, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## FIFTY-SEVENTH DAY

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### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Monday, March 8, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Chris Olsen, Color Bearer, and Colleen Redmon, presented the Colors.

Reverend Arthur I. Anderson, pastor of the Gloria Dei Lutheran Church of Olympia, offered prayer as follows:

"O Lord, our God, we come before Thee confessing ours sins and shortcomings and yet trusting in Thy mercy and might as we set out for another week of work.

"In the sacred stillness of these prayer moments, may Thy goodness and Thy greatness mold us and make us after Thy will.

"O Thou who hast endowed us with minds and hearts and wills, may we now and ever use our minds to know that which is worth knowing, our hearts to love that which is worth loving and may our wills be exercised in doing that which is worth doing.

"Grant us grace this day: to think without confusion clearly; to act from honest motives purely; to love our fellowmen sincerely; and to trust in Thee and heaven securely.

"Through Jesus Christ, our Lord. Amen."

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

The Secretary read:

SENATE RESOLUTION

NO. 1965-33

By Senators Woodall and Redmon:

WHEREAS, Marquette High School has recently won the Class A State Basketball Championship, climaxing a twenty-five game winning streak; and

WHEREAS, This victory was attained in a tournament which had outstanding teams from throughout the state of Washington; and

WHEREAS, This victory evidences not only the fine athletic ability of the players but their outstanding sportsmanship also and reflects great credit on the faculty of the school; and

WHEREAS, The members of the Senate and the citizens of the state of Washington are proud of the achievements of Marquette High School and wish to pay tribute to the school, the faculty, the students, Hal Dodeward, coach of the Marquette Squires, managers Gene Evans and Bill Kissling, and the Marquette team, consisting of: Scott McDonald, Jerry Traxinger, Paul Beauchene, Rick Roller, Tom LaBissoniere, Ed LaBissoniere, Dick Hazel, Dick Walter, Tom Snell, John Reil, Jerry Morse and Dick McDonald;

Now, Therefore, Be It Resolved, That the Senate of the state of Washington does hereby extend its heartiest congratulations to Marquette High School for its superb performance in winning the 1965 Class A Basketball Championship; and

Be It Further Resolved, That the Secretary of the Senate be and he is hereby directed to transmit copies of this resolution to the Principal, the coach of Marquette High School, the managers and each member of the team, Yakima, Washington.

On motion of Senator Woodall, the resolution was adopted.

The Secretary read:

REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., March 7, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 246; also

Senate Bill No. 253; also

Senate Bill No. 301, have inspected same, and find them correctly engrossed.

....., Chairman.

We concur in this report: Fred H. Dore, Michael J. Gallagher, John A. Petrich.

Senate Chamber,  
Olympia, Wash., March 7, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Concurrent Resolution No. 11, have inspected same, and find it correctly enrolled and certified.

....., Chairman.

We concur in this report: Fred H. Dore, Michael J. Gallagher, John A. Petrich.

Senate Bill No. 160:

Senate Chamber,  
Olympia, Wash., March 6, 1965.

Providing as exemption from business and occupation tax, admission charges by agricultural fairs (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass.

FRANK W. FOLEY, Chairman.

FRED H. DORE, Chairman,

Committee on Appropriations.

MARTIN J. DURKAN, Chairman,

Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, Jack England,

William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, Ernest W. Lennart, David E. McMillan, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, A. L. Rasmussen, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 433:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Creating a state board of registration for landscape architecture (reported by Committee on Commerce, Manufacturing and Licenses):

Recommends that it do pass.

GEORGE W. KUPKA, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, David C. Cowen, Fred H. Dore, Jack England, Michael J. Gallagher, R. R. Bob Greive, Sam C. Guess, James Keefe, Reuben A. Knoblauch, Harry B. Lewis, August P. Mardesich, Ted G. Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 192:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Adopting the interstate compact on mental health (reported by Committee on Public Institutions):

Recommends that it do pass.

FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, James Keefe, Reuben A. Knoblauch, George W. Kupka, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 339:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Appropriating funds for the temporary publication of session laws (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass.

FRANK W. FOLEY, *Chairman*.

FRED H. DORE, *Chairman*,

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,

Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, Jack England, William A. Gissberg, R. R. Bob Greive, Sam C. Guess, Wilbur G. Hallauer, Ernest W. Lennart, Mike McCormack, David E. McMillan, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 437:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Requires wine tax collections to be made at wholesale instead of retail (reported by Committee on Liquor Control):

MAJORITY recommends that it do pass.

FRANK CONNOR, *Chairman*.

We concur in this report: Al Henry, Harry B. Lewis, Edward F. Riley, Don L. Talley, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 7, 1965.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 256; also Engrossed House Bill No. 382, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**FIRST READING OF HOUSE BILLS**

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 256**, by Representatives Day, Backstrom and Adams:

Regulating hair dressing and beauty culture establishments and the operators and employees thereof.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Engrossed House Bill No. 382**, by Representatives Moon and Kalich:

An Act relating to dairy products; increasing the assessment on milk and cream; providing for a referendum; and amending section 15.44.080, chapter 11, Laws of 1961 and RCW 15.44.080.

Referred to Committee on Agriculture and Horticulture.

**MOTIONS**

It was moved by Senator Kupka that the Committee on Natural Resources be relieved of further consideration of Substitute House Bill No. 252.

Debate ensued.

The motion was lost.

It was moved by Senator Chytil that the Committee on Natural Resources be relieved of further consideration of House Bill No. 397 and that House Bill No. 397 be substituted for Senate Bill No. 373 on the second reading calendar for today.

The motion was carried.

On motion of Senator Chytil, Senate Bill No. 373 was referred to the Committee on Rules and Joint Rules.

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

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**SECOND MORNING SESSION**

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The President called the Senate to order at 11:20 a. m.

The Secretary called the roll and announced to the President that all Senators were present.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 8, 1965.

MR. PRESIDENT:

The House has passed House Bill No. 582, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*



**FIRST READING OF HOUSE BILL**

The following was read first time by title and acted upon as indicated:

**House Bill No. 582**, by Representatives Morphis, Olsen and Backstrom:

An Act relating to the state employees' retirement system; and amending section 1, chapter 274, Laws of 1947 as last amended by section 1, chapter 174, Laws of 1963 and section 1, chapter 225, Laws of 1963, and RCW 41.40-.010; and amending section 13, chapter 274, Laws of 1947 as last amended by section 1, chapter 210, Laws of 1963 and section 2, chapter 225, Laws of 1963 and RCW 41.40.120.

Referred to Committee on State Government and Veterans' Affairs.

**SECOND READING OF BILLS**

**Senate Bill No. 309**, by Senators Dore, Moriarty, Jr., Williams, Herr, England and Hallauer (by Executive request) (by Departmental request) (by Interim Committee on Education request):

Authorizing increase of school district indebtedness.

It was moved by Senator Rasmussen that Senate Bill No. 309 be referred to the Committee on Ways and Means.

Debate ensued.

The motion was carried.

**Senate Concurrent Resolution No. 12**, by Senators Greive, Hanna and McCormack:

Creating a legislative oversight committee.

The resolution was read the second time in full.

On motion of Senator Greive, the rules were suspended, Senate Concurrent Resolution No. 12 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

It was moved by Senator Rasmussen that Senate Concurrent Resolution No. 12 be referred to the Committee on Ways and Means.

Debate ensued.

It was moved by Senator Greive that the motion by Senator Rasmussen be laid upon the table.

Senator Greive demanded a roll call and the demand was sustained by Senators McCutcheon, Rasmussen, Connor, Kupka, Herrmann, Atwood, Peterson (Ted G.), and Redmon.

**ROLL CALL**

The Secretary called the roll and the motion by Senator Rasmussen was tabled by the following vote: Yeas, 25; nays, 23; absent or not voting, 1.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Peterson (Lowell), Petrich, Talley, Washington—25.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Freise, Guess, Hallauer, Herr, Lennart, Lewis, Mardesich, Moriarty, Jr., Neill, Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Williams—23.

Absent or not voting: Senator Woodall—1.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Concurrent Resolution No. 12 and the resolution passed the Senate by the following vote: Yeas, 31; nays, 17; absent or not voting, 1.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Peterson (Ted), Petrich, Sandison, Talley, Washington—31.

Those voting nay were: Senators Atwood, Chytil, Cowen, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Rasmussen, Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams—17.

Absent or not voting: Senator Woodall—1.

Senate Concurrent Resolution No. 12 having received the constitutional majority, was declared passed.

**Senate Bill No. 304**, by Senators Dore and England:

Authorizing the creation of intermediate school districts.

The bill was read the second time by sections.

On motion of Senator Dore, the rules were suspended, Senate Bill No. 304 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

On motion of Senator McCutcheon, Senate Bill No. 304 on final passage was made a special order of business for 2:00 p. m. today.

**Senate Bill No. 250**, by Senators Keefe, Guess and Woodall:

Reducing overload fees.

On motion of Senator Riley, Substitute Senate Bill No. 250 was substituted for Senate Bill No. 250 and Substitute Senate Bill No. 250 was placed on second reading.

The bill was read the second time by sections.

On motion of Senator Keefe, the rules were suspended, Substitute Senate Bill No. 250 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 250 and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Talley, Williams, Woodall—44.

Absent or not voting: Senators Durkan, McCormack, Ryder, Thompson, Jr., Washington—5.

Substitute Senate Bill No. 250, having received the constitutional 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. 129**, by Senators Dore, Mardesich and Petrich:

Providing procedure for certification of local law by federal courts to the state supreme court.

The bill was read the second time by sections.

On motion of Senator Dore, the rules were suspended, Senate Bill No. 129 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 129 and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Absent or not voting: Senator Keefe—1.

Senate Bill No. 129, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 281**, by Senators Peterson (Ted), Riley, Kupka and Talley:

Requiring director of labor and industries to issue rules pertaining to electricians and increasing certain fees.

**REPORT OF STANDING COMMITTEE****Senate Bill No. 281:**

Senate Chamber,

Olympia, Wash., March 3, 1965.

Requiring director of labor and industries to issue rules pertaining to electricians and increasing certain fees (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 1, line 27 before “,” strike “national electrical code” and insert “[national electrical code] *National Electrical Code*”

On page 2, section 1, line 9, after “shall” and before “or” strike “[conform to any applicable standards] *be listed*” and insert “conform to [any] applicable standards”

On page 2, section 1, line 10, at the beginning of the line before “indicated” strike “so” and insert “be”

On page 3, section 2, lines 2 and 3 after “applicable” on line 2 strike all the material down to and including “the rules,” on line 3 and insert “[rules, regulations and standards of the National Bureau of Standards of the United States Department of Commerce, and the rules,]”

On page 8, section 5, line 4 after “*installed in*” and before “*and mobile*” strike “*trailers*” and insert “*trailer coaches (including mobile homes, camp cars or travel trailers)*”

On page 8, section 5, line 5, after “*the*” and before “.” strike “*fee shall be three dollars*” and insert “*inspection fee shall be one dollar which inspection by the electrical inspection division shall consist of an examination of electrical plans and periodic inspection in the field to ascertain compliance with minimum electrical standards*”.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Sam C. Guess, George W. Kupka, John T. McCutcheon, August P. Mardesich, Edward F. Riley, John H. Stender.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the committee amendments were adopted.

It was moved by Senator Charette that the following amendment be adopted:

On page 7, section 5, line 33, strike "[five dollars] *seven dollars* [seven dollars]" and insert "*five dollars; seven dollars*".

On page 8, line 2, strike " , nine dollars" and "[nine dollars]" and insert "*nine dollars*".

On page 8, line 3, strike " , *eleven dollars*".

Debate ensued.

The motion was lost on a rising vote and the amendments were not adopted.

On motion of Senator Riley, the rules were suspended, Engrossed Senate Bill No. 281 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 281 and the bill passed the Senate by the following vote: Yeas, 37; nays, 9; absent or not voting, 3.

Those voting yea were: Senators Bailey, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Stender, Talley, Thompson, Jr., Washington, Williams—37.

Those voting nay were: Senators Charette, Chytil, Donohue, Hanna, Henry, Morgan, Raugust, Sandison, Woodall—9.

Absent or not voting: Senators Atwood, Hallauer, Lennart—3.

Engrossed Senate Bill No. 281, having received the constitutional majority, was declared passed.

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

#### MOTION

At 12:40 p. m., on motion of Senator Greive, the Senate recessed until 1:30 p.m.

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#### AFTERNOON SESSION

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The President called the Senate to order at 1:30 p. m.

The Secretary called the roll and announced to the President that all Senators were present.

#### MOTION

On motion of Senator Guess, all bills passed this morning were ordered immediately transmitted to the House.

**Senate Bill No. 416**, by Senators Hanna, Lewis, Hallauer and Herr:

Authorizing the acquisition, regulation and rental of state capitol parking facilities.

The bill was read the second time by sections.

On motion of Senator Lewis, the rules were suspended, Senate Bill No. 416 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 416 and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Thompson, Jr., Washington, Williams, Woodall—43.

Absent or not voting: Senators Cowen, Henry, Lennart, Mardesich, Stender, Talley—6.

Senate Bill No. 416, having received the constitutional 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. 335**, by Senators Herrmann, Ryder and Durkan:

Providing for authorized but unissued stock and stock option plans for banks and trust companies.

The bill was read the second time by sections.

#### POINT OF INQUIRY

Senator Dore:

"Would Senator Durkan yield to a question?"

Senator Durkan:

"Yes."

Senator Dore:

"Senator Durkan, does this give options also to the directors and stockholders, or only to the employees?"

Senator Durkan:

"Mr. President and Senators:

"This stock option is not restricted to just employees of the bank. The purpose of the bill and the reason my name is on it is to permit the employees of the bank to do this."

Senator Dore:

"Senator, what is the limitation now as to the existing law? Is there any permission for options under the present law?"

Senator Durkan:

"Under the present law, Senator Dore, as you realize, all stock has to be issued and paid for at this time. This merely permits ten percent of the authorized stock to be unissued and will permit the management, such as employees, to have an opportunity to participate in the stock venture."

Debate ensued.

On motion of Senator Durkan, the rules were suspended, Senate Bill No. 335 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 335 and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Cowen, Lennart, McCutcheon, Mardesich—4.

Senate Bill No. 335 having received the constitutional majority, was 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 Jastad and Kalich:

Reconveying certain property from the state to Lewis county.

It was moved by Senator Riley that House Bill No. 397 be placed at the beginning of the first calendar embracing House bills.

The motion was carried.

**Senate Bill No. 219**, by Senator Mardesich:

Requiring bid proposal deposits when contracting with cities.

**REPORT OF STANDING COMMITTEE**

**Senate Bill No. 219:**

Senate Chamber,

Olympia, Wash., February 16, 1965.

Requiring bid proposal deposits when contracting with cities (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 1, line 27, after "check," and before "money" insert "postal"

On page 2, section 1, line 22, after "check or" and before "money" insert "postal".

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Sam C. Guess, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Freise, the committee amendments were adopted.

On motion of Senator Atwood, the rules were suspended, Engrossed Senate Bill No. 219 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 219 and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka,

Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Donohue, Gissberg, Lewis, Mardesich, Stender—5.

Engrossed Senate Bill No. 219, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 68**, by Senators Herrmann, Cooney and Gallagher:

Providing inheritance tax exemptions for firemen's pensions.

On motion of Senator Ryder, Senate Bill No. 68 was ordered to retain its place on the second reading calendar immediately following Senate Bill No. 176.

**Senate Bill No. 313**, by Senators England, Kupka and Gallagher:

Regulating collection agencies.

On motion of Senator Rasmussen, Senate Bill No. 313 was ordered to retain its place at the end of the second reading calendar for today.

**Senate Bill No. 176**, by Senators Raugust, Donohue and Hanna:

Redefining circumstances precluding benefits to city firemen for nonduty disability.

The bill was read the second time by sections.

On motion of Senator Woodall, the following amendment was adopted:

On page 2, section 1, line 1, before "engaged" insert "gainfully employed or" .

On motion of Senator Raugust, the rules were suspended, Engrossed Senate Bill No. 176 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 176 and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Gallagher, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Absent or not voting: Senators Freise, Gissberg, Hallauer, Kupka, Lewis, Mardesich—6.

Engrossed Senate Bill No. 176, having received the constitutional 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. 68**, by Senators Herrmann, Cooney and Gallagher:

Providing inheritance tax exemptions for firemen's pensions.

The Senate resumed consideration of Senate Bill No. 68.

The bill was read the second time by sections.

On motion of Senator Ryder, the following amendment was adopted:

Beginning on line 6, strike all the material down to and including the period on line 11 and insert "The right of a person to a pension, annuity or retirement allowance, any optional benefit, any other right accrued or accruing to any person under RCW Title 41 shall be exempt from inheritance tax."

On motion of Senator Riley, the rules were suspended, Engrossed Senate Bill No. 68 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 68 and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Gissberg, Hanna, Mardesich, Talley—4.

Engrossed Senate Bill No. 68, having received the constitutional majority, was declared passed.

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

#### SPECIAL ORDER OF BUSINESS

**Senate Bill No. 304**, by Senators Dore and England:

Authorizing the creation of intermediate school districts.

The time having arrived, the Senate resumed consideration of Senate Bill No. 304 on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 304, and the bill passed the Senate by the following vote: Yeas, 40; nays, 5; absent or not voting, 4.

Those voting yea were: Senators Atwood, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Williams—40.

Those voting nay were: Senators Bailey, Charette, Chytil, Raugust, Woodall—5.

Absent or not voting: Senators Gissberg, Mardesich, Talley, Washington—4.

Senate Bill No. 304, having received the constitutional majority, was declared passed.

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



On motion of Senator Thompson, Jr., the rules were suspended and Senate Bill No. 304 was ordered immediately transmitted to the House.

**Senate Joint Resolution No. 20**, by Senators Riley, Lennart, Dore, Ryder, Gallagher, Knoblauch, Washington, Mardesich, Petrich, Thompson, Jr. and Hallauer:

Repealing alien land laws.

The resolution was read the second time by sections.

On motion of Senator Riley, the rules were suspended, Senate Joint Resolution No. 20 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Resolution No. 20 and the resolution passed the Senate by the following vote: Yeas, 42; nays, 1; absent or not voting, 6.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Williams, Woodall—42.

Those voting nay were: Senator McMillan—1.

Absent or not voting: Senators Gissberg, McCormack, Mardesich, Rasmussen, Talley, Washington—6.

Senate Joint Resolution No. 20, having received the constitutional two-thirds majority, was declared passed.

#### EXPLANATION OF VOTE

"I was called away from the Senate floor during the vote on Senate Joint Resolution No. 20. I wish to record that I favor this resolution and would have voted for it if I had been present."  
(SENATOR) MIKE MCCORMACK.

**Senate Joint Resolution No. 8**, by Senators Freise and McCormack:

Removing prohibition against raising salaries during terms of office.

On motion of Senator Riley, Substitute Senate Joint Resolution No. 8 was substituted for Senate Joint Resolution No. 8 and Substitute Senate Joint Resolution No. 8 was placed on second reading and read in full.

On motion of Senator Williams, the following amendment was adopted:

On page 1, lines 11 and 12, after "increased" strike "or diminished".

Senators Greive, Gallagher and Herrmann demanded a Call of the Senate. A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

On motion of Senator Freise, the rules were suspended, Engrossed Substitute Senate Joint Resolution No. 8 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Joint Resolution No. 8 and the resolution passed the Senate by the following vote: Yeas, 34; nays, 15.

Those voting yea were: Senators Bailey, Connor, Cooney, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Raugust, Riley, Ryder, Stender, Talley, Thompson, Jr., Washington, Williams—34.

Those voting nay were: Senators Atwood, Charette, Chytil, Cowen, Dore, Guess, Hallauer, Lennart, Lewis, Morgan, Petrich, Rasmussen, Redmon, Sandison, Woodall—15.

Engrossed Substitute Senate Joint Resolution No. 8, having received the constitutional two-thirds majority, was declared passed.

**Senate Bill No. 477**, by Senators Knoblauch, Hanna and Gallagher:  
Regulating sale of liquor on election days.

## REPORT OF STANDING COMMITTEE

**Senate Bill No. 477:**

Senate Chamber,  
Olympia, Wash., March 5, 1965.

Regulating sale of liquor on election day (reported by Committee on Liquor Control):

Recommends that it do pass with the following amendment:

On line 17 after "*the day*" strike everything down to the period on line 19 and insert "*of any election, general or special, of any diking district, drainage district, diking and drainage district, irrigation district or any other district election when such elections are held on an isolated date and the ownership of property is a prerequisite to voting at such elections*"

FRANK CONNOR, Chairman.

We concur in this report: Al Henry, George W. Kupka, Harry B. Lewis, Edward F. Riley, Don L. Talley, Albert C. Thompson, Jr., Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Riley, the committee amendment was adopted.

On motion of Senator Riley, the rules were suspended, Engrossed Senate Bill No. 477 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 477 and the bill passed the Senate by the following vote: Yeas, 43; nays, 6.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Those voting nay were: Senators Cowen, Durkan, McMillan, Morgan, Redmon, Ryder—6.

Engrossed Senate Bill No. 477, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 321**, by Senator Gissberg:

Providing for closing of estate where amount of liens, taxes, final expenses and awards equals value of estate.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, Senate Bill No. 321 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

On motion of Senator Greive, Senator Freise was excused.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 321 and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Washington, Williams, Woodall—48.

Excused: Senator Freise—1.

Senate Bill No. 321, having received the constitutional majority, was declared passed.

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

**RECONSIDERATION**

**Senate Joint Resolution No. 2**, by Senators Peterson (Lowell), Gissberg, Mardesich and Hanna (by Executive request of Governor Rosellini):

Proposing constitutional amendment changing residence qualifications for voting to six months in state, thirty days in county, city, town, ward, or precinct.

It was moved by Senator Greive that the Senate do now resume consideration of Senate Joint Resolution No. 2 on final passage.

The motion was carried.

It was moved by Senator Thompson, Jr., that the rules be suspended and that Senate Joint Resolution No. 2 be returned to second reading.

Debate ensued.

It was moved by Senator Greive that the motion by Senator Thompson, Jr., be laid upon the table.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Atwood, Chytil, Thompson, Jr., Greive, Kupka, Gallagher, Knoblauch and Hanna.

**ROLL CALL**

The Secretary called the roll and the motion was carried by the following vote: Yeas, 28; nays, 21.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Peterson (Lowell), Rasmussen, Sandison, Talley, Washington—28.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Freise, Guess, Lennart, Lewis, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams, Woodall—21.

The President declared the question before the Senate is: Senate Joint Resolution No. 2 on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Greive:

"Would Senator Woodall yield to a question?"

Senator Woodall:

"Yes."

Senator Greive:

"Would you be willing to accept as a compromise that we have all state-wide offices on a six month requirement? You understand the problem is that many times people move from one part of the state to the other. It isn't always from out of state. I think that should satisfy you. It would mean that the legislature and local county commissioners wouldn't necessarily be voted on. Now if you have an objection to that, I would like to hear your remarks. I think you have a sound position. It seems to me this would be a sound compromise."

Senator Woodall:

"Excuse me. Does your proposal include legislative races?"

Senator Greive:

"No, no legislative or county races, but all state-wide offices, starting with the governor, on down."

Senator Woodall:

"That would be sixty days?"

Senator Greive:

"Yes."

Senator Woodall:

"Let's understand each other. To vote for the legislature, what would be the requirement?"

Senator Greive:

"One year as it is now."

Senator Woodall:

"One year. Well, yes, I think I can go along with that."

Further debate ensued.

The Secretary called the roll on the final passage of Senate Joint Resolution No. 2 and the resolution failed to pass the Senate by the following vote: Yeas, 32; nays, 17.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Stender, Talley, Washington—32.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Freise,

Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Thompson, Jr., Williams, Woodall—17.

Senate Joint Resolution No. 2, having failed to receive the constitutional two-thirds majority, was declared lost.

#### EXPLANATION OF VOTE

In 1962 the people rejected the current version of Senate Joint Resolution No. 2. I believe they knew what they were doing.

But, new residents of this state, being United States citizens, should be able to vote for President, particularly in this electronic age when the issues are widely debated. I offered an amendment to give the people a chance to enfranchise residents who have lived in the state sixty days to vote for President. I believed that if this amendment had been adopted, we would have been justified in asking the people to vote again. Without it, I had to vote "No".

SENATOR ALBERT C. THOMPSON, JR.

On motion of Senator Riley, the Senate dispensed with the Call of the Senate.

#### MOTION

It was moved by Senator Dore that the Senate do now consider Senate Bill No. 122 on final passage.

Debate ensued.

#### POINT OF ORDER

Senator Greive:

"Pursuant to the joint resolution, I presume that we can no longer consider Senate bills, so I would move that we do now revert to the second order of business."

#### MOTIONS

On motion of Senator Riley, the rules were suspended and all bills passed today were ordered immediately engrossed and transmitted to the House.

It was moved by Senator Greive that the rules be suspended and all Senate bills presently on the calendar be referred to the Committee on Rules and Joint Rules.

#### PARLIAMENTARY INQUIRY

Senator Dore:

"Mr. President:

"Under the joint resolution passed by both houses, no further action will be taken on Senate bills in the Senate after 3:00 p. m., today. Now that time has passed, so any motion in reference to those bills, I think, would be out of order. I believe they should retain their places on the calendar as they are."

Senator Greive:

"I think that it is a good thing to put to a vote. Maybe the majority doesn't want all bills returned to the Committee on Rules and Joint Rules."

Senator Dore demanded a roll call and the demand was sustained by Senators Talley, Petrich, Mardesich, Stender, Redmon, Greive, McCutcheon, Riley and Connor.

#### ROLL CALL

The Secretary called the roll on the motion by Senator Greive to refer all Senate bills to the Committee on Rules and Joint Rules, and the motion was carried by the following vote: Yeas, 40; nays, 7; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Gallagher, Gissberg,

Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Williams, Woodall—40.

Those voting nay were: Senators Dore, Freise, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Washington—7.

Absent or not voting: Senators Hanna, McCutcheon—2.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### Senate Bill No. 168:

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Authorizing payment for care of mentally retarded children in private institutions (reported by Committee on Public Institutions):

MAJORITY recommends that it do pass. FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, Reuben A. Knoblauch, George W. Kupka, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 379:

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Providing for board of prison terms and paroles and appointing a chairman thereof (reported by Committee on Public Institutions):

Recommends that it do pass as amended. FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, James Keefe, Reuben A. Knoblauch, George W. Kupka, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

##### House Bill No. 38:

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Enabling counties and cities to participate in a sports stadium (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, George W. Kupka, Lowell Peterson, Ted G. Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

##### House Bill No. 50:

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Providing for at large election of port commissioners in class AA county (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass. JOHN T. MCCUTCHEON, *Chairman*.

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, Al Henry, Karl Herrmann, James Keefe, David E. McMillan, Frances Haddon Morgan, Marshall A. Neill, W. C. Raugust, John N. Ryder, Nat Washington, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 51:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Requiring candidates for state representative to file by position numbers (reported by Committee on Constitution, Elections and Legislative Processes):  
MAJORITY recommends that it do pass as amended.

JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, R. R. Bob Greive, Al Henry, Gordon Herr, Karl Herrmann, David E. McMillan, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Bill No. 67:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Authorizing reporting by practitioners of healing arts of suspected cases of child abuse or neglect (reported by Judiciary Committee):  
Recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, Karl Herrmann, John T. McCutcheon, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 88:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Authorizing fire protection districts to execute conditional sales contracts (reported by Committee on Cities, Towns and Counties):  
MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, James Keefe, George W. Kupka, Ted G. Peterson, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 103:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Dispensing with elections in merger of and annexation by fire districts when certain percentage of voters approve petition (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, James Keefe, George W. Kupka, Ted G. Peterson, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 142:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Authorizing exchanges of county real property (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, George W. Kupka, Lowell Peterson, Ted G. Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 151:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Providing an alternate method of fire districts annexation procedure (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, James Keefe, George W. Kupka, Ted G. Peterson, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 152:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Allowing port district special levy for canal construction or land leveling or filling purposes (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, George W. Kupka, Lowell Peterson, Ted G. Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 160:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Allowing joint ownership and operation of property by cities and counties (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Al Henry, James Keefe, George W. Kupka, Lowell Peterson, Ted G. Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 186:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Authorizing expansion of an inter-county rural library district by a majority vote (reported by Committee on Higher Education and Libraries):

MAJORITY recommends that it do pass.

GORDON SANDISON, *Chairman*.

We concur in this report: R. Frank Atwood, Frank W. Foley, Wilbur G. Hallauer, Karl Herrmann, Harry B. Lewis, Don L. Talley, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 203:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Raising per diem for state officials and employees (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass and be referred to Committee on Ways and Means.

AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, A. L. Rasmussen, Perry B. Woodall.

On motion of Senator Riley, the committee report was adopted and House Bill No. 203 was referred to the Committee on Ways and Means.

The President called upon Vice President Pro Tempore Cowen to preside.



**Engrossed House Bill No. 204:**Senate Chamber,  
Olympia, Wash., March 8, 1965.

Raising mileage rate allowance for state officials and employees (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass and be referred to Committee on Ways and Means. AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, A. L. Rasmussen, Perry B. Woodall.

On motion of Senator Riley, the committee report was adopted and Engrossed House Bill No. 204 was referred to the Committee on Ways and Means.

**House Bill No. 241:**Senate Chamber,  
Olympia, Wash., March 8, 1965.

Raising fees for recording livestock brands (reported by Committee on Agriculture and Horticulture):

MAJORITY recommends that it do pass. DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, H. B. Hanna, Reuben A. Knoblauch, David E. McMillan, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 242:**Senate Chamber,  
Olympia, Wash., March 8, 1965.

Providing producer member of agriculture commodity board may be a director of a cooperative handling the affected commodity (reported by Committee on Agriculture and Horticulture):

MAJORITY recommends that it do pass. DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, H. B. Hanna, Reuben A. Knoblauch, David E. McMillan, Lowell Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 248:**Senate Chamber,  
Olympia, Wash., March 8, 1965.

Provides standards for disinfecting fruit trees, produce thereof (reported by Committee on Agriculture and Horticulture):

Recommends that it do pass. DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, H. B. Hanna, Reuben A. Knoblauch, David E. McMillan, Lowell Peterson, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 264:**Senate Chamber,  
Olympia, Wash., March 8, 1965.

Setting forth crimes for fraudulently obtaining public assistance (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, George W. Kupka, August P. Mardesich, Edward F. Riley, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 267:**Senate Chamber,  
Olympia, Wash., March 7, 1965.

Providing for additional time on sentences of prisoner escapees (reported by Committee on Public Institutions):

Recommends that it do pass. FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, James Keefe, Reuben A. Knoblauch, George W. Kupka, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Bill No. 268:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Providing for conditional licensing of institutions department personnel to practice medicine and surgery (reported by Committee on Public Institutions):  
Recommends that it do pass. FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, James Keefe, Reuben A. Knoblauch, George W. Kupka, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 270:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Provides state bureau of criminal identification may be established at Washington corrections center at Shelton (reported by Committee on Public Institutions):  
MAJORITY recommends that it do pass. FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, Reuben A. Knoblauch, George W. Kupka, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 271:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Allowing department of public assistance to coordinate state aid to federal programs respecting earnings of those receiving assistance (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, George W. Kupka, August P. Mardesich, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 274:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Changing services available under public institutions in county institutions and nursing homes (reported by Committee on Labor and Social Security):  
MAJORITY recommends that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, George W. Kupka, August P. Mardesich, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 293:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Providing for dissolution of inactive port districts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, George W. Kupka, Lowell Peterson, Ted G. Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 295:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Providing for the entry of this state into the interstate library compact (reported by Committee on Higher Education and Libraries):

MAJORITY recommends that it do pass. GORDON SANDISON, *Chairman*.

We concur in this report: R. Frank Atwood, Frank W. Foley, Wilbur G. Hallauer, Karl Herrmann, Harry B. Lewis, Don L. Talley, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 304:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Defining certain agricultural transactions as sales at wholesale (reported by Committee on Agriculture and Horticulture):

MAJORITY recommends that it do pass. DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, H. B. Hanna, Reuben A. Knoblauch, David E. McMillan, Lowell Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 326:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Changing admission requirements, allowable allocations, for day training centers and group training homes for mentally and physically deficient (reported by Committee on Public Institutions):

Recommends that it do pass. FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, James Keefe, Reuben A. Knoblauch, George W. Kupka, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 364:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Changing generally state teachers' retirement system law (reported by Committee on Education):

MAJORITY recommends that it do pass. MIKE McCORMACK, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, Karl Herrmann, Reuben A. Knoblauch, John T. McCutcheon, Frances Haddon Morgan, Ted G. Peterson, A. L. Rasmussen, John H. Stender, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 383:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Authorizing counties to issue revenue bonds and prescribing terms, forms, etc. (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, George W. Kupka, Lowell Peterson, Ted G. Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 442:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Creating legislative committee on education (reported by Committee on Education): MAJORITY recommends that it do pass. MIKE McCORMACK, *Chairman*.

We concur in this report: Robert L. Charette, Joe Chytil, Herbert H. Freise, Karl Herrmann, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, John H. Stender, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 464:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Providing permanent identification numbers for certain apiaries (reported by Committee on Agriculture and Horticulture):

Recommends that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, H. B. Hanna, Reuben A. Knoblauch, David E. McMillan, Lowell Peterson, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 494:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Authorizing use of spring triggered devices to control game (reported by Committee on Agriculture and Horticulture):

Recommends that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, H. B. Hanna, Reuben A. Knoblauch, David E. McMillan, Lowell Peterson, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 514:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Increasing hunting and fishing license fees (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass.

ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Ernest W. Lennart, Lowell Peterson, Ted G. Peterson, Fred G. Redmon, Gordon Sandison, John H. Stender, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 582:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Providing extra service credit for legislators in state employees' retirement system, permitting legislators who are teachers to belong to two retirement systems (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 8, 1965.

**MR. PRESIDENT:**

The House has passed Substitute House Bill No. 96; also

House Bill No. 174; also

Engrossed House Bill No. 234; also

House Bill No. 246; also

House Bill No. 247; also

House Bill No. 251; also

House Bill No. 265; also

Engrossed House Bill No. 278; also

Engrossed House Bill No. 354; also

Engrossed House Bill No. 428; also

House Bill No. 432, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 8, 1965.

MR. PRESIDENT:

The House has passed House Bill No. 125; also  
House Bill No. 285; also

House Concurrent Resolution No. 15, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 8, 1965.

MR. PRESIDENT:

The House has passed Engrossed Substitute House Bill No. 36; also

Engrossed House Bill No. 47; also

Engrossed House Bill No. 63; also

Engrossed House Bill No. 113; also

House Bill No. 134; also

House Bill No. 159; also

House Bill No. 163; also

Engrossed House Bill No. 164; also

Engrossed House Bill No. 240; also

House Bill No. 275; also

House Bill No. 303; also

House Bill No. 318; also

House Bill No. 319; also

House Bill No. 488; also

House Bill No. 490; also

Substitute House Bill No. 495; also

House Bill No. 526; also

House Bill No. 579; also

House Bill No. 638; also

House Bill No. 647; also

House Joint Memorial No. 14; also

House Joint Memorial No. 24; also

House Joint Memorial No. 25; also

Substitute House Joint Resolution No. 4; also

House Concurrent Resolution No. 7, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### FIRST READING OF HOUSE BILLS, MEMORIALS AND RESOLUTIONS

The following were read first time by title and acted upon as indicated:

**Engrossed Substitute House Bill No. 36**, by Committee on Education and Libraries:

An Act relating to state government; creating a state educational television commission and defining its powers and duties; and declaring an emergency.

Referred to Committee on Education.

**Engrossed House Bill No. 47**, by Representatives Bottiger, Valle and Wang (by Departmental request):

An Act relating to licensed electricians and electrical installations; and amending section 4, chapter 169, Laws of 1935 as last amended by section 2, chapter 207, Laws of 1963 and RCW 19.28.120.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Engrossed House Bill No. 63**, by Representatives Gallagher, Juelling and Marsh:

An Act relating to cities and towns; authorizing the investment of certain pension funds in certain securities; and amending section 35.39.040, chapter ....., Laws of 1965 and RCW 35.39.040.

Referred to Committee on Cities, Towns and Counties.

**Substitute House Bill No. 96**, by Judiciary Committee:

An Act relating to eminent domain.

Referred to Judiciary Committee.

**Engrossed House Bill No. 113**, by Representatives Haussler, Olsen and Garrett:

An Act relating to county budgets and expenditures; and amending section 36.40.100, chapter 4, Laws of 1963 and RCW 36.40.100.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 125**, by Representatives McDougall, Braun and DeJarnatt:

An Act relating to community colleges; amending section 5, chapter 198, Laws of 1961 as last amended by section 5, chapter 2, Laws of 1963 extraordinary session and RCW 28.84.210; and adding a new section to chapter 198, Laws of 1961 and to chapter 28.84 RCW.

Referred to Committee on Higher Education and Libraries.

**House Bill No. 134**, by Representatives Witherbee, O'Donnell and May:

An Act relating to industrial insurance; and amending section 51.12.070, chapter 23, Laws of 1961 and RCW 51.12.070.

Referred to Committee on Labor and Social Security.

**House Bill No. 159**, by Representatives Olsen, Garrett and Smith:

An Act relating to housing standards in cities, towns, and counties; amending section 35.80.010, chapter ....., Laws of 1965 and RCW 35.80.010; amending section 35.80.020, chapter ....., Laws of 1965 and RCW 35.80.020; and amending section 35.80.030, chapter ....., Laws of 1965 and RCW 35.80.030.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 163**, by Representatives Kalich, Haussler and Garrett:

An Act relating to the road fund and equipment rental and revolving fund; and adding a new section to chapter 4, Laws of 1963 and chapter 36.82 RCW.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 164**, by Representatives Thompson, Haussler, Kalich, Braun, Traylor, Kull, Olsen and Bozarth:

An Act relating to counties; amending section 1, chapter 218, Laws of 1963 and RCW 36.68.400; and amending section 2, chapter 218, Laws of 1963 and RCW 36.68.410; and adding a new section to chapter 4, Laws of 1963 and to chapter 36.32 RCW.

Referred to Committee on Parks, Capitol Grounds and Public Buildings.

**House Bill No. 174**, by Representatives Canfield, McDougall and Bozarth:

An Act relating to agriculture and the sale of fresh fruit, prohibiting a limitation in amount on the sale of fresh fruit below seller's cost; and providing penalties.

Referred to Committee on Agriculture and Horticulture.

**Engrossed House Bill No. 234**, by Representatives Sawyer, McCormick, Wang, Berentson, Cunningham, Warnke, Hawley, Beck, Leland and Bozarth (by Highway Interim Committee request):

Enacting new rules of the road for motor vehicles upon highways.

Referred to Committee on Highways.

**Engrossed House Bill No. 240**, by Representatives Bledsoe and Kull (by Departmental request):

An Act relating to commercial feed including customer-formula feed; repealing sections 15.53.010 through 15.53.900, chapter 11, Laws of 1961 and RCW 15.53.010 through 15.53.900; providing penalties; and making an effective date.

Referred to Committee on Agriculture and Horticulture.

**House Bill No. 246**, by Representatives Huntley, Taplin and Bozarth (by Departmental request):

An Act relating to duties of the director of licenses and amending section 29, chapter 21, Laws of 1961 extraordinary session and RCW 46.08.200.

Referred to Committee on Highways.

**House Bill No. 247**, by Representatives Cunningham and Gallagher (by Departmental request):

An Act relating to the use of fuel tax; and amending sections 82.40.050, 82.40.060, 82.40.130, 82.40.220, 82.40.250 and 82.40.270, chapter 15, Laws of 1961 and RCW 82.40.050, 82.40.060, 82.40.130, 82.40.220, 82.40.250 and 82.40.270.

Referred to Committee on Highways.

**House Bill No. 251**, by Representatives McDougall, Wolf and Taplin (by Departmental request):

An Act relating to the motor vehicle fuel importer use tax; amending sections 2, 6, 14 and 15, chapter 22, Laws of 1963 extraordinary session and RCW 82.37.020, 82.37.060, 82.37.140 and 82.37.150; and adding one new section to chapter 22, Laws of 1963 extraordinary session and chapter 82.37 RCW.

Referred to Committee on Highways.

**House Bill No. 265**, by Representatives Huntley, Wolf and Gallagher (by Departmental request):

An Act relating to the motor vehicle fuel tax; amending sections 82.36.010, 82.36.070, 82.36.090, 82.36.150, 82.36.180, 82.36.200, 82.36.230, 82.36.235, 82.36.260, 82.36.305, 82.36.310, 82.36.330 and 82.36.370, chapter 15, Laws of 1961 and RCW 82.36.010, 82.36.070, 82.36.090, 82.36.150, 82.36.180, 82.36.200, 82.36.230, 82.36.235, 82.36.260, 82.36.305, 82.36.310, 82.36.330 and 82.36.370; amending sections 82.36.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 113, Laws of 1963 and RCW 82.36.020; amending section 82.36.210, chapter 15, Laws of 1961 as amended by section 30, chapter 21, Laws of 1961 first extraordinary session and RCW 82.36.210; and adding one new section to chapter 15, Laws of 1961 and chapter 82.36 RCW.

Referred to Committee on Highways.

**House Bill No. 275**, by Representatives Epton, Humiston and Slagle (by Departmental request):

An Act relating to public assistance; adding new section to chapter 26, Laws of 1959 and to chapter 74.04 RCW.

Referred to Committee on Labor and Social Security.

**Engrossed House Bill No. 278**, by Representatives Taplin, Wolf and Cunningham (by Departmental request):

An Act relating to motor vehicles and regulating the licensing of motor vehicle dealers; amending section 46.70.010, chapter 12, Laws of 1961 as amended by section 1, chapter 48, Laws of 1961 and RCW 46.70.010; amending sections 46.70.020, 46.70.040 and 46.70.100, chapter 12, Laws of 1961 and RCW

46.70.020, 46.70.040 and 46.70.100; adding a new section to chapter 12, Laws of 1961 and to chapter 46.70 RCW; and providing penalties.

Referred to Committee on Highways.

**House Bill No. 285**, by Representative Conner:

An Act relating to cities and towns; amending section 29.13.080, chapter ....., Laws of 1965 (Senate Bill No. 5) and RCW 29.13.080.

Referred to Committee on Constitution, Elections and Legislative Processes.

**House Bill No. 303**, by Representatives Uhlman, Brachtenbach and DeJarnatt:

Changing dates for the preparation and consideration of school district budgets.

Referred to Committee on Education.

**House Bill No. 318**, by Representatives King (Chet), Garrett and Kalich:

An Act relating to industrial insurance and the assessment and collection of premiums, payrolls and records thereunder; amending section 51.16.060, chapter 23, Laws of 1961 and RCW 15.16.060.

Referred to Committee on Labor and Social Security.

**House Bill No. 319**, by Representatives King (Chet), Garrett and Kalich:

An Act relating to industrial insurance and the funds thereunder; and amending section 51.44.100, chapter 23, Laws of 1961 as amended by section 10, chapter 281, Laws of 1961, and RCW 51.44.100.

Referred to Committee on Labor and Social Security.

**Engrossed House Bill No. 354**, by Representatives Marzano, Radcliffe and Kink:

An Act relating to ownership of motor vehicles; and providing penalties.

Referred to Judiciary Committee.

**Engrossed House Bill No. 428**, by Representatives Kalich, Jastad and King (Chet):

An Act relating to transportation; providing for the transfer or continuation of permits; and adding a new section to chapter 14, Laws of 1961, and to chapter 81.80 RCW.

Referred to Committee on Highways.

**House Bill No. 432**, by Representatives Lux, Valle, O'Donnell, Swayze, Lynch, Kirk, Johnson (Doris) and Epton:

An Act relating to female employment; amending section 1, chapter 84, Laws of 1951 and RCW 49.28.070.

Referred to Committee on Labor and Social Security.

**House Bill No. 488**, by Representative Copeland:

An Act relating to industrial insurance and compensation—right to and amount; amending section 51.32.040, chapter 23, Laws of 1961 and RCW 51.32.040.

Referred to Committee on Labor and Social Security.

**House Bill No. 490**, by Representatives Epton, Backstrom and Lynch:

An Act relating to the department of institutions and state residential schools for mentally deficient persons; providing procedures for commitment of alleged mentally deficient persons over eighteen years of age; and amending



chapter 28, Laws of 1959 and chapter 72.33 RCW by adding new sections thereto.

Referred to Committee on Public Institutions.

**Substitute House Bill No. 495**, by Committee on Natural Resources:

An Act relating to public lands; and adding a new section to chapter 79.01 RCW.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 526**, by Representatives Eldridge, O'Brien and Jueling:

An Act relating to health and safety for underground workers; providing requirements for underground labor; and amending section 1, chapter 194, Laws of 1941 and RCW 49.24.080.

Referred to Committee on Labor and Social Security.

**House Bill No. 579**, by Representatives Johnson (Doris) and Jolly:

An Act relating to state parks and recreation; and to the acquisition of certain lands in Benton county for park purposes.

Referred to Committee on Parks, Capitol Grounds and Public Buildings.

**House Bill No. 638**, by Representatives Chatalas, Hurley and O'Donnell:

An Act relating to public assistance; amending section 4, chapter 211, Laws of 1963 and RCW 74.09.430.

Referred to Committee on Labor and Social Security.

**House Bill No. 647**, by Representatives Andersen (James A.), Brachtenbach, Hood and Lynch (by Executive request):

An Act relating to mental illness and mental retardation; and authorizing the state to participate in the federal mental retardation facilities and community mental health centers construction act of 1963.

Referred to Committee on Public Institutions.

**House Joint Memorial No. 14**, by Representatives King (Chet), Hawley and Taylor:

Memorializing Congress to provide funds for Willamette Falls fishways.

Referred to Committee on Fisheries, Game and Game Fish.

**House Joint Memorial No. 24**, by Representative Elder:

Requesting return of Wahluke slope land.

Referred to Committee on Natural Resources.

**House Joint Memorial No. 25**, by Representatives Conner, Savage and Traylor:

Thanking the President and secretary of interior for action respecting Fort Worden.

Referred to Committee on Parks, Capitol Grounds and Public Buildings.

**Substitute House Joint Resolution No. 4**, by Committee on Constitution, Elections and Reapportionment:

Proposing constitutional amendment reducing resident qualifications for voting within state.

Referred to Committee on Constitution, Elections and Legislative Processes.

**House Concurrent Resolution No. 7**, by Representatives Hood, Cunningham and Conner:

Providing for an interim committee on problems of technological employment.

Referred to Committee on Labor and Social Security.

**House Concurrent Resolution No. 15**, by Representatives Uhlman, Cope-land and O'Brien:

Providing for fiscal notes on certain legislation.

Referred to Committee on Ways and Means.

#### MOTION

At 3:25 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Tuesday, March 9, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## FIFTY-EIGHTH DAY

### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Tuesday, March 9, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Myron Myers, Color Bearer, and Lyn Peterson, presented the Colors.

Reverend T. Eugene Turner, pastor of the First Christian Church of Olympia, offered prayer as follows:

"O Lord, our Lord, how majestic is Thy name in all the earth. Thou hast created us in Thy image, and we would be mindful of our unique potentialities: To reason, to plan, to evaluate, to modify, to act.

"Assist each of us this day to rise to the highest level of our unique personal gifts and thus enrich the whole human enterprise. Amen."

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,

Olympia, Wash., March 8, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 68; also

Senate Bill No. 176; also

Senate Bill No. 219; also

Senate Bill No. 281; also

Senate Bill No. 477; also

Substitute Senate Joint Resolution No. 8, have inspected same, and find them correctly engrossed.

FRANK W. FOLEY, *Chairman.*

We concur in this report: Michael J. Gallagher, R. R. Bob Greive.

**Senate Bill No. 385:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Prohibits state or political subdivisions from requiring bidder on construction projects to obtain insurance from particular company, agent or broker (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass. AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 498:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Transferring powers and duties of state boards and commissions to other state agencies (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass. AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 9:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Requiring the mayor or his delegate to prepare budgets for first class cities with population over three hundred thousand (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Al Henry, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 10:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Enabling counties to participate in Economic Opportunity Act of 1964 (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 52:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Increasing irrigation district director's compensation (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 55:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Increasing school bus length limit (reported by Committee on Highways):  
MAJORITY recommends that it do pass.

NAT WASHINGTON, *Chairman*.  
AL HENRY, *Vice Chairman*.

We concur in this report: Dewey C. Donohue, Herbert H. Freise, Wilbur G. Hallauer, Gordon Herr, Karl Herrmann, Reuben A. Knoblauch, Ernest W. Lennart, August P. Mardesich, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 112:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Adding exceptions to the restraints to the creation of local improvement districts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 113:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Pertaining to transfers within county budgets (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Sam C. Guess, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 132:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Removes requirement that school district boundaries be coextensive with city boundaries (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 156:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Allowing county sales by public auction to be held wherever county commissioners designate (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 161:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Increasing county adjustment board size (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 173:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Setting forth necessary qualifications before being licensed as embalmer (reported by Committee on Commerce, Manufacturing and Licenses):

MAJORITY recommends that it do pass. GEORGE W. KUPKA, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, Jack England, Sam C. Guess, James Keefe, Reuben A. Knoblauch, Ted G. Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 187:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Authorizing counties, cities and towns to designate portions of roads or streets upon which aircraft may taxi (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Frank Connor, Dewey C. Donohue, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 234:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Enacting new rules of the road for motor vehicles upon highways (reported by Committee on Highways):

MAJORITY recommends that it do pass as amended. NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Dewey C. Donohue, Herbert H. Freise, Sam C. Guess, H. B. Hanna, Karl Herrmann, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, August P. Mardesich, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 239:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Raising motor vehicle fees and providing for disposition thereof (reported by Committee on Highways):

MAJORITY recommends that it do pass. NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Dewey C. Donohue, Fred H. Dore, Frank W. Foley, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, Gordon Herr, Karl Herrmann, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, John A. Petrich, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 244:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Making general changes in flood control district law; repeals earlier 1935 law on such districts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Sam C. Guess, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 245:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Exempting United States vehicles from motor vehicle registration; providing registration of vehicles possessed by international body. (reported by Committee on Highways):

MAJORITY recommends that it do pass. NAT WASHINGTON, *Chairman*.  
AL HENRY, *Vice Chairman*.

We concur in this report: Dewey C. Donohue Sam C. Guess, Wilbur G. Hallauer, Karl Herrmann, Reuben A. Knoblauch, Ernest W. Lennart, August P. Mardesich, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 246:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Changing annual report to governor by director of licenses from calendar to fiscal year basis; changes date required (reported by Committee on Highways):

MAJORITY recommends that it do pass. NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Dewey C. Donohue, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, Karl Herrmann, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, John A. Petrich, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 247:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Changing administrative provisions relating to users under motor vehicle use fuel tax (reported by Committee on Highways):

MAJORITY recommends that it do pass. NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Dewey C. Donohue, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, Gordon Herr, Karl Herrmann, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, John A. Petrich, Fred G. Redmon, Gordon Sandison, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 249:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Abolishing issuance of duplicate vehicle license plates (reported by Committee on Highways):

MAJORITY recommends that it do pass. NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Dewey C. Donohue, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, Gordon Herr, Karl Herrmann, Reuben A. Knoblauch, Ernest W.

Lennart, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, John A. Petrich, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 253:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Allowing sewer districts to change names (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 276:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Including as dependent children for public assistance purposes certain students over eighteen years of age (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, Sam C. Guess, George W. Kupka, August P. Mardesich, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 277:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Authorizing payment of certain funeral services by department of public assistance (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, George W. Kupka, August P. Mardesich, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 298:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Requiring publication of notice of resolutions for formation of LID's in water districts rather than publishing resolution in full (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 299:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Requiring publication of notice of resolution for formation of LID's in sewer districts rather than publishing resolution in full (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Frances

Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 307:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Providing for payment of eye care service benefits under insurance contracts whether such care is performed by physician or optometrist (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

MAJORITY recommends that it do pass. DAVID E. McMILLAN, *Chairman*.

We concur in this report: R. R. Bob Greive, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 315:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Regulating psychologists (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

Recommends that it do pass as amended. DAVID E. McMILLAN, *Chairman*.

We concur in this report: John L. Cooney, David C. Cowen, R. R. Bob Greive, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 332:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Establishing a system for regulating charter party carriers (reported by Committee on Commerce, Manufacturing and Licenses):

MAJORITY recommends that it do pass. GEORGE W. KUPKA, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, David C. Cowen, Jack England, Michael J. Gallagher, Sam C. Guess, James Keefe, Reuben A. Knoblauch, Harry B. Lewis, Ted G. Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 343:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Permitting increase in gross weight on highways, if federal highway law is so amended (reported by Committee on Highways):

MAJORITY recommends that it do pass. NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Dewey C. Donohue, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, Karl Herrmann, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, John A. Petrich, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 461:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Authorizing water districts to enter contracts for the operation of the district and to enter contracts for the operation by it of other water or sewer systems (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Frances



Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 462:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Authorizing sewer districts to enter contracts for the operation of the district and to enter contracts for the operation by it of other sewer or water systems (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 476:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Prohibiting sales of certain sliding glass doors or sliding glass assemblies unless of stated quality (reported by Committee on Commerce, Manufacturing and Licenses):

MAJORITY recommends that it do pass.

GEORGE W. KUPKA, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, David C. Cowen, Jack England, Michael J. Gallagher, Sam C. Guess, James Keefe, Reuben A. Knoblauch, Harry B. Lewis, Ted G. Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Bill No. 495:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Providing for removal of materials from bed and shores of navigable rivers or streams by public agencies without payment of royalty (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Sam C. Guess, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 549:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Providing for state trade fairs and the support thereof (reported by Committee on Commerce, Manufacturing and Licenses):

MAJORITY recommends that it do pass.

GEORGE W. KUPKA, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, David C. Cowen, Jack England, Michael J. Gallagher, Sam C. Guess, James Keefe, Harry B. Lewis, Ted G. Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Memorial No. 10:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Requesting a peace arch commemorative postage stamp (reported by Committee on Commerce, Manufacturing and Licenses):

MAJORITY recommends that it do pass.

GEORGE W. KUPKA, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, David C. Cowen, Jack England, Sam C. Guess, James Keefe, Reuben A. Knoblauch, Ted G. Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Memorial No. 26:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Memorializing Congress to amend federal sugar act (reported by Committee on Commerce, Manufacturing and Licenses):

MAJORITY recommends that it do pass. GEORGE W. KUPKA, *Chairman.*

We concur in this report: Frank Connor, John L. Cooney, David C. Cowen, Jack England, Michael J. Gallagher, R. R. Bob Greive, Sam C. Guess, James Keefe, Reuben A. Knoblauch, Harry B. Lewis, August P. Mardesich, Ted G. Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**House Concurrent Resolution No. 6:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Congratulating Boeing Company on its fiftieth anniversary (reported by Committee on Commerce, Manufacturing and Licenses):

MAJORITY recommends that it do pass. GEORGE W. KUPKA, *Chairman.*

We concur in this report: Frank Connor, John L. Cooney, David C. Cowen, Jack England, Sam C. Guess, James Keefe, Reuben A. Knoblauch, Ted G. Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE GOVERNOR**

Executive Department,  
Olympia, March 8, 1965.

*To the Honorable, the Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Second Substitute Senate Bill, entitled:

**Second Substitute Senate Bill No. 34**

"An Act relating to nuclear industry; establishing a revolving fund designated the 'perpetual maintenance', amending section 43.31.040, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.31.040; amending section 4, chapter 207, Laws of 1961 and RCW 70.98.040; adding new sections to chapter ....., Laws of 1965 (Senate Bill No. 4) and to chapter 43.31 RCW; and declaring an emergency."

Very truly yours,

RAYMOND W. HAMAN,  
*Legal Counsel to the Governor.*

Executive Department,  
Olympia, March 9, 1965.

*To the Honorable, the Senate of the State of Washington.*

LADY AND GENTLEMEN:

This is to advise you that it is my present intention to call a Special Session of the Washington State Legislature for noon on Monday, March 15.

The official call for this Special Session will be filed with the Secretary of State and presented to the Legislature on the 60th day of the regular legislative session.

Respectfully submitted,

DANIEL J. EVANS, *Governor.*

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 8, 1965.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 199; also Engrossed House Bill No. 321; also Engrossed House Bill No. 454; also Engrossed House Bill No. 460; also

Engrossed House Bill No. 477; also  
Engrossed House Bill No. 515; also  
Engrossed House Bill No. 575; also  
Engrossed House Bill No. 643, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 199**, by Representatives Bottiger, Avey and Goldsworthy:

An Act relating to the aircraft excise tax; and amending section 82.48.100, chapter 15, Laws of 1961 and RCW 82.48.100.

Referred to Committee on Ways and Means.

**Engrossed House Bill No. 321**, by Representatives Moos, Beck and Bledsoe:

An Act relating to hunting and fishing and limiting the liability of owners of agricultural, range and forest land and water areas made available to the public for hunting and fishing purposes.

Referred to Committee on Fisheries, Game and Game Fish.

**Engrossed House Bill No. 454**, by Representatives Marsh, Canfield and McDougall:

An Act relating to agricultural marketing and marketing contracts of associations of agricultural producers.

Referred to Committee on Agriculture and Horticulture.

**Engrossed House Bill No. 460**, by Representatives Kink, Hood, Sawyer and Huntley:

An Act relating to vehicles; providing for the regulation and licensing thereof and of persons in relation thereto; and amending section 46.44.020, chapter 12, Laws of 1961 and RCW 46.44.020.

Referred to Committee on Highways.

**Engrossed House Bill No. 477**, by Representatives Flanagan, McCormick and Newhouse:

An Act relating to the Columbia Basin commission; amending section 43.49.010, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.49.010; amending section 43.49.030, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.49.030; amending section 43.49.040, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.49.040; amending section 43.49.070, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.49.070; repealing section 43.49.020, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.49.020; and repealing section 43.49.050, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.49.050.

Referred to Committee on Public Utilities.

**Engrossed House Bill No. 515**, by Representatives Wolf, Kink and Traylor:

An Act relating to public highways; amending section 46.56.135, chapter 12, Laws of 1961, and RCW 46.56.135; adding a new section to chapter 12, Laws of 1961 and to chapter 46.56 RCW; and providing penalties.

Referred to Committee on Highways.

**Engrossed House Bill No. 575**, by Representatives Olsen, Brachtenbach and McCormick:

An Act relating to alcoholic beverage control; amending section 4, chapter

70, Laws of 1955, and RCW 66.44.290; adding two new sections to chapter 70, Laws of 1955 and to chapter 66.44 RCW; and providing penalties.

Referred to Committee on Liquor Control.

**Engrossed House Bill No. 643**, by Representatives Chatalas, O'Donnell and May:

An Act relating to public assistance; amending section 74.04.005, chapter 26, Laws of 1959 as last amended by section 1, chapter 228, Laws of 1963, and RCW 74.04.005; and repealing section 74.08.270, chapter 26, Laws of 1959 and RCW 74.08.270.

Referred to Committee on Labor and Social Security.

The President declared the Senate to be at ease.

The President called the Senate to order at 11:40 a. m.

#### MOTION

On motion of Senator Freise, the Senate recessed until 1:30 p. m.

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#### AFTERNOON SESSION

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The President called the Senate to order at 1:30 p. m.

The Secretary called the roll and announced to the President that all Senators were present.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### **Senate Bill No. 311:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Establishing and providing for the administration of a correctional institution for women (reported by Committee on Public Institutions):

MAJORITY recommends that it do pass. FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Reuben A. Knoblauch, George W. Kupka, Lowell Peterson, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

##### **Engrossed House Bill No. 33:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Providing Tacoma Narrows bridge be toll free upon retirement of bonded indebtedness (reported by Committee on Highways):

MAJORITY recommends that it do pass. NAT WASHINGTON, *Chairman*.

....., *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, H. B. Hanna, Gordon Herr, Reuben A. Knoblauch, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, Fred G. Redmon, John H. Stender, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 56:**Senate Chamber,  
Olympia, Wash., March 9, 1965.

Changing certain fees and procedures under securities act (reported by Judiciary Committee):

MAJORITY recommends that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Fred H. Dore, Jack England, Herbert H. Freise, H. B. Hanna, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 60:**Senate Chamber,  
Olympia, Wash., March 9, 1965.

Enacting the Washington business corporation act (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Fred H. Dore, Jack England, H. B. Hanna, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 61:**Senate Chamber,  
Olympia, Wash., March 8, 1965.

Changing certain staking and holding requirements for mining claims (reported by Committee on Natural Resources):

MAJORITY recommends that it do pass.

LOWELL PETERSON, *Chairman*.

We concur in this report: Joe Chytil, William A. Gissberg, Wilbur G. Hallauer, Gordon Herr, Harry B. Lewis, Mike McCormack, August P. Mardesich, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 91:**Senate Chamber,  
Olympia, Wash., March 9, 1965.

Making a portion of filing fees in justice court available for county law libraries (reported by Judiciary Committee):

MAJORITY recommends that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Fred H. Dore, Jack England, H. B. Hanna, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 92:**Senate Chamber,  
Olympia, Wash., March 8, 1965.

Revising law relating to mineral leases on state lands (reported by Committee on Natural Resources):

MAJORITY recommends that it do pass.

LOWELL PETERSON, *Chairman*.

We concur in this report: Joe Chytil, William A. Gissberg, Wilbur G. Hallauer, Gordon Herr, Harry B. Lewis, Mike McCormack, August P. Mardesich, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 100:**Senate Chamber,  
Olympia, Wash., March 9, 1965.

Prohibiting use of lie detectors in employment of persons (reported by Judiciary Committee):

MAJORITY recommends that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Fred H. Dore, Martin J. Durkan, Frank W. Foley, William A. Gissberg, H. B. Hanna, John T. McCutcheon, Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 148:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Amending lease procedures for public lands (reported by Committee on Natural Resources):

MAJORITY recommends that it do pass. LOWELL PETERSON, *Chairman*.

We concur in this report: Joe Chytil, William A. Gissberg, Wilbur G. Hallauer, Gordon Herr, Harry B. Lewis, Mike McCormack, August P. Mardesich, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 164:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Allowing all counties to create park and recreation service areas (reported by Committee on Parks, Capitol Grounds and Public Buildings):

MAJORITY recommends that it do pass. GORDON HERR, *Chairman*.

We concur in this report: Jack England, Wilbur G. Hallauer, Lowell Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 174:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Forbidding limitation in amount on sale of fresh fruit below seller's cost (reported by Committee on Agriculture and Horticulture):

Recommends that it do pass. DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, H. B. Hanna, Reuben A. Knoblauch, David E. McMillan, Lowell Peterson, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 189:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Providing for the election of members of the Washington State Dairy Products Commission (reported by Committee on Agriculture and Horticulture):

MAJORITY recommends that it do pass. DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Herbert H. Freise, H. B. Hanna, Reuben A. Knoblauch, Lowell Peterson, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 231:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Changing fees to be collected by supervisor of water resources (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass. AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 237:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Changing date for selection of jurors by county clerk (reported by Judiciary Committee):

MAJORITY recommends that it do pass. JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Fred H. Dore, Jack England, Herbert H. Freise, H. B. Hanna, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 240:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Regulating sale of commercial feed including customer-formula feed (reported by Committee on Agriculture and Horticulture):

MAJORITY recommends that it do pass. DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, H. B. Hanna, Reuben A. Knoblauch, David E. McMillan, Lowell Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 256:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Regulating hair dressing and beauty culture establishments and the operators and employees thereof (reported by Committee on Commerce, Manufacturing and Licenses):

MAJORITY recommends that it do pass. GEORGE W. KUPKA, *Chairman*.

We concur in this report: John L. Cooney, David C. Cowen, Michael J. Gallagher, R. R. Bob Greive, Sam C. Guess, James Keefe, Reuben A. Knoblauch, Harry B. Lewis, August P. Mardesich, Ted G. Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 275:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Providing department of public assistance may transfer uncollectible debts to suspense account and limiting time for collection (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Frank Connor, Jack England, Sam C. Guess, George W. Kupka, John T. McCutcheon, August P. Mardesich, Edward F. Riley, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 278:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Providing requisites for motor vehicle dealer licenses (reported by Committee on Highways):

MAJORITY recommends that it do pass. NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Dewey C. Donohue, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, Karl Herrmann, Reuben A. Knoblauch, Ernest W. Lennart, August P. Mardesich, Frances Haddon Morgan, Ted G. Peterson, W. C. Raugust, Fred G. Redmon, Gordon Sandison, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 285:**Senate Chamber,  
Olympia, Wash., March 9, 1965.

Lengthening voting hours (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass.

JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, Gordon Herr, Karl Herrmann, James Keefe, David E. McMillan, Frances Haddon Morgan, Fred G. Redmon, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 296:**Senate Chamber,  
Olympia, Wash., March 9, 1965.

Setting out department of public assistance's duties relating to child welfare (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Jack England, Sam C. Guess, George W. Kupka, John T. McCutcheon, August P. Mardesich, Edward F. Riley, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 313:**Senate Chamber,  
Olympia, Wash., March 9, 1965.

Defining failure to return a rented automobile as larceny (reported by Judiciary Committee):

MAJORITY recommends that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Fred H. Dore, Jack England, Herbert H. Freise, William A. Gissberg, H. B. Hanna, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 318:**Senate Chamber,  
Olympia, Wash., March 9, 1965.

Amending employer payroll reporting requirements under workmen's compensation act (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Frank Connor, Jack England, George W. Kupka, John T. McCutcheon, August P. Mardesich, Edward F. Riley, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 319:**Senate Chamber,  
Olympia, Wash., March 9, 1965.

Changing requirements of investment of funds under workmen's compensation act (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Jack England, Sam C. Guess, George W. Kupka, John T. McCutcheon, August P. Mardesich, Edward F. Riley, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 338:**Senate Chamber,  
Olympia, Wash., March 9, 1965.

Creating game department jurisdiction on Snake river (reported by Committee on Fisheries, Game and Game Fish):

Recommends that it do pass.

ROBERT L. CHARETTE, *Chairman*.



We concur in this report: Ernest W. Lennart, Lowell Peterson, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, Fred G. Redmon, Gordon Sandison, John H. Stender, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 362:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Increasing marketing assessment on soft tree fruits (reported by Committee on Agriculture and Horticulture):

Recommends that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, H. B. Hanna, Reuben A. Knoblauch, David E. McMillan, Lowell Peterson, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 369:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Adding member to state judicial council (reported by Judiciary Committee):

MAJORITY recommends that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Fred H. Dore, Jack England, H. B. Hanna, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 375:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Removing residence restriction for applicant for aid to the blind (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Jack England, George W. Kupka, John T. McCutcheon, August P. Mardesich, Edward F. Riley, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 382:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Raising assessments on milk and cream under dairy products commission (reported by Committee on Agriculture and Horticulture):

MAJORITY recommends that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Herbert H. Freise, H. B. Hanna, Reuben A. Knoblauch, David E. McMillan, Lowell Peterson, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 430:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Authorizing receipt of federal funds by parks and recreation commission for youth development and conservation corps (reported by Committee on Parks, Capitol Grounds and Public Buildings):

MAJORITY recommends that it do pass.

GORDON HERR, *Chairman*.

We concur in this report: Jack England, Wilbur G. Hallauer, Lowell Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 432:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Regulating female work day (reported by Committee on Labor and Social Security):  
MAJORITY recommends that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Jack England, Sam C. Guess, George W. Kupka, John T. McCutcheon, August P. Mardesich, Edward F. Riley, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 439:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Allowing interested parties to obtain copies of police accident reports (reported by Judiciary Committee):

MAJORITY recommends that it do pass. JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Fred H. Dore, Jack England, Herbert H. Freise, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 460:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Permit auto transports height of fourteen feet upon highway (reported by Committee on Highways):

MAJORITY recommends that it do pass. NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Dewey C. Donohue, Wilbur G. Hallauer, Karl Herrmann, Reuben A. Knoblauch, Ernest W. Lennart, August P. Mardesich, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 474:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Permitting use of oleomargarine in state institutions (reported by Committee on Public Institutions):

MAJORITY recommends that it do pass. FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Herbert H. Freise, James Keefe, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 488:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Withholding industrial insurance benefits from incarcerated workmen (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Jack England, Sam C. Guess, George W. Kupka, John T. McCutcheon, August P. Mardesich, Edward F. Riley, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 490:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Providing for involuntary commitment of certain mentally deficient persons to state residential schools (reported by Committee on Public Institutions):

MAJORITY recommends that it do pass. FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, James Keefe, George W. Kupka, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 526:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Changing safety requirements for underground labor (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Jack England, Sam C. Guess, George W. Kupka, John T. McCutcheon, August P. Mardesich, Edward F. Riley, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 575:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Providing regulations concerning sales of liquor to minors (reported by Committee on Liquor Control):

MAJORITY recommends that it do pass. FRANK CONNOR, *Chairman*.

We concur in this report: Al Henry, George W. Kupka, Harry B. Lewis, Edward F. Riley, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 592:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Providing appointments for assistants for family courts in third class counties (reported by Judiciary Committee):

MAJORITY recommends that it do pass. JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Fred H. Dore, Jack England, Herbert H. Freise, H. B. Hanna, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 638:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Extending permissible nursing home services for recipients of federal aid assistance to sixty days (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Jack England, George W. Kupka, John T. McCutcheon, August P. Mardesich, Edward F. Riley, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 647:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Authorizing state participation in federal mental retardation and community mental health care programs (reported by Committee on Public Institutions):

MAJORITY recommends that it do pass. FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, James Keefe, George W. Kupka, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Joint Resolution No. 4:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Proposing constitutional amendment reducing resident qualifications for voting within state (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass. JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, Gordon Herr, Karl Herrmann, James Keefe, David E. McMillan, Frances Haddon Morgan, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**SECOND READING OF BILLS****House Bill No. 397**, by Representatives Jastad and Kalich:

Reconveying certain property from the state to Lewis county.

The bill was read the second time by sections.

On motion of Senator Chytil, the rules were suspended, House Bill No. 397 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of House Bill No. 397 and the bill passed the Senate by the following vote: Yeas 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Connor, Durkan, Gissberg, Raugust—4.

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.

**House Bill No. 239**, by Representatives Sawyer, Huntley, McCormick, Conner, Wang, O'Dell, Bozarth and Warnke (by Highway Interim Committee request):

Raising motor vehicle fees and providing for disposition thereof.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, House Bill No. 239 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 239 and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Durkan, Gissberg, Hallauer, Mardesich, Talley—5.

House Bill No. 239 having received the constitutional majority, was declared passed.

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

**House Bill No. 324**, by Representatives Uhlman, Morphis, Elder, Smith, Sheridan, Chatalas, Grant, O'Donnell, Mahaffey, Garrett and Backstrom: Exempting police pensions from attachment.

The bill was read the second time by sections.

On motion of Senator Greive, the rules were suspended, House Bill No. 324 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 324 and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senators Durkan, Lewis—2.

House Bill No. 324 having received the constitutional majority, was declared passed.

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

**House Bill No. 335**, by Representatives O'Brien, Chatalas, Copeland, Humiston, Smith, Taylor, Gallagher, DeJarnatt, Sawyer, Brouillet, Radcliffe, Sheridan, O'Donnell, Andersen (James A.), McDougall, Newschwander, Whetzel, Saling, Wolf and Cunningham:

Providing for rehabilitation program and administration of same.  
The bill was read the second time by sections.

On motion of Senator McCormack, the rules were suspended, House Bill No. 335 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 335 and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senators Gissberg, Lennart—2.

House Bill No. 335 having received the constitutional majority, was declared passed.

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

**House Bill No. 366**, by Representatives Leland, Chatalas and Kirk (by Executive request):

Creating a state council on aging and an interdepartmental committee on aging.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, House Bill No. 366 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 366 and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Williams, Woodall—46.

Those voting nay were: Senator McCutcheon—1.

Absent or not voting: Senators Gissberg, Washington—2.

House Bill No. 366 having received the constitutional majority, was declared passed.

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

**House Bill No. 241**, by Representatives Bledsoe, Newhouse and Berentson (by Departmental request):

Raising fees for recording livestock brands.

The bill was read the second time by sections.

It was moved by Senator Hanna that the following amendment be adopted:

On page 2, add a new section following section 3 as follows:

"Sec. 4. Section 1, page 453, Laws of 1890 and RCW 16.20.010 are each amended to read as follows:

It shall be lawful for any person having cows or heifers running at large in this state to take up or capture and castrate, at the risk of the owner, at any time between the first day of March and the fifteenth day of [June] *May*, any bull above the age of ten months found running at large out of the enclosed grounds of the owner or keeper, and if the said animal shall die, as a result of such castration, the owner shall have no recourse against the person who shall have taken up or captured and castrated, or caused to be castrated, the said animal: *Provided*, Such act of castration shall have been skillfully done by a person accustomed to doing the same: *And provided further*, That if the person so taking up or capturing such bull, or causing him to be so taken up or captured, shall know the owner or keeper of such animal, and shall know that said animal is being kept for breeding purposes, it shall be his duty forthwith to notify such owner or keeper of the taking up of said animal, and if such owner or keeper shall not within two days after being so notified pay for the keeping of said animal at the rate of fifty cents per day, and take and safely keep said animal thereafter within his own enclosures, then it shall be lawful for the takerup of said animal to castrate the same, and the owner thereof shall pay for such act of castration the sum of one dollar and fifty cents, if done skillfully, as hereinbefore required, and shall also pay for the keeping of said animal as above provided, and the amount for which he may be liable therefor may be recovered in an action at law in any court having jurisdiction thereof: *And provided further*, That if said animal should be found running at large a third time within the same year, and within the prohibited dates hereinbefore mentioned, it shall be lawful for any person to capture and castrate him without giving any notice to the owner or keeper whatever."

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Hanna, the following amendments were adopted:

In line 1 of the title after "Relating to" and before "livestock" strike "the identification of"

In line 3 of the title after the semicolon and before "and amending" insert "amending section 1, page 453, Laws of 1890 and RCW 16.20.010;"

On motion of Senator Donohue, the rules were suspended, House Bill No. 241, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 241, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 40; nays, 8; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hanna, Henry, Herr, Keefe, Knoblauch, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Williams—40.

Those voting nay were: Senators Gissberg, Hallauer, Herrmann, Kupka, McMillan, Neill, Raugust, Woodall—8.

Absent or not voting: Senator Washington—1.

House Bill No. 241, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**House Bill No. 464**, by Representatives Kull, Canfield and Newhouse:

Providing permanent identification numbers for certain apiaries.

On motion of Senator Riley, House Bill No. 464 was ordered to retain its place on the second reading calendar for today immediately following consideration of House Bill No. 38.

**Engrossed House Bill No. 10**, by Representatives Olsen, O'Brien, Chatalas and Litchman:

Enabling counties to participate in Economic Opportunity Act of 1964.

The bill was read the second time by sections.

On motion of Senator Ryder, the rules were suspended, Engrossed House Bill No. 10 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 10 and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Williams, Woodall—47.

Absent or not voting: Senators England, Washington—2.

Engrossed 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.

**Engrossed House Bill No. 383**, by Representatives May and McCormick:

Authorizing counties to issue revenue bonds and prescribing terms, forms, etc.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, Engrossed House Bill No. 383 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 383 and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich,



Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Williams, Woodall—46.

Those voting nay were: Senator Lewis—1.

Absent or not voting: Senators England, Washington—2.

Engrossed House Bill No. 383 having received the constitutional majority, was declared passed.

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

#### MOTION

On motion of Senator Woodall, the Senate resumed consideration of House Bill No. 464 on second reading.

**House Bill No. 464**, by Representatives Kull, Canfield and Newhouse: Providing permanent identification numbers for certain apiaries.

The bill was read the second time by sections.

On motion of Senator Woodall, the rules were suspended, House Bill No. 464 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 464 and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Marde-sich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Williams, Woodall—46.

Those absent or not voting were: Senators England, Talley, Washington—3.

House Bill No. 464 having received the constitutional majority, was declared passed.

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

**House Bill No. 582**, by Representatives Morphis, Olsen and Backstrom:

Providing extra service credit for legislators in state employees' retirement system, permitting legislators who are teachers to belong to two retirement systems.

It was moved by Senator Williams that House Bill No. 582 be referred to the Committee on Ways and Means.

Debate ensued.

#### POINT OF INQUIRY

Senator Atwood:

"Senator Ryder, would you yield to a question?"

"Senator, what is the financial impact of this bill as determined by the Pension Commission?"

Senator Ryder:

"Senator Atwood, this bill moved rather fast through the House. The Pension Commission did not get a chance to study it when it came over yesterday. I did not feel that this august body would treat it seriously at all, so I did not even ask the staff of the Pension Commission to compute the cost. I felt that the Senate, in its wisdom, would not be quite as frivolous as the House in passing this type of legislation.

"I would like to support the motion of Senator Williams, Mr. President, to put this into Ways and Means. I do not have any idea what the cost of this would be, nor do I have any idea of what the impact of this would be on the other pension systems. Now, certainly if we, as a special class of beneficiaries of our state employment pension system, treble our own benefits, then how can we in good conscience step away from other groups within this pension system or other pension systems when they wish to treble their particular benefits. I think this should be studied very, very carefully and be put into context not only with what its financial implications are, but also what the trend might be in this type of legislation."

Debate ensued.

Senator Rasmussen demanded a roll call and the demand was sustained by Senators Cowen, Hallauer, McCormack, Foley, Ryder, Lewis, Peterson (Ted) and Bailey.

#### ROLL CALL

The Secretary called the roll and the motion was carried and House Bill No. 582 was referred to the Committee on Ways and Means by the following vote: Yeas, 26; nays, 20; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cowen, Donohue, Foley, Freise, Guess, Hallauer, Herrmann, Lennart, Lewis, McCormack, McMillan, Neill, Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Williams—26.

Those voting nay were: Senators Connor, Cooney, Dore, Durkan, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Talley, Woodall—20.

Absent or not voting: Senators England, Petrich, Washington—3.

**Engrossed House Bill No. 494**, by Representatives Kull, Haussler and Ahlquist:

Authorizing use of spring triggered devices to control game.

The bill was read the second time by sections.

On motion of Senator Donohue, the rules were suspended, Engrossed House Bill No. 494 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 494 and the bill passed the Senate by the following vote: Yeas, 42; nays, 3; absent or not voting, 4.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Riley, Ryder, Sandison, Talley, Thompson, Jr., Williams, Woodall—42.

Those voting nay were: Senators Atwood, Redmon, Stender—3.

Absent or not voting: Senators Hanna, Henry, Petrich, Washington—4.

Engrossed House Bill No. 494, having received the constitutional majority, was declared passed.

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

#### MOTION

It was moved by Senator Talley that the Senate do now consider Substitute House Bill No. 495 on second reading.

The motion was carried.

**Substitute House Bill No. 495**, by Committee on Natural Resources:

Providing for removal of materials from bed and shores of navigable rivers or streams by public agencies without payment of royalty.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, Substitute House Bill No. 495 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 495, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Hanna, Henry, Petrich—3.

Substitute House Bill No. 495, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 55**, by Representatives May, Pierre and McCaffree:

Increasing school bus length limit.

The bill was read the second time by sections.

On motion of Senator Thompson, Jr., the rules were suspended, Engrossed House Bill No. 55 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 55, and the bill passed the Senate by the following vote: Yeas, 31; nays, 15; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Herr, Herrmann, Knoblauch, Kupka, McCormack,

McMillan, Mardesich, Morgan, Peterson (Lowell), Rasmussen, Riley, Sandison, Thompson, Jr., Washington, Williams—31.

Those voting nay were: Senators Chytil, Freise, Guess, Keefe, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Stender, Talley, Woodall—15.

Absent or not voting: Senators Henry, McCutcheon, Petrich—3.

Engrossed House Bill No. 55, having received the constitutional 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. 307**, by Representatives Hurley, Pritchard, Traylor and Taylor:

Providing for payment of eye care service benefits under insurance contracts whether such care is performed by physician or optometrist.

On motion of Senator Woodall, Engrossed House Bill No. 307 was ordered to retain its place on the second reading calendar for today immediately following House Bill No. 38.

**House Bill No. 514**, by Representatives Beck and Moos:

Increasing hunting and fishing license fees.

On motion of Senator Rasmussen, House Bill No. 514 was ordered to retain its place on the second reading calendar for today immediately following Engrossed House Bill No. 343.

**House Bill No. 81**, by Representatives Morphis, Garrett and Newschwander (by State Public Pension Commission request):

Preventing port district employees from belonging to both public and private pension systems.

The bill was read the second time by sections.

On motion of Senator Freise, the rules were suspended, House Bill No. 81 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 81, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Absent or not voting: Senator Lennart—1.

House Bill No. 81, having received the constitutional majority, was declared passed.

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

**MOTION**

It was moved by Senator McCutcheon that the Committee on Ways and Means be relieved of further consideration of House Bill No. 582 and that the bill be placed at the beginning of the second reading calendar for tomorrow.

Debate ensued.

**POINT OF ORDER**

Senator Charette:

"Point of order, Mr. President."

The President:

"The Senator will state his point of order."

Senator Charette:

"My point of order is that Senator McCutcheon has made a motion to take this bill away from the Committee on Ways and Means and the body just put it in Ways and Means. Now I believe that this is a device to get around to reconsideration when he did not vote on the prevailing side."

**RULING BY THE PRESIDENT**

The President:

"The President, ruling upon the point of order as presented by Senator Charette, the President rules that there has been intervening business between the motion of Senator Williams and that of Senator McCutcheon; therefore, the point of order is not well taken."

Debate ensued.

It was moved by Senator Hallauer that the motion by Senator McCutcheon be laid upon the table.

Senator McCutcheon demanded a roll call and the demand was sustained by Senators Greive, Connor, Rasmussen, Dore, Riley, Cooney, Charette and Bailey.

**ROLL CALL**

The Secretary called the roll and the motion by Senator Hallauer was lost by the following vote: Yeas, 23; nays, 26; absent or not voting, 0.

Those voting yea were: Senators Atwood, Charette, Cowen, Donohue, England, Foley, Guess, Hallauer, Lennart, Lewis, McMillan, Neill, Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Washington, Williams—23.

Those voting nay were: Senators Bailey, Chytil, Connor, Cooney, Dore, Durkan, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Sandison, Talley, Woodall—26.

The President declared the question before the Senate is: It has been moved by Senator McCutcheon that the Committee on Ways and Means be relieved of further consideration of House Bill No. 582, and that the bill be placed at the beginning of the second reading calendar for tomorrow.

Debate ensued.

The motion was carried.

**PERSONAL PRIVILEGES**

Senator Ryder:

"Mr. President, I would like to speak on personal privilege."

The President:

"The Senator will speak on point of personal privilege."

Senator Ryder:

"These speeches got a little bit out of hand as time went on regarding this matter, but I want to make it clear to all of the members of this body that I was not impugning the motives of any Senator or any House member on this floor; that I was talking as a matter of principle so far as this bill is concerned. I believe, and I still believe the principle embodied in this bill is wrong and that was the point which I was discussing in my argument."

Senator Morgan:

"Mr. President and members of the Senate, speaking on personal privilege:

"I tried to get the floor earlier to say a few things on this measure and I would like to do that now. I, too, agree we have a right to bring this bill out and discuss it without having our motives impugned. My mother served nearly twenty years in public service and she received not one penny in any form of pension. She served many years on this floor and the floor across the hall.

"Now, I'm tired of being in the corner where it seems to be there is some disgrace in being a public servant. I'm tired of being relegated into a corner by my colleagues and others as though I were some kind of dock servant or somebody in labor, and I mean the labor market. There should be some respect for public office, and I am a little bit tired of the attitude of some people being a little bit 'Holier-than-thou' or speaking for the 'conscience of the Senate.'"

Senator Rasmussen:

"Mr. President, speaking on personal privilege:

"If, in the heat of debate, I impugned someone's motives, I wish to apologize to the Senate. I was quite interested in the bill and I presented my argument to the Senate in good faith. I probably got carried away. I did not impugn the motives of Senator McCutcheon. He only made the motion. My thought was that we should study the bill and I again urge that we do that in the interim."

Senator Stender:

"Mr. President:"

The President:

"For what purpose does Senator Stender rise?"

Senator Stender:

"Mr. President, I thought I heard Senator Morgan say something about somebody from labor and I want everyone to know I don't want to be down-graded by someone on this floor. I don't know what the remarks mean, but I am an apparent member of labor. I am a member of a labor union and have been over twenty-five years, and an officer for many years, and I don't intend to have anyone down-grade me because of somebody's remarks here."

**Engrossed House Bill No. 74**, by Representative Moon:

Acquiring of Wallace River property for state parks purpose.

The bill was read the second time by sections.

On motion of Senator Gissberg, the following amendment was adopted:

In section 2, line 14 of the engrossed bill, after "parkway purposes" and before the period, insert "other than by condemnation".

On motion of Senator Gissberg, the rules were suspended, Engrossed House Bill No. 74, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 74, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher,

Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Washington, Williams, Woodall—43.

Those voting nay were: Senators Lewis, Stender—2.

Absent or not voting: Senators McCutcheon, Peterson (Ted), Talley, Thompson, Jr.—4.

Engrossed House Bill No. 74, as amended by the Senate, having received the constitutional majority, was declared passed.

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

On motion of Senator Gissberg, Engrossed House Bill No. 74, as amended by the Senate, was ordered immediately transmitted to the House.

**Engrossed House Bill No. 326**, by Representatives Epton, Johnston (Elmer E.), Radcliffe and Anderson (Eric O.):

Changing admission requirements, allowable allocations, for day training centers and group training homes for mentally and physically deficient.

The bill was read the second time by sections.

On motion of Senator Kupka, the rules were suspended, Engrossed House Bill No. 326 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 326, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Guess, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Bailey, Greive, Henry, Talley—4.

Engrossed House Bill No. 326, having received the constitutional 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. 315**, by Representatives Garrett, Swayze and Rogers:

Regulating psychologists.

#### REPORT OF STANDING COMMITTEE

**Engrossed House Bill No. 315:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Regulating psychologists (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

Recommends that it do pass with the following amendments:

On page 11, section 18, line 11, after "be a" and before "misdemeanor" strike "gross" and insert "[gross]"

On page 11, section 18, lines 18 and 19, after "revoked" on line 18, strike all the matter down to "," on line 19 and insert "[; or (3) Otherwise violate any of the provisions of this chapter]"

On page 14, line 29, after section 24, insert a new section to read as follows:

"NEW SECTION. Sec. 25. Nothing in this act shall be construed as prohibiting any individual from offering counseling or guidance provided that such individuals do not hold themselves forth as psychologists."

Renumber section 25 to read section 26.

DAVID E. McMILLAN, *Chairman*.

We concur in this report: John L. Cooney, David C. Cowen, R. R. Bob Greive, Albert C. Thompson, Jr., Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Woodall, the committee amendments were adopted.

On motion of Senator McMillan, the rules were suspended, Engrossed House Bill No. 315, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### MOTION

On motion of Senator Greive, Senator McCutcheon was excused.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 315, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; nays, 2; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herrmann, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Those voting nay were: Senators Herr, Mardesich—2.

Absent or not voting: Senators Keefe, Peterson (Ted)—2.

Excused: Senator McCutcheon—1.

Engrossed House Bill No. 315, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**House Bill No. 549**, by Representatives Pritchard, Witherbee and O'Brien:

Providing for state trade fairs and the support thereof.

On motion of Senator Riley, House Bill No. 549 was ordered to retain its place on the second reading calendar for today, immediately following consideration of Engrossed House Bill No. 307.

**Engrossed House Bill No. 343**, by Representatives Avey, Slagle, Huntley, McDougall and Taplin:

Permitting increase in gross weight on highway, if federal highway law is so amended.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Engrossed House Bill No. 343 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.



**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed House Bill No. 343, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Peterson (Ted), Raugust—2.

Excused: Senator McCutcheon—1.

Engrossed House Bill No. 343, having received the constitutional majority, was declared passed.

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

**House Bill No. 514**, by Representatives Beck and Moos:

Increasing hunting and fishing license fees.

The bill was read the second time by sections.

It was moved by Senator Rasmussen that the following amendment be adopted:

On page 2, section 5, line 22, strike "four" and insert "three".

Debate ensued.

On motion of Senator Charette, the amendment was laid upon the table.

On motion of Senator Riley, the rules were suspended, House Bill No. 514 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of House Bill No. 514, and the bill passed the Senate by the following vote: Yeas, 40; nays, 8; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Knoblauch, Kupka, Lennart, Lewis, McCormack, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—40.

Those voting nay were: Senators Chytil, Cowen, Dore, Keefe, McMillan, Petrich, Rasmussen, Thompson, Jr.—8.

Excused: Senator McCutcheon—1.

House Bill No. 514, having received the constitutional majority, was declared passed.

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

**House Bill No. 38**, by Representatives Olsen, Litchman, Chatalas, O'Donnell, Taylor and Smith (by Executive request of Governor Rosellini):

Enabling counties and cities to participate in a sports stadium.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, House Bill No. 38 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 38, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Excused: Senator McCutcheon—1.

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. 307**, by Representatives Hurley, Pritchard, Traylor and Taylor:

Providing for payment of eye care service benefits under insurance contracts whether such care is performed by physician or optometrist.

The bill was read the second time by sections.

On motion of Senator Woodall, the rules were suspended, Engrossed House Bill No. 307 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 307 and the bill passed the Senate by the following vote: Yeas, 39; nays, 5; absent or not voting, 4; excused, 1.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Woodall—39.

Those voting nay were: Senators Keefe, Petrich, Raugust, Redmon, Williams—5.

Absent or not voting: Senators Atwood, Cowen, Rasmussen, Talley—4.

Excused: Senator McCutcheon—1.

Engrossed House Bill No. 307, having received the constitutional majority, was declared passed.

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

On motion of Senator Woodall, all bills passed today were ordered immediately transmitted to the House.

**House Bill No. 549**, by Representatives Pritchard, Witherbee and O'Brien: Providing for state trade fairs and the support thereof.

The bill was read the second time by sections.

On motion of Senator Dore, the following amendment was adopted:

On page 4, section 9, line 13, after "or" and before "thereof" strike "so much" and insert "such lesser amount".

It was moved by Senator Dore that the following amendment be adopted:

On page 5, line 5, add a new section as follows:

**"NEW SECTION.** Sec. 13. That of the remaining funds in the "state fair account" as defined in this act at the end of the biennium, after payment out of said fund, the sum of \$40,000, shall be reverted to the general fund."

Debate ensued.

On motion of Senator Woodall, House Bill No. 549 was ordered to retain its place on the second reading calendar for tomorrow, following consideration of House Bill No. 582.

**House Bill No. 52**, by Representatives Jolly, Johnson (Doris) and Flanagan:

Increasing irrigation district director's compensation.

The bill was read the second time by sections.

On motion of Senator McCormack, the rules were suspended, House Bill No. 52 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 52 and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Hanna, Lennart, Neill, Raugust, Riley—5.

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. 437**, by Representatives Wolf, Day and Hurley:

Requires wine tax collections to be made at wholesale instead of retail.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, House Bill No. 437 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 437 and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senators Gissberg, Hanna—2.

House Bill No. 437 having received the 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. 268**, by Committee on Public Institutions and Youth Development:

Providing for conditional licensing of institutions department personnel to practice medicine and surgery.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, Substitute House Bill No. 268 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 268 and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—42.

Absent or not voting: Senators Connor, Gissberg, Hallauer, Lennart, McCutcheon, Mardesich, Stender—7.

Substitute House Bill No. 268 having received the constitutional majority, was declared passed.

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

**Substitute House Bill No. 67**, by Committee on Medicine, Dentistry and Drugs:

Authorizing reporting by practitioners of healing arts of suspected cases of child abuse or neglect.

#### REPORT OF STANDING COMMITTEE

**Substitute House Bill No. 67:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Authorizing reporting by practitioners of healing arts of suspected cases of child abuse or neglect (reported by Judiciary Committee):

Recommends that it do pass with the following amendments:

On page 1, section 2, line 19, after "department" and before "the office" on line 20, strike "in cities and towns and" and insert ", the prosecuting attorney or"

On page 1, section 2, line 20, after "sheriff" and before the period, strike "in unincorporated areas"

On page 1, section 2, line 22, after "practice" strike "chiroprody, chiropractic,"

On page 1, section 2, line 23, after "dentistry," and before "osteopathy" strike "drugless healing,"

On page 1, section 2, following subsection (3), add a new subsection as follows:

"(4) "Institution" means a private or public hospital or any other facility providing medical diagnosis, treatment or care."

On page 1, section 3, line 25, after "Séc. 3." and before "When" insert "(1)"

On page 2, section 3, line 2, after "means," and before "physical" strike "and/or" and insert "or who is found to be suffering from"

On page 2, section 3, following subsection (1), add a new subsection as follows:

"(2) When a practitioner is attending a child under the age of eighteen years as part of his regular duties as a staff member of an institution and has cause to believe that such child has had physical injury or injuries inflicted upon him other than by accidental means or who is found to be suffering from physical neglect, or sexual abuse, he may notify the person in charge of the institution or his designated representative, who may report the incident or cause such reporting to be made as provided in section 4."

On page 2, section 6, line 27, after "any" and before "lia-" insert "civil"

On page 2, section 6, line 28, after "bility," and before "that" strike "civil or criminal,"

On page 2, beginning on line 32, strike all of section 7 and insert the following:

"Sec. 7. Section 392, Code of 1881, and RCW 5.60.060 are each amended to read as follows:

(1) A husband shall not be examined for or against his wife, without the consent of the wife, nor a wife for or against her husband without the consent of the husband; nor can either during marriage or afterward, be without the consent of the other, examined as to any communication made by one to the other during marriage. But this exception shall not apply to a civil action or proceeding by one against the other, nor to a criminal action or proceeding for a crime committed by one against the other [.] , *nor to a criminal action or proceeding for a crime committed by said husband or wife against any child of whom said husband or wife is the parent or guardian.*

(2) An attorney or counselor shall not, without the consent of his client, be examined as to any communication made by the client to him, or his advice given thereon in the course of professional employment.

(3) A clergyman or priest shall not, without the consent of a person making the confession, be examined as to any confession made to him in his professional character, in the course of discipline enjoined by the church to which he belongs.

(4) A regular physician or surgeon shall not, without the consent of his patient, be examined in a civil action as to any information acquired in attending such patient, which was necessary to enable him to prescribe or act for the patient [.] , *but this exception shall not apply in any judicial proceeding regarding a child's injuries, neglect or sexual abuse, or the cause thereof.*

(5) A public officer shall not be examined as a witness as to communications made to him in official confidence, when the public interest would suffer by the disclosure."

On page 3, add a new section following section 7 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."

In line 3 of the title, after "neglect" and before the period insert " ; and amending section 392, Code of 1881, and RCW 5.60.060".

JOHN A. PETRICH, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, Karl Herrmann, John T. McCutcheon, August P. Mardesch, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Walter B. Williams, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendments were adopted.

On motion of Senator Petrich, the rules were suspended, Substitute House Bill No. 67, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 67, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell) Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Williams, Woodall—44.

Absent or not voting: Senators Connor, Hallauer, McCutcheon, Neill, Washington—5.

Substitute House Bill No. 67, as amended by the Senate, having received the constitutional majority, was declared passed.

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

On motion of Senator Petrich, Substitute House Bill No. 67, as amended by the Senate, was ordered immediately transmitted to the House.

The President called upon Senator Cowen to preside.

**House Bill No. 248**, by Representatives McDougall, Canfield and Flanagan (by Departmental request):

Provides standards for disinfecting fruit trees, produce thereof.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, House Bill No. 248 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 248 and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Gallagher, Hallauer, McCutcheon, Petrich—4.

House Bill No. 248 having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 149**, by Representatives Burtch, Jolly and McDougall:

Providing for sale of port district property no longer needed for district purposes.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, Engrossed House Bill No. 149 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 149 and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Absent or not voting: Senators Connor, Gissberg, Hallauer, Kupka, McCutcheon, Petrich—6.

Engrossed House Bill No. 149 having received the constitutional majority, was declared passed.

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

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### **Engrossed House Bill No. 63:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Authorizing increase in percentage of municipal pension funds investable in certain securities (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, George W. Kupka, Frances Haddon Morgan, Lowell Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

##### **Engrossed House Bill No. 77:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Providing for accident insurance for school children (reported by Committee on Education):

MAJORITY recommends that it do pass as amended.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert L. Charette, Joe Chytil, Fred H. Dore, Herbert H. Freise, Karl Herrmann, Reuben A. Knoblauch, John T. McCutcheon, David E.

McMillan, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, John H. Stender, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 111:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Extending group hospitalization and medical aid coverage to elected county officials (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 114:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Increasing city mayor-commissioners' salaries (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, George W. Kupka, Frances Haddon Morgan, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 162:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Enlarging road functions counties may perform through creation of road improvement districts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 163:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Authorizing labor charges by voucher to equipment rental and revolving fund by road fund and vice versa (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, George W. Kupka, Frances Haddon Morgan, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 226:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Provides for open space lands in urban areas (reported by Committee on Parks, Capitol Grounds and Public Buildings):

Recommends that it do pass. GORDON HERR, *Chairman*.

We concur in this report: Jack England, Wilbur G. Hallauer, H. B. Hanna, Lowell Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.



**Substitute House Bill No. 252:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Providing for regulation and licensing of water well contractors by commission within the department of conservation (reported by Committee on Commerce, Manufacturing and Licenses):

MAJORITY recommends that it do pass. GEORGE W. KUPKA, *Chairman.*

We concur in this report: Frank Connor, John L. Cooney, Fred H. Dore, Jack England, Michael J. Gallagher, R. R. Bob Greive, Sam C. Guess, James Keefe, Reuben A. Knoblauch, August P. Mardesich, Ted G. Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 259:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Giving power of eminent domain to diking improvement districts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended. DON L. TALLEY, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 303:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Changing dates for the preparation and consideration of school district budgets (reported by Committee on Education):

MAJORITY recommends that it do pass as amended. MIKE McCORMACK, *Chairman.*

We concur in this report: Robert L. Charette, Joe Chytil, Fred H. Dore, Herbert H. Freise, Karl Herrmann, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, John H. Stender, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 330:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Providing for arbitration of firefighters' labor disputes (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass. A. L. RASMUSSEN, *Chairman.*

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, George W. Kupka, John T. McCutcheon, August P. Mardesich.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 337:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Providing medical aid contracts under industrial insurance must provide a standard of service equal to that provided by the department (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass. A. L. RASMUSSEN, *Chairman.*

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, George W. Kupka, John T. McCutcheon, August P. Mardesich, Edward F. Riley, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 371:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Authorizing the use of bid bonds in sewer district contracts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended.

DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 372:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Authorizing the use of bid bonds in bids for water district contracts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass as amended.

DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 425:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Deleting requirement that county superintendent keep teachers' contract records in suitable book (reported by Committee on Education):

MAJORITY recommends that it do pass.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert L. Charette, Joe Chytil, Fred H. Dore, Herbert H. Freise, Karl Herrmann, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, John H. Stender, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 450:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Providing state matching funds may be used for major repairs of existing buildings (reported by Committee on Education):

MAJORITY recommends that it do pass as amended.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert L. Charette, Joe Chytil, Fred H. Dore, Herbert H. Freise, Karl Herrmann, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, John H. Stender, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 643:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Amending income for public assistance purposes to allow federal aid (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, George W. Kupka, John T. McCutcheon, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Memorial No. 9:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Memorializing Secretary of Interior to preserve Dungeness Spit (reported by Committee on Natural Resources):

Recommends that it do pass.

LOWELL PETERSON, *Chairman.*

We concur in this report: Joe Chytil, William A. Gissberg, Wilbur G. Hallauer, Gordon Herr, Harry B. Lewis, Mike McCormack, August P. Mardesich, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Memorial No. 18:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Memorializing Congress to take action to alleviate Snohomish river flooding (reported by Committee on Natural Resources):

MAJORITY recommends that it do pass.

LOWELL PETERSON, *Chairman.*

We concur in this report: Joe Chytil, William A. Gissberg, Wilbur G. Hallauer, Harry B. Lewis, Mike McCormack, August P. Mardesich, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Memorial No. 24:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Requesting return of Wahluke slope land (reported by Committee on Natural Resources):

MAJORITY recommends that it do pass.

LOWELL PETERSON, *Chairman.*

We concur in this report: Joe Chytil, William A. Gissberg, Wilbur G. Hallauer, Gordon Herr, Harry B. Lewis, August P. Mardesich, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**House Concurrent Resolution No. 15:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Providing for fiscal notes on certain legislation (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass.

FRANK W. FOLEY, *Chairman.*

FRED H. DORE, *Chairman,*

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*

Committee on Revenue & Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Frank Connor, David C. Cowen, Dewey C. Donohue, Jack England, Michael J. Gallagher, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, David E. McMillan, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, A. L. Rasmussen, Edward F. Riley, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTION**

At 5:00 p. m., on motion of Senator Greive, the Senate recessed until 8:00 p. m.

### EVENING SESSION

The President called the Senate to order at 8:00 p. m.

The Secretary called the roll and announced to the President that all Senators were present.

There being no objection, the Senate advanced to the seventh order of business.

#### SECOND READING OF BILLS

**House Bill No. 476**, by Representatives Klein and Kull:

Prohibiting sale of certain sliding glass doors or sliding glass assemblies unless of stated quality.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, House Bill No. 476 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 476 and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Greive, Guess, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Rasmussen, Raugust, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Woodall—39.

Absent or not voting: Senators Gallagher, Gissberg, Hallauer, Herr, McMillan, Peterson (Lowell), Petrich, Redmon, Ryder, Williams—10.

House Bill No. 476 having received the constitutional majority, was declared passed.

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

**House Bill No. 92**, by Representatives Johnston (Elmer E.), Lux and Conner:

Revising law relating to mineral leases on state lands.

On motion of Senator Thompson, Jr., House Bill No. 92 was ordered to retain its place on the second reading calendar for this evening following consideration of Engrossed House Bill No. 60.

**Engrossed House Bill No. 64**, by Representatives DeJarnatt, Copeland, Sawyer, Uhlman, Mahaffey and Radcliffe:

Authorizing teachers' tax deferred annuities.

The bill was read the second time by sections.

It was moved by Senator Moriarty, Jr., that the following amendment be adopted:

On page 2 of the House amendment to page 1 beginning on line 11 of the printed bill, being page 2, line 26 of the engrossed bill, strike subsection (4) and insert:

**"NEW SECTION.** Sec. 3. Nothing in this 1965 amendatory act shall derogate from any contractual right of any resigning or retiring faculty member or employee, or any

other person who has severed relations with the University of Washington or Washington State University or any arm or agency thereof, of recovering his contributions together with accrued interest thereon."

Debate ensued.

The President declared the question before the Senate to be the adoption of the amendment by Senator Moriarty, Jr.

The motion was carried and the amendment was adopted.

On motion of Senator Moriarty, Jr., the following amendment was adopted:

In line 2 of the title after "districts;" and before "and" insert "saving certain contractual rights;".

On motion of Senator Moriarty, Jr., the rules were suspended, Engrossed House Bill No. 64, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 64, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators McCutcheon, McMillan, Raugust—3.

Engrossed House Bill No. 64, as amended by the Senate, having received the constitutional majority, was declared passed.

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

On motion of Senator Moriarty, Jr., the rules were suspended and Engrossed House Bill No. 64 was ordered immediately transmitted to the House.

**House Bill No. 61**, by Representatives Johnston (Elmer E.), Leland and Avey (by Departmental request):

Changing certain staking and holding requirements for mining claims.

The bill was read the second time by sections.

On motion of Senator Hallauer, the rules were suspended, House Bill No. 61 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

On motion of Senator Herrmann, Senator McCutcheon was excused.

The President called on Senator Gissberg to preside.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 61 and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe,

Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senator Raugust—1.

Excused: Senator McCutcheon—1.

House Bill No. 61, having received the constitutional majority, was declared passed.

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

**House Bill No. 309**, by Representatives Hood, Kink, and Radcliffe:

Authorizing state historical society to sell Pickett House to Daughters of the Pioneers.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, House Bill No. 309 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 309 and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Lennart, Raugust—2.

Excused: Senator McCutcheon—1.

House Bill No. 309, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 60**, by Representatives Uhlman, Brachtenbach and Sawyer:

Enacting the Washington business corporation act.

On motion of Senator Freise, Engrossed House Bill No. 60 was ordered to retain its place on the second reading calendar for tomorrow.

**House Bill No. 92**, by Representatives Johnston (Elmer E.), Lux and Conner:

Revising law relating to mineral leases on state lands.

The bill was read the second time by sections.

On motion of Senator Thompson, Jr., the following amendments were adopted:

On page 15, line 33, add a new section as follows:

"Sec. 16. State lands used by the state parks commission as public parks shall be rent free."

In line 1 of the title after "leases" insert "and public use".

On motion of Senator Thompson, Jr., the rules were suspended, House Bill No. 92, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage. Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 92, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 5.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—43.

Those voting nay were: Senator Mardesich—1.

Absent or not voting: Senators Durkan, Lennart, McMillan, Ryder, Talley—5.

House Bill No. 92, as amended by the Senate, having received the constitutional 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. 56**, by Representatives Berentson, Olsen and Bottiger (by Departmental request):

Changing certain fees and procedures under securities act.

The bill was read the second time by sections.

On motion of Senator Cowen, the rules were suspended, Engrossed House Bill No. 56 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 56 and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—45.

Absent: Senators Hallauer, Lennart, Ryder, Talley—4.

Engrossed House Bill No. 56, having received the constitutional majority, was declared passed.

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

#### MOTION

It was moved by Senator Keefe that the Senate do now consider Engrossed House Bill No. 296 on second reading.

Debate ensued.

The motion was carried.

**Engrossed House Bill No. 296**, by Representatives Lynch, Chatalas, Adams, Humiston and Cunningham (by Executive request):

Setting out department of public assistance's duties relating to child welfare.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, Engrossed House Bill No. 296 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

On motion of Senator Atwood, Senator Lennart was excused.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 296 and the bill passed the Senate by the following vote: Yeas, 40; nays, 4; absent or not voting, 4; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cowen, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—40.

Those voting nay were: Senators Cooney, Freise, Greive, McMillan—4.

Absent or not voting: Senators Hallauer, Petrich, Ryder, Sandison—4.

Excused: Senator Lennart—1.

Engrossed House Bill No. 296, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 100**, by Representatives Olsen, Kull and Mast: Prohibiting use of lie detectors in employment of persons.

On motion of Senator Riley, Engrossed House Bill No. 100 was ordered to retain its place on the second reading calendar for tonight immediately following consideration of Engrossed House Bill No. 160.

**House Bill No. 58**, by Representatives Uhlman, Grant and Andersen (James A.):

Requiring lunch breaks for teachers.

The bill was read the second time by sections.

On motion of Senator Cowen, the rules were suspended, House Bill No. 58 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 58, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 4; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon,



Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Gallagher, Hallauer, McCormack, Talley—4.

Excused: Senator Lennart—1.

House Bill No. 58, having received the constitutional majority, was declared passed.

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

**House Bill No. 244**, by Representatives Burtch, Moon, Moos, Backstrom and Leland:

Making general changes in flood control district law; repeals earlier 1935 law on such districts.

The bill was read the second time by sections.

On motion of Senator Cowen, the rules were suspended, House Bill No. 244 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 244, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Gallagher, Hanna, Petrich—3.

Excused: Senator Lennart—1.

House Bill No. 244, having received the constitutional 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. 313**, by Representatives Andersen (James A.), Chatalas and Litchman:

Defining failure to return a rented automobile as larceny.

The bill was read the second time by sections.

On motion of Senator Dore, the rules were suspended, Engrossed House Bill No. 313 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINTS OF INQUIRY

Senator McCutcheon:

"Mr. President, I wonder if Senator Dore would yield to a question?"

Senator Dore:

"Yes."

Senator McCutcheon:

"Is there a presumption of guilt of grand larceny on the part of the state just by the mere fact that the renter didn't bring it back?"

Senator Dore:

"No, you have to show a notice in writing asking to have it brought back and you have to make a showing you have sent it by certified mail. However, this presumption may be rebutted by evidence creating a reasonable inference that the failure to return the vehicle was not with the intent to defraud or otherwise deprive the owner of his property."

Senator Stender:

"I notice in the amendments in the engrossed bill, it's amended to provide vehicles or pieces of machinery or equipment. Would you know what they are referring to as pieces of machinery or equipment?"

Senator Dore:

"Senator Stender, I think someone mentioned farm machinery or heavy construction machinery, things of that nature, having a market value of two thousand dollars."

Senator Stender:

"It doesn't just refer to automobiles then?"

Senator Dore:

"No, the amendment includes pieces of machinery or equipment having a fair market value in excess of \$2,000."

Senator Kupka:

"Mr. President, would Senator Dore yield to question?"

Senator Dore:

"Yes."

Senator Kupka:

"Senator Dore, would you mind if we amended this bill to include tool rental? You know we had such a bill that went into Judiciary and hasn't seen daylight since. The tool rental people have the same problem. Would you mind if we amended this to four or five hundred dollars to include tool rental?"

Senator Dore:

"Senator, I was opposed to that bill and it didn't get out of committee. The thinking of the majority of the attorneys was that they were opposed to it. We didn't want to include all these little offenses under this kind of presumption. The problem is so great, evidently, in the heavy equipment field and the automobile field, we thought we would experiment this time in this bill and if it works out, maybe the next session the others could also be included from two thousand to a thousand and from a thousand to zero. At this time, I think it's ambitious enough to change this particular law. I'm not one hundred percent sold on this law, but let's see how it works. The big problem is the rental and leasing of heavy equipment and automobiles. Let's try this out and if it is successful, then we can enlarge by amendment and bring this down to include all others."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 313, and the bill passed the Senate by the following vote: Yeas, 30; nays, 15; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Hallauer, Henry, Herr, Keefe, Knoblauch, Kupka, Lewis, McCormack, Mardesich, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Riley, Ryder, Sandison, Williams—30.

Those voting nay were: Senators Atwood, Cooney, Donohue, Gissberg, Guess, Hanna, Herrmann, McCutcheon, McMillan, Redmon, Stender, Talley, Thompson, Jr., Washington, Woodall—15.

Absent or not voting: Senators Morgan, Neill, Rasmussen—3.

Excused: Senator Lennart—1.

Engrossed House Bill No. 313, having received the constitutional majority, was declared passed.

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

There being no objection, the Senate returned to the fifth order of business. The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 9, 1965.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 25; also  
Engrossed Senate Bill No. 26; also  
Engrossed Senate Bill No. 50; also  
Engrossed Senate Bill No. 51; also  
Senate Bill No. 72; also  
Engrossed Senate Bill No. 90; also  
Engrossed Senate Bill No. 109; also  
Engrossed Senate Bill No. 152; also  
Senate Bill No. 184; also  
Engrossed Senate Bill No. 211; also  
Senate Bill No. 272; also  
Senate Bill No. 338; also  
Engrossed Senate Bill No. 345; also  
Senate Bill No. 462, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

The President signed: Senate Bill No. 25; also

Senate Bill No. 26; also  
Senate Bill No. 50; also  
Senate Bill No. 51; also  
Senate Bill No. 72; also  
Senate Bill No. 90; also  
Senate Bill No. 109; also  
Senate Bill No. 152; also  
Senate Bill No. 184; also  
Senate Bill No. 211; also  
Senate Bill No. 272; also  
Senate Bill No. 338; also  
Senate Bill No. 345; also  
Senate Bill No. 462.

There being no objection, the Senate advanced to the seventh order of business.

**SECOND READING OF BILLS**

Engrossed House Bill No. 114, by Representatives McDougall, Braun and Garrett:

Increasing city mayor-commissioners' salaries.  
The bill was read the second time by sections.

On motion of Senator Hanna, the rules were suspended, Engrossed House Bill No. 114 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 114, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams—45.

Those voting nay were: Senators Petrich, Woodall—2.

Absent or not voting: Senator Rasmussen—1.

Excused: Senator Lennart—1.

Engrossed House Bill No. 114, having received the constitutional majority, was declared passed.

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

**House Bill No. 174**, by Representatives Canfield, McDougall and Bozarth:

Forbidding limitation in amount on sale of fresh fruit below seller's cost.

On motion of Senator Lewis, House Bill No. 174 was ordered to retain its place at the beginning of the second reading calendar for tomorrow.

**Engrossed House Bill No. 160**, by Representatives Olsen, Smith and Garrett:

Allowing joint ownership and operation of property by cities and counties.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, Engrossed House Bill No. 160 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 160, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Those voting nay were: Senator Lewis—1.

Absent or not voting: Senators Greive, Hallauer, Petrich—3.

Excused: Senator Lennart—1.

Engrossed House Bill No. 160, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 100**, by Representatives Olsen, Kull and Mast:  
Prohibiting use of lie detectors in employment of persons.

The Senate resumed consideration of Engrossed House Bill No. 100 on second reading.

The bill was read the second time by sections.

It was moved by Senator Riley that the following amendment be adopted:

On page 1, section 1, line 8, after "employment" insert a period and strike the balance of the sentence.

It was moved by Senator Gallagher that the amendment be laid upon the table.

The motion was carried.

On motion of Senator Rasmussen, the rules were suspended, Engrossed House Bill No. 100 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 100, and the bill passed the Senate by the following vote: Yeas, 46; nays, 2; absent or not voting, 0; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Those voting nay were: Senators Guess, Mardesich—2.

Excused: Senator Lennart—1.

Engrossed House Bill No. 100, having received the 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. 252**, by Committee on Water Resources and Pollution Control:

Providing for regulation and licensing of water well contractors by commission within the department of conservation.

The bill was read the second time by sections.

On motion of Senator Kupka, the rules were suspended, Substitute House Bill No. 252 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 252, and the bill passed the Senate by the following vote: Yeas, 39; nays, 7; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg,

Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Sandison, Talley, Washington, Woodall—39.

Those voting nay were: Senators Lewis, McCormack, McMillan, Rasmussen, Ryder, Stender, Thompson, Jr.—7.

Absent or not voting: Senators Atwood, Williams—2.

Excused: Senator Lennart—1.

Substitute House Bill No. 252, having received the constitutional majority, was declared passed.

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

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator McCutcheon moved that the Senate do now reconsider the vote by which Substitute House Bill No. 252 passed the Senate.

Debate ensued.

Senators Greive, Hanna and Freise demanded the previous question and the demand was sustained.

The motion was lost on a rising vote.

**Engrossed House Bill No. 337**, by Representatives Day, Marzano, King (Chet), O'Donnell, Backstrom, May, Elder, Traylor, Perry and Grant:

Providing medical aid contracts under industrial insurance must provide a standard of service equal to that provided by the department.

The bill was read the second time by sections.

On motion of Senator Greive, the rules were suspended, Engrossed House Bill No. 337 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 337, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 5; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Woodall—43.

Absent or not voting: Senators Connor, Hallauer, Petrich, Rasmussen, Williams—5.

Excused: Senator Lennart—1.

Engrossed House Bill No. 337, having received the constitutional majority, was declared passed.

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

On motion of Senator Woodall, the rules were suspended and Engrossed House Bill No. 337 was ordered immediately transmitted to the House.

**Engrossed House Bill No. 460**, by Representatives Kink, Hood, Sawyer and Huntley:

Permitting automobile transporters a laden height upon highways of fourteen feet.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Engrossed House Bill No. 460 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 460, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 4; excused, 1.

Those voting yea were: Senators Atwood, Charette, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Bailey, Connor, Moriarty, Jr., Petrich—4.

Excused: Senator Lennart—1.

Engrossed House Bill No. 460, having received the constitutional majority, was declared passed.

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

**House Bill No. 339**, by Representatives Uhlman and DeJarnatt:

Appropriating funds for the temporary publication of session laws.

The bill was read the second time by sections.

On motion of Senator Cowen, the rules were suspended, House Bill No. 339 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 339, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Durkan, Moriarty, Jr.—2.

Excused: Senator Lennart—1.

House Bill No. 339, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 371**, by Representatives Warnke and Garrett:

Authorizing the use of bid bonds in sewer district contracts.

## REPORT OF STANDING COMMITTEE

**Engrossed House Bill No. 371:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Authorizing the use of bid bonds in sewer district contracts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass with the following amendment:

On page 1, section 1, line 19, after "*cashier's check*" and before "*money*" insert "*postal*".

DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, Edward F. Riley, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator Talley, the committee amendment was adopted.

On motion of Senator Riley, the rules were suspended, Engrossed House Bill No. 371, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 371, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators McCormack, Moriarty, Jr.—2.

Excused: Senator Lennart—1.

Engrossed House Bill No. 371, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**Reengrossed House Bill No. 372**, by Representatives Warnke and Garrett: Authorizing the use of bid bonds in bids for water district contracts.

## REPORT OF STANDING COMMITTEE

**Engrossed House Bill No. 372:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Authorizing the use of bid bonds in bids for water district contracts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass with the following amendment:

On page 1, section 1, line 22, after "*cashier's check*" and before "*money*" insert "*postal*".

DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, Edward F. Riley, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator Bailey, the committee amendment was adopted.



On motion of Senator Riley, the rules were suspended, Engrossed House Bill No. 372, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 372, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Connor, Talley—2.

Excused: Senator Lennart—1.

Engrossed House Bill No. 372, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**House Bill No. 432**, by Representatives Lux, Valle, O'Donnell, Swayze, Lynch, Kirk, Johnson (Doris) and Epton:

Regulating female work day.

The bill was read the second time by sections.

On motion of Senator Dore, the rules were suspended, House Bill No. 432 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 432, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Connor, Cowen, Hanna—3.

Excused: Senator Lennart—1.

House Bill No. 432, having received the constitutional majority, was declared passed.

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

**House Bill No. 189**, by Representatives Moon, Kalich, Hood, Kull, Bledsoe and Newhouse:

Providing for the election of members of the Washington state dairy products commission.

The bill was read the second time by sections.

On motion of Senator Atwood, the rules were suspended, House Bill No. 189 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

On motion of Senator Atwood, Senator Raugust was excused.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 189, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 3; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Sandison, Stender, Talley, Washington, Williams, Woodall—44.

Absent or not voting: Senators McCormack, Ryder, Thompson, Jr.—3.

Excused: Senators Lennart, Raugust—2.

House Bill No. 189, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 91**, by Representatives Harris, Sawyer and May:

Making a portion of filing fees in justice court available for county law libraries.

The bill was read the second time by sections.

On motion of Senator Freise, the following amendments were adopted:

Beginning on line 19 of the printed bill, being line 18 of the engrossed bill, strike the entire paragraph being "NEW SECTION. Sec. 2."

In line 2 of the title after "3.62.020" strike "; and declaring an emergency".

On motion of Senator Freise, the rules were suspended, Engrossed House Bill No. 91, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 91, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 4; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—43.

Absent or not voting: Senators Dore, McCormack, McCutcheon, Thompson, Jr.—4.

Excused: Senators Lennart, Raugust—2.

Engrossed House Bill No. 91, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 63**, by Representatives Gallagher, Juelling and Marsh:

Authorizing increase in percentage of municipal pension funds investable in certain securities.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, Engrossed House Bill No. 63 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 63, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 3; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—44.

Absent or not voting: Senators McCormack, McCutcheon, Thompson, Jr.—3.

Excused: Senators Lennart, Raugust—2.

Engrossed House Bill No. 63, having received the constitutional majority, was declared passed.

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

**House Bill No. 246**, by Representatives Huntley, Taplin, and Bozarth (by Departmental request):

Changing annual report to governor by director of licenses from calendar to fiscal year basis; changes date required.

The bill was read the second time by sections.

On motion of Senator Cowen, the rules were suspended, House Bill No. 246 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 246 and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 4; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowan, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Redmon, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—43.

Absent or not voting: Senator Hallauer, McCutcheon, Rasmussen, Thompson, Jr.—4.

Excused: Senators Lennart, Raugust—2.

House Bill No. 246, having received the constitutional majority, was declared passed.

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

**House Bill No. 50**, by Representatives Uhlman, Pritchard and Haussler:

Providing for at large election of port commissioners in class AA county.

On motion of Senator Greive, House Bill No. 50 was ordered to retain its place at the end of the second reading calendar for today.

**Engrossed House Bill No. 575**, by Representatives Olsen, Brachtenbach and McCormick:

Providing regulations concerning sales of liquor to minors.

The bill was read the second time by sections.

It was moved by Senator Gallagher that the following amendment by Senators England, Riley, Ryder, Williams and Gallagher be adopted:

Beginning on page 2, line 1, add a new section as follows:

**NEW SECTION.** Sec. 4. Section 1, chapter 75, Laws of 1895 as last amended by section 1, chapter 120, Laws of 1951, and RCW 66.44.190 are each amended to read as follows:

It shall be unlawful to sell any intoxicating liquors, with or without a license on the grounds of the University of Washington, [or within the district bounded by Lake Washington canal on the south, Eighth Avenue N.E. on the west, East 52nd Street on the north, and Lake Washington the east thereof, and any license granted for the sale of intoxicating liquors within such area shall be void: *Provided*, That a valid license may be issued to any nationally recognized veterans' organization, which has maintained since December 31, 1932, a regularly chartered post off the campus of the university within the above described area, to conduct a cocktail lounge for members and guests during post functions only on such premises as is and has been owned and maintained by it during this period. Said grounds of the University of Washington are] otherwise known and described as follows: Fractional section 16, township 25 north, range 4 east of Willamette Meridian.

**NEW SECTION.** Sec. 5. All of the provisions of Title 66 and the rules and regulations promulgated thereunder shall fully apply to the territory deleted from RCW 66.44.190 by section 1 of this 1965 amendatory act."

#### POINT OF ORDER

Senator Woodall:

"Point of order, Mr. President:

"I would like a ruling by the Chair as to whether or not this amendment increases the scope and object of the bill. I concede that it is germane. I question whether or not this bill, which simply makes purchases by minors crimes, can be enlarged to the extent desired."

Senators Keefe, Talley and Greive demanded a Call of the Senate. A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

#### RULING BY THE PRESIDENT

President Pro Tempore Gissberg:

"On the point of order, the President will rule that the amendment is germane and does not increase the scope and object of the bill. As I understand it, Senate

Bill No. 391 is sought to be added as an amendment. The title to this bill which is now pending before us, namely, Engrossed House Bill No. 572, is: 'An act relating to alcoholic beverage control; amending section 4, chapter 70, Laws of 1955, and RCW 66.44.290; adding two new sections to chapter 70, Laws of 1955 and to chapter 66.44 RCW.'

"The amendment also refers to: 'An act relating to intoxicating liquors,' and has reference to RCW 66.44.190, the same title and section of the act which is sought to be amended."

On motion of Senator Greive, Engrossed House Bill No. 575 was ordered to retain its place on the second reading calendar for tonight, immediately following consideration of Engrossed House Bill No. 88.

On motion of Senator Riley, the rules were suspended and all House bills passed this evening were ordered immediately transmitted to the House.

**Engrossed House Bill No. 88**, by Representatives Garrett, Leland and Taylor:

Authorizing fire protection districts to execute conditional sales contracts. The bill was read the second time by sections.

On motion of Senator Cowen, the rules were suspended, Engrossed House Bill No. 88 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 88 and the bill passed the Senate by the following vote: Yeas, 47; nays, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Those voting nay were: Senators Lennart, McCutcheon—2.

Engrossed House Bill No. 88, having received the constitutional 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. 575**, by Representatives Olsen, Brachtenbach and McCormick:

Providing regulations concerning sales of liquor to minors.

The Senate resumed consideration of Engrossed House Bill No. 575 and the pending amendment proposed by Senators Gallagher, England, Riley, Ryder and Williams.

Debate ensued.

Senator Greive demanded a roll call and the demand was sustained by Senators Connor, Herrmann, Hallauer, Rasmussen, Talley, Charette, McCormack and Kupka.

#### ROLL CALL

The Secretary called the roll on the adoption of the amendment. The motion was lost and the amendment was not adopted by the following vote: Yeas, 9; nays, 40.

Those voting yea were: Senators Bailey, Connor, England, Gallagher, Moriarty, Jr., Petrich, Riley, Ryder, Williams—9.

Those voting nay were: Senators Atwood, Charette, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Freise, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Sandison, Stender, Talley, Thompson, Jr., Washington, Woodall—40.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, Engrossed House Bill No. 575 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 575 and the bill passed the Senate by the following vote: Yeas, 49; nays, 0.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—49.

Engrossed House Bill No. 575, having received the constitutional majority, was declared passed.

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

#### MOTIONS

On motion of Senator Riley, the Senate dispensed with the Call of the Senate.

At 11:05 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Wednesday, March 10, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## FIFTY-NINTH DAY

### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, March 10, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages W. Wallace Raugust, Color Bearer, and Colleen Redmond, presented the Colors.

Reverend T. Eugene Turner, pastor of the First Christian Church of Olympia, offered prayer as follows:

"Lord, give us the serenity to accept what cannot be changed. Give us the courage to change what must be changed. Give us the wisdom to distinguish one from the other. Amen." (Adapted from a prayer by Dr. Reinhold Niebuhr)

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

The Secretary read:

#### SENATE RESOLUTION

No. 1965 - 34

By Senators Guess and Talley:

WHEREAS, Liberalized fishing licenses to vacationers would promote and benefit the tourist industry in this state; and

WHEREAS, The people involved in regulating taking of game fish should be encouraged to work out proposals which would make it easier for nonresidents to enjoy our lakes and streams, and the abundant fishery therein;

Now, Therefore, Be It Resolved, That the Senate request the Interim Committee on Game and Game Fish with the assistance of the Game and Game Fish Department to study a proposal to allow the issuance of day by day licenses to nonresidents through resorts, sporting goods stores and travel agencies; and, to report back to the fortieth legislature its findings and recommendations; and

Be It Further Resolved, That the Secretary of the Senate is hereby directed to transmit a copy of this resolution to the Interim Committee on Game and Game Fish.

On motion of Senator Guess, the resolution was adopted.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### House Bill No. 76:

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Establishing campus police for state colleges (reported by Committee on Higher Education and Libraries):

MAJORITY recommends that it do pass.

GORDON SANDISON, *Chairman*.

We concur in this report: R. Frank Atwood, Frank W. Foley, Karl Herrmann, Harry B. Lewis, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 86:**

Senate Chamber,  
Olympia, Wash., March 10, 1965.

Increasing definition of arson (reported by Judiciary Committee):

MAJORITY recommends that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed Substitute House Bill No. 104:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Providing for administration of community colleges on a district basis (reported by Committee on Education):

MAJORITY recommends that it do pass as amended.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert L. Charette, Karl Herrmann, Reuben A. Knoblauch, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, Don L. Talley, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 117:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Requiring escrow agents to be licensed and bonded (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Robert L. Charette, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, H. B. Hanna, Marshall A. Neill, Nat Washington, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 134:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Making it unlawful for county to issue construction permit to employer not paying industrial insurance premium (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, Sam C. Guess, George W. Kupka, August P. Mardesich, Edward F. Riley, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 251:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Changing refund procedure as to motor vehicle fuel importer tax (reported by Committee on Highways):

MAJORITY recommends that it do pass.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Martin J. Durkan, Frank W. Foley, Sam C. Guess, H. B. Hanna, James Keefe, Reuben A. Knoblauch, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Gordon Sandison, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.



**House Bill No. 265:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Changing regulation of motor vehicle fuel tax users (reported by Committee on Highways):

MAJORITY recommends that it do pass. NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Martin J. Durkan, Frank W. Foley, Sam C. Guess, H. B. Hanna, James Keefe, Reuben A. Knoblauch, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Gordon Sandison, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 321:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Limiting liability of landowners on land made available for public recreation (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass. ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Ernest W. Lennart, Ted G. Peterson, A. L. Rasmussen, John H. Stender, Don L. Talley.

It was moved by Senator Greive that Engrossed House Bill No. 321 be referred to the Judiciary Committee.

Debate ensued.

The motion was carried.

**Engrossed House Bill No. 428:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Providing for the transfer of a motor freight carrier's permit upon the death of the holder (reported by Committee on Highways):

MAJORITY recommends that it do pass. NAT WASHINGTON, *Chairman*,  
....., *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Martin J. Durkan, Sam C. Guess, H. B. Hanna, James Keefe, Reuben A. Knoblauch, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Gordon Sandison, John H. Stender, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 433:**

Senate Chamber,  
Olympia, Wash., March 10, 1965.

Compelling woman jury service (reported by Judiciary Committee):  
MAJORITY recommends that it do pass. JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 454:**

Senate Chamber,  
Olympia, Wash., March 10, 1965.

Limiting right of actions against certain associations as to monopolies or restraint of trade (reported by Committee on Agriculture and Horticulture):

MAJORITY recommends that it do pass. DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, Reuben A. Knoblauch, David E. McMillan, Lowell Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 479:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Authorizing the use of deeds of trust (reported by Judiciary Committee):  
MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Jack England, Herbert H. Freise, William A. Gissberg, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 9, 1965.

**MR. PRESIDENT:**

The House has passed: Senate Bill No. 15; also  
Senate Bill No. 57; also  
Senate Bill No. 70; also  
Senate Bill No. 86; also  
Senate Bill No. 149; also  
Senate Bill No. 150; also  
Engrossed Senate Bill No. 163; also  
Engrossed Senate Bill No. 202; also  
Engrossed Senate Bill No. 220; also  
Engrossed Senate Bill No. 223; also  
Engrossed Senate Bill No. 279; also  
Senate Bill No. 321; also  
Senate Bill No. 350; also  
Engrossed Senate Bill No. 364; also  
Senate Bill No. 416; also  
Engrossed Senate Joint Memorial No. 9, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SECOND READING OF BILLS**

It was moved by Senator Lewis that the Senate do now consider House Bill No. 174 on second reading.

Debate ensued.

The motion was carried.

It was moved by Senator McCutcheon that the Senate consider House Bill No. 582 immediately after consideration of House Bill No. 174.

Debate ensued.

With the consent of the Senate, Senator McCutcheon was permitted to withdraw his motion.

**House Bill No. 174**, by Representatives Canfield, McDougall and Bozarth:  
Forbidding limitation in amount on sale of fresh fruit below seller's cost.

The bill was read the second time by sections.

On motion of Senator Woodall, the rules were suspended, House Bill No. 174 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of House Bill No. 174, and the bill passed the Senate by the following vote: Yeas, 41; nays, 7; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Lennart, McCormack, McCutcheon, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—41.

Those voting nay were: Senators Herrmann, Kupka, Lewis, McMillan, Mardesich, Rasmussen, Sandison—7.

Absent or not voting: Senator Morgan—1.

House Bill No. 174, having received the constitutional majority, was declared passed.

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

#### MOTIONS

On motion of Senator Foley, the Senate returned to the first order of business.

On motion of Senator Foley, the Committee on Ways and Means was relieved of further consideration of House Bill No. 243.

On motion of Senator Foley, House Bill No. 243 was referred to the Committee on Agriculture and Horticulture.

There being no objection, the Senate advanced to the seventh order of business.

#### SECOND READING OF BILLS

**House Bill No. 112**, by Representatives Olsen, Smith and Rogers:

Adding exceptions to the restraints to the creation of local improvement districts.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, House Bill No. 112 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 112, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Woodall—48.

Absent or not voting: Senator Williams—1.

House Bill No. 112, having received the constitutional majority, was declared passed.

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

**House Bill No. 474**, by Representatives Lynch and Conner:

Permitting use of oleomargarine in state institutions.

On motion of Senator Riley, House Bill No. 474 was ordered to retain its place on the second reading calendar for today immediately following consideration of Engrossed House Bill No. 173.

**Engrossed House Bill No. 162**, by Representatives Haussler, Huntley and Olsen:

Enlarging road functions counties may perform through creation of road improvement districts.

**REPORT OF STANDING COMMITTEE**

**Engrossed House Bill No. 162:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Enlarging road functions counties may perform through creation of road improvement districts (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass with the following amendment:

On page 1, section 1, line 14, after "gutters," strike all the matter down to "escalators" on line 15.

DON L. TALLEY, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator Talley, the committee amendment was adopted.

On motion of Senator Talley, the rules were suspended, Engrossed House Bill No. 162, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed House Bill No. 162, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senators Cowen, Foley—2.

Engrossed House Bill No. 162, as amended by the Senate, having received the constitutional majority, was declared passed.

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

On motion of Senator Gallagher, the rules were suspended and Engrossed House Bill No. 162, as amended by the Senate, was ordered immediately transmitted to the House.

**House Bill No. 285**, by Representative Conner:

Lengthening voting hours.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, House Bill No. 285 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 285, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Absent or not voting: Senator Henry—1.

House Bill No. 285, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 173**, by Representatives O'Brien, Garrett and Brachtenbach:

Setting forth necessary qualifications before being licensed as embalmer.

The bill was read the second time by sections.

On motion of Senator Woodall, the following amendments were adopted:

On page 2, section 2, lines 4 and 5 of the printed bill, being lines 3, 4 and 5 of the engrossed bill, strike the underlined material.

On page 2, section 2, lines 9, 10 and 11 of the printed bill, being lines 9 and 10 of the engrossed bill, strike the underlined material.

On page 3, section 4, beginning on line 32 of the printed bill, being line 29 of the engrossed bill, after "requirements" insert a period and strike the remainder of the material down to and including "act." on page 4, line 1 of the printed bill, being page 3, line 31 of the engrossed bill.

On motion of Senator Woodall, Engrossed House Bill No. 173 was ordered to retain its place on the second reading calendar for today immediately following consideration of House Bill No. 186.

**House Bill No. 474**, by Representatives Lynch and Conner:

Permitting use of oleomargarine in state institutions.

The Senate resumed consideration of House Bill No. 474 on second reading.

The bill was read the second time by sections.

On motion of Senator McCormack, the following amendment was adopted:

In section 1, line 7, strike "oleomargarine" and insert "margarine"

In section 1, line 14, strike "oleo-"

It was moved by Senator Kupka that the following amendment be adopted:

After section 1, line 17, add a new section to read as follows:

"**NEW SECTION.** Sec. 2. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Debate ensued.

It was moved by Senator McMillan that the amendment be laid upon the table.

Senator Herrmann demanded a roll call and the demand was sustained by Senators Kupka, Gallagher, Greive, McMillan, McCormack, Morgan, Knoblauch, and Durkan.

#### ROLL CALL

The Secretary called the roll and the motion by Senator McMillan was lost by the following vote: Yeas, 15; nays, 31; absent or not voting, 3.

Those voting yea were: Senators Atwood, Chytil, Donohue, Foley, Gissberg, Guess, Knoblauch, Lennart, Lewis, McMillan, Raugust, Sandison, Stender, Talley, Williams—15.

Those voting nay were: Senators Bailey, Charette, Connor, Cooney, Cowen, Dore, England, Freise, Gallagher, Greive, Hanna, Herr, Herrmann, Keefe, Kupka, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Thompson, Jr., Washington, Woodall—31.

Absent or not voting: Senators Durkan, Hallauer, Henry—3.

The President declared the question before the Senate is: It has been moved by Senator Kupka that the amendment be adopted.

The motion was carried and the amendment was adopted.

It was moved by Senator Riley that the following amendment be adopted:

On page 1, section 1, line 15, after "margarine" insert a period and strike the remainder of the sentence.

Debate ensued.

Senator Gissberg demanded a roll call and the demand was sustained by Senators Hanna, Cooney, Kupka, Knoblauch, Freise, Lennart, Atwood and Redmon.

#### ROLL CALL

The Secretary called the roll and the motion was lost by the following vote: Yeas, 17; nays, 31; absent or not voting, 1.

Those voting yea were: Senators Bailey, Charette, Connor, Dore, England, Hallauer, Herr, McCormack, Mardesich, Moriarty, Jr., Peterson (Ted), Petrich, Rasmussen, Riley, Ryder, Stender, Williams—17.

Those voting nay were: Senators Atwood, Chytil, Cooney, Cowen, Donohue, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Morgan, Neill, Peterson (Lowell), Raugust, Redmon, Sandison, Talley, Thompson, Jr., Washington, Woodall—31.

Absent or not voting: Senator Henry—1.

On motion of Senator McCormack, the following amendment was adopted:

In line 2 of the title, strike "oleomargarine" and insert "margarine"

On motion of Senator Gallagher, the following amendment was adopted:

In line 3 of the title, after "15.32.370" add ", and declaring an emergency"

On motion of Senator Riley, the rules were suspended, House Bill No. 474, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 474, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 27; nays, 21; absent or not voting, 1.

Those voting yea were: Senators Bailey, Charette, Connor, Dore, England, Freise, Gallagher, Greive, Hallauer, Hanna, Herr, Herrmann, Keefe, Kupka, Lewis, McCormack, Mardesich, Morgan, Moriarty, Jr., Peterson (Ted), Petrich, Rasmussen, Riley, Ryder, Washington, Williams, Woodall—27.

Those voting nay were: Senators Atwood, Chytil, Cowen, Donohue, Durkan, Foley, Gissberg, Guess, Henry, Knoblauch, Lennart, McCutcheon, McMillan, Neill, Peterson (Lowell), Raugust, Redmon, Sandison, Stender, Talley, Thompson, Jr.—21.

Absent or not voting: Senator Cooney—1.

House Bill No. 474, as amended by the Senate, having received the constitutional majority, was declared passed.

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

#### MOTION

It was moved by Senator Greive that all bills passed thus far today be immediately transmitted to the House.

The motion was carried.

**House Joint Memorial No. 26**, by Representatives Flanagan, Jolly, Bledsoe, Newhouse, Kull and Canfield.

Memorializing Congress to amend federal sugar act.

The memorial was read the second time by sections.

On motion of Senator Washington, the rules were suspended, House Joint Memorial No. 26 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Joint Memorial No. 26, and the memorial passed the Senate by the following vote: Yeas, 44; nays, 2; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Those voting nay were: Senators Dore, Stender—2.

Absent or not voting: Senators Durkan, Lennart, McMillan—3.

House Joint Memorial No. 26, having received the constitutional majority, was declared passed.

#### SIGNED BY THE PRESIDENT

**The President signed: Senate Bill No. 15; also**

**Senate Bill No. 57; also**

**Senate Bill No. 70; also**

**Senate Bill No. 86; also**

**Senate Bill No. 149; also**

**Senate Bill No. 150; also**

**Senate Bill No. 163; also**

**Senate Bill No. 202; also**

Senate Bill No. 220; also  
 Senate Bill No. 223; also  
 Senate Bill No. 279; also  
 Senate Bill No. 321; also  
 Senate Bill No. 350; also  
 Senate Bill No. 364; also  
 Senate Bill No. 416; also  
 Senate Joint Memorial No. 9.

**House Joint Memorial No. 24**, by Representative Elder:  
 Requesting return of Wahluke slope land.

The memorial was read the second time by sections.

On motion of Senator Neill, the rules were suspended, House Joint Memorial No. 24 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Joint Memorial No. 24, and the memorial passed the Senate by the following vote: Yeas, 26; nays, 23.

Those voting yea were: Senators Bailey, Connor, Cooney, Cowen, Donohue, England, Foley, Gallagher, Greive, Guess, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Morgan, Neill, Redmon, Riley, Sandison, Washington, Williams, Woodall—26.

Those voting nay were: Senators Atwood, Charette, Chytil, Dore, Durkan, Freise, Gissberg, Hallauer, Herr, Lennart, Lewis, McCormack, Mardesich, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Ryder, Stender, Talley, Thompson, Jr.—23.

House Joint Memorial No. 24, having received the constitutional majority, was declared passed.

There being no objection, the Senate returned to the fifth order of business for the purpose of receiving messages from the House of Representatives.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
 Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 56; also  
 House Bill No. 58; also  
 House Bill No. 61; also  
 House Bill No. 63; also  
 House Bill No. 88; also  
 House Bill No. 100; also  
 House Bill No. 114; also  
 House Bill No. 160; also  
 House Bill No. 189; also  
 House Bill No. 244; also  
 House Bill No. 246; also  
 Substitute House Bill No. 252; also  
 House Bill No. 296; also  
 House Bill No. 309; also  
 House Bill No. 313; also  
 House Bill No. 337; also  
 House Bill No. 339; also



House Bill No. 432; also  
 House Bill No. 460; also  
 House Bill No. 476; also  
 House Bill No. 575, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., March 9, 1965.

**MR. PRESIDENT:**

The Speaker has signed: House Bill No. 10; also  
 House Bill No. 38; also  
 House Bill No. 52; also  
 House Bill No. 55; also  
 House Bill No. 81; also  
 House Bill No. 149; also  
 House Bill No. 239; also  
 House Bill No. 248; also  
 Substitute House Bill No. 268; also  
 House Bill No. 307; also  
 House Bill No. 324; also  
 House Bill No. 326; also  
 House Bill No. 335; also  
 House Bill No. 343; also  
 House Bill No. 366; also  
 House Bill No. 383; also  
 House Bill No. 397; also  
 House Bill No. 437; also  
 House Bill No. 464; also  
 House Bill No. 494; also  
 Substitute House Bill No. 495; also  
 House Bill No. 514, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**MOTION**

On motion of Senator Woodall, the rules were suspended and all bills passed thus far today were ordered immediately transmitted to the House.

**SIGNED BY THE PRESIDENT**

**The President signed: House Bill No. 10; also  
 House Bill No. 38; also  
 House Bill No. 52; also  
 House Bill No. 55; also  
 House Bill No. 81; also  
 House Bill No. 149; also  
 House Bill No. 239; also  
 House Bill No. 248; also  
 Substitute House Bill No. 268; also  
 House Bill No. 307; also  
 House Bill No. 324; also  
 House Bill No. 326; also  
 House Bill No. 335; also  
 House Bill No. 343; also  
 House Bill No. 366; also  
 House Bill No. 383; also  
 House Bill No. 397; also  
 House Bill No. 437; also  
 House Bill No. 464; also  
 House Bill No. 494; also**

Substitute House Bill No. 495; also  
 House Bill No. 514; also  
 House Bill No. 56; also  
 House Bill No. 58; also  
 House Bill No. 61; also  
 House Bill No. 63; also  
 House Bill No. 88; also  
 House Bill No. 100; also  
 House Bill No. 114; also  
 House Bill No. 160; also  
 House Bill No. 189; also  
 House Bill No. 244; also  
 House Bill No. 246; also  
 Substitute House Bill No. 252; also  
 House Bill No. 296; also  
 House Bill No. 309; also  
 House Bill No. 313; also  
 House Bill No. 337; also  
 House Bill No. 339; also  
 House Bill No. 432; also  
 House Bill No. 460; also  
 House Bill No. 476; also  
 House Bill No. 575.

#### MOTION

At 12:25 p. m., on motion of Senator Greive, the Senate recessed until 1:30 p. m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:30 p. m.

The Secretary called the roll and announced to the President that all Senators were present.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 15; also

Senate Bill No. 57; also  
 Senate Bill No. 70; also  
 Senate Bill No. 86; also  
 Senate Bill No. 149; also  
 Senate Bill No. 150; also  
 Senate Bill No. 163; also  
 Senate Bill No. 202; also  
 Senate Bill No. 220; also  
 Senate Bill No. 223; also  
 Senate Bill No. 279; also

Senate Bill No. 285; also  
 Senate Bill No. 321; also  
 Senate Bill No. 350; also  
 Senate Bill No. 364; also  
 Senate Bill No. 416; also  
 Senate Joint Memorial No. 9, have inspected same, and find them correctly enrolled and certified.

....., *Chairman.*

We concur in this report: Michael J. Gallagher, John A. Petrich, Perry B. Woodall.

**Engrossed House Bill No. 243:**

Senate Chamber,  
 Olympia, Wash., March 10, 1965.

Changing eligibility requirements for state allocations to agricultural fairs and amount of such allocations (reported by Committee on Agriculture and Horticulture): MAJORITY recommends that it do pass. DEWEY C. DONOHUE, *Chairman.*

We concur in this report: Joe Chytil, David E. McMillan, Lowell Peterson, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.  
 The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
 Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 95; also  
 Reengrossed Senate Bill No. 96; also  
 Senate Bill No. 285; also  
 Senate Joint Resolution No. 20 and the same are herewith transmitted.  
 S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., March 9, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 25; also  
 Senate Bill No. 26; also  
 Senate Bill No. 50; also  
 Senate Bill No. 51; also  
 Senate Bill No. 72; also  
 Senate Bill No. 90; also  
 Senate Bill No. 109; also  
 Senate Bill No. 152; also  
 Senate Bill No. 184; also  
 Senate Bill No. 211; also  
 Senate Bill No. 272; also  
 Senate Bill No. 338; also  
 Senate Bill No. 345; also  
 Senate Bill No. 462 and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

The President signed: Senate Bill No. 95; also  
 Senate Bill No. 96; also  
 Senate Bill No. 285; also  
 Senate Joint Resolution No. 20.

**SECOND READING OF BILLS**

House Bill No. 186, by Representatives Taylor, Radcliffe and DeJarnatt: Authorizing expansion of an intercounty rural library district by a majority vote.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, House Bill No. 186 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 186, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Washington, Williams, Woodall—45.

Absent or not voting: Senators Durkan, Lennart, McMillan, Morgan—4.

House Bill No. 186, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 173**, by Representatives O'Brien, Garrett and Brachtenbach:

Setting forth necessary qualifications before being licensed as embalmer.

The Senate resumed consideration of Engrossed House Bill No. 173 on second reading.

The bill was read the second time by sections.

It was moved by Senator Woodall that the following amendment be adopted:

On page 2, section 3, after "(2)" strike balance of line 21, all of line 22 and on line 23 down to but not including "[" and renumber subsection.

Debate ensued.

The motion was carried and the amendment was adopted.

#### MOTION FOR RECONSIDERATION

It was moved by Senator Woodall that the Senate reconsider the vote by which the amendment to lines 20 and 21 was adopted.

The motion was carried.

On motion of Senator Woodall, the amendment was laid upon the table.

On motion of Senator Woodall, the rules were suspended, Engrossed House Bill No. 173, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 173, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; nays, 2; absent or not voting, 5.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Lennart, Lewis, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson

(Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—42.

Those voting nay were: Senators McCormack, Rasmussen—2.

Absent or not voting: Senators Dore, Durkan, Kupka, McMillan, Talley—5.

Engrossed House Bill No. 173, as amended by the Senate, having received the constitutional majority, was declared passed.

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

On motion of Senator Gallagher, the rules were suspended and Engrossed House Bill No. 173, as amended by the Senate, was ordered immediately transmitted to the House.

**House Bill No. 50**, by Representatives Uhlman, Pritchard and Haussler:

Providing for at large election of port commissioners in class AA county.

On motion of Senator Gallagher, House Bill No. 50 was ordered to retain its place on the second reading calendar immediately following consideration of Engrossed House Bill No. 51.

**House Bill No. 582**, by Representatives Morphis, Olsen and Backstrom:

Providing extra service credit for legislators in state employees' retirement system, permitting legislators who are teachers to belong to two retirement systems.

On motion of Senator Greive, House Bill No. 582 was ordered to retain its place on the second reading calendar immediately following consideration of House Bill No. 50.

**Engrossed House Bill No. 60**, by Representatives Uhlman, Brachtenbach and Sawyer:

Enacting the Washington business corporation act.

#### REPORT OF STANDING COMMITTEE

##### Engrossed House Bill No. 60:

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Enacting the Washington business corporation act (reported by Judiciary Committee):

MAJORITY recommends that it do pass with the following amendment:

On page 111, section 167, lines 9 and 10, strike "January 1, 1966" and insert "July 1, 1967"  
JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Fred H. Dore, Jack England, H. B. Hanna, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Moriarty, Jr., the committee amendment was adopted.

On motion of Senator Freise, the following amendments were adopted:

On page 78, section 97, line 30 of the printed and engrossed bills, after "general" and before "shall" insert "within two years from the due date of such annual license fee"

On line 31, after "dissolution" and before the period, insert "or the collection of said annual license fee shall be barred"

On page 79, section 98, line 17 of the printed and engrossed bills, strike "either"

In lines 18 and 19 strike " , or in the superior court of Thurston County"

On page 111, line 11 of the printed and engrossed bills, add the following:

"Sec. 168. Section 1, chapter 173, Laws of 1927 and RCW 4.12.025 are each amended to read as follows:

An action may be brought in any county in which the defendant resides, or, if there be more than one defendant, where some one of the defendants resides at the time of the commencement of the action. For the purpose of RCW 4.12.025, 4.12.026 and 4.12.027, the residence of a corporation defendant shall be deemed to be in any county where the corporation transacts business or has an office for the transaction of business or transacted business at the time the cause of action arose or where any person resides upon whom process may be served upon the corporation, unless hereinafter otherwise provided. *The venue of any action brought against a corporation, at the option of the plaintiff, shall be (1) in the county where the tort was committed; (2) in the county where the work was performed for said corporation; (3) in the county where the agreement entered into with the corporation was made; or (4) in the county where the corporation has its principal place of business.*"

On motion of Senator England, the following amendment was adopted:

On page 99, section 136, beginning on line 16 of the printed and engrossed bills, strike the entire subsection (2) and renumber subsection (3) as "(2)"

On motion of Senator Freise, the following amendment was adopted:

In line 1 of the title after "corporations;" and before "repealing" insert "amending section 1, chapter 173, Laws of 1927 and RCW 4.12.025;"

On motion of Senator Freise, the rules were suspended, Engrossed House Bill No. 60, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 60, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Voting nay: Senator Hanna—1.

Absent or not voting: Senators Durkan, Mardesich, Raugust—3.

Engrossed House Bill No. 60, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 51**, by Representatives Uhlman, Garrett, Pritchard, Whetzel, Smith and Olsen:

Requiring candidates for state representative to file by position numbers.

#### REPORT OF STANDING COMMITTEE

##### **Engrossed House Bill No. 51:**

Senate Chamber,  
Olympia, Wash., March 8, 1965.

Requiring candidates for state representative to file by position number (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass with the following amendment:

On page 1, section 1, line 17 of the engrossed bill, amend the House Committee amendment to page 1, section 1, line 4 of the committee amendment as follows: after "position." add a new paragraph as follows:

"No incumbent member of the legislature shall be eligible to file for or be elected to any other legislative position as mentioned hereunder until the general election next preceding the expiration of his term of office."

JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, R. R. "Bob" Greive," Al Henry, Gordon Herr, Karl Herrmann, David E. McMillan, John N. Ryder.

The bill was read the second time by sections.

The Secretary read the committee amendment.

On motion of Senator Riley, the committee amendment was laid upon the table.

It was moved by Senator Charette, that the following amendment be adopted:

On page 6, section 3, line 19, restore section 3 by striking House committee amendment.

Debate ensued.

The President declared the Senate to be at ease.

The President called the Senate to order at 4:00 p. m.

The Secretary called the roll and announced to the President that all Senators were present.

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

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 74 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 64 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 315 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Reengrossed House Bill No. 372 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 9, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 371 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 241 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 91 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 92 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

There being no objection, the Senate advanced to the seventh order of business.

#### SECOND READING OF BILLS

**Engrossed House Bill No. 51**, by Representatives Uhlman, Garrett, Pritchard, Whetzel, Smith and Olsen:

Requiring candidates for state representative to file by position numbers.

The Senate resumed consideration of Engrossed House Bill No. 51 on second reading and the pending amendment by Senator Charette.

Debate ensued.

On motion of Senator McCutcheon, the amendment was laid upon the table.

On motion of Senator Riley, the rules were suspended, Engrossed House Bill No. 51, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 51, and the bill passed the Senate by the following vote: Yeas, 40; nays, 3; absent or not voting, 6.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Donohue, England, Foley, Freise, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—40.

Those voting nay were: Senators Charette, Keefe, Rasmussen—3.

Absent or not voting: Senators Cowen, Dore, Durkan, Gallagher, Gissberg, Lennart—6.

Engrossed 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. 50**, by Representatives Uhlman, Pritchard and Haussler: Providing for at large election of port commissioners in class AA county. The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, House Bill No. 50 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 50, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Durkan, Keefe, Lennart—3.

House Bill No. 50, having received the constitutional majority, was declared passed.

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

**House Bill No. 582**, by Representatives Morphis, Olsen and Backstrom:

Providing extra service credit for legislators in state employees' retirement system, permitting legislators who are teachers to belong to two retirement systems.

On motion of Senator Greive, House Bill No. 582 was ordered to retain its place on the second reading calendar for today immediately following consideration of Engrossed House Bill No. 154.

**House Bill No. 549**, by Representatives Pritchard, Witherbee and O'Brien:

Providing for state trade fairs and the support thereof.

The Senate resumed consideration of House Bill No. 549 on second reading.

The bill was read the second time by sections.

On motion of Senator Dore, the following amendments were adopted:

On page 4, section 9, line 13, after "or" and before "thereof" strike "so much" and insert "such lesser amount"

On page 4, section 9, line 14, after "section" and before the period, insert " : *Provided*, That all moneys remaining in said state trade fair fund shall revert to the general fund after such apportionment be made"

On page 5, line 5, add a new section as follows:

**"NEW SECTION.** That of the remaining funds in the "state fair account" as defined in this act at the end of the biennium, after payment out of said fund, the sum of \$40,000, shall be reverted to the general fund."

On motion of Senator Riley, the rules were suspended, House Bill No. 549, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of House Bill No. 549, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 49; nays, 0.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—49.

House Bill No. 549, as amended by the Senate, having received the constitutional 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. 33**, by Representatives Beck, Sheridan, Bottiger, Gallagher, Rogers, Swayze and Humiston (by Executive request of Governor Rosellini):

Providing Tacoma Narrows bridge be toll free upon retirement of bonded indebtedness.

The bill was read the second time by sections.

On motion of Senator Petrich, the rules were suspended, Engrossed House Bill No. 33 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed House Bill No. 33, and the bill passed the Senate by the following vote: Yeas, 42; nays, 5; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Stender, Talley, Thompson, Jr., Washington, Williams—42.

Those voting nay were: Senators Greive, Keefe, Lennart, Moriarty, Jr., Sandison—5.

Absent or not voting: Senators Raugust, Woodall—2.

Engrossed House Bill No. 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.

**House Bill No. 479**, by Representatives Klein, Thompson and Hood:  
Authorizing the use of deeds of trust.

## REPORT OF STANDING COMMITTEE

## House Bill No. 479:

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Authorizing the use of deeds of trust (reported by Judiciary Committee):

MAJORITY recommends that it do pass with the following amendments:

On page 3, section 4, line 10, after "made," and before "the sum" insert "the amount or amounts in arrears if a default is for failure to make payment,"

On page 3, section 4, following subsection (6), add a new subsection as follows:

"(7) No sale as authorized under this act shall take place at any time a court action to foreclose a lien or other encumbrance on all or any part of the secured property is pending."

On page 4, section 9, line 29, after "by" and before "paying" insert "curing the default or defaults set forth in the notice, which in the case of a default by failure to pay, shall be by"

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Jack England, Herbert H. Freise, William A. Gissberg, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendments were adopted.

On motion of Senator Dore, the following amendment was adopted:

On page 2, section 4, line 18, after "one hundred" and before "days" strike "twenty" and insert "and eighty"

On motion of Senator Riley, the rules were suspended, House Bill No. 479, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

Senators Moriarty, Jr., Peterson (Ted), and Chytil demanded a Call of the Senate.

A Call of the Senate was ordered.

## CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Moriarty, Jr., the Senate proceeded under the Call of the Senate.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 479, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 29; nays, 20.

Those voting yea were: Senators Charette, Chytil, Cowen, Dore, England, Foley, Freise, Gissberg, Guess, Hallauer, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams—29.

Those voting nay were: Senators Atwood, Bailey, Connor, Cooney, Donohue, Durkan, Gallagher, Greive, Hanna, Henry, Herrmann, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Stender, Woodall—20.

House Bill No. 479, as amended by the Senate, having received the constitutional majority, was declared passed.

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

## NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Dore served notice that at 9:00 p. m. this evening, he would move to reconsider the vote by which House Bill No. 479, as amended by the Senate, passed the Senate.

**House Bill No. 526**, by Representatives Eldridge, O'Brien and Jueling:

Changing safety requirements for underground labor.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, House Bill No. 526 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 526, and the bill passed the Senate by the following vote: Yeas, 49; nays, 0.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—49.

House Bill No. 526, having received the constitutional 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. 104**, by Committee on Higher Education:

Providing for administration of community colleges on a district basis.

## REPORT OF STANDING COMMITTEE

**Engrossed Substitute House Bill No. 104:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Providing for administration of community colleges on a district basis (reported by Committee on Education):

MAJORITY recommends that it do pass with the following amendment:

On page 1, line 5, strike everything after the enacting clause and insert:

“NEW SECTION. Section 1. There shall be created to manage the affairs of each community college, whether presently existing or hereafter to be established, a community college district, which shall become operative on July 1, 1967.

NEW SECTION. Sec. 2. The superintendent of public instruction is directed to prepare and submit to the fortieth session of the legislature, a legislative proposal to accomplish the purposes of section 1 of this act.

Such proposal shall be accompanied by a comprehensive report and plan for the implementation thereof, which shall contain recommendations including, but not limited to, the following:

- (1) Proposed boundary lines for community college districts for all existing and planned community colleges;
- (2) Proposed methods of financing and support, including both maintenance and operations, and capital outlay;
- (3) Enrollment predictions;
- (4) Academic standards, course content, curriculum, and extra-curricular activities.

NEW SECTION. Sec. 3. All school directors, district and county superintendents, and community college administrators, are directed upon the request of the superin-

tendent of public instruction to assist him in carrying out the duties imposed by section 2 hereof. Such officers are also directed to take in their own districts, such preparatory steps during the 1965-1967 interim as will assist the implementation of section 1 of this act and such plan as may be adopted by the legislature pursuant to section 2, hereof.

**NEW SECTION.** Sec. 4. In formulating the proposals required by this act, the superintendent of public instruction shall consult and cooperate with such legislative interim committees as may be concerned with education or higher education.

Sec. 5. Section 10, chapter 2, Laws of 1963, extraordinary session, and RCW 28.84.215, are each amended to read as follows:

*During the period from July 1, 1965 until July 1, 1967 the president of [the] each community college shall be held directly responsible to the board of directors [as determined by the directors of each school board] of his school district. Thereafter he shall be held directly responsible to the board of trustees of his community college district."*

In line 2 of the title, after "districts;" and before "and" insert "providing for interim planning therefor"

MIKE McCORMACK, Chairman.

We concur in this report: Robert L. Charette, Karl Herrmann, Reuben A. Knoblauch, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, Don L. Talley, Nat Washington.

The bill was read the second time by sections.

It was moved by Senator McCormack that the committee amendment be adopted.

It was moved by Senator Thompson, Jr., that the following amendment by Senators Thompson, Jr., and Dore, to the committee amendment be adopted:

Strike the Senate Committee amendment to Engrossed Substitute House Bill No. 104 and insert the following:

**NEW SECTION.** Section 1. The state superintendent of public instruction, in cooperation with all school directors, district and county superintendents, and community college administrators and with the appropriate legislative interim committee or subcommittee thereof, is directed to make a comprehensive study of junior college problems, including but not limited to, the following:

(1) The advisability of establishing community college districts and boundaries thereof;

(2) Future expansion of the community college program;

(3) Methods of financing and support for maintenance and operation as well as capital outlay;

(4) Enrollment predictions;

(5) Academic standards, course content, curriculum and extra-curricular activities.

**NEW SECTION.** Sec. 2. The superintendent is directed to prepare and submit a comprehensive report making findings and recommendations to the 40th session of the legislature.

Debate ensued.

It was moved by Senator Gallagher that the amendment to the amendment be laid upon the table.

Senator Dore demanded a roll call and the demand was sustained by Senators Thompson, Jr., Stender, Connor, McCutcheon, Washington, Morgan, Rasmussen, Charette, Herrmann and Cooney.

#### ROLL CALL

The Secretary called the roll and the motion carried by the following vote: Yeas, 26; nays, 23.

Those voting yea were: Senators Bailey, Charette, Cooney, Cowen, Donohue, Foley, Gallagher, Guess, Hallauer, Henry, Herrmann, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Moriarty, Jr., Neill, Raugust, Riley, Ryder, Sandison, Washington, Williams, Woodall—26.

Those voting nay were: Senators Atwood, Chytil, Connor, Dore, Durkan, England, Freise, Gissberg, Greive, Hanna, Herr, Keefe, McCutcheon, Marde-

sich, Morgan, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Stender, Talley, Thompson, Jr.—23.

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

In the amendment by Committee on Education to page 1, line 5, in section 2, add a new subsection as follows:

"(5) The scope, necessity and advisability of expansion of vocational-technical training in community colleges."

It was moved by Senator Thompson, Jr. that the following amendment to the committee amendment be adopted:

Strike all of Sec. 5.

Debate ensued.

It was moved by Senator Herrmann that the amendment by Senator Thompson, Jr. to the committee amendment be laid upon the table.

Senator Dore demanded a roll call and the demand was sustained by Senators Peterson (Ted), Freise, Stender, Rasmussen, McCutcheon, Morgan, Herrmann and Kupka.

#### ROLL CALL

The Secretary called the roll and the motion was carried by the following vote: Yeas, 25; nays, 24.

Those voting yea were: Senators Bailey, Charette, Cooney, Cowen, Donohue, England, Foley, Gallagher, Guess, Hallauer, Henry, Herr, Herrmann, Lennart, McCormack, Moriarty, Jr., Neill, Peterson (Lowell), Raugust, Riley, Ryder, Sandison, Washington, Williams, Woodall—25.

Those voting nay were: Senators Atwood, Chytil, Connor, Dore, Durkan, Freise, Gissberg, Greive, Hanna, Keefe, Knoblauch, Kupka, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Ted), Petrich, Rasmussen, Redmon, Stender, Talley, Thompson, Jr.—24.

It was moved by Senator Dore that Engrossed Substitute House Bill No. 104 be made a special order of business for 9:30 p. m. this evening.

Debate ensued.

On motion of Senator Hallauer, the motion by Senator Dore was laid upon the table.

#### MOTION

It was moved by Senator Charette that all further debate on Engrossed Substitute House Bill No. 104 be limited to five minutes per speaker with no yields.

Senator Gallagher moved to amend the motion to permit three minutes debate and no yields.

The motion was carried.

The President declared the question before the Senate to be the motion by Senator Charette as amended.

The motion was carried.

It was moved by Senator Dore that the Senate recess for dinner.

The motion was carried on a rising vote.

It was moved by Senator Riley that the Senate dispense with the Call of the Senate.

**POINT OF ORDER**

Senator Woodall:

"Mr. President, point of order:

"The Senate cannot recess while under the Call of the Senate. Hence the motion was out of order and the matter was not properly voted upon.

**RULING BY THE PRESIDENT**

The President:

"The point of order is well taken, Senator Woodall."

**MOTIONS**

On motion of Senator Riley, the Senate dispensed with the Call of the Senate.

At 6:10 p. m., on motion of Senator Greive, the Senate recessed until 8:00 p. m.

**EVENING SESSION**

The President called the Senate to order at 8:00 p. m.

The Secretary called the roll and announced to the President that all Senators were present.

Senators Greive, Rasmussen and Bailey, demanded a Call of the Senate.

**CALL OF THE SENATE**

A Call of the Senate was ordered.

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

**MOTIONS**

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

On motion of Senator Charette, the rules were suspended and all bills passed today were immediately transmitted to the House.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

**SECOND READING OF BILLS**

The Senate resumed consideration of Engrossed Substitute House Bill No. 104 on second reading.

It was moved by Senator Dore that the following amendment to the committee amendment be adopted:

On page 1, section 1, line 4, before the period add ": *Provided*, That the state superintendent of public instruction shall be directed to prepare a study of the service areas of each of the existing community colleges and proposed community colleges for the purpose of determining the boundaries of each community college district."

Debate ensued.

On motion of Senator Gallagher, the amendment to the committee amendment was laid upon the table.

It was moved by Senator Dore that the following amendment to the committee amendment be adopted:

On page 1, section 1, line 4, before the period add " : *Provided*, That any community college district must include all of any school district which is judged to be within the service area of the community college."

Debate ensued.

It was moved by Senator Hallauer that the amendment to the committee amendment be laid upon the table.

Senator Dore demanded a roll call and the demand was sustained by Senators Chytil, Freise, Peterson (Ted), Greive, McCutcheon, Morgan, Rasmussen, Kupka and Knoblauch.

#### ROLL CALL

The Secretary called the roll and the motion was carried by the following vote: Yeas, 28; nays, 19; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Cooney, Cowen, Donohue, Foley, Gallagher, Guess, Hallauer, Henry, Herrmann, Knoblauch, Lennart, Lewis, McCormack, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Raugust, Riley, Ryder, Sandison, Talley, Washington, Williams, Woodall—28.

Those voting nay were: Senators Chytil, Connor, Dore, Durkan, England, Freise, Greive, Hanna, Keefe, Kupka, McCutcheon, McMillan, Morgan, Peterson (Ted), Petrich, Rasmussen, Redmon, Stender, Thompson, Jr.—19.

Absent or not voting: Senators Gissberg, Herr—2.

#### MOTION

It was moved by Senator Talley that Engrossed Substitute House Bill No. 104 be made a special order of business for 11:55 p. m. this evening.

Debate ensued.

#### PARLIAMENTARY INQUIRY

Senator Thompson, Jr.:

"Mr. President:

"Do I understand that if Engrossed Substitute House Bill No. 104 is before us at 11:55 p. m., that you would rule that we could complete action on this bill?"

#### REPLY BY THE PRESIDENT

The President:

"The President believes that any bill under consideration prior to midnight could be properly considered and that the Senate could complete action on such bill."

#### PARLIAMENTARY INQUIRY

Senator Riley:

"Mr. President:

"May I hasten to say that I do not anticipate the ruling of the Chair on the matter of anything under discussion. I am only pointing out that the concurrent resolution said that we were to quit considering House bills at midnight. Now, I recognize, Mr. President, that it is like a lot of things, like voting at the polls, if you are inside the polls before eight, you have the right to vote. But I am wondering if the ruling of the Chair would overrule the concurrent resolution which says that the Senate shall no longer consider house bills at the stroke of midnight, Wednesday, March 10."



**REPLY BY THE PRESIDENT**

The President:

"The President does not believe that custom and tradition has been such that if a bill is under consideration prior to the cutoff time, that the Senate, in its wisdom, would continue considering the bill until after action had been completed, or until they decided otherwise."

Debate ensued.

Senator Dore demanded a roll call and the demand was sustained by Senators McCutcheon, Greive, Morgan, Rasmussen, Connor, Petrich, Lewis, Stender, Peterson (Ted), and Freise.

**ROLL CALL**

The Secretary called the roll and the motion by Senator Talley was lost by the following vote: Yeas, 20; nays, 25; absent or not voting, 4.

Those voting yea were: Senators Atwood, Connor, Dore, England, Freise, Greive, Hanna, Henry, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, Morgan, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Talley, Thompson, Jr.—20.

Those voting nay were: Senators Bailey, Charette, Chytil, Cowen, Donohue, Foley, Gallagher, Guess, Hallauer, Herrmann, Lewis, McCormack, McMillan, Mardesich, Moriarty, Jr., Neill, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Washington, Williams, Woodall—25.

Absent or not voting: Senators Cooney, Durkan, Gissberg, Herr—4.

It was moved by Senator Dore that the following amendment to the committee amendment be adopted:

On page 1, section 5, line 8, before the period add " ; *Provided*, That where the boundaries of the community college district are judged to be co-terminous with the boundaries of the single school district, the board of directors of that school district shall constitute the board of trustees of the community college and shall determine the lines of authority for the administration of the college."

Debate ensued.

It was moved by Senator Woodall that the amendment to the committee amendment be laid upon the table.

Senator Dore demanded a roll call and the demand was sustained by Senators Kupka, Morgan, Rasmussen, Connor, Petrich, Lewis, Stender, Peterson (Ted) and Freise.

**ROLL CALL**

The Secretary called the roll and the motion was carried by the following vote: Yeas, 25; nays, 24.

Those voting yea were: Senators Bailey, Charette, Cooney, Cowen, Donohue, Gissberg, Greive, Guess, Hallauer, Henry, Herrmann, Lennart, McCormack, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Raugust, Ryder, Sandison, Talley, Washington, Williams, Woodall—25.

Those voting nay were: Senators Atwood, Chytil, Connor, Dore, Durkan, England, Foley, Freise, Gallagher, Hanna, Herr, Keefe, Knoblauch, Kupka, Lewis, McCutcheon, Morgan, Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Stender, Thompson, Jr.—24.

**MOTION**

It was moved by Senator Thompson, Jr., that Engrossed Substitute House Bill No. 104 be made a special order of business for 11:50 p. m. tonight.

On motion of Senator Woodall, the motion was laid upon the table.

It was moved by Senator Dore that the following amendment to the committee amendment be adopted:

On page 1, section 4, line 4, before the period add " : *Be it further provided*, That the state superintendent of public instruction shall seek the opinion of the attorney general with regard to the legality of establishing a community college taxing district upon the same district maintaining the K-12 public school system of education."

Senator Gallagher raised the question of consideration on the amendment to the committee amendment and the Senate voted not to consider the amendment to the committee amendment.

It was moved by Senator Dore that the following amendment to the committee amendment be adopted:

On page 1, add a new section as follows:

"*NEW SECTION*. Sec. 6. Nothing in this act shall be construed as preventing the board of directors of any school district which may be authorized by this session of the legislature to establish a community college to proceed with the establishment of the college, to enter into contracts and agreements to this end which shall be binding upon the board of trustees of the community college to be subsequently established."

Debate ensued.

The motion was lost and the amendment to the committee amendment was not adopted.

#### PERSONAL PRIVILEGE

Senator Riley:

"Mr. President, personal privilege:

"Mr. President and members of the Senate, I think if you will search the records, I suspect that I haven't spoken on a point of personal privilege for probably ten years. I recognize, Mr. President and members of the Senate, we have differences of opinion here tonight, but I am in hopes that everybody will be as completely serious as they can with themselves.

"Now, I hold in my hand here about seven pages of bills that are important and, members of the Senate, in my opinion, they are more important to the people outside these halls than they are to us. I am not omitting the fact that the bill under consideration, Engrossed Substitute House Bill No. 104, is important, but I am hoping that you will only offer amendments if they are of consequence and vote on them on the basis of whether or not they have merit, and I do hope that we will have no delaying tactics. Let's not put this thing on a basis of personalities. There is a difference of opinion in every walk of life and let's recognize that. But for Heaven's sake, members of the Senate, do not let personalities get into this. Stick to the measure. Let's stay right with it and vote for it or against it."

The Secretary read the following amendment to the committee amendment by Senator Dore:

On page 1, section 2, line 2, after "to" and before "prepare" insert "appoint a lay commission of not fewer than fourteen members broadly representative of the various professions, business, labor and agriculture to serve in an advisory capacity to help."

Senator Riley raised the question of consideration and the Senate voted not to consider the amendment to the committee amendment.

#### MOTION

It was moved by Senator Petrich that Engrossed Substitute House Bill No. 104 be made a special order of business for 11:45 p.m. this evening.

The motion was lost.

It was moved by Senator Dore that the following amendment to the committee amendment be adopted:

On page 1, add a new section as follows:

"*NEW SECTION*. Sec. 7. That the provisions of this act shall apply only to the community colleges hereinafter established by the legislature."

Debate ensued.

On motion of Senator Gallagher, the amendment to the committee amendment was laid upon the table.

#### MOTION

It was moved by Senator Gallagher that the rules be suspended and that the special order of business set for 9:00 p. m. be postponed until after consideration of Engrossed Substitute House Bill No. 104.

#### POINT OF ORDER

Senator Charette:

"Point of order, Mr. President:"

The President:

"The Senator will state his point of order."

Senator Charette:

"Isn't this the so-called deeds of trust bill, Mr. President?"

The President:

"The President believes it has been so designated, Senator Charette. The special order of business was reconsideration of the vote by which House Bill No. 479 as amended by the Senate, was passed."

Senator Charette:

"My point of order is, when we came in, I moved that the rules be suspended and all bills immediately transmitted to the House, and that motion carried with unanimous consent of the body. We have taken action on this bill and it can't be reconsidered."

Senator Greive:

"I think if you will look at Rule 31 of the Senate rules, Senator, a motion to immediately transmit simply suspends the rule that they will be transmitted tomorrow. You cannot cut off a motion for reconsideration."

Senator Williams:

"Mr. President:

"I think there is a difference between a motion to reconsider and notice of intent to make a motion to reconsider."

Senator Gissberg:

"I would further point out, Mr. President, if, as Senator Charette has stated, his motion was to suspend the rules, then that does literally what it was intended to do, namely; it suspends the rules and at the time the motion was carried, it does what the maker of the motion wants it to do, notwithstanding any rule to the contrary. Now, if the minute clerk shows the motion was that the rules be suspended, then I think the point of order is well taken."

#### POINT OF ORDER

Senator Gallagher:

"Point of order, Mr. President:

"I believe my motion is before us. I moved that the rules be suspended and that the special order of business set for 9:00 p. m. be delayed until consideration of Engrossed Substitute House Bill No. 104 has been accomplished."

The motion was carried.

Senator Riley:

"Speaking on the point of order, Mr. President, when a Senator rises and says that at a certain time he will move for reconsideration, he does not make the motion. He expresses himself as saying that at a certain time he would do it. Now another

Senator rises and says, 'Mr. President, I move that all bills passed by the Senate up to this time shall be immediately transmitted to the House.' Then I think the point of order as offered by Senator Charette is well taken, because the House bills that we passed are now in the possession of the House of Representatives."

Senator Mardesich:

"Mr. President:

"I should like to point out to the President that the notice for reconsideration is tantamount to removing the bill from the nature of having been officially and finally passed and, therefore, the bill would not have been transmitted."

#### POINT OF ORDER

Senator Gallagher:

"Point of order, Mr. President:

"I believe we have before us Engrossed Substitute House Bill No. 104."

#### RULING BY THE PRESIDENT

The President:

"The point of Senator Gallagher is well taken."

On motion of Senator Stender, the following amendment to the committee amendment was adopted:

In the amendment by Committee on Education to page 1, line 5, in section 1, line 3 of the amendment, after "district" insert a period and strike the balance of the sentence.

The President stated the question before the Senate is the adoption of the committee amendment as amended.

The motion was carried and the committee amendment as amended was adopted.

On motion of Senator McCormack, the committee amendment to the title was adopted.

On motion of Senator McCormack, the rules were suspended, Engrossed Substitute House Bill No. 104, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 104, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 35; nays, 14.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Durkan, England, Foley, Gallagher, Gissberg, Guess, Hallauer, Henry, Herrmann, Keefe, Lennart, Lewis, McCormack, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Raugust, Redmon, Riley, Sandison, Stender, Talley, Washington, Williams, Woodall—35.

Those voting nay were: Senators Connor, Dore, Freise, Greive, Hanna, Herr, Knoblauch, Kupka, McCutcheon, Morgan, Petrich, Rasmussen, Ryder, Thompson, Jr.—14.

Engrossed Substitute House Bill No. 104, as amended by the Senate, having received the 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 time having arrived, the Senate resumed consideration of House Bill No. 479, as amended by the Senate, and the notice of reconsideration presented by Senator Dore.

**RULING BY THE PRESIDENT**

The President:

"The President, in ruling upon the point of order as presented by Senator Charette, rules that since notice of reconsideration was given by Senator Dore, the President believes that no other action should be taken on the bill until such time as the notice is acted upon or withdrawn. Hence, the President believes that the Secretary was correct in not transmitting the bill to the House. Thus the bill is before the Senate for its consideration upon a special order of business.

**MOTION FOR RECONSIDERATION**

Senator Dore, having voted on the prevailing side, moved that the Senate do now reconsider the vote by which House Bill No. 479, as amended by the Senate, passed the Senate.

Debate ensued.

Senator Dore demanded a roll call and the demand was sustained by Senators Petrich, Mardesich, Stender, Connor, Greive, McCutcheon, Morgan, Rasmussen and Herrmann.

**ROLL CALL**

The Secretary called the roll on the motion for reconsideration and the motion was lost by the following vote: Yeas, 19; nays, 30.

Those voting yea were: Senators Bailey, Connor, Cooney, Donohue, Dore, Durkan, Gallagher, Greive, Hanna, Herr, Herrmann, McCutcheon, McMillan, Mardesich, Morgan, Petrich, Rasmussen, Stender, Woodall—19.

Those voting nay were: Senators Atwood, Charette, Chytil, Cowen, England, Foley, Freise, Gissberg, Guess, Hallauer, Henry, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams—30.

It was moved by Senator Woodall that the Senate do now consider House Bill No. 647 on second reading.

Debate ensued.

The motion was carried.

**House Bill No. 647**, by Representatives Andersen (James A.), Brachtenbach, Hood and Lynch (by Executive request):

Authorizing state participation in federal mental retardation and community mental health care programs.

The bill was read the second time by sections.

On motion of Senator Moriarty, Jr., the rules were suspended, House Bill No. 647 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of House Bill No. 647, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Cowen, Durkan, Guess—3.

House Bill No. 647, having received the constitutional majority, was declared passed.

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

Senators Greive, Cooney and McCutcheon demanded a Call of the Senate. A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

It was moved by Senator McCutcheon that the Senate do now consider House Bill No. 582 on second reading.

The motion was carried.

**House Bill No. 582**, by Representatives Morphis, Olsen and Backstrom:

Providing extra service credit for legislators in state employees' retirement system, permitting legislators who are teachers to belong to two retirement systems.

The bill was read the second time by sections.

It was moved by Senator Ryder that the following amendment be adopted:

On page 3, section 1, line 18, after "legislature" insert "who has elected to qualify for the benefits hereunder"

On page 3, section 1, line 19, after "paid" and before the period insert "up to a maximum of twenty years of actual service at the accelerated rate: PROVIDED, That any legislator exercising the option to qualify for the creditable service computation set forth herein shall be credited with the employer contributions required in RCW 41.40.330 and shall make a total of three times the employee contributions as provided in RCW 41.40.330 with credit for such payments as have already been paid for such period after April 1, 1949 as such legislator has served in the legislature: PROVIDED, That all creditable legislative service in excess of twenty years shall be credited at the normal rate: PROVIDED FURTHER, That legislative pensions and pensions based on other state service shall be computed separately and independently: AND PROVIDED FURTHER, That no member's pension shall be reduced as a result of this 1965 amendatory act"

#### POINT OF INQUIRY

Senator Gissberg:

"Would Senator Ryder yield to a question?"

"Senator Ryder, from your explanation of what the amendment purports to do, I gather that insofar as the past service credit is concerned, that your amendment would require a legislator who elects to come under this plan to pay for his own annuities and that the state would not be required to make any contribution for that, am I correct to that extent?"

Senator Ryder:

"This is not exactly correct, Senator Gissberg. He would be required to pay for his own annuity at the accelerated rate for whatever service he had since 1949. The state's portion would also be contributed, but not perhaps in dollars. It would become a part of the unfunded past liability of the total state pension system."

Senator Lennart:

"Senator Ryder, what would be the amount that the legislator would have to pay back until 1949? Can you tell me approximately?"

Senator Ryder:

"Well, Senator, I can tell you exactly. If you have been in service since 1949, it would cost you ten dollars per month for fifteen years, which would be approximately \$1800."

Debate ensued.

The motion was carried and the amendment was adopted.

It was moved by Senator Dore that the following amendment be adopted:

On page 6, section 2, line 21, strike lines 21, 22, 23 and 24.

Debate ensued.

The motion was carried and the amendment was adopted.

It was moved by Senator Rasmussen that the following amendment be adopted:

On page 3, subsection (9), beginning on line 17 after "benefits." strike all underscored matter through line 19.

Debate ensued.

On motion of Senator Gallagher, the amendment was laid upon the table.

It was moved by Senator Hallauer that the following amendment be adopted:

Strike the title and substitute the following: "This act shall be known as the legislative freeloading bill of 1965."

Debate ensued.

On motion of Senator Gallagher, the amendment was laid upon the table.

On motion of Senator Greive, the rules were suspended, House Bill No. 582, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

Senators Greive, McCutcheon and Gallagher demanded the previous question and the demand was sustained.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 582, as amended by the Senate, and the bill failed to pass the Senate by the following vote: Yeas, 19; nays, 30.

Those voting yea were: Senators Chytil, Connor, Cooney, Dore, Durkan, Gallagher, Greive, Henry, Herr, Knoblauch, Kupka, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Sandison, Talley, Woodall—19.

Those voting nay were: Senators Atwood, Bailey, Charette, Cowen, Donohue, England, Foley, Freise, Gissberg, Guess, Hallauer, Hanna, Herrmann, Keefe, Lennart, Lewis, McCormack, McCutcheon, Moriarty, Jr., Neill, Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Washington, Williams—30.

House Bill No. 582, as amended by the Senate, having failed to receive the constitutional majority, was declared lost.

**MOTION FOR RECONSIDERATION**

Having voted on the prevailing side, Senator McCutcheon moved that the Senate do now reconsider the vote by which House Bill No. 582, as amended by the Senate, failed to pass the Senate.

Debate ensued.

The motion was carried.

The President declared the question before the Senate to be House Bill No. 582, as amended by the Senate, on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of House Bill No. 582, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 26; nays, 23.

Those voting yea were: Senators Chytil, Connor, Cooney, Dore, Durkan, Gallagher, Gissberg, Greive, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Redmon, Sandison, Stender, Talley, Thompson, Jr., Woodall—26.

Those voting nay were: Senators Atwood, Bailey, Charette, Cowen, Donohue, England, Foley, Freise, Guess, Hallauer, Hanna, Lennart, Lewis, McCormack, Moriarty, Jr., Neill, Peterson (Ted), Rasmussen, Raugust, Riley, Ryder, Washington, Williams—23.

House Bill No. 582, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**PERSONAL PRIVILEGES**

Senator Ryder:

"Mr. President:

"On point of personal privilege, I think that I was responsible yesterday when this furor started over House Bill 582 when it hit the floor. I made some remarks yesterday which I am not going to repeat today. I think that they still apply to the bill, as amended. I think the amendments which I put on this bill, which were worked out with several members on the other side of the aisle, were good amendments and went a long way toward making this a half-way decent bill. However, I still was compelled to vote against it because of the principle involved and not for any other reason."

Senator Gallagher:

"Mr. President:

"While I think that there are a number of people who voted against this as a matter of principle, it is going to be interesting to see how many come back, when the journal is checked, who voted against this bill tonight and who will be the first in line to put down their money and qualify. Now for those who have that principle in mind, I hope they will carry that principle out and, Lord willing, if I live long enough, I'm going to watch those of you who might line up and qualify under this act."

Senator Lennart:

"Mr. President:

"I don't think I have ever heard anything as unreasonable as what Senator Rasmussen said tonight. It took all the courage within me not to vote for the bill. The only reason I didn't vote for the bill is I really don't need it and probably won't use it. But there are many people who need this care. I almost regret now I didn't vote for it. Of course, I speak for myself, personally. I never heard anything like Senator Rasmussen's argument here, and it has been going on for days. I, for one,



feel that the motives and environment is not as high as it should be. This should be something challenging, rather than searching for attacks."

Senator Rasmussen:

"Mr. President, personal privilege:

"I make no apologies for any statement that I made concerning this pension bill on the floor of this Senate. I agree with Senator Hallauer, it's a freeloading bill and a fine example that we have set for the rest of the people in the state."

Senator Kupka:

"Mr. President:

"Under personal privilege, I take it from the emotional arguments by Senator Rasmussen that he is not going to participate in the benefits of this retirement pension, and I am going to particularly keep my eagle eye on him and see whether he does or not."

**House Bill No. 151**, by Representatives Beck, Swayze and Haussler:

Providing an alternate method of fire districts annexation procedure.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, House Bill No. 151 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 151, and the bill passed the Senate by the following vote: Yeas, 49; nays, 0.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—49.

House Bill No. 151, having received the constitutional majority, was declared passed.

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

**House Bill No. 237**, by Representatives Brachtenbach, Klein and O'Dell:

Changing date for selection of jurors by county clerk.

The bill was read the second time by sections.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

On motion of Senator Petrich, the rules were suspended, House Bill No. 237 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 237, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor,

Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Dore, Hallauer, McCutcheon, Mardesich—4.

House Bill No. 237, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 175**, by Representatives Leland, Garrett and Brouillet:

Increasing school district purchase authority.

The bill was read the second time by sections.

On motion of Senator Thompson, Jr., the rules were suspended, Engrossed House Bill No. 175 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 175, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Henry, Herrmann, McCutcheon—3.

Engrossed House Bill No. 175, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 154**, by Representatives Brouillet, Sawyer and Copeland:

Recognizing employee organizations for certificated employees of school districts.

#### REPORT OF STANDING COMMITTEE

**Engrossed House Bill No. 154:**

Senate Chamber,  
Olympia, Wash., March 5, 1965.

Recognizing employee organizations for certificated employees of school districts (reported by Committee on Education):

MAJORITY recommends that it do pass with the following amendments:

Strike all the material in the House committee amendment to page 2, section 4, line 13, being the material in the engrossed bill beginning with "Policies" on page 2, section 4, line 18, down to and including "thereto," on line 20.

Strike all the material in the House committee amendment to page 1, section 3, line 27, being the material in the engrossed bill beginning with "Policies" on page 2, section 3, line 2, down to and including "thereto." on line 4.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert L. Charette, Fred H. Dore, Herbert H. Freise, Karl Herrmann, Reuben A. Knoblauch, A. L. Rasmussen, John H. Stender, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

The bill was read the second time by sections.

On motion of Senator McCormack, the committee amendments were adopted.

It was moved by Senator Guess that the following amendment be adopted:

On page 2, section 7, line 30, after the word "act." insert: "Nothing in this act shall derogate from the duty of the superintendent's office of each district to place on file a copy of every school test, questionnaire, or assignment in the public schools asking for information ordinarily construed as personal, including but not limited to one's personal likes or dislikes, home environment, family habits or actions, friendships, religion, political opinions, moral principles, or personal problems and keep open to the public for its inspection thereof, said copies of tests or questionnaires or assignments to be retained on file at least five years. Each use of such test, questionnaire, or assignment must be identified as to date and place of use."

Senator McCormack raised the question of consideration and the Senate voted not to consider the amendment.

On motion of Senator McCormack, the rules were suspended, Engrossed House Bill No. 154, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 154, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch Kupka, Lennart, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams—43.

Those voting nay were: Senators Guess, Lewis—2.

Absent or not voting: Senators Henry, McCutcheon, Ryder, Woodall—4.

Engrossed House Bill No. 154, as amended by the Senate, having received the constitutional majority, was declared passed.

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

#### PERSONAL PRIVILEGE

Senator Guess:

"Mr. President:

"I would like to speak on point of personal privilege. The last action to me constitutes one of the most serious cases of discourtesy that I have seen on the floor of the Senate in the entire session. I have cooperated this evening on Engrossed Substitute House Bill No. 104 with the gentlemen who moved the question of consideration on me. I do not believe that I had an opportunity to explain the motion that I had before the body. I think that the bill has a certain amount of merit. I regret very much that I had to protest in this manner, but I believe that we have seen an action tonight which is not becoming this Senate. I wanted to put into the record

that the school authorities who are given very broad powers by this bill will put on file for the use of the parents and for their examination any tests which inquire as to the behavior patterns and the thinking of a child. Now we have done something by passing this bill as we have, which will prevent the parent from knowing what is going on at the school."

#### POINT OF ORDER

Senator Gallagher:

"Point of order, Mr. President:

"I think our rules provide that any member of the Senate can, in writing, submit to the Secretary his objections to procedures and it will be printed in the journal. I think the Senator is speaking on the merits of the bill at this time and I think he is out of order."

#### MOTION

Senator Greive:

"Mr. President:

"I move that the rules be suspended and Senator Guess be permitted to continue."

#### RULING BY THE PRESIDENT

The President:

"If there are no objections, Senator Guess may continue."

Senator Guess:

"I believe that the parents of our school children, when children are disturbed, should have the right to take these children to the proper licensed psychiatrist, if the need is indicated. I do not believe that the accumulation of information to be gained by tests that are given to our children is a proper function of the school district. "Thank you."

**Engrossed House Bill No. 332**, by Representatives Avey, Slagle and Braun:  
Establishing a system for regulating charter party carriers.

The bill was read the second time by sections.

On motion of Senator England, the following amendment was adopted:

On page 5, section 18, line 20, after "who" and before "violates" insert "knowingly or wilfully"

On line 21, after "who" and before "procures" insert "knowingly or wilfully"

On line 22, after "who" and before "fails" insert "knowingly or wilfully"

On motion of Senator Talley, the rules were suspended, Engrossed House Bill No. 332, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage. Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 332, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Dore, Hallauer, Lennart, McCutcheon—4.

Engrossed House Bill No. 332, as amended by the Senate, having received the constitutional 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, Senator Morgan moved that the Senate do now reconsider the vote by which Engrossed House Bill No. 154, as amended by the Senate, passed the Senate.

Debate ensued.

The motion was lost on a rising vote.

On motion of Senator Gallagher, the rules were suspended and all bills passed today were ordered immediately transmitted to the House.

**Engrossed House Bill No. 117**, by Representatives Uhlman, O'Donnell and Leland:

Requiring escrow agents to be licensed and bonded.

**REPORT OF STANDING COMMITTEE****Engrossed House Bill No. 117:**

Senate Chamber,  
Olympia, Wash., March 9, 1965.

Requiring escrow agents to be licensed and bonded (reported by Judiciary Committee):

MAJORITY recommends that it do pass with the following amendment:

In section 5, page 3, line 15 of the engrossed bill, being section 5, page 3, line 17 of the printed bill, after "shall" strike the remainder of the section down to and including "principal" on line 23 of the engrossed bill, being line 25 of the printed bill, and insert "satisfy the director that it has obtained a fidelity bond providing fidelity coverage on each officer and employee of the applicant. Such applicant shall keep said bond in effect at all times while his certificate of registration is in effect. Such bond shall be a primary commercial blanket bond written by an insurer authorized to transact surety insurance business in the state of Washington. Such bond shall provide fidelity coverage in the amount of two hundred thousand dollars and may be canceled by the surety upon delivering thirty days written notice to the director and the principal"

JOHN A. PETRICH, *Chairman*.

We concur in this report: Robert L. Charette, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, H. B. Hanna, Marshall A. Neill, Nat Washington, Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Moriarty, Jr., the committee amendment was adopted.

On motion of Senator Moriarty, Jr., the rules were suspended, Engrossed House Bill No. 117, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed House Bill No. 117, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 5.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—43.

Those voting nay were: Senator Guess—1.

Absent or not voting: Senators Atwood, Hallauer, McCutcheon, Morgan, Talley—5.

Engrossed House Bill No. 117, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**House Bill No. 304**, by Representatives Bledsoe, Flanagan and Bozarth:

Defining certain agricultural transactions as sales at wholesale.

The bill was read the second time by sections.

On motion of Senator Woodall, the rules were suspended, House Bill No. 304 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 304, and the bill passed the Senate by the following vote: Yeas, 41; nays, 2; absent or not voting, 6.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Foley, Freise, Gallagher, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—41.

Those voting nay were: Senators Gissberg, Lewis—2.

Absent or not voting: Senators Durkan, England, Guess, Hallauer, McMillan, Morgan—6.

House Bill No. 304, having received the constitutional majority, was declared passed.

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

**House Bill No. 217**, by Representatives King (Chet), Hawley, Taylor, Wang, Hood, Mahaffey, Kink and Berentson (by Departmental request):

Defining "Village Point" as the boundaries of a net fishing area.

The bill was read the second time by sections.

On motion of Senator Atwood, the rules were suspended, House Bill No. 217 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 217, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams—42.

Absent or not voting: Senators Connor, Dore, Hallauer, Herr, Morgan, Raugust, Woodall—7.

House Bill No. 217, having received the constitutional majority, was declared passed.

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

**Reengrossed House Bill No. 111**, by Representatives Olsen, Smith and Haussler:

Extending group hospitalization and medical aid coverage to elected county officials.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, Reengrossed House Bill No. 111 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

On motion of Senator Atwood, Senator Raugust was excused.

#### ROLL CALL

The Secretary called the roll on the final passage of Reengrossed House Bill No. 111, and the bill passed the Senate by the following vote: Yeas, 39; nays, 4; absent or not voting, 5; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Redmon, Riley, Ryder, Stender, Talley, Thompson, Jr., Washington, Williams—39.

Those voting nay were: Senators Charette, McCormack, McMillan, Petrich—4.

Absent or not voting: Senators Connor, Keefe, Morgan, Sandison, Woodall—5.

Excused: Senator Raugust—1.

Reengrossed House Bill No. 111, having received the constitutional majority, was declared passed.

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

On motion of Senator Gallagher, the rules were suspended and all bills passed this evening and not previously transmitted were ordered immediately transmitted to the House.

**Engrossed House Bill No. 278**, by Representatives Taplin, Wolf and Cunningham (by Departmental request):

Providing requisites for motor vehicle dealer licenses.

The bill was read the second time by sections.

On motion of Senator England, the following amendment was adopted:

On page 2, section 2, line 11 of the printed bill, being line 7 of the engrossed bill, strike subsection (4).

It was moved by Senator Durkan that the following amendment be adopted:

On page 4, line 10 of the printed bill, being line 10 of the engrossed bill, after section 5 add a new section as follows:

**"NEW SECTION.** Sec. 6. No automobile dealer in AA counties and licensed by the state of Washington shall offer to sell, sell, or deliver for sale an automobile during the hours of any day on which no authorized licensed agent is open for business

with the public in the county in which the dealer maintains his place of business. As used herein, authorized licensed agent shall mean any county auditor or his subagent having authority to effect transfer of title on motor vehicles."

On motion of Senator Greive, Engrossed House Bill No. 278 was ordered to retain its place on the second reading calendar for tonight immediately following Engrossed House Bill No. 226.

**House Bill No. 251**, by Representatives McDougall, Wolf and Taplin (by Departmental request):

Changing refund procedure as to motor vehicle fuel importer tax.

The bill was read the second time by sections.

On motion of Senator Keefe, the rules were suspended, House Bill No. 251 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 251, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Those voting nay were: Senator Dore—1.

Absent or not voting: Senators Hanna, Lennart, Morgan—3.

Excused: Senator Raugust—1.

House Bill No. 251, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 226**, by Representatives O'Brien, Whetzel and Valle:

Provides for open space lands in urban areas.

The bill was read the second time by sections.

On motion of Senator Lewis, the following amendments were adopted:

On page 1, section 2, strike the House amendment.

On page 3, section 4, line 11, strike the House amendment.

It was moved by Senator Riley that the following amendment be adopted:

On page 3, section 5, line 12, strike section 5.

Debate ensued.

On motion of Senator Greive, the amendment was laid upon the table.

It was moved by Senator Riley that the following amendment be adopted:

On page 1, section 1, line 3, after "i." insert "The legislative council is hereby directed to study the following bill to determine whether or not to recommend its passage by the fortieth legislature."

Renumber the existing section 1 as section 2.

Debate ensued.



On motion of Senator Greive, the amendment by Senator Riley was laid upon the table.

On motion of Senator Greive, the rules were suspended, Engrossed House Bill No. 226, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Gallagher:

"Mr. President, would Senator Williams yield to a question."

Senator Williams:

"Yes."

Senator Gallagher:

"On page 7, section 15, it says there is no financial impact, no money involved, but I notice that it says in order to carry out the purpose of this act, the Governor is authorized to provide technical assistance to local public bodies and to undertake such studies and publish such information either directly or by contract as he shall determine to be desirable. I wonder if you can inform me where the Governor is going to obtain this technical help? Would these be people in his department, or would this necessitate an appropriation to a committee setting forth provision for another staff to carry out the functions laid down in this law?"

Senator Williams:

"I don't know of any plans to acquire any further staff. He could work with the Department of Personnel in that regard."

Senator Gallagher:

"I don't believe that answers my question. I wonder where, under the Governor's jurisdiction, these technical advisers are, who are going to advise these people as to what they can do under this act."

Senator Atwood:

"In answer to Senator Gallagher's question, the technical assistance would be found in the Department of Economic Development who presently administers all funds for city planning and state comprehensive planning talked about in this bill. They have a complete staff that does nothing but this type of work for all cities and counties."

Further debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 226, as amended by the Senate, and the bill failed to pass the Senate by the following vote: Yeas, 20; nays, 25; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Bailey, Connor, Cooney, Dore, Durkan, Greive, Herr, Herrmann, Knoblauch, McCormack, McCutcheon, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Talley, Thompson, Jr., Washington, Williams—20.

Those voting nay were: Senators Atwood, Charette, Chytil, Cowen, Donohue, Foley, Freise, Gallagher, Gissberg, Guess, Hanna, Henry, Keefe, Kupka, Lewis, McMillan, Mardesich, Neill, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Woodall—25.

Absent or not voting: Senators England, Hallauer, Lennart—3.

Excused: Senator Raugust—1.

Engrossed House Bill No. 226, as amended by the Senate, having failed to receive the constitutional majority, was declared lost.

**Engrossed House Bill No. 278**, by Representatives Taplin, Wolf and Cunningham (by Departmental request):

Providing requisites for motor vehicle dealer licenses.

The Senate resumed consideration of Engrossed House Bill No. 278 on second reading and the pending amendment by Senator Durkan.

The motion was carried on a rising vote and the amendment was adopted.

On motion of Senator Gissberg, the following amendments were adopted:

On page 4, section 4, line 3 of the printed and engrossed bills, strike all of subsection (8).

On page 4, section 5, line 7, after "be a" strike "gross"

On motion of Senator Stender, the following amendment was adopted:

On page 2, section 2, line 8 of the printed bill, being line 4 of the engrossed bill, after "dealer" strike the remainder of the material down to and including "business" on line 9 of the printed bill, being line 5 of the engrossed bill.

It was moved by Senator Stender that the following amendment be adopted:

On page 4, add a new section to read as follows:

"**NEW SECTION.** This act shall in no way restrict the rights of a holder of a valid license to carry on his business on any day of the week."

Debate ensued.

The motion was lost on a rising vote and the amendment was not adopted.

On motion of Senator Durkan, the following amendment was adopted:

On page 1, line 6 of the title of the printed bill, being line 6 of the engrossed bill, after "adding" and before "to chapter" strike "a new section" and insert "new sections"

On motion of Senator Durkan, the rules were suspended, Engrossed House Bill No. 278, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

Senators Durkan, Greive and Knoblauch demanded the previous question and the demand was sustained.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 278, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 36; nays, 11; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Donohue, Durkan, England, Foley, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Sandison, Talley, Thompson, Jr., Williams, Woodall—36.

Those voting nay were: Senators Chytil, Cowen, Dore, Freise, Hallauer, Lewis, McCormack, Neill, Ryder, Stender, Washington—11.

Absent or not voting: Senator Lennart—1.

Excused: Senator Raugust—1.

Engrossed House Bill No. 278, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**MOTION FOR RECONSIDERATION**

Senator Gissberg, having voted on the prevailing side, moved that the Senate do now reconsider the vote by which Engrossed House Bill No. 226, as amended by the Senate, failed to pass the Senate.

**POINT OF ORDER**

Senator Lewis:

"Point of order, Mr. President:

"I wonder if you could give us a ruling on whether or not we can reconsider this bill now that the time is 12:05?"

Senator Gissberg:

"I have no intention to ask for a vote on the bill, Senator Lewis. It might be helpful to explain I want to move to reconsider the action in killing the bill, but I don't want to have another vote on whether or not we are going to pass it. All this will do is bring it back before the Senate and it will merely save the trouble and expense of reintroducing it in the special session."

**RULING BY THE PRESIDENT**

The President:

"In ruling upon the point of order, as presented by Senator Lewis, the President rules that the Senate would be in order considering a motion to reconsider, inasmuch as action has not been completed on the bill and it was started prior to midnight."

The President declared the question before the Senate to be the motion by Senator Gissberg that the Senate do now reconsider the vote by which Engrossed House Bill No. 226, as amended by the Senate, failed to pass.

The motion was carried.

**MOTION**

At 12:10 a. m., the Senate adjourned until 10:30 a. m., Thursday, March 11, 1965.

*JOHN A. CHERBERG, President of the Senate.*

*WARD BOWDEN, Secretary of the Senate.*

SIXTIETH DAY

MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Thursday, March 11, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Gallagher and Hallauer.

On motion of Senator Bailey, Senators Hallauer and Gallagher were excused.

The Color Guard, consisting of Pages Eric Freise, Color Bearer, and Connie Sullivan, presented the Colors.

Reverend T. Eugene Turner, pastor of the First Christian Church of Olympia, offered prayer as follows:

"At the entrance to this legislative building, as a memorial to the late John Fitzgerald Kennedy, there is a plaque upon which is one of the most meaningful prayers in the English language. It is attributed to St. Francis of Assisi. Will you pray it with me?

"Lord, make me an instrument of Thy Peace! Where there is hatred, let me sow love; where there is injury, pardon; where there is doubt, faith; where there is despair, hope; where there is darkness, light; where there is sadness, joy.

"O Divine Master, grant that I may not so much seek to be consoled as to console; to be understood as to understand; to be loved as to love.

"For it is in giving that we receive; it is in pardoning that we are pardoned; it is in dying that we are born to eternal life.' Amen."

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

The Secretary read:

REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred, Senate Bill No. 29; also

- Senate Bill No. 71; also
- Senate Bill No. 91; also
- Senate Bill No. 129; also
- Senate Bill No. 157; also
- Senate Bill No. 158; also
- Senate Bill No. 171; also
- Senate Bill No. 172; also
- Senate Bill No. 174; also
- Senate Bill No. 176; also
- Senate Bill No. 182; also
- Senate Bill No. 224; also
- Senate Bill No. 295; also
- Senate Bill No. 296; also

Senate Bill No. 454, have inspected same, and find them correctly enrolled and certified.

....., Chairman.

We concur in this report: Marshall A. Neill, John A. Petrich, Perry B. Woodall.

Senate Chamber,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 94; also

Senate Bill No. 98; also  
Senate Bill No. 120; also  
Senate Bill No. 173; also  
Senate Bill No. 200; also  
Senate Bill No. 213; also  
Senate Bill No. 219; also  
Senate Bill No. 221; also  
Senate Bill No. 232; also  
Senate Bill No. 240; also  
Senate Bill No. 247; also  
Senate Bill No. 274; also  
Senate Bill No. 315; also  
Senate Bill No. 316, have inspected same, and find them correctly enrolled and

certified.

....., *Chairman.*

We concur in this report: Marshall A. Neill, John A. Petrich, Perry B. Woodall.

Senate Chamber,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 25; also

Senate Bill No. 26; also  
Senate Bill No. 50; also  
Senate Bill No. 51; also  
Senate Bill No. 72; also  
Senate Bill No. 90; also  
Senate Bill No. 109; also  
Senate Bill No. 152; also  
Senate Bill No. 184; also  
Senate Bill No. 211; also  
Senate Bill No. 272; also  
Senate Bill No. 338; also  
Senate Bill No. 345, have inspected same, and find them correctly enrolled and

certified.

FRANK W. FOLEY, *Chairman.*

We concur in this report: Michael J. Gallagher, John A. Petrich.

#### MESSAGE FROM THE GOVERNOR

Senator Moriarty, Jr.:

"Mr. President:

"I have a message from the Governor which I would like to deliver to the Secretary at this time."

(The message was delivered to the Secretary.)

Senators Greive, Kupka and Bailey demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

The President declared the Senate to be at ease.

The President called the Senate to order at 11:40 a. m.

On motion of Senator Woodall, the Senate advanced to the fifth order of business.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has passed:

Engrossed Senate Bill No. 126 with the following amendments:

Strike the Senate amendment by Senator Rasmussen, beginning on line 11 and insert the original language of the printed bill.

On page 1, section 1, line 12 of the printed bill, after "shall be" and before the colon, strike "fifteen thousand dollars" and insert "two-thirds of the salary of a superior court judge or eleven thousand five hundred dollars, whichever is greater"

Amend the amendment by Senator Woodall, on line 17 adding a new section, beginning on line 3 of the mimeographed amendment, strike "[twenty] thirty" and insert "twenty" on line 13 of the mimeographed amendment after "population of" strike "[twenty] thirty" and insert "twenty", and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

It was moved by Senator Dore that the Senate do not concur in the House amendments to Engrossed Senate Bill No. 126 and ask the House to recede therefrom.

Debate ensued.

The motion was carried.

House of Representatives,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has passed: Senate Bill No. 29, and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

House of Representatives,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 94; also

Senate Bill No. 98; also

Senate Bill No. 120; also

Engrossed Senate Bill No. 173; also

Engrossed Senate Bill No. 200; also

Engrossed Senate Bill No. 213; also

Engrossed Senate Bill No. 219; also

Engrossed Senate Bill No. 221; also

Senate Bill No. 232; also

Senate Bill No. 240; also

Senate Bill No. 247; also

Engrossed Senate Bill No. 274; also

Engrossed Senate Bill No. 315; also

Engrossed Senate Bill No. 316, and the same are herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

House of Representatives,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 71; also

Engrossed Senate Bill No. 91; also

Senate Bill No. 129; also

Senate Bill No. 157; also

Senate Bill No. 158; also

Engrossed Senate Bill No. 171; also

Senate Bill No. 172; also  
Senate Bill No. 174; also  
Engrossed Senate Bill No. 176; also  
Senate Bill No. 182; also  
Engrossed Senate Bill No. 224; also  
Senate Bill No. 295; also  
Engrossed Senate Bill No. 296; also  
Engrossed Senate Bill No. 454, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 29; also**

**Senate Bill No. 94; also**

**Senate Bill No. 98; also**

**Senate Bill No. 120; also**

**Senate Bill No. 173; also**

**Senate Bill No. 200; also**

**Senate Bill No. 213; also**

**Senate Bill No. 219; also**

**Senate Bill No. 221; also**

**Senate Bill No. 232; also**

**Senate Bill No. 240; also**

**Senate Bill No. 247; also**

**Senate Bill No. 274; also**

**Senate Bill No. 315; also**

**Senate Bill No. 316; also**

**Senate Bill No. 71; also**

**Senate Bill No. 91; also**

**Senate Bill No. 129; also**

**Senate Bill No. 157; also**

**Senate Bill No. 158; also**

**Senate Bill No. 171; also**

**Senate Bill No. 172; also**

**Senate Bill No. 174; also**

**Senate Bill No. 176; also**

**Senate Bill No. 182; also**

**Senate Bill No. 224; also**

**Senate Bill No. 295; also**

**Senate Bill No. 296; also**

**Senate Bill No. 454**

**MOTION**

At 11:55 a. m., on motion of Senator Greive, the Senate recessed until 1:30 p. m.

### AFTERNOON SESSION

The President called the Senate to order at 1:30 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Hallauer and Morgan.

On motion of Senator Bailey, Senator Hallauer was excused.

Senators Greive, Bailey and Connor demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senators Hallauer and Morgan.

On motion of Senator Greive, the rules were suspended and Senators Hallauer and Morgan were excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

#### MOTION

It was moved by Senator Moriarty, Jr. that the message from the Governor be made a special order of business for 2:15 p. m. today.

The motion was carried.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

Pursuant to the provisions of RCW 44.28.010, the Speaker appoints the following House members as members of the Legislative Budget Committee:

Representatives Henry Backstrom, Damon R. Canfield, Arlie U. DeJarnatt, Robert F. Goldsworthy, Mrs. Frances G. Swayze, Wesley C. Uhlman.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 60 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 117 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 154 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 162 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*



**INTRODUCTION AND FIRST READING OF SENATE RESOLUTION**

The following was introduced, read first time by title and acted upon as indicated:

**Senate Concurrent Resolution No. 13**, by Senators Greive and Neill:

Adopting a joint rule for the disposition of unenacted measures of the Thirty-ninth Legislature.

On motion of Senator Greive, the rules were suspended and Senate Concurrent Resolution No. 13 was advanced to second reading and read the second time in full.

On motion of Senator Greive, the rules were suspended, Senate Concurrent Resolution No. 13 was advanced to third reading, the second reading considered the third, and the resolution placed on final passage.

**POINT OF INQUIRY**

Senator Gissberg:

"Would Senator Bailey yield to a question?"

"Senator Bailey, it is my understanding that you did a lot of preliminary work in this matter and that you got an opinion from the Attorney General, is that correct?"

Senator Bailey:

"Yes, Senator."

Senator Gissberg:

"Do you have any conception of how much money will be saved the taxpayers of the state of Washington by this device?"

Senator Bailey:

"The Attorney General, in ruling upon this as I asked him to, made a statement to the President before we got the opinion. The Attorney General issued a release on the ruling, so we read it in the newspapers, first. The release stated that it would save some \$200,000 by reintroducing the bills that were introduced in the regular session. The opinion did not necessarily concern this particular matter. This takes care of the second part we asked about, that is bills that have passed one house and not passed the other and must be returned to the house of origin. The Attorney General says the only thing we have to watch for is that final passage must be recorded in both houses during the same session of the legislature."

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Concurrent Resolution No. 13 and the resolution was adopted by the following vote: Yeas, 47; nays, 0; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Excused: Senators Hallauer, Morgan—2.

Senate Concurrent Resolution No. 13, having received the constitutional majority, was declared passed.

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

The Secretary read:

**MESSAGES FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, March 11, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

This is to advise you that the Governor has filed with the Secretary of State a Proclamation convening an Extraordinary Session of the Washington State Legislature for 12:00 o'clock noon, Monday, March 15. A copy of the Proclamation is enclosed.

Yours very truly,

RAYMOND W. HAMAN,

*Legal Counsel to the Governor.*

**A PROCLAMATION BY THE GOVERNOR**

WHEREAS, The 1965 Session of the Washington State Legislature, during the regular period of sixty days prescribed for the Session, failed to enact appropriation and revenue measures, and

WHEREAS, Other measures important to the welfare of the people of the state of Washington were not enacted to deal with:

*Human Needs*, including laws to provide adequate and accessible housing for all our citizens while retaining and safeguarding the rights of individual home owners, increased unemployment compensation benefits to those members of the labor force actively seeking re-employment without increasing costs to the employer, increased industrial insurance benefits with a reform in appellate procedures;

*Clean, Ethical Government*, including laws to provide for reporting of campaign contributions and expenditures, a more effective Code of Ethics Act with provisions to prevent solicitation of campaign contributions by state employees from firms dealing with the state, and elimination of politically appointed estate appraisers and liquor representatives;

*Education*, including measures to free future permanent school fund monies for school construction to reduce reliance on bonded debt for school financing, equalize the level of local tax support for school districts to reduce reliance upon special levies for basic operations, and provide for an Advisory Council on Higher Education;

*Economic Climate*, including laws to provide a sales tax credit for new plant construction and business and occupation tax relief to low-profit margin industries;

*Modernization of Government*, including laws to provide realistic increases in the compensation paid to legislators and judges of the superior and supreme courts, establish a water resource agency to coordinate the management and protection of our state's number one resource, merge the Toll Bridge Authority into the Highway Commission and give to the state's highways agencies the power to deal with problems of mass transportation in urban area; and

*Reform of the State's Constitution*, by calling for a Constitutional Convention.

WHEREAS, As a result of these conditions, an emergency exists constituting an extraordinary occasion within the meaning of Article III, Section 7, of the Constitution of the state of Washington:

Now, Therefore, I, Daniel J. Evans, Governor of the state of Washington, by virtue of the authority vested in me by the Constitution, do hereby convene the Legislature of the state of Washington in Extraordinary Session in the Capitol at Olympia on the fifteenth day of March, A.D., 1965 at the hour of twelve o'clock noon; and

*I Do Hereby Specify*, in accordance with the requirements of the Constitution that the purposes for which the Legislature is convened are:

To appropriate sufficient funds, and raise sufficient revenues, to carry on the necessary functions and services of State Government; and

To consider the enactment of the several other measures specified above for the benefit of the people of the state of Washington.

*In Witness Whereof*, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia, this 11th day of March, A.D., Nineteen Hundred and Sixty-five.

DANIEL J. EVANS,

*Governor of Washington.*

BY THE GOVERNOR.

State of Washington, Executive Department,  
Olympia, March 11, 1965.

To the Honorable, the Senate of the State of Washington.

GENTLEMEN:

There have been previously submitted to you for confirmation by my predecessor, the Honorable Albert D. Rosellini, a list of appointments on January 12, 1965.

Exercising your discretion you have not acted favorably upon all of the appointments previously submitted to you and I have not asked for their confirmation. I therefore respectfully advise you that I am withdrawing two of the names previously sent to you by my predecessor and wish to have them returned to this office.

The two appointments to be withdrawn are the following:

#### HIGHWAY COMMISSION

IRVING CLARK JR., Seattle, appointed June 21, 1963, effective June 21, 1963, for the term ending July 1, 1969, succeeding Ernest J. Ketcham, term expired.

ERNEST COWELL, Eureka, appointed December 23, 1963, effective December 23, 1963, for the term ending July 1, 1969, succeeding himself, term expired.

Respectfully submitted,

DANIEL J. EVANS, Governor.

It was moved by Senator Moriarty, Jr. that the request of the Governor be accepted and that the Senate concur in the withdrawal of the names of Irving Clark Jr. and Ernest Cowell as appointments.

Debate ensued.

#### POINT OF ORDER

Senator Greive:

"Point of order, Mr. President:

"Have these appointments ever been referred to committee?"

The President:

"To the best of the President's knowledge, the appointments have not been referred to any Senate committee."

Senator Greive:

"Then, Mr. President, I suggest that they are not before the Senate without a two-thirds vote and a motion to suspend the rules is not debatable. I refer the President to Rule 70."

The President:

"The President will act upon your point of order after Senator Moriarty has finished his remarks."

Debate ensued.

Senator Gissberg:

"Mr. President, I rise to correct the statements made by Senator Greive, indicating to the President that the list of Highway Commissioners are upon the desk at this time. They are there because of a specific motion which was made at the time the message was first delivered. A motion was made on the floor at the time the message was delivered that it be kept at the desk of the Secretary. That motion prevailed."

#### RULING BY THE PRESIDENT

The President:

"Senator Gissberg, the President answered the inquiry presented by Senator Greive. Senator Greive asked if the appointments had been referred to any specific standing committee. The President replied in the negative. The remarks that you have just made are substantially correct. However, the appointments are in possession of the Secretary on the desk."

Senator Greive:

"Mr. President, to ignore the committee would require a two-thirds vote under rule 28, if we are going to go that route. If we are going to go the route of saying

they are presently before us for consideration, then I would like to have a ruling, because it would not be a question for debate. Senator Moriarty is debating the merits of the request of the Governor at this time."

#### RULING BY THE PRESIDENT

The President:

"Senator Greive, the President rules that the appointments are in the possession of the Senate and, therefore, could be considered at this time."

Debate ensued.

The President stated the question before the Senate is: It has been moved by Senator Moriarty, Jr. that the request of the Governor be accepted and that the Senate concur in the withdrawal of the names of Mr. Clark and Mr. Cowell.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Washington, Bailey, Greive, Rasmussen, Peterson (Ted), Williams, Guess and Neill.

#### ROLL CALL

The Secretary called the roll on the motion by Senator Moriarty, Jr., and the motion was carried by the following vote: Yeas, 27; nays, 20; excused, 2.

Those voting yea were: Senators Atwood, Chytil, Cowen, England, Freise, Gissberg, Guess, Herr, Herrmann, Keefe, Lennart, Lewis, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Williams, Woodall—27.

Those voting nay were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Greive, Hanna, Henry, Knoblauch, Kupka, McCormack, McCutcheon, Petrich, Rasmussen, Talley, Washington—20.

Excused: Senators Hallauer, Morgan—2.

#### MOTION

It was moved by Senator Greive that the Senate do now consider the appointment of Tim McCullough to the Board of Prison Terms and Paroles.

The motion was carried.

The Secretary read:

#### GUBERNATORIAL APPOINTMENT

The following appointment by the Governor was acted upon as indicated:

##### BOARD OF PRISON TERMS AND PAROLES

TIM McCULLOUGH, appointed January 11, 1965, for the term ending April 15, 1969, succeeding Mrs. Charlotte Groshell.

Referred to Committee on Rules and Joint Rules.

The President declared the Senate to be at ease.

The President called the Senate to order at 4:30 p. m.

There being no objection, the Senate advanced to the fifth order of business.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 29; also

Senate Bill No. 71; also

Senate Bill No. 91; also

Senate Bill No. 94; also  
Senate Bill No. 98; also  
Senate Bill No. 120; also  
Senate Bill No. 129; also  
Senate Bill No. 157; also  
Senate Bill No. 158; also  
Senate Bill No. 171; also  
Senate Bill No. 172; also  
Senate Bill No. 173; also  
Senate Bill No. 174; also  
Senate Bill No. 176; also  
Senate Bill No. 182; also  
Senate Bill No. 200; also  
Senate Bill No. 213; also  
Senate Bill No. 219; also  
Senate Bill No. 221; also  
Senate Bill No. 224; also  
Senate Bill No. 232; also  
Senate Bill No. 240; also  
Senate Bill No. 247; also  
Senate Bill No. 274; also  
Senate Bill No. 295, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 296; also  
Senate Bill No. 315; also  
Senate Bill No. 316; also  
Senate Bill No. 454, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 33; also  
House Bill No. 50; also  
House Bill No. 51; also  
House Bill No. 64; also  
House Bill No. 74; also  
House Bill No. 91; also  
House Bill No. 92; also  
House Bill No. 111; also  
House Bill No. 112; also  
House Bill No. 151; also  
House Bill No. 174; also  
House Bill No. 175; also  
House Bill No. 186; also  
House Bill No. 217; also  
House Bill No. 237; also  
House Bill No. 241; also  
House Bill No. 251; also  
House Bill No. 285; also  
House Bill No. 304; also  
House Bill No. 315; also  
House Bill No. 371; also  
House Bill No. 372; also  
House Bill No. 526; also  
House Bill No. 647; also  
House Joint Memorial No. 24; also  
House Joint Memorial No. 26, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 15; also  
Senate Bill No. 57; also  
Senate Bill No. 70; also  
Senate Bill No. 86; also  
Senate Bill No. 95; also  
Senate Bill No. 96; also  
Senate Bill No. 149; also  
Senate Bill No. 150; also  
Senate Bill No. 163; also  
Senate Bill No. 202; also  
Senate Bill No. 220; also  
Senate Bill No. 223; also  
Senate Bill No. 279; also  
Senate Bill No. 285; also  
Senate Bill No. 321; also  
Senate Bill No. 350; also  
Senate Bill No. 364; also  
Senate Bill No. 416; also  
Senate Joint Memorial No. 9; also  
Senate Joint Resolution No. 20, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President signed:**

**House Bill No. 33; also**  
**House Bill No. 50; also**  
**House Bill No. 51; also**  
**House Bill No. 64; also**  
**House Bill No. 74; also**  
**House Bill No. 91; also**  
**House Bill No. 92; also**  
**House Bill No. 111; also**  
**House Bill No. 112; also**  
**House Bill No. 151; also**  
**House Bill No. 174; also**  
**House Bill No. 175; also**  
**House Bill No. 186; also**  
**House Bill No. 217; also**  
**House Bill No. 237; also**  
**House Bill No. 241; also**  
**House Bill No. 251; also**  
**House Bill No. 285; also**  
**House Bill No. 304; also**  
**House Bill No. 315; also**  
**House Bill No. 371; also**  
**House Bill No. 372; also**  
**House Bill No. 526; also**  
**House Bill No. 647; also**  
**House Joint Memorial No. 24; also**  
**House Joint Memorial No. 26**

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 582 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House refuses to recede from its amendments to Engrossed Senate Bill No. 126 and asks the Senate for a conference thereon, and has appointed Representatives Johnston (Elmer E.), Klein and Bottiger.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Woodall, the request of the House for a conference on Engrossed Senate Bill No. 126 and the House amendments thereto was granted.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 126, Senators Petrich, Dore and Woodall.

On motion of Senator Greive, the Conference Committee appointments were confirmed.

#### MOTIONS

It was moved by Senator Moriarty, Jr. that the Senate return to the fourth order of business to receive a message from the Governor.

It was moved by Senator Greive that the motion by Senator Moriarty, Jr. be laid upon the table.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Neill, Chytil, Lennart, Ryder, Greive, Sandison, Talley and Gallagher.

#### ROLL CALL

The Secretary called the roll on the motion by Senator Greive and the motion was carried by the following vote: Yeas, 28; nays, 19; excused, 2.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Sandison, Talley, Washington—28.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams, Woodall—19.

Excused: Senators Hallauer, Morgan—2.

#### GUBERNATORIAL APPOINTMENT

It was moved by Senator Greive that the rules be suspended and that the appointment of Tim McCullough to the Board of Prison Terms and Paroles be now confirmed.

#### PERSONAL PRIVILEGE

Senator Greive:

"Mr. President and members of the Senate:

"First, may I say that while I have known Mr. McCullough casually for some time, I do not know him other than to say, 'Hello.' I have, on occasions, voted for him. He is a member of my party and I think he has served with honor and distinction as sheriff of King county.

"I think we are dealing here with something far more impressive than this man. We are debating whether we can legislate by innuendo, and I think, gentlemen, that is precisely what we are doing. We hear these charges, which have been made against this man who, as far as I know is an honorable man, and we ask and have repeatedly asked for sixty days for proof.

"As this debate ensues, I think that various members of this Senate, members of the Democratic Party and members of this honorable body will tell you that they have sought with some passion to get to the bottom of these charges. They have contacted the F.B.I. They have contacted the Prosecuting Attorney. They have contacted private and public sources, and invariably the answer has come back that there are no substantiations for the charges, as such.

"All of us have a reputation, whether that reputation be good or bad. All of us, I hope, are proud of that reputation if it is good, and I think the good Lord intended that reputation be good until it is besmirched, and I don't think that a man who enters political life should be unnecessarily submitted to unfair and unkind accusations without absolute proof.

"May I remind you of only one example. That example is a man serving in a position far higher than that sought by Mr. McCullough today. We have, as one of the most distinguished justices about to retire, Justice Hugo Black. I can remember as a young man, being of a religion that would be involved, when this man was accused of being a member of the Ku Klux Klan. I can remember the public furor that possessed the United States. I can remember headlines. I can remember accusations. I can remember that this man was beaten from pillar to post.

"Because of my religious persuasion, I, too, was concerned. I wondered if a man who had ever been a Klansman or accused of being a Klansman, should, or in all honesty could, sit upon the highest court in the United States where the vitals of this country are decided.

"I think now that this man is about to retire and almost to a man every person in the United States in the legal profession would have to admit at least as a minimum that he has been, above all, fair to the negroes. He has been fair to those minorities whom he was supposed to have been against. In other words, this man was given an opportunity to prove himself and he proved to be one of the finest and greatest judges that our Supreme Court has ever known.

"Now I think we have a like situation here. We have a man who has a public record. While I'm not completely acquainted with it, not being that close to law enforcement, as far as I know, he did a good job as sheriff. He had overwhelming support, had he chosen to continue, and he would have continued as sheriff of King county and I don't think there is any question about that. He was popular. He ran a good office and was respected by the citizens of his own community.

"He sought another office. He was beaten by a better man in the primary, and I supported that man and I regret only that that man didn't get to be mayor of the city of Seattle. The fact remains, we had a man who had a good reputation, who has enjoyed a good reputation, and I think that he is entitled to proof and to continue in that field.

"It has been pointed out, also, by Senator Gallagher, that Chief Lawrence is about to retire. He is the law enforcement officer on that Parole Board. He is about to retire and the Parole Board always, out of the five members, has to have one from the police or law enforcement to express their point of view. Mr. McCullough has that background. It seems to me that if we do turn this man down now under the cloud which has been cast upon him, we would not only be doing the people of the state of Washington a disservice, but we would be legislating by innuendo, taking advantage of an honorable man, and we would in effect be saying to the public of the state of Washington that because we have heard some rumors, this man should not be given an opportunity to continue on.

"Finally, may I say this: Because of the situation, we have carefully checked with the other members of the Parole Board and we have determined that he is doing an excellent job, that he attends the meetings, that he tends to business, and that he is exemplary as a member of the Board of Prison Terms and Paroles. It seems to me that honestly and dispassionately, weighing the evidence, that we have no choice but to give this man a chance, rather than to hurt him in a way that would last for the rest of his life.

"The other two gentlemen I don't think were in that position. It was a political matter. It was treated as a political matter and I think they will accept it as a political matter, but in this one case, I appeal to any person who believes in fair play, who believes in justice, who believes that a good reputation is something that should be protected and respected, to vote their conscience and to give Tim McCullough a chance to give service in this position to which he was appointed."



**POINTS OF ORDER**

Senator Moriarty, Jr.:

"Mr. President:

"I raise the point of order at this time on the right of the Senate to consider the appointment of Tim McCullough.

"The basis of my point of order is the fact that there is now in the possession of the Secretary, and delivered to the Secretary prior to the time this motion to confirm Mr. McCullough was made, a message from Governor Evans withdrawing Mr. McCullough's appointment. I have a copy of the message in my possession, and I would like to read it into the record. I believe the Senate should act on Governor Evans' message withdrawing Mr. McCullough's appointment prior to confirmation for the reason that, if the confirmation is withdrawn, the name is no longer in the possession of the Senate and cannot be acted upon at this time.

"The message from the Governor, which is in the possession of the Secretary, is dated March 11, 1965."

Senator Gallagher:

"Mr. President, I rise to a point of order.

"I think we are discussing the appointment of Tim McCullough to the Board of Prison Terms and Paroles. I think that Senator Moriarty is raising a question upon some message which is in the Secretary's hands, and I think he is entirely out of order. He is not speaking to the point of whether or not we confirm or otherwise."

**RULING BY THE PRESIDENT**

The President:

"Senator Moriarty had raised a point of order and was speaking on that particular point of order, Senator."

**POINTS OF ORDER**

Senator Dore:

"Point of order, Mr. President:

"Without unanimous consent of the body, I don't think any member can read anything. I don't think he can read a message to the body. Rule 17 applies."

Senator Moriarty, Jr.:

"Mr. President, the message from the Governor is dated—"

Senator Mardesich:

"Point of order, Mr. President:

"He can't read to the Senate."

**MOTION**

On motion of Senator Greive, Senator Moriarty, Jr. was permitted to read the following message:

**"MESSAGE FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, March 11, 1965.

*"To the Honorable, The Senate of the State of Washington.*

"LADY AND GENTLEMEN:

"There have been previously submitted to you for confirmation by my predecessor, the Honorable Albert D. Rosellini, a list of appointments on January 12, 1965.

"Exercising your discretion you have not acted favorably upon all of the appointments previously submitted to you and I have not asked for their confirmation. I therefore respectfully advise you that I am withdrawing one of the names previously sent to you by my predecessor and wish to have it returned to this office.

"The appointment to be withdrawn is the following:

## BOARD OF PRISON TERMS AND PAROLES

"TIM McCULLOUGH, Seattle, appointed January 11, 1965, effective January 11, 1965, for the term ending April 15, 1969, succeeding Charlotte Groshell, resigned.

Respectfully submitted,

DANIEL J. EVANS, *Governor.*"

Senator Greive:

"Speaking to the point of order, Mr. President:

"Fortunately, or unfortunately, Governor Evans is not the Senate of the state of Washington. The state constitution suggests, in fact demands that the appointment be submitted to the Senate and on that we have an opinion of the Attorney General. If a Governor could willy-nilly, without our consent, submit and withdraw appointments, he would have far more power than given to him by the constitution. We are the Senate of the state of Washington. We have the responsibility and power to confirm and I submit that once a matter has been submitted for our consideration, it can only be taken away from us after we have considered it and after we have reached a decision; and, if Senator Moriarty has the votes, he can pursue that course. Without the votes, he's up a creek."

Senator Freise:

"Mr. President and members of the Senate:

"Speaking against the appointment of Tim McCullough—"

## RULING BY THE PRESIDENT

The President:

"There is a point of order before the Senate, Senator Freise.

"The President, in ruling upon the point of order as presented by Senator Moriarty, the President wishes to respectfully remind the Senators that a motion by Senator Moriarty to advance to the fourth order of business for the purpose of receiving a message was laid upon the table by action of the state Senate. At that time, Senator Greive moved that the Senate revert to the second order of business for the purpose of receiving a standing committee report. The President felt that inasmuch as time is of the essence, that rather than permit a delay in the preparation of such a report, that the President would entertain a motion by the Senator from West Seattle to confirm the appointment of Mr. McCullough to the Washington State Board of Prison Terms and Paroles. Senator Greive moved to return to the second order of business. The President believes that under the circumstances that, although not on the first order of business, the motion is in order and is under consideration by the Senate at this time. For these reasons, Senator Moriarty, your point of order is not well taken. The question before the Senate is the confirmation of Mr. McCullough to the Washington State Board of Prison Terms and Paroles."

## PERSONAL PRIVILEGE

Senator Freise:

"Mr. President and members of the Senate:

"To give you a little bit of history of the nomination of Tim McCullough to the Parole Board, as I recall it was sent to the Senate within the first two days of this 1965 Session. Within a few days thereafter, Senator Morgan called a committee meeting. It was an informal committee meeting because Tim McCullough happened to be in town and he wanted to be able to appear before the committee.

"At this time this nomination was never sent to the Institutions Committee, which is headed by Senator Morgan, but despite that fact, Senator Morgan had an informal committee meeting.

"When we appeared in her committee room, I believe Senator Gallagher, Senator Durkan, Senator Knoblauch were there and several other Senators also. Lo and behold! A lot of members of the press were there, including television representatives. At the time, I mentioned that I had a few questions to ask, questions that were rather sensitive and I did not think this was the place to air all those questions. Tim McCullough was there. He didn't get up. He sat there. He said he was willing to answer any and all questions, there were a lot of rumors and he wanted to dispell all the rumors. Senator Gallagher also got up and said this was the place to ask all the questions. Senator Knoblauch became quite incensed because some of these questions

were asked. The next morning, Senator Gallagher was a little upset with me because some of the questions were asked. After I had asked a number of questions, Tim McCullough decided he had had enough and he wasn't answering any more questions.

"Now, at no time has this nomination ever been sent to this committee. The proper way to handle this matter is for the committee to meet in closed session and ask him the various questions, ask him about the various rumors which we had never had an opportunity to question about until that date.

"Now, getting back to the statement, as I said before, I think this tape record will show that he was very cooperative and towards the end he said that he felt he had answered enough questions. I'm not saying that he attempted to evade any questions.

"Getting down to some of the answers that he did give: Who is one of his associates? He goes hunting with him, fishing with him, vacations with him. None other than a former partner of Bugsey Siegel in the Flamingo Club in Las Vegas. He testified he has been on various fishing trips. You have read the book called 'Green Felt Jungle.' You get a vivid account of the manner in which Bugsey Siegel treated his friends.

"Now, we are nominating a person to a very, very sensitive and delicate position. If you understand the manner in which sentences are meted out in our criminal jurisprudence and our criminal law, you will realize that if a person is convicted of a crime and sent to the penitentiary or to the reformatory, he is given a maximum sentence of ten, fifteen, twenty years, or whatever the statute calls for. Now, we have a Parole Board, consisting of five individuals who sit as a super-judiciary to determine whether an inmate should serve one year or ten years or fourteen years or fifteen years, or five years or seven years, or whatever the case may be. They get the reports of the sociologists, the psychologists and the psychiatrists that constantly review the files of these inmates, not only of those in the penitentiary, but also those out on parole.

"These men must be competent and must be qualified to be able to understand and read the reports of these experts who are on the institution staff. If you don't know and don't understand and can't analyze them, you may release an inmate too soon and he goes out and commits a heinous crime: robbery, assault, rape and other crimes against the human body. If you keep him in there too long, the chances are these inmates become disgruntled and they are poor parole risks.

"I've been working with the staff at the penitentiary at Walla Walla for at least the last eight years since I have been in the legislature. For the first six years after 1957, I was a member of the legislative council and a member of the subcommittee on institutions. Senator Keefe and Senator Kupka and others have worked with me very closely, and I am absolutely convinced that one of the most sensitive appointments that the Governor can make to be confirmed by the Senate is a member of the Parole Board, and anybody with the reputation, by his own statements, not by the statement of anybody else, not by innuendo, but by his own statements, of Tim McCullough, associating with a partner of a hoodlum like Bugsey Siegel—to this day—I'm not talking about ten years ago—I'm talking about 1964 and his own testimony—I'll get a tape recorder out and prove it—and I say that as a former King county sheriff he shouldn't have been associating with him and as a member of the Parole Board, he shouldn't be associating with him.

"I can honestly say that I have respected Governor Rosellini in his work with the institutions, the penitentiary, the reformatory, the mental institutions, youth work and so on. I have never been able to understand that where he could really have made himself a hero with the people who are not knowledgeable in this field, that he continues to make these appointments, not on the basis of qualifications, but strictly on the basis of political expediency and based purely on politics; and, I say this sincerely: I have not one single person in mind that I would have appointed. I have never given it a minute's thought, but I am satisfied that a man who has practically as his only qualification for this job, by his own words, that he gets along with people, is not qualified. What qualification did this man recite before that committee? Not one.

"We have had sixty days of this legislature to consider this man's appointment. We have had one informal hearing. Why wasn't that nomination sent to the Institutions Committee? Why didn't we have an opportunity to talk with him? I would have been very happy to talk to this man alone behind closed doors and ask him on a friendly basis about these rumors that we hear, and if he had said, 'Herb, you're going to have to vote on me. Here's the story of my life,' we would have had that

opportunity. We might have been able to say, 'Fine, we can go along with you and I can report back to this side of the aisle.'

"But for some reason or other this nomination was never sent up to the Institutions Committee and I think the people of the state of Washington are entitled to know why; and, I for one am not going to confirm Tim McCullough; and, I say to those members on the other side of the aisle that may do so today, 'The chickens may come home to roost.'"

#### MOTION

It was moved by Senator Woodall that the matter of the confirmation of Tim McCullough to the Washington State Board of Prison Terms and Paroles be referred to the Committee on Institutions with instructions that the committee report back not later than the tenth day of the extraordinary session.

Debate ensued.

It was moved by Senator Greive that the motion be laid upon the table.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Neill, Chytil, Atwood, Greive, Durkan, Hanna, Ryder, Freise and Stender.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Greive was carried by the following vote: Yeas, 27; nays, 20; excused, 2.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Sandison, Talley—27.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Washington, Williams, Woodall—20.

Excused: Senators Hallauer, Morgan—2.

#### PERSONAL PRIVILEGE

Senator Durkan:

"Mr. President and members of the Senate:

"I'm not going to take too much of your time on this matter, but I would like to answer a few of the accusations that have been made on the floor today. The blood of Ernie Cowell has hardly dried in Walla Walla county, but yet we heard what was good business a few moments ago, now becomes state business and good government.

"Tim McCullough has been a good sheriff. I don't know him personally. I have never been in his home, but I do know him as a public official. He served about eight years in King county and during that time he managed a jail which, next to Monroe and Walla Walla, is the third largest institution in the state of Washington, and he managed it well.

"When Tim McCullough became sheriff, he went in and did an excellent job. He took those people and he gave them some life. He gave them clean uniforms and, among other things, he started to teach them.

"We passed a bill not so long ago starting education in institutions. He started it long before there ever was a bill.

"Now it was mentioned here about his capabilities and whether he knows how to handle men. Well, I don't know too much about that, but I do know this; he knows how to handle youth. Throughout the time of his tenure as sheriff in King county, he helped all of us in King county. Anywhere there were young kids running on the streets, he was there to help. He did a good job.

"Now, Senator Freise talks about qualifications and his little tape recorder, but he would have you pick a member of the Parole Board who advocates homosexuality. He sat up there in the hearing. I heard him say it. This was a good man. Well, this isn't the type of man that I'm for. You listen to the tape recorder, Senator Freise. I heard it. It's on the tape.

"He talked about this man from Las Vegas, and he has been in every parade in the state of Washington. I don't know who he is or what he is, but he was in Seattle for Seafair. The officials asked Tim McCullough to take him fishing. And because of that, he's an associate of the underworld. Now, I don't know about his bad checks or anything else, but I know there has been many a day I had to make a race for the bank and I think some of the rest of you are probably in the same position. Everyone of us here who have the know-how or the resources can cover the financing, but I do know this one thing about Tim McCullough: He was a good man, he has been a good father, and he has been a good sheriff, and I hope you will confirm him."

Senators Greive, Gallagher and Riley demanded the previous question and the demand was sustained.

#### POINT OF INQUIRY

Senator Woodall:

"Would Senator Durkan yield to a question?"

Senator Durkan:

"Yes."

Senator Woodall:

"Senator Durkan, would you mind if we had the tape played and we will all sit here and listen? Would that be agreeable?"

Senator Durkan:

"Right after the vote, I'd be glad to."

Senator Woodall:

"Well, I think it might just help us out a little."

Senator Durkan:

"Where would you like it, in the head?"

#### APPOINTMENT OF TIM McCULLOUGH

The Secretary called the roll and the appointment of Tim McCullough to the Board of Prison Terms and Paroles was confirmed by the Senate by the following vote: Yeas, 25; nays, 22; excused, 2.

Those voting yea were: Senators Bailey, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Peterson (Lowell), Petrich, Riley, Sandison, Talley—25.

Those voting nay were: Senators Atwood, Charette, Chytil, Cowen, England, Freise, Guess, Lennart, Lewis, McMillan, Moriarty, Jr., Neill, Peterson (Ted), Rasmussen, Raugust, Redmon, Ryder, Stender, Thompson, Jr., Washington, Williams, Woodall—22.

Excused: Senators Hallauer, Morgan—2.

Having received the approval of the Senate, the appointment of Tim McCullough to the Board of Prison Terms and Paroles was confirmed.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House has adopted: Senate Concurrent Resolution No. 13, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

## SIGNED BY THE PRESIDENT

**The President signed: Senate Concurrent Resolution No. 13.**

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Engrossed Senate Bill No. 126, and has granted said committee the powers of free conference, and the report of the Conference Committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

## REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Engrossed Senate Bill No. 126, increasing salaries of justices of the peace, have had the same under consideration and we recommend that the committee be granted the powers of free conference.

Senate Members:

FRED H. DORE  
JOHN A. PETRICH  
PERRY B. WOODALL

House Members:

R. TED BOTTIGER  
ELMER E. JOHNSTON  
WILLIAM C. KLEIN

## MOTIONS

On motion of Senator Riley, the committee report was adopted and the committee was granted the powers of free conference.

It was moved by Senator Woodall that the Senate dispense with the Call of the Senate.

The motion was lost on a rising vote.

The Secretary read:

## MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 474 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 479 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 332 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 549 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

## HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has passed: Senate Bill No. 360 with the following amendment:  
On page 1, section 1, line 13, after "flood control districts," strike "public hospital districts," and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

It was moved by Senator Greive that the Senate do concur in the House amendment to Senate Bill No. 360.

It was moved by Senator Washington that the Senate refuse to concur in the House amendment to Senate Bill No. 360 and ask the House to recede therefrom.

#### POINT OF ORDER

Senator Greive:

"Point of order, Mr. President:

"I believe any motion to concur which tends to bring the houses closer together has precedence."

#### RULING BY THE PRESIDENT

The President:

"The point of order is well taken."

Debate ensued.

Senator Greive demanded a roll call and the demand was sustained by Senators Moriarty, Jr., Petrich, Neill, Washington, Connor, McCutcheon, Rasmussen and Charette.

#### PARLIAMENTARY INQUIRY

Senator Moriarty, Jr.:

"Point of inquiry, Mr. President:

"If we should defeat Senator Greive's motion, would it have the effect of not concurring and asking the House to recede from the amendment?"

#### REPLY BY THE PRESIDENT

The President:

"That is essentially correct, Senator."

#### ROLL CALL

The Secretary called the roll and the motion by Senator Greive that the Senate concur in the House amendment to Senate Bill No. 360 was carried by the following vote: Yeas, 29; nays, 18; excused, 2.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Stender, Talley—29.

Those voting nay were: Senators Atwood, Chytil, Cowen, Freise, Guess, Lennart, Lewis, McCormack, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Thompson, Jr., Washington, Williams, Woodall—18.

Excused: Senators Hallauer, Morgan—2.

On motion of Senator Riley, the Senate dispensed with the Call of the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 360, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 34; nays, 12; absent or not voting, 1; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, Mc-

Cutcheon, McMillan, Mardesich, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Riley, Sandison, Stender, Talley, Washington—34.

Those voting nay were: Senators Donohue, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Raugust, Redmon, Ryder, Thompson, Jr., Williams, Woodall—12.

Absent or not voting: Senator Durkan—1.

Excused: Senators Hallauer, Morgan—2.

Senate Bill No. 360, as amended by the House, having received the constitutional majority, was declared passed.

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

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to Engrossed Substitute House Bill No. 104 and asks the Senate to recede therefrom, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator McCormack, the Senate refused to recede from the Senate amendments to Engrossed Substitute House Bill No. 104 and asked the House for a conference thereon.

The President appointed Senators McCormack, Charette and Peterson (Ted) as Senate members of the Conference Committee on Engrossed Substitute House Bill No. 104.

On motion of Senator Greive, the appointments were confirmed.

#### HOUSE AMENDMENTS TO SENATE BILL

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 6 with the following amendments:

On page 4, section 11.04.015, line 22 of the engrossed and printed bills, after "(a)" strike "All of the" and insert "If the intestate is survived by issue or by either parent, three-fourths of the"

On page 17, section 11.12.090, beginning on line 27 of the printed and engrossed bills strike all of Sec. 11.12.090 through line 9, page 18, and insert:

"11.12.090. Intestacy as to pretermitted children. If any person make his last will and die leaving a child or children or descendants of such child or children not named or provided for in such will, although born after the making of such will or the death of the testator, every such testator, as to such child or children not named or provided for, shall be deemed to die intestate, and such child or children or their descendants shall be entitled to such proportion of the estate of the testator, real and personal, as if he had died intestate, and the same shall be assigned to them, and all the other heirs, devisees and legatees shall refund their proportional part."

On page 23, section 11.16.081, line 11 of the printed and engrossed bills after "(c)" strike "By ordinary mail, or by" and insert "By"

Beginning on page 45, line 19 of the printed and engrossed bills strike all of Sections 11.44.055, 11.44.065, 11.44.070 and 11.44.080 and insert the following:

"Sec. 11.44.055. **APPOINTMENT OF APPRAISER.** The personal representative shall apply to the court for the appointment of a suitable disinterested person to appraise the property inventoried and the court shall appoint such appraiser.

If any part of the estate shall be in a county other than that in which the letters are issued, an appraiser residing in that county may be appointed or the same appraiser may act.

Sec. 11.44.060. The value of the estate and effects of deceased persons determined under the probate law shall be the value for appraisement and inheritance tax pur-



poses, except where the same estate is valued for federal estate tax purposes, and the valuation is adjusted according to federal appraisal in accordance with RCW 83.40.040.

Sec. 11.44.065. DUTIES OF APPRAISER. The appraiser shall determine and state in figures opposite each item contained in the inventory the fair net value thereof, as of the date of decedent's death, after deducting the encumbrances, liens and other secured charges thereon, and shall deliver such inventory and appraisal, certified by him under oath to the personal representative within thirty days following his appointment, unless a longer time shall be granted by the court.

Sec. 11.44.070. COMPENSATION OF APPRAISER. The appraiser shall receive as compensation for his service an amount as to the court shall seem just and reasonable, but not less than ten dollars nor more than one-tenth of one percent of the assets of the estate actually appraised by him: *Provided*, That the valuation of moneys, bank and savings and loan association accounts, checks, bonds, and other securities of fixed or readily determinable value shall not be used in computing any appraisal fees.

Sec. 11.44.080. DISPENSING WITH APPRAISEMENT. Where it is shown by the filing of the inventory, or other proof to the satisfaction of the court, that the whole estate consists of personal property of less value than one thousand dollars, exclusive of moneys, drafts, bank and savings and loan association accounts, checks, and of bonds or securities listed with a recognized securities market or exchange, an appraisal may be dispensed with, in the discretion of the court, and the court may accept the verified appraisal of the personal representative in lieu of an appraisal by an appraiser; and in such case the court need not appoint an appraiser or may revoke his appointment if already made."

On page 99, section 11.88.140, line 30 of the printed and engrossed bills, strike lines 30 and 31 and insert:

"(a) Upon the attainment of full and legal age, as defined in RCW 11.92.010, of any person defined as an incompetent pursuant to RCW 11.88.010 solely by reason of youth, RCW 26.28.020 to the contrary notwithstanding."

On page 113, section 11.99.010, line 25 of the printed bill being line 23 of the engrossed bill after the amended date "July, 1967" and before the period insert: "; except that sections 11.44.055, 11.44.065, 11.44.070 and 11.44.080 shall take effect on July 1, 1965, and the repeal of the following acts or parts of acts as listed in section 11.99.015 shall also take effect on July 1, 1965, to wit: In subsection (10), section 1444, Code of 1881; in subsection (47), section 95, chapter 156, Laws of 1917; in subsection (48), section 1, chapter 23, Laws of 1919; in subsection (64), section 1, chapter 112, Laws of 1929, in subsection (66), section 123, chapter 180, Laws of 1935; in subsection (71), section 8, chapter 202, Laws of 1939; and in subsection (111), section 83.16.040, chapter 15, Laws of 1961"

On page 113, section 11.99.010, line 26 of the printed bill, before "procedures" strike "The" and insert "Except as above provided the" being line 23 of the engrossed bill before "pro--"

On page 117, section 11.99.015, line 22 of the printed and engrossed bills, following subsection "(110)" add a new subsection as follows:

"(111) Section 83.16.040, Chapter 15, Laws of 1961".  
and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

On motion of Senator Greive, the Senate refused to concur in the House amendments to Engrossed Senate Bill No. 6 and asked the House to recede therefrom.

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 9, 1965.

MR. PRESIDENT:

The House has passed: Substitute Senate Bill No. 250 with the following amendments:  
Strike the title and insert:

"An Act relating to motor vehicles; amending section 46.44.094, chapter 12, Laws of 1961 and RCW 46.44.094; and providing an effective date; and amending section 13, chapter 7, Laws of 1961 extraordinary session and RCW 46.16.075."

On page 3 add a new section following section 2 as follows:

"Sec. 3. Section 13, chapter 7, Laws of 1961 extraordinary session and RCW 46.16.075 are each amended to read as follows:

In addition to other fees for the licensing of vehicles there shall be paid and collected annually for each motor truck or truck tractor which is propelled by steam, electricity, natural gas, diesel oil, [butane or propane] based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees: *Provided, however,* That all trucks or truck tractors having an unladen weight of more than four thousand pounds shall be licensed for not less than one hundred fifty percent of its empty weight unless such an amount would be in excess of the legal limits prescribed for such a vehicle in RCW 46.44.040 in which event the vehicle shall be licensed for the maximum gross load specified for such a vehicle in RCW 46.44.040:

Up to 5,000 lbs.....	\$ 6.50
5,000 lbs. or more and less than 6,000 lbs.....	\$ 12.50
6,000 lbs. or more and less than 8,000 lbs.....	\$ 22.00
8,000 lbs. or more and less than 10,000 lbs.....	\$ 28.00
10,000 lbs. or more and less than 12,000 lbs.....	\$ 37.00
12,000 lbs. or more and less than 14,000 lbs.....	\$ 45.50
14,000 lbs. or more and less than 16,000 lbs.....	\$ 55.00
16,000 lbs. or more and less than 18,000 lbs.....	\$ 78.00
18,000 lbs. or more and less than 20,000 lbs.....	\$106.00
20,000 lbs. or more and less than 22,000 lbs.....	\$137.00
22,000 lbs. or more and less than 24,000 lbs.....	\$176.00
24,000 lbs. or more and less than 26,000 lbs.....	\$225.00
26,000 lbs. or more and less than 28,000 lbs.....	\$275.00
28,000 lbs. or more and less than 30,000 lbs.....	\$325.00
30,000 lbs. or more and less than 32,000 lbs.....	\$381.00
32,000 lbs. or more and less than 34,000 lbs.....	\$430.00
34,000 lbs. or more and less than 36,000 lbs.....	\$494.00",

and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Washington, the Senate concurred in the House amendments to Substitute Senate Bill No. 250.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 250, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 2; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams—45.

Absent or not voting: Senators Henry, Woodall—2.

Excused: Senators Hallauer, Morgan—2.

Substitute Senate Bill No. 250, as amended by the House, having received the constitutional majority, was declared passed.

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

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 9, 1965.

MR. PRESIDENT:

The House has passed: Reengrossed Senate Bill No. 159 with the following amendment:

"NEW SECTION. Sec. 2. Nothing in this act shall be construed to authorize the

construction of any vocational school, without the prior approval of the state board for vocational education.", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Lennart, the Senate concurred in the House amendments to Reengrossed Senate Bill No. 159.

#### ROLL CALL

The Secretary called the roll on the final passage of Reengrossed Senate Bill No. 159, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 3; excused, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Greive, Guess, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams—43.

Absent or not voting: Senators Freise, Henry, Woodall—3.

Excused: Senators Cowen, Hallauer, Morgan—3.

Reengrossed Senate Bill No. 159, as amended by the House, having received the constitutional majority, was declared passed.

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

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 9, 1965.

#### MR. PRESIDENT:

The House has passed: Senate Bill No. 61 with the following amendment:

On page 3, section 3, line 12, after "court" strike the remainder of the section down to and including "purpose" on line 13., and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Atwood, the Senate concurred in the House amendment to Senate Bill No. 61.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 61, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 4; excused, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—42.

Absent or not voting: Senators Henry, McMillan, Peterson (Ted), Raugust—4.

Excused: Senators Cowen, Henry, Morgan—3.

Senate Bill No. 61, as amended by the House, having received the constitutional majority, was declared passed.

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

## HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 9, 1965.

MR. PRESIDENT:

The House has passed: Senate Bill No. 304 with the following amendment:

On page 15, section 20, line 1, strike "[one] five dollars" and insert "one dollar", and the same is herewith transmitted. S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator England, the Senate concurred in the House amendment to Senate Bill No. 304.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 304, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 2; excused, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Those voting nay were: Senator Chytil—1.

Absent or not voting: Senators Henry, McMillan—2.

Excused: Senators Cowen, Hallauer, Morgan—3.

Senate Bill No. 304, as amended by the House, having received the constitutional majority, was declared passed.

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

## HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has passed: Senate Bill No. 48 with the following amendment:

In section 1, beginning on line 9, after "order," strike "judgment or decree or any other court proceedings" and insert "or any court proceedings prior to final judgment or decree", and the same is herewith transmitted. S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Freise, the Senate concurred in the House amendment to Senate Bill No. 48.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 48, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 4; excused, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams—42.

Absent or not voting: Senators Henry, Lennart, McMillan, Woodall—4.

Excused: Senators Cowen, Hallauer, Morgan—3.

Senate Bill No. 48, as amended by the House, having received the constitutional majority, was declared passed.

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

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has passed: Senate Bill No. 310 with the following amendments:

On page 1, beginning on line 11, strike all of section 1 and renumber the remaining sections consecutively.

Beginning on line 1 of the title, after "districts," strike all of the material down to and including "RCW 70.44.040;" on line 3, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Washington, the Senate concurred in the House amendments to Senate Bill No. 310.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 310, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 42; nays, 1; absent or not voting, 3; excused, 3.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—42.

Those voting nay were: Senator Charette—1.

Absent or not voting: Senators Henry, Lennart, McMillan—3.

Excused: Senators Cowen, Hallauer, Morgan—3.

Senate Bill No. 310, as amended by the House, having received the 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 Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to Engrossed House Bill No. 173 and asks the Senate to recede therefrom, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

It was moved by Senator Hanna that the Senate do recede from the Senate amendments to Engrossed House Bill No. 173.

Debate ensued.

The motion was lost.

On motion of Senator Woodall, the Senate refused to recede from the Senate amendments to Engrossed House Bill No. 173 and asked the House for a conference thereon.

## HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has passed: Senate Bill No. 54 with the following amendment:

In section 1, line 7, after "class" and before "shall" insert "of more than four hundred thousand population", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Riley, the Senate concurred in the House amendment to Senate Bill No. 54.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 54, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 5; excused, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—41.

Absent or not voting: Senators Guess, Henry, McMillan, Mardesich, Raugust—5.

Excused: Senators Cowen, Hallauer, Morgan—3.

Senate Bill No. 54, as amended by the House, having received the constitutional majority, was declared passed.

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

## HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has passed: Senate Bill No. 84 with the following amendments:

On page 2, section 1, lines 4 and 5, after "originated" strike "[ : *Provided further*, That this section shall expire June 30, 1965]" and insert " : *Provided Further*, That this section shall expire June 30, [1965] 1967"

On page 2, section 2, lines 27 and 28, after "originated" strike "[ : *Provided further*, That this section shall expire June 30, 1965]" and insert " : *Provided Further*, That this section shall expire June 30, [1965] 1967, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Gallagher, the Senate concurred in the House amendments to Senate Bill No. 84.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 84, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 3; excused, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Absent or not voting: Senators Henry, McCormack, McMillan—3.

Excused: Senators Cowen, Hallauer, Morgan—3.

Senate Bill No. 84, as amended by the House, having received the constitutional majority, was declared passed.

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

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 73 with the following amendment: On page 1, section 1, line 21 of the engrossed bill, being line 22 of the printed bill, after "names" insert "and address", and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

On motion of Senator Freise, the Senate concurred in the House amendment to Engrossed Senate Bill No. 73.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 73, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 6; excused, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—40.

Absent or not voting: Senators England, Henry, Lennart, McMillan, Petrich, Talley—6.

Excused: Senators Cowen, Hallauer, Morgan—3.

Engrossed Senate Bill No. 73, as amended by the House, having received the constitutional majority, was declared passed.

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

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has passed: Senate Bill No. 280 with the following amendment:

On page 1, section 1, line 18, after "or less," strike all of the matter down to "nor shall" on line 21 and insert "or located in class AA counties, and not more than three square miles in area shall be included within the corporate limits of a municipal corporation of the fourth class having a population of more than fifteen hundred in counties other than class AA," and the same is hereby transmitted.

S. R. HOLCOMB, Chief Clerk.

On motion of Senator Chytil, Senators Thompson, Jr. and Lennart were excused.

On motion of Senator McCutcheon, the Senate concurred in the House amendment to Senate Bill No. 280.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 280, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 4; excused, 5.

Those voting yea were: Senators Atwood, Bailey, Chayette, Chytil, Connor, Cooney, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Washington, Williams, Woodall—40.

Absent or not voting: Senators Dore, Henry, McMillan, Talley—4.

Excused: Senators Cowen, Hallauer, Lennart, Morgan, Thompson, Jr.—5.

Senate Bill No. 280, as amended by the House, having received the constitutional majority, was declared passed.

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

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has passed: Senate Bill No. 335 with the following amendments:

On page 1, section 1, beginning on line 14, after the period following "stock" strike all of the matter down to and including the period following "shareholders" on line 16.

On page 1, section 1, line 18, after "par value or" strike "ninety-five" and insert "one hundred", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Durkan, the Senate concurred in the House amendments to Senate Bill No. 335.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 335, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 38; nays, 0; absent or not voting, 6; excused, 5.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Herr, Herrmann, Knoblauch, Kupka, Lewis, McCutcheon, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—38.

Absent or not voting: Senators Chayette, Henry, Keefe, McMillan, Mardesich, Talley—6.

Excused: Senators Cowen, Hallauer, Lennart, McCormack, Morgan—5.

Senate Bill No. 335, as amended by the House, having received the 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 Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 10, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Substitute House Bill No. 67, except the following amendment:



On page 1, section 2, line 22, after "practice" strike "chiroprody, chiropractic," and asks the Senate to recede therefrom, and said bill, together with the Senate amendments thereto, are herewith transmitted.  
S. R. HOLCOMB, Chief Clerk.

It was moved by Senator Petrich that the Senate recede from the Senate amendment to Substitute House Bill No. 67, on page 1, section 2, line 22.

The motion was carried.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate:

"Dr. John Settle of Olympia, Washington, has advised the President through Mr. Crowley that Senator Frances Haddon Morgan was treated by him this afternoon for a very severe migraine headache, but is now resting a little more easily."

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 67, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 38; nays, 0; absent or not voting, 6; excused, 5.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCutcheon, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—38.

Absent or not voting: Senators Charette, Dore, Henry, McMillan, Raugust, Ryder—6.

Excused: Senators Cowen, Hallauer, Lennart, McCormack, Morgan—5.

Substitute House Bill No. 67, as amended by the Senate, having received the 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 Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 278, except for the following amendments:

On page 2, section 2, line 8 of the printed bill, being line 4 of the engrossed bill, after "dealer" strike the remainder of the material down to and including "business" on line 9 of the printed bill, being line 5 of the engrossed bill.

On page 2, section 2, line 11 of the printed bill, being line 7 of the engrossed bill, strike subsection (4).

On page 4, line 10 of the printed bill, being line 10 of the engrossed bill, after section 5 add a new section as follows:

"NEW SECTION. Sec. 6. No automobile dealer in AA counties and licensed by the state of Washington shall offer to sell, sell, or deliver for sale an automobile during the hours of any day on which no authorized licensed agent is open for business with the public in the county in which the dealer maintains his place of business. As used herein, authorized licensed agent shall mean any county auditor or his sub-agent having authority to effect transfer of title on motor vehicles."

On page 1, line 6 of the title of the printed bill, being line 6 of the engrossed bill, after "adding" and before "to chapter" strike "a new section" and insert "new sections"

and asks the Senate to recede therefrom, and said bill, together with the Senate amendments thereto, are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Washington, the Senate receded from the Senate amendments to Engrossed House Bill No. 278 listed in the message from the House.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 278, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 31; nays, 10; absent or not voting, 3; excused, 5.

Those voting yea were: Senators Bailey, Connor, Cooney, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Stender, Talley, Thompson, Jr., Washington, Williams—31.

Those voting nay were: Senators Atwood, Chytil, Donohue, England, Guess, Hanna, McCutcheon, Peterson (Ted), Sandison, Woodall—10.

Absent or not voting: Senators Charette, Henry, McMillan—3.

Excused: Senators Cowen, Hallauer, Lennart, McCormack, Morgan—5.

Engrossed House Bill No. 278, as amended by the Senate, having received the 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 Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The Speaker has appointed as House members of the Conference Committee on Engrossed House Bill No. 173 and the Senate amendments thereto,

Representatives,  
JOHN L. O'BRIEN,  
ERIC D. BRAUN, and  
ROBERT F. BRACHTENBACH.  
S. R. HOLCOMB, *Chief Clerk*.

At 7:05 p. m., on motion of Senator Greive, the Senate recessed until 8:30 p. m.

#### EVENING SESSION

The President called the Senate to order at 8:30 p. m.

The President declared the Senate to be at ease.

The President called the Senate to order at 9:15 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Cowen, Hallauer, Henry, Herr, Morgan and Talley.

On motion of Senator Greive, the absent members were excused.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The President appointed as members of the Conference Committee on Engrossed House Bill No. 173, and the Senate amendments thereto: Senators Gallagher, Stender and Keefe.

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House refuses to recede from its amendments to Engrossed Senate Bill No. 6 and asks the Senate for a conference thereon, and has appointed the following House members as a Conference Committee on Engrossed Senate Bill No. 6 and the House amendments thereto:

REPRESENTATIVES BURTCH, BRACHTENBACH and MARSH.  
S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Moriarty, Jr., the request of the House for a conference on Engrossed Senate Bill No. 6 and the House amendments thereto was granted.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 6 and the House amendments thereto: Senators Gissberg, Gallagher and Neill.

On motion of Senator Riley, the Conference Committee appointments were confirmed.

**MOTION**

It was moved by Senator Charette that the Conference Committee appointed to confer with the House members on Engrossed Substitute House Bill No. 104 be discharged, as they were unable to agree.

It was moved by Senator Peterson (Ted), as a minority member of the Conference Committee, that the Conference Committee be granted the powers of Free Conference.

**PARLIAMENTARY INQUIRY**

Senator Charette:

"Mr. President:

"Is this motion debatable?"

**REPLY BY THE PRESIDENT**

The President:

"The President believes it is debatable, Senator."

Debate ensued.

**POINT OF ORDER**

Senator Thompson, Jr.:

"Mr. President:

"Under our Joint Rule No. 6, it specifically states that the method by which the body is to be notified when there is a disagreement will be that there shall be a report by the committee, and there is no written report on the desk, so we have no knowledge that the committee is in disagreement."

Senator Charette:

"Mr. President:

"I move we be at ease for five minutes, and I will get such a report."

Senator McCormack:

"I don't think it is necessary to be at recess. I am the third member of the committee, and I agree with Senator Charette. We want to discharge the committee."

**RULING BY THE PRESIDENT**

The President:

"The President believes that the Senate can proceed with its regular business and the members of the Conference Committee can meet privately to prepare a report."

**PARLIAMENTARY INQUIRY**

Senator Thompson, Jr.:

"Mr. President, point of parliamentary inquiry:

"What is your ruling on my point of order under Rule 6?"

Senator Charette:

"Mr. President, in order to clear the record, I will withdraw my motion and obtain a written report."

With the consent of the Senate, the motion by Senator Charette was withdrawn.

On motion of Senator Charette, Engrossed Substitute House Bill No. 104 was made a special order of business for 10:30 p. m.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Engrossed Senate Bill No. 6, and has granted said committee the powers of free conference, and the report of the Conference Committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF CONFERENCE COMMITTEE**

Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Engrossed Senate Bill No. 6, relating to the establishment of a code of probate law and procedure, have had the same under consideration, and we report that we are unable to agree and request the powers of free conference.

Senate Members:

MICHAEL J. GALLAGHER  
WILLIAM A. GISSBERG  
MARSHALL A. NEILL

House Members:

ROBERT F. BRACHTENBACH  
DANIEL G. MARSH  
JACK L. BURTCH

On motion of Senator Moriarty, Jr., the committee report was adopted and the Conference Committee on Engrossed Senate Bill No. 6 was granted the powers of free conference.

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

Under the terms of Senate Concurrent Resolution No. 13, the House requests of the Senate the return of the following House Bills:

Engrossed House Bill No. 9; also  
Engrossed House Bill No. 14; also  
Engrossed Substitute House Bill No. 36; also  
Engrossed House Bill No. 47; also  
Engrossed House Bill No. 73; also

House Bill No. 76; also  
Engrossed House Bill No. 77; also  
House Bill No. 86; also  
Substitute House Bill No. 96; also  
House Bill No. 103; also  
Engrossed House Bill No. 105; also  
Engrossed House Bill No. 113; also  
House Bill No. 125; also  
House Bill No. 132; also  
House Bill No. 133; also  
House Bill No. 134; also  
Engrossed House Bill No. 137; also  
Engrossed House Bill No. 142; also  
Engrossed House Bill No. 145; also  
House Bill No. 148; also  
House Bill No. 152; also  
Engrossed House Bill No. 156; also  
House Bill No. 159; also  
Engrossed House Bill No. 161; also  
House Bill No. 163; also  
Engrossed House Bill No. 164; also  
Engrossed House Bill No. 184; also  
House Bill No. 187; also  
House Bill No. 192; also  
Engrossed House Bill No. 199; also  
Engrossed House Bill No. 203; also  
Engrossed House Bill No. 204; also  
House Bill No. 216; also  
House Bill No. 218; also  
House Bill No. 219; also  
House Bill No. 220; also  
Reengrossed House Bill No. 222; also  
Engrossed House Bill No. 226; also  
Engrossed House Bill No. 229; also  
House Bill No. 231; also  
Engrossed House Bill No. 234; also  
Engrossed House Bill No. 240; also  
House Bill No. 242; also  
Engrossed House Bill No. 243; also  
House Bill No. 245; also  
House Bill No. 247; also  
House Bill No. 249; also  
House Bill No. 253; also  
Engrossed House Bill No. 256; also  
House Bill No. 257; also  
House Bill No. 258; also  
House Bill No. 259; also  
House Bill No. 264; also  
House Bill No. 265; also  
House Bill No. 267; also  
House Bill No. 270; also  
House Bill No. 271; also  
House Bill No. 274; also  
House Bill No. 275; also  
Engrossed House Bill No. 276; also  
House Bill No. 277; also  
House Bill No. 283; also  
Engrossed House Bill No. 289; also  
House Bill No. 293; also  
House Bill No. 295; also  
House Bill No. 298; also  
House Bill No. 299; also  
House Bill No. 303; also  
House Bill No. 318; also

House Bill No. 319; also  
 Engrossed House Bill No. 321; also  
 Engrossed House Bill No. 330; also  
 House Bill No. 334; also  
 Engrossed House Bill No. 336; also  
 House Bill No. 338; also  
 Engrossed House Bill No. 351; also  
 Engrossed House Bill No. 354; also  
 House Bill No. 362; also  
 Engrossed House Bill No. 364; also  
 Engrossed House Bill No. 369; also  
 House Bill No. 375; also  
 Engrossed House Bill No. 382; also  
 House Bill No. 409; also  
 House Bill No. 425; also  
 Engrossed House Bill No. 428; also  
 House Bill No. 430; also  
 House Bill No. 433; also  
 House Bill No. 436; also  
 House Bill No. 439; also  
 Engrossed House Bill No. 442; also  
 House Bill No. 450; also  
 Engrossed House Bill No. 454; also  
 House Bill No. 461; also  
 House Bill No. 462; also  
 Engrossed House Bill No. 477; also  
 House Bill No. 488; also  
 House Bill No. 490; also  
 House Bill No. 491; also  
 Engrossed House Bill No. 513; also  
 Engrossed House Bill No. 515; also  
 House Bill No. 579; also  
 Engrossed House Bill No. 592; also  
 House Bill No. 638; also  
 Engrossed House Bill No. 643; also  
 Substitute House Joint Resolution No. 4; also  
 House Joint Resolution No. 12; also  
 Engrossed Substitute House Joint Resolution No. 16; also  
 Reengrossed House Joint Resolution No. 25; also  
 House Concurrent Resolution No. 6; also  
 House Concurrent Resolution No. 7; also  
 House Concurrent Resolution No. 15; also  
 House Joint Memorial No. 9; also  
 House Joint Memorial No. 10; also  
 House Joint Memorial No. 14; also  
 House Joint Memorial No. 15; also  
 House Joint Memorial No. 18; also  
 House Joint Memorial No. 25.

S. R. HOLCOMB, *Chief Clerk.*

It was moved by Senator Greive that the Senate grant the request of the House for the return of the House bills as listed on the message.

The motion was carried.

#### MESSAGE FROM THE HOUSE

House of Representatives,  
 Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 60; also  
 House Bill No. 117; also  
 House Bill No. 154; also  
 House Bill No. 162; also  
 House Bill No. 332; also

House Bill No. 474; also  
 House Bill No. 479; also  
 House Bill No. 549; also  
 House Bill No. 582, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF CONFERENCE COMMITTEE**

Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Engrossed House Bill No. 173, setting forth necessary qualifications before being licensed as embalmer, have had the same under consideration, and we request the powers of free conference.

Senate Members:

MICHAEL J. GALLAGHER

JAMES KEEFE

JOHN H. STENDER

House Members:

JOHN L. O'BRIEN

ROBERT F. BRACHTENBACH

ERIC D. BRAUN

On motion of Senator Ryder, the report of the Conference Committee on Engrossed House Bill No. 173 was adopted and the committee was granted the powers of free conference.

**SIGNED BY THE PRESIDENT**

**The President signed: House Bill No. 60; also**

**House Bill No. 117; also**

**House Bill No. 154; also**

**House Bill No. 162; also**

**House Bill No. 332; also**

**House Bill No. 474; also**

**House Bill No. 479; also**

**House Bill No. 549; also**

**House Bill No. 582.**

**MESSAGES FROM THE HOUSE**

House of Representatives,  
 Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Concurrent Resolution No. 13, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 6 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF FREE CONFERENCE COMMITTEE**

Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Engrossed Senate Bill No. 6, relating to the establishment of a code of probate law and procedure, have had the same under consideration, and we recommend that Engrossed Senate Bill No. 6 be amended as follows:

In the House Amendment to Engrossed Senate Bill No. 6 by Representative Brachtenbach to page 45 of the printed and engrossed bills, after "by him" on line 6

of Sec. 11.44.070, strike all of the material down to and including "fees" on line 2, page 2 of the amendment.

That the House and Senate concur in the remaining House Amendments.

That the bill, as amended, be passed.

**Senate Members:**

MICHAEL J. GALLAGHER  
WILLIAM A. GISSBERG  
MARSHALL A. NEILL

**House Members:**

ROBERT F. BRACHTENBACH  
DANIEL G. MARSH  
JACK L. BURTCHE

On motion of Senator Petrich, the report of the Free Conference Committee was adopted.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 38; nays, 0; absent or not voting, 4; excused, 7.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Herrmann, Knoblauch, Kupka, Lewis, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Washington, Williams, Woodall—38.

Absent or not voting: Senators Charette, Keefe, McCormack, Sandison—4.

Excused: Senators Cowen, Hallauer, Henry, Herr, Lennart, Morgan, Talley—7.

Engrossed Senate Bill No. 6, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

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

**SPECIAL ORDER OF BUSINESS**

The time having arrived, the Senate resumed consideration of Engrossed Substitute House Bill No. 104 and the report of the Conference Committee thereon.

**MOTION**

It was moved by Senator Thompson, Jr. that Engrossed Substitute House Bill No. 104 be made a special order of business for 11:00 p. m.

Debate ensued.

The motion was carried.

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 126 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF FREE CONFERENCE COMMITTEE**

Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Engrossed Senate Bill No. 126 relating to justices of the peace and providing increases in their salaries, have had the same under consideration, and we recommend that Engrossed Senate Bill No. 126 be amended to read as follows:



"An Act relating to courts of limited jurisdiction; providing increases in salaries; changing the method of paying salaries of judges of courts of limited jurisdiction; amending section 100, chapter 299, Laws of 1961 and RCW 3.58.010; amending section 4, chapter 156, Laws of 1951 and RCW 3.16.004; and amending section 35.20.160, chapter 7, Laws of 1965 and RCW 35.20.160.

*Be It Enacted by the Legislature of the State of Washington:*

Section 1. Section 100, chapter 299, Laws of 1961 and RCW 3.58.010 are each amended to read as follows:

The annual salary of each full time justice of the peace shall be [eight] *ten* thousand dollars: *Provided*, That the city or county which pays the salary of such justice may increase such salary to an amount not to exceed thirteen thousand five hundred dollars: *Provided Further*, That in class AA and A counties the annual salary of such justices shall be two-thirds of the amount provided by statute as the salary for the position of superior court judge or twelve thousand five hundred dollars, which ever is greater: *Provided Further*, That in cities having a population in excess of five hundred thousand, the city which pays the salary may increase such salary of its municipal judges to an amount not more than the salary paid the superior court judges in the county in which the court is located.

Sec. 2. Section 4, chapter 156, Laws of 1951 and RCW 3.16.004 are each amended to read as follows:

In cities having a population of more than twenty thousand, the justices of the peace shall devote their full time to the duties of the office *and shall not engage in the practice of law*. [and receive a salary of five thousand four hundred dollars per annum: *Provided*, That in cities of the first class the county commissioners shall have the power to raise the salaries of justices of the peace to an amount not to exceed six thousand five hundred dollars per annum: *The annual salary shall be two-thirds of the amount provided by statute as the salary for the position of superior court judge or twelve thousand five hundred dollars, whichever is greater: Provided Further*, That where justices of the peace in cities over the population of twenty thousand are also acting as police judges, [their salaries shall be fixed by the legislative body of the city, three] *five* thousand dollars of [which] *their salaries as hereinabove provided* shall be charged against the counties and the remainder shall be paid by the municipality.

Sec. 3. Section 35.20.160, chapter 7, Laws of 1965 and RCW 35.20.160 are each amended to read as follows:

The total of the salaries of each municipal judge under this chapter shall be fixed by the legislative body of the city at not less than nine thousand dollars per annum, to be paid in monthly or semi-monthly installments as for other officials of the city [or county], and such total salaries shall not be more than the salaries paid the superior court judges in the county in which the court is located. [Three thousand dollars of the total salaries shall be paid by the county treasurer and the remainder shall be paid by the city treasurer.]

Senate Members:

FRED H. DORE  
JOHN A. PETRICH  
PERRY B. WOODALL

House Members:

R. TED BOTTIGER  
ELMER E. JOHNSTON  
WILLIAM C. KLEIN

On motion of Senator Petrich, the report of the Free Conference Committee was adopted.

**POINT OF INQUIRY**

Senator Gissberg:

"Before calling the roll, would Senator Woodall yield to a question?"

Senator Woodall:

"Yes."

Senator Gissberg:

"Senator Woodall, as I understand this provision, a justice of the peace under this pay raise could not practice law. Now what is the intent of the free conference committee with respect to that provision? Did they intend for the provision to go into effect prior to this pay raise?"

Senator Woodall:

"Mr. President and Senator Gissberg:

"The intention clearly is that when the justice starts to enjoy the higher salary, then, at that time, and only then would the other portion apply and he would then be compelled to give up any private practice."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 126, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 30; nays, 9; absent or not voting, 3; excused, 7.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Dore, England, Foley, Gallagher, Greive, Guess, Hanna, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, Neill, Peterson (Lowell), Peterson (Ted), Petrich, Redmon, Riley, Ryder, Stender, Thompson, Jr., Washington, Williams, Woodall—30.

Those voting nay were: Senators Charette, Donohue, Durkan, Freise, Gissberg, McMillan, Mardesich, Rasmussen, Sandison—9.

Absent or not voting: Senators McCutcheon, Moriarty, Jr., Raugust—3.

Excused: Senators Cowen, Hallauer, Henry, Herr, Lennart, Morgan, Talley—7.

Engrossed Senate Bill No. 126, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

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

#### REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Engrossed Substitute House Bill No. 104, providing for community college districts, have had the same under consideration, and we recommend that the committee be discharged.

Senate Members:

MIKE McCORMACK  
ROBERT CHARETTE

House Members:

FRANK B. BROUILLET  
DON ELDRIDGE

It was moved by Senator Charette that the report of the Conference Committee be adopted and that the Committee be discharged.

Debate ensued.

#### PARLIAMENTARY INQUIRY

Senator Rasmussen:

"Mr. President, this probably should be a parliamentary inquiry. It is my understanding that once a conference has been granted and the conference committee has come to no agreement, that that bill doesn't reside in Rules. It is just floating here between the Houses and the bill dies. What would be your ruling on that, Mr. President?"

#### REPLY BY THE PRESIDENT

The President:

"Senator Rasmussen, earlier in the session the Senate adopted a resolution which requires that the bill must be returned to the House for their action."

Senator Rasmussen:

"Then, Mr. President, they are free to act as Senator Durkan suggests?"

The President:

"The President believes that is correct."

Senator Thompson, Jr.:

"Mr. President:

"I move a substitute motion that the committee be granted the powers of free conference."

#### POINT OF ORDER

Senator Bailey:

"Point of order, Mr. President:

"This motion is out of order because Senator Thompson says this tends to draw the Houses closer together, therefore it has priority. I think anything that delays this adjournment is drawing the Houses further apart and I think the motion is out of order."

#### RULING BY THE PRESIDENT

The President:

"The President believes that the motion by Senator Thompson and that of Senator Charette are of equal rank; therefore, the President will put the motion which was placed first. The Senate should act upon the motion of Senator Charette, since it was the motion placed first."

Debate ensued.

Senators Charette, Durkan and Bailey demanded the previous question and the demand was sustained.

The motion was carried, the report of the Conference Committee was adopted and the committee was discharged.

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Engrossed House Bill No. 173, and has granted said committee the powers of free conference.  
S. R. HOLCOMB, *Chief Clerk.*

There being no objection, the Senate returned to the second order of business:

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 6; also

Senate Bill No. 48; also  
Senate Bill No. 54; also  
Senate Bill No. 61; also  
Senate Bill No. 73; also  
Senate Bill No. 84; also  
Senate Bill No. 126; also  
Senate Bill No. 159; also  
Substitute Senate Bill No. 250; also  
Senate Bill No. 280; also  
Senate Bill No. 304; also  
Senate Bill No. 310; also  
Senate Bill No. 335; also  
Senate Bill No. 360, have inspected same, and find them correctly engrossed.

....., *Chairman.*

We concur in this report: Michael J. Gallagher, R. R. Bob Greive, John A. Petrich.

Senate Chamber,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 6; also

Senate Bill No. 48; also  
Senate Bill No. 54; also  
Senate Bill No. 61; also  
Senate Bill No. 73; also  
Senate Bill No. 84; also  
Senate Bill No. 126; also  
Senate Bill No. 159; also  
Substitute Senate Bill No. 250; also  
Senate Bill No. 280; also  
Senate Bill No. 304; also  
Senate Bill No. 310; also  
Senate Bill No. 335; also  
Senate Bill No. 360; also

Senate Concurrent Resolution No. 13, have inspected same, and find them correctly enrolled. ...., *Chairman*.

We concur in this report: Michael J. Gallagher, R. R. Bob Greive, John A. Petrich.

There being no objection, the Senate advanced to the fifth order of business.

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 48; also**

**Senate Bill No. 54; also**

**Senate Bill No. 61; also**

**Senate Bill No. 73; also**

**Senate Bill No. 84; also**

**Senate Bill No. 159; also**

**Substitute Senate Bill No. 250; also**

**Senate Bill No. 280; also**

**Senate Bill No. 304; also**

**Senate Bill No. 310; also**

**Senate Bill No. 335; also**

**Senate Bill No. 360.**

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 48; also

Senate Bill No. 54; also

Senate Bill No. 61; also

Senate Bill No. 73; also

Senate Bill No. 84; also

Senate Bill No. 159; also

Substitute Senate Bill No. 250; also

Senate Bill No. 280; also

Senate Bill No. 304; also

Senate Bill No. 310; also

Senate Bill No. 335; also

Senate Bill No. 360, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House has passed: Substitute House Bill No. 67 as amended by the Senate.  
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 278 as amended by the Senate.  
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The Speaker has signed: Substitute House Bill No. 67; also  
House Bill No. 278, and the same are herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk*.

**SIGNED BY THE PRESIDENT**

**The President signed: Substitute House Bill No. 67; also  
Engrossed House Bill No. 278.**

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House grants the request of the Senate for the return of the following  
Senate bills:

Senate Bill No. 38; also  
Senate Bill No. 39; also  
Senate Bill No. 44; also  
Senate Bill No. 67; also  
Engrossed Senate Bill No. 68; also  
Engrossed Senate Bill No. 77; also  
Engrossed Substitute Senate Bill No. 93; also  
Senate Bill No. 99; also  
Senate Bill No. 121; also  
Engrossed Senate Bill No. 125; also  
Engrossed Senate Bill No. 134; also  
Senate Bill No. 138; also  
Engrossed Substitute Senate Bill No. 167; also  
Engrossed Senate Bill No. 181; also  
Engrossed Senate Bill No. 187; also  
Senate Bill No. 199; also  
Senate Bill No. 205; also  
Engrossed Senate Bill No. 246; also  
Engrossed Senate Bill No. 253; also  
Senate Bill No. 256; also  
Engrossed Senate Bill No. 264; also  
Engrossed Senate Bill No. 281; also  
Engrossed Senate Bill No. 301; also  
Engrossed Senate Bill No. 334; also  
Engrossed Senate Bill No. 348; also  
Senate Bill No. 366; also  
Engrossed Senate Bill No. 368; also  
Senate Bill No. 372; also  
Engrossed Senate Bill No. 377; also  
Engrossed Senate Bill No. 389; also  
Engrossed Senate Bill No. 477; also  
Engrossed Senate Joint Memorial No. 5; also  
Senate Joint Memorial No. 6; also  
Senate Joint Memorial No. 10; also

Senate Joint Memorial No. 16; also  
Engrossed Substitute Senate Joint Resolution No. 8; also  
Senate Concurrent Resolution No. 6; also  
Senate Concurrent Resolution No. 12, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House has adopted: House Concurrent Resolution No. 20 and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### FIRST READING OF HOUSE RESOLUTION

The following was read first time by title and acted upon as indicated:

**House Concurrent Resolution No. 20**, by Committee on Rules and Joint Rules:

Relating to *Sine Die* adjournment of the Thirty-ninth Legislature.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 20 was advanced to second reading and read the second time in full.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 20 was advanced to third reading, the second reading considered the third, the resolution placed on final passage and adopted.

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

Under the terms of Senate Concurrent Resolution No. 13, the House requests of the Senate the return of the following House Bill: Engrossed House Bill No. 173.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The Speaker has appointed as members of the Committee to notify the Governor that the House is ready to adjourn *Sine Die*, Representatives Ray Olsen, Damon R. Canfield, Chet King.

S. R. HOLCOMB, *Chief Clerk.*

#### REPORT OF CONFERENCE COMMITTEE

Senator Gallagher:

"Mr. President:

"As the Chairman of the Free Conference Committee which has under advisement Engrossed House Bill No. 173, I am afraid the committee has reached a deadlock on that bill and I think at this time I would like to yield to Senator Greive, so that the bill could be returned to the house of its origin so it can be taken up during the special session."

On motion of Senator Charette, the request of the House was granted and Engrossed House Bill No. 173 was ordered returned to the House.

#### APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of House Concurrent Resolution No. 20, the President appointed Senators Keefe, Redmon and Rasmussen as the committee of three members from the Senate to notify the Governor that the Senate was about to adjourn *Sine Die*.

On motion of Senator Greive, the committee appointments were confirmed. The Secretary read:

## SENATE RESOLUTION

No. 1965 - 36

By Senators Bailey and Neill:

WHEREAS, The Thirty-ninth Regular Session of the legislature is drawing to a close; and

WHEREAS, It is necessary to provide for the completion of the work of the Senate after its adjournment and during the interim period between the close of the Thirty-ninth regular session and the commencement of the Fortieth regular session:

*Now, Therefore, Be It Resolved*, That the Secretary of the Senate be, and he hereby is, authorized and directed to complete the work of the session, to reply to and give necessary attention to correspondence and other details arising therefrom, and to accomplish such purpose that he be allowed additional compensation at the rate of \$60 per diem rate therefor for a period of sixty days; and

*Be It Further Resolved*, That the Secretary of the Senate be, and he hereby is, authorized to retain such employees as he may deem necessary and that said employees be allowed such per diem rate of pay therefor as the Secretary of the Senate and the President of the Senate shall deem proper; and

*Be It Further Resolved*, That the Secretary of the Senate be, and he hereby is, authorized and directed to make out and execute with the President, or the President Pro Tempore, the necessary vouchers upon which warrants for the foregoing expenses and expenditures shall be drawn from funds provided therefor for legislative expenses; and

*Be It Further Resolved*, That the Secretary of the Senate be, and he hereby is, authorized and directed to have a copy of the Senate Journal of the Thirty-ninth Regular Session of the legislature, together with a suitable index therefor, prepared by the State Printer, and that he, as salary for his work in compiling, editing and indexing the printed journal, be paid the sum of twelve hundred dollars, said amount to be paid from the Senate legislative appropriation or the appropriation for legislative indexing, the State Treasurer being hereby authorized and directed to issue a warrant when the printer shall certify that the reading of the proof on the journal index has been completed and the same found to be correct; and

*Be It Further Resolved*, That after the close of the session the Secretary of the Senate, and the President, or the President Pro Tempore of the Senate be, and they hereby are authorized and directed to prepare and execute the necessary vouchers, upon which warrants shall be drawn for the final payment of all expenses incurred after the adjournment of this Thirty-ninth Legislative Session in closing the business of such session, in providing for the interim period between the closing of such session and the convening of the next regular or special session of the legislature and in the preparation for such convening; and

*Be It Further Resolved*, That the Sergeant at Arms be, and he hereby is, directed to see that the Senate Chambers and adjoining rooms, furniture and equipment are clean, and in good order, and for this purpose the Sergeant-at-Arms be allowed, after the closing of the session, for the completion of his work with the Thirty-ninth Regular Session twenty days at his regular per diem rate therefor; and

*Be It Further Resolved*, That the Secretary of the Senate collect the keys to desks and rooms in and surrounding the Senate Chamber and change, or cause to be changed, the locks on any and all doors and desks and drawers in the interest of security, and that he further take charge of all equipment, files, books and records in all rooms in and adjoining the Senate Chamber, except in the Lieutenant Governor's office; and

*Be It Further Resolved*, That the Senate Chamber, committee rooms, work rooms, lounges, post office, bill room, storage rooms and the Sergeant at Arms offices, and all other rooms in and adjacent to the Senate Chamber except the Lieutenant Governor's office, together with the first floor of the legislative building at the east portion of said floor, be placed in the custody, care and control of the President or President Pro Tempore and the Secretary of the Senate, and where any use of the Senate Chamber is granted requiring the attendance of the Secretary, that in addition to such salary as he may then be drawing he be allowed statutory expenses therefor; and

*Be It Further Resolved*, That the Secretary of the Senate is authorized to express the sympathy of the Senate by sending flowers in the event of a bereavement in a Senator's family; and

*Be It Further Resolved*, That the use of the chamber and rooms shall not be granted for other than legislative purposes; and

*Be It Further Resolved*, That such use of the chamber and rooms for a YMCA Youth Legislature is permitted upon such terms as the Secretary shall deem proper; and

*Be It Further Resolved*, That the State Treasurer be, and he is hereby directed to draw his warrants for the payment of salaries and/or per diem of members of the Senate, of the elected officers of the Senate and of retained employees each month upon vouchers signed by the members or by the President of the Senate or President Pro Tempore of the Senate and attested by the Secretary of the Senate, and he is authorized to deliver the warrants to the Secretary of the Senate for delivery or mailing to those entitled thereto.

*Be It Further Resolved*, That the President Pro Tempore of the Senate, and the Senate majority floor leader, majority caucus chairman, the present and past minority floor leaders and minority caucus chairman are each authorized to attend the annual meetings of the National Conference of State Legislative Leaders, and to receive therefor their actual necessary expenses, and such per diem as may be authorized by law, to be paid upon their vouchers out of funds appropriated for legislative expenses.

*Be It Further Resolved*, That all accounts payable incurred up to and including this date, covering Senate expenditures made, or obligations incurred, which are payable out of the funds appropriated for the payment of expenses except legislative printing, of the Thirty-ninth Legislature of the state of Washington, and which are presented for payment after adjournment of the Thirty-ninth Regular Session of the Legislature, before payment is authorized, must bear the approval of the President or President Pro Tempore of the Senate, and the Secretary of the Senate.

*Be It Further Resolved*, That the Secretary of the Senate be, and he is hereby authorized and directed to attend the sessions of the National Legislative Conference of the Council of State Governments, and while in attendance upon such conference he shall be allowed compensation at his regular per diem rate together with actual necessary expenses, to be paid on his voucher out of funds appropriated for legislative expenses.

*Be It Further Resolved*, That upon a call for a special session the Secretary of the Senate be allowed additional compensation at \$60 per diem rate therefor for as many days, not exceeding fifteen in number, as intervene between the Governor's proclamation summoning the special session and the opening day thereof; and

*Be It Further Resolved*, That the Secretary of the Senate be, and he hereby is authorized and directed, during not more than thirty days prior to the opening of the next regular session of the legislature, and preceding the opening of special sessions, to hire necessary employees, to prepare the work rooms and committee rooms for occupancy and use in sufficient time to make them available, helpful and beneficial to the members, and to procure in connection therewith sufficient supplies, including Senate Dockets, and an adequate number of Reed's Parliamentary Rules and legislative manuals, to enable the Senate to commence its work as promptly as possible, and for such purposes that he be allowed compensation at his regular per diem rate therefor; and

*Be It Further Resolved*, That, during the interim between sixty days following the conclusion of this Thirty-ninth Regular Session and the thirty or less days preceding the opening of the Fortieth Regular Session, exclusive however of such time prior, during or after a special session as he may be upon regular per diem rate of compensation, the Secretary of the Senate be compensated for his services in handling correspondence, preparing payrolls, processing vouchers, and performing such other services as may be required, at a monthly salary of two hundred dollars; and

*Be It Further Resolved*, That the Sergeant at Arms be, and he hereby is, directed to do the necessary work in connection with the opening of the Fortieth Regular Session and that for such work he be allowed fifteen days at his regular per diem rate of compensation; and

*Be It Further Resolved*, That upon a call for a special session, for necessary work in preparation for the opening of such session the Sergeant at Arms be allowed additional compensation at his regular per diem rate therefor for as many days, not exceeding ten in number, as intervene between the Governor's proclamation summoning the special session and the opening day thereof; and

*Be It Further Resolved*, That the State Treasurer be, and he hereby is directed to draw his warrants for the payment of salaries and/or per diem of the Secretary of the Senate, of the Sergeant at Arms and of necessary employees each month upon vouchers signed by the President of the Senate or the President Pro Tempore of the Senate and attested by the Secretary of the Senate, and he is authorized to deliver the warrants to the Secretary of the Senate for delivery or mailing to those entitled thereto.

On motion of Senator Bailey, the resolution was adopted.



The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The Speaker has signed: House Concurrent Resolution No. 20 and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Engrossed Substitute House Bill No. 104 and has discharged its committee.

S. R. HOLCOMB, *Chief Clerk.*

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate, Ladies and Gentlemen:

"It seems especially appropriate at this time for the President to call upon Senator Robert Charette of Grays Harbor who may like to give a word of approbation to the wonderful staff and the grand accomplishment they have made and the contribution they have made to the Thirty-ninth Legislature."

Senator Charette:

"Mr. President, members of the Senate:

"On behalf of all of the members of the Senate, I want to say to you folks that have worked with us and assisted us so ably and well during the session, just a plain 'Thanks.' We all know that we could not accomplish anything during the session without your assistance and guidance, from the Pages who run the errands and do all of the fine tasks for us, to all of the secretaries and people that work in the work room, all through the Senate Chamber, and particularly to the Secretary, who I will probably refer to in the future as 'Old Watershed Bowden,' and his assistant staff. To all of you we say: 'Thank you very much.'"

Senator Gallagher:

"Mr. President:

"I do wish that Senator McMillan was here. I do believe he is down in the restaurant. I think in addition to those of you who work up on the topside, we do appreciate the fact that we have had a good working committee who has conducted a real good restaurant, and to those folks, and Senators Riley, Cowen, and Sandison, I think we owe a real debt of gratitude.

"Thank you."

Senator Charette:

"Mr. President:

"While we are commending everyone this evening, we certainly do not want to leave out the President, himself, who has been so gracious and understanding and has done such a fine job in conducting this session."

Senator Riley:

"Mr. President:

"May I echo in a loud and sincere voice the comments of Senator Charette in his compliments to all of the staff behind the scenes: Ward Bowden and his staff, and the secretarial staff; and, I have not been prompted, but I speak now for the moment for the Sergeant at Arms and his staff. Ladies and gentlemen, members of the Senate, we are those chosen by the voters to perform, but we cannot perform without able assistance. That assistance comes from the Lieutenant Governor, in his cooperative effort, Ward Bowden and his staff, and I have always held the position that Ward has complete authority behind the scenes and I hold him responsible for that. Charlie Johnson and his staff we see more here in the open. Charlie and his staff have performed in an admirable fashion and I want also to add a word and a warm handshake to the President and the President Pro Tempore, and to Charlie Johnson and his staff,

because all of these elements put in the blender together bring about a successful operation, and it is amazing the fine results that are created as a result of the ideas poured into these legislative chambers."

**SIGNED BY THE PRESIDENT**

**The President signed: House Concurrent Resolution No. 20; also Senate Bill No. 6; also Senate Bill No. 126.**

**REPORT OF SPECIAL COMMITTEE**

The Senate members of the special committee composed of Senators Keefe, Redmon and Rasmussen, appointed to notify the Governor that the legislature was about to adjourn *Sine Die*, appeared before the bar of the Senate and reported that the committee had so notified the Governor; and that the Governor was willing that the Senate adjourn *Sine Die*.

The report was received and the committee was discharged.

The President declared the Senate to be at ease.

The President called the Senate to order.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 6; also Senate Bill No. 126 and the same are herewith transmitted.

S. R. HOLCOMB, Chief Clerk

**SENATE RESOLUTION**

No. 1965 - 35

By Senator Greive:

*Be It Resolved*, That a committee of three members of the Senate be appointed to notify the House that the Senate is ready to adjourn *Sine Die*.

On motion of Senator Greive, the resolution was adopted.

**APPOINTMENT OF SPECIAL COMMITTEE**

Under the provisions of the Senate resolution, the President appointed Senators Charette, Chytil and Peterson (Lowell) as the committee of three members of the Senate to notify the House that the Senate was ready to adjourn *Sine Die*.

The committee retired.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate, Ladies and Gentlemen:

"The President should like to present to you the staff here on the rostrum at this time: Rosalie Kneeland, Docket Clerk; Pat O'Brien, who operates the public address system; Pat Martin, our Minute Clerk; Verne Sawyer, our golden voiced Reading Clerk; the Lieutenant Governor's Secretaries, Mary Lou Bammert and Mary Kay Krinbring; Joe Shabaz, and John Crowley, the Lieutenant Governor's counsel.

"The President should like very much to express his deep appreciation to Mr. Bowden and the members of his staff, and especially to the Senators for their cooperation and good will."

**PERSONAL PRIVILEGE**

Senator Dore:

"Mr. President:

"I came in a little late, but I didn't hear anyone commend the patient members of the press and the television and radio who have listened to us all session."

Senator Ryder:

"Mr. President:

"I move we put sixty days of newspapers on Senator Dore's desk and let him bring himself up to date."

The President:

"Perhaps the members of the Fourth Estate would like to select a spokesman for the group in order to respond to the kind remarks of Senator Dore."

Senator Woodall:

"Mr. President:

"There is a very distinguished member of this press who does the very best, we know. She crosses the bridge every day. I would like to move Adele Ferguson be the one who answers."

Mrs. Ferguson:

"I yield my time to Fergus Hoffman."

**COMMITTEE FROM THE HOUSE**

A committee from the House comprised of Representatives Uhlman, Adams and Smith appeared before the bar of the Senate to notify the Senate that the House was about to adjourn *Sine Die*.

The report was received and the committee retired.

**REPORT OF SPECIAL COMMITTEE**

The Senate members of the special committee composed of Senators Charette, Chytil and Peterson (Lowell) appointed to notify the House that the Senate was ready to adjourn *Sine Die* reported that the House had been notified.

The report was received and the committee was discharged.

**MOTIONS**

On motion of Senator Greive, the Senate journal of the sixtieth day of the Thirty-ninth Legislature was ordered to stand approved.

At 12:00 midnight, on motion of Senator Greive, the Senate of the Thirty-ninth Regular Legislature adjourned *Sine Die*.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*



SENATE JOURNAL  
OF THE  
First Extraordinary Session  
Thirty-Ninth Legislature  
OF THE  
STATE OF WASHINGTON  
AT  
Olympia, the State Capital

Convened March 15, 1965  
Adjourned Sine Die May 7, 1965

Compiled, Edited and Indexed by  
WARD BOWDEN, *Secretary of the Senate*



DOROTHY B. GREELEY, *Journal Clerk*

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JOHN A. CHERBERG, *President of the Senate*  
WILLIAM A. GISSBERG, *President Pro Tempore*  
DR. DAVID C. COWEN, *Vice President Pro Tempore*

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## SENATE CAUCUS OFFICERS

### Democratic Caucus

*Chairman*, ROBERT C. BAILEY  
*Secretary*, REUBEN A. KNOBLAUCH  
*Floor Leader*, R. R. BOB GREIVE

### Republican Caucus

*Chairman*, MARSHALL A. NEILL  
*Secretary*, JACK ENGLAND  
*Floor Leader*, CHARLES P. MORIARTY, JR.

CHARLES L. R. JOHNSON, SR., *Sergeant at Arms*  
DONALD ROSS WILSON, *Assistant Secretary*  
FLORENCE T. KENDERESI, *Secretary to the Secretary*  
PATRICIA SCOTT MARTIN, *Minute Clerk*

# JOURNAL OF THE SENATE

STATE OF WASHINGTON  
FIRST EXTRAORDINARY SESSION  
OF THE  
THIRTY-NINTH LEGISLATURE

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## FIRST DAY

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SENATE CHAMBER,  
OLYMPIA, WASH., Monday, March 15, 1965.

Pursuant to a proclamation of the Governor, the Senate of the state of Washington was called to order in first extraordinary session at noon, Monday, March 15, 1965, by President Pro Tempore William A. Gissberg.

The Secretary called the roll and announced to the President Pro Tempore that all Senators were present except Senators Durkan, Freise, Guess, Petrich and Stender, who were excused.

The Color Guard consisting of Pages Roderick Burton, Color Bearer, and Mary Jane Plughoff, presented the Colors.

Reverend T. Eugene Turner, pastor of the First Christian Church of Olympia, offered prayer as follows:

"Our Divine Father, may Thy Name be held in reverence among us.

"At the beginning of this extended session of our Legislature, we pause to remember and give thanks for all the dedicated and honest work which the members of this Body have performed in past days.

"Refresh, renew, assist, and guide them in accomplishing the unfinished tasks waiting upon their deliberations and decisions in these coming days. Amen."

The Secretary read:

### MESSAGE FROM THE SECRETARY OF STATE

Department of State,  
Olympia, Wash., March 11, 1965.

MR. PRESIDENT:

I, A. LUDLOW KRAMER, Secretary of State of the state of Washington and custodian of the Seal of said State, do hereby certify that: I have carefully compared the annexed copy of a proclamation by the Governor calling an extraordinary session of the Legislature to convene on the 15th day of March, 1965, with the original copy of said proclamation now on file in this office, and find the same to be a full, true and correct copy of said original, and the whole thereof, together with all official endorsements thereon.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed hereto the seal of the state of Washington. Done at the Capitol at Olympia on this the date of March 11, 1965.

A. LUDLOW KRAMER,  
Secretary of State.

(SEAL OF THE STATE OF WASHINGTON)

**A PROCLAMATION BY THE GOVERNOR**

WHEREAS, the 1965 session of the Washington State Legislature, during the regular period of sixty days prescribed for the session, failed to enact appropriation and revenue measures; and

WHEREAS, other measures important to the welfare of the people of the state of Washington were not enacted to deal with:

*Human Needs*, including laws to provide adequate and accessible housing for all our citizens while retaining and safeguarding the rights of individual home owners, increased unemployment compensation benefits to those members of the labor force actively seeking re-employment without increasing costs to the employer, increased industrial insurance benefits with a reform in appellate procedures;

*Clean, Ethical Government*, including laws to provide for reporting of campaign contributions and expenditures, a more effective Code of Ethics Act with provisions to prevent solicitation of campaign contributions by state employees from firms dealing with the state, and elimination of politically appointed estate appraisers and liquor representatives;

*Education*, including measures to free future permanent school fund monies for school construction to reduce reliance on bonded debt for school financing, equalize the level of local tax support for school districts to reduce reliance upon special levies for basic operations, and provide for an Advisory Council on Higher Education;

*Economic Climate*, including laws to provide a sales tax, credit for new plant construction and business and occupation tax relief to low-profit margin industries;

*Modernization of Government*, including laws to provide realistic increases in the compensation paid to legislators and judges of the Superior and Supreme Courts, establish a water resource agency to coordinate the management and protection of our state's number one resource, merge the Toll Bridge Authority into the Highway Commission and give to the state's highways agencies the power to deal with problems of mass transportation in urban areas; and

*Reform of the State's Constitution*, by calling for a Constitutional Convention.

WHEREAS, as a result of these conditions, an emergency exists constituting an extraordinary occasion within the meaning of Article III, Section 7, of the Constitution of the state of Washington:

Now, Therefore, I, Daniel J. Evans, Governor of the state of Washington, by virtue of the authority vested in me by the Constitution, do hereby convene the Legislature of the state of Washington in Extraordinary Session in the Capitol at Olympia on the fifteenth day of March, A.D., 1965, at the hour of twelve o'clock noon; and

I Do Hereby Specify, in accordance with the requirements of the Constitution that the purposes for which the Legislature is convened are:

To appropriate sufficient funds, and raise sufficient revenues, to carry on the necessary functions and services of state government; and

To consider the enactment of the several other measures specified above for the benefit of the people of the state of Washington.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia, this 11th day of March, A.D., Nineteen Hundred and Sixty-five.

DANIEL J. EVANS,

*Governor of Washington.*

BY THE GOVERNOR

A. LUDLOW KRAMER, *Secretary of State.*

(The Seal of the state of Washington)

**PRESIDENT'S PRIVILEGE**

President Pro Tempore Gissberg:

"Members of the Senate, Ladies and Gentlemen:

"I would like to announce for those of you who may not know that our Lieutenant Governor has been invited to Amsterdam as an official representative of the state of Washington. Governor Dan Evans has designated him as one of the official representatives of our state in Amsterdam. It is contemplated he will be gone until Sunday,



and the President Pro Tempore will do his best, but I have some big shoes to fill and I hope you people will be patient with me."

On motion of Senator Keefe, Senator Foley was excused.

The Secretary read:

**SENATE RESOLUTION**  
**No. 1965 EX -1**

WHEREAS, The offices of President Pro Tempore of the Senate, Temporary President, Secretary of the Senate and Sergeant at Arms of the Senate were filled by competent persons during the Thirty-ninth Regular Session of the Legislature; and

WHEREAS, These officers served in a distinguished and satisfactory manner; and

WHEREAS, The standing committees of the Senate were formed and operated properly and efficiently during the Thirty-ninth Regular Session of the Legislature;

Now, Therefore, *Be It Resolved*, That said officers, committee chairmen and committee members of the said regular session shall constitute the officers and committees of the Extraordinary Session of the Thirty-ninth Legislature.

On motion of Senator Greive, the resolution was adopted.

**SENATE RESOLUTION**  
**No. 1965 EX -3**

*Be It Resolved*, That a committee of three members be named by the President of the Senate to inform the House that the Senate is organized and ready to transact the business of the Extraordinary Session of the Thirty-ninth Legislature.

On motion of Senator Greive, the resolution was adopted.

**APPOINTMENT OF SPECIAL COMMITTEES**

The President appointed Senators Knoblauch, Hanna and Lewis as a committee to notify the House that the Senate was organized and ready to transact business.

On motion of Senator Greive, the committee appointments were confirmed.

The committee retired.

President Pro Tempore Gissberg announced the presence within the bar of the Senate of former state Senator Stanton Ganders and appointed a special committee consisting of Senators Riley, McCormack, Cowen, Woodall and Henry to escort the former Senator to a place of honor upon the rostrum.

With leave of the Senate, business was suspended to permit Senator Ganders to address the Senate.

**COMMITTEE OF THE HOUSE**

A committee from the House of Representatives, composed of Representatives Johnston, Olsen and O'Donnell appeared before the Senate and announced that the House was organized and ready to proceed with business.

The report was received.

**REPORT OF SPECIAL COMMITTEE**

The special committee appointed to notify the House that the Senate was organized and ready to transact business, appeared and reported that their mission had been accomplished.

The report was received and the committee was discharged.

The Secretary read:

**INTRODUCTION AND FIRST READING OF RESOLUTION**

**Senate Concurrent Resolution No. 14**, by Senators Bailey, Greive, Neill and Moriarty, Jr.:

Adopting joint rules and reintroducing regular session measures as measures before the extraordinary session.

The resolution was read first time by title.

On motion of Senator Greive, the rules were suspended, Senate Concurrent Resolution No. 14 was advanced to second reading and read the second time in full.

On motion of Senator Greive, the rules were suspended, Senate Concurrent Resolution No. 14 was advanced to third reading, the second reading considered the third, and the resolution placed on final passage.

The Secretary called the roll on the final passage of Senate Concurrent Resolution No. 14 and the resolution passed the Senate by the following vote: Yeas, 43; nays, 0; excused, 6.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Excused: Senators Durkan, Foley, Freise, Guess, Petrich, Stender—6.

Senate Concurrent Resolution No. 14, having received the constitutional majority, was declared passed.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 15, 1965.

MR. PRESIDENT:

The House has adopted: House Concurrent Resolution No. 21, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

#### FIRST READING OF HOUSE RESOLUTION

**House Concurrent Resolution No. 21**, by Representative O'Brien:

Notifying the Governor that the legislature is organized.

The resolution was read first time by title.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 21 was advanced to second reading and read the second time in full.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 21 was advanced to third reading, the second reading considered the third and the resolution was placed on final passage and adopted.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President Pro Tempore appointed Senators Moriarty, Jr., Ryder and Hallauer to serve as the members from the Senate, under the provisions of House Concurrent Resolution No. 21, to notify the Governor that the legislature was organized and ready to transact business.

On motion of Senator Greive, the appointments were confirmed.

The committee retired.

#### MOTION

At 12:30 p. m., on motion of Senator Greive, the Senate recessed until 2:30 p. m.

## AFTERNOON SESSION

---

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

The Secretary called the roll and announced to the President that all Senators were present except Senators Foley, Freise, Guess and Stender who were excused.

### SECOND READING OF BILLS

**Senate Bill No. 97**, by Senators Kupka, Durkan and Thompson, Jr.:

Authorizing purchase of equipment and supplies for Echo Lake juvenile institution.

The bill was read the second time by sections.

On motion of Senator Thompson, Jr., the rules were suspended, Senate Bill No. 97 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 97, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 2; excused, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Absent or not voting: Senators Kupka, Lennart—2.

Excused: Senators Foley, Freise, Guess, Stender—4.

Senate Bill No. 97, having received the constitutional majority, was declared passed.

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

### APPOINTMENT OF SPECIAL COMMITTEE

The President Pro Tempore announced the presence within the bar of the Senate of the Daffodil Festival Royalty from Puyallup and appointed a special committee consisting of Senators Knoblauch, Petrich, Rasmussen, McCutcheon, Kupka, Gallagher, Williams and Hanna to escort the visitors to a place of honor upon the rostrum.

**Senate Bill No. 83**, by Senators Guess, Riley, Atwood and Keefe:

Determining number of voters permissible, number of machines necessary, in precincts throughout state.

### REPORT OF STANDING COMMITTEE

**Senate Bill No. 83:**

Senate Chamber,  
Olympia, Wash., March 4, 1965.

Determining number of voters permissible, number of machines necessary, in precincts throughout state (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass with the following amendment:

On page 2, section 1, beginning on line 25, strike all the material down to and including "therefor." on line 27 and insert "[On petition of ten or more voters resident more than ten miles from any place of election, the board of county commissioners shall establish a separate voting precinct therefor.]"

JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Fred H. Dore, R. R. Bob Greive, Al Henry, Gordon Herr, Karl Herrmann, Ernest W. Lennart, David E. McMillan, Frances Haddon Morgan, Fred G. Redmon, John H. Stender.

The bill was read the second time by sections.

On motion of Senator Greive, the committee amendment was adopted.

On motion of Senator Atwood, the following amendment by Senators England and Atwood was adopted:

On page 2, section 1, line 18, after "that" strike "sufficient time" and insert "not less than one hundred twenty days"

On line 18, after "taken" and before the period, insert "which shall include written notification to all affected precinct committeemen"

It was moved by Senator Rasmussen that the following amendment be adopted:

On page 3, section 3, line 31, strike new subsection (5).

Debate ensued.

It was moved by Senator Atwood that the amendment be laid upon the table.

The motion was carried on a rising vote and the amendment was laid upon the table.

On motion of Senator Riley, the rules were suspended, Engrossed Senate Bill No. 83 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 83, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; excused, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Excused: Senators Foley, Freise, Guess, Stender—4.

Engrossed Senate Bill No. 83, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 502**, by Senator Mardesich:

Changing commercial fishing license application date.

The bill was read the second time by sections.

On motion of Senator Charette, the following amendment was adopted:

On line 10, after "April" strike "1st" and insert "[1st] 15th"

On motion of Senator Charette, the rules were suspended, Engrossed Senate Bill No. 502 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 502, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 1; excused, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senator Keefe—1.

Excused: Senators Foley, Freise, Guess, Stender—4.

Engrossed Senate Bill No. 502, having received the constitutional majority, was declared passed.

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

#### THIRD READING OF BILLS

**Engrossed Senate Bill No. 334**, by Senators Henry, Washington, Donohue and Raugust (by Highway Interim Committee request):

Regulating motor vehicle driver licensing.

On motion of Senator Washington, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 334 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 334, and the bill passed the Senate by the following vote: Yeas, 38; nays, 5; absent or not voting, 2; excused, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, England, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Lennart, Lewis, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—38.

Those voting nay were: Senators Kupka, McCormack, McCutcheon, Morgan, Rasmussen—5.

Absent or not voting: Senators Connor, Durkan—2.

Excused: Senators Foley, Freise, Guess, Stender—4.

Engrossed Senate Bill No. 334, having received the constitutional majority, was declared passed.

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

**Engrossed Senate Bill No. 477**, by Senators Knoblauch, Hanna and Gallagher:

Regulating sale of liquor on election days.

On motion of Senator Greive, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 477 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 477, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; excused, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Those voting nay were: Senators Chytil, Lennart—2.

Excused: Senators Foley, Freise, Guess, Stender—4.

Engrossed Senate Bill No. 477, having received the constitutional majority, was declared passed.

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

**Engrossed Senate Bill No. 134**, by Senators Hallauer and Charette:

Creating presumption that game code and regulations are necessary for conservation of wild life.

On motion of Senator Charette, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 134 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 134, and the bill passed the Senate by the following vote: Yeas, 33; nays, 12; excused, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Cowen, Dore, Durkan, England, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Riley, Ryder, Talley, Washington, Williams, Woodall—33.

Those voting nay were: Senators Chytil, Donohue, Herrmann, Lennart, Lewis, McMillan, Morgan, Moriarty, Jr., Rasmussen, Redmon, Sandison, Thompson, Jr.—12.

Excused: Senators Foley, Freise, Guess, Stender—4.

Engrossed Senate Bill No. 134, having received the constitutional majority, was declared passed.

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

#### PERSONAL PRIVILEGE

Senator Lennart:

"Mr. President, personal privilege:

"If I recall correctly, Senators, there was only one vote against this bill the last time. Some Senators are beginning to think."

**Engrossed Senate Bill No. 389**, by Senators Atwood and Petrich:

Establishing transitional procedures for counties electing to operate under the justice court districting act of 1961.

On motion of Senator Atwood, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 389 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 389, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 1; excused, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Those voting nay were: Senator Rasmussen—1.

Absent or not voting: Senator Morgan—1.

Excused: Senators Foley, Freise, Guess, Stender—4.

Engrossed Senate Bill No. 389, having received the constitutional majority, was declared passed.

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

**Engrossed Senate Bill No. 68**, by Senators Herrmann, Cooney and Gallagher:

Providing inheritance tax exemptions for firemen's pensions.

On motion of Senator Herrmann, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 68 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 68, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; excused, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Excused: Senators Foley, Freise, Guess, Stender—4.

Engrossed Senate Bill No. 68, having received the constitutional 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. 93**, by Judiciary Committee:

Regulating charitable solicitations.

On motion of Senator Petrich, Engrossed Substitute Senate Bill No. 93 was ordered to retain its place on the third reading calendar for today immediately following consideration of Senate Bill No. 121.

**Senate Bill No. 372**, by Senator Riley:

Prohibiting littering of highways.

On motion of Senator Riley, the rules were suspended, and Senate Bill No. 372 was returned to second reading.

The bill was read the second time by sections.

On motion of Senator Riley, the following amendment was adopted:

On page 1, section 2, line 25, after "moving" and before "vehicle" insert "or standing"

On motion of Senator Riley, the rules were suspended, Engrossed Senate Bill No. 372 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 372, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; excused, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Excused: Senators Foley, Freise, Guess, Stender—4.

Engrossed Senate Bill No. 372, having received the constitutional 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. 121**, by Senators Hanna, Talley and Atwood:

Providing for method of recording instruments.

On motion of Senator Hanna, the rules were suspended, and Senate Bill No. 121 was returned to second reading.

The bill was read the second time by sections.

On motion of Senator Hanna, the following amendments were adopted:

On page 1, section 1, line 14, after "real estate," and before "powers" insert "instruments or agreements relating to community or separate property"

On page 2, section 1, line 2, after the period, insert a new paragraph to read as follows:

*"He may also, upon the payment of his fees for the same, record or file such other documents or papers as may be requested by the person offering the same for recording or filing."*

It was moved by Senator Rasmussen that the following amendment be adopted:

On page 2, add four new sections to read as follows:

**NEW SECTION.** Sec. 4. The traditional methods of recording rights in property are wholly inconsistent with modern conditions. The development of automatic data processing technology makes archaic the maintenance of property records by individual county auditors. It is essential for economy and efficiency to establish, at the state capitol, a centralized depository employing automated recording systems.

**NEW SECTION.** Sec. 5. There shall be in the office of the state auditor a division to be known as the division of property records, the principal officer of which shall be the state auditor. He may appoint and deputize an assistant to be known as chief



recorder to have charge of the division, subject to the supervision and control of the state auditor.

**NEW SECTION.** Sec. 6. The state auditor through the division of property records shall conduct a thorough investigation to determine upon a comprehensive plan for property recording. Such plan shall provide for the locating in Olympia of a centralized depository of all property information. Said depository shall be planned to make maximum use of an appropriate data processing system. Further, remote input and output devices to be located in the office of each county auditor shall be planned. As a part of the investigation, the possibility of state guarantee of titles so recorded shall be studied. The investigation shall be completed and a report thereof submitted to the legislature no later than July 31, 1965.

**NEW SECTION.** Sec. 7. It shall be the duty of the county auditor to give all aid and assistance to the division of property records in the investigation authorized by this chapter.

Senator Woodall raised the question of consideration on the amendment by Senator Rasmussen, and the Senate voted not to consider the amendment.

On motion of Senator Hanna, the rules were suspended, Engrossed Senate Bill No. 121 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 121, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 1; excused, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senator Lennart—1.

Excused: Senators Foley, Freise, Guess, Stender—4.

Engrossed Senate Bill No. 121, having received the constitutional 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. 93**, by Judiciary Committee:

Regulating charitable solicitations.

On motion of Senator Petrich, the rules were suspended, and Engrossed Substitute Senate Bill No. 93 was returned to second reading.

#### MOTIONS

On motion of Senator Greive, Engrossed Substitute Senate Bill No. 93 was ordered to retain its place at the top of the second reading calendar for tomorrow.

At 4:05 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Tuesday, March 16, 1965.

WILLIAM A. GISSBERG, *President Pro Tempore of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## SECOND DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Tuesday, March 16, 1965.

The Senate was called to order at 10:30 a. m. by President Pro Tempore Gissberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Herr and Lewis.

On motion of Senator Atwood, Senator Lewis was excused.

On motion of Senator Bailey, Senator Herr was excused.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Connie Sullivan, presented the Colors.

Reverend T. Eugene Turner, pastor of the First Christian Church of Olympia, offered prayer as follows:

"Our Divine Parent, Creator of the earth and the fulness thereof, we acknowledge the sovereignty of Thy Divine Will in the affairs of men and nations.

"We know that it is Thy Will that ignorance shall be displaced by truth, that disease shall be overcome by health, that sin in every form and shape shall be defeated by Thy love and grace appropriated in our lives, that our wills shall choose to follow Thy will.

"May our courage and resolution make it possible for Thy Will to be furthered this day in our station in life. May Thy Kingdom Come, beginning with me. Amen."

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

The Secretary read:

#### SENATE RESOLUTION No. 1965 EX -2

WHEREAS, The Rules of the Senate of the thirty-ninth session were found to be useable and adequate; and

WHEREAS, The Extraordinary Session of the Thirty-ninth Legislature has now convened;

Now, Therefore, Be It Resolved, That the rules of the Senate of the thirty-ninth session are hereby adopted as the rules of the Senate of the Extraordinary Session of the Thirty-ninth Legislature, except the first paragraph of Rule 61, which shall be amended to read as follows:

Rule 61. Every bill shall be read on three separate days unless the senate deems it expedient to suspend this rule: *Provided, however,* That this rule may be suspended by a majority vote.

On motion of Senator Greive, the resolution was adopted.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., March 15, 1965.

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 83; also

Senate Bill No. 121; also

Senate Bill No. 372; also

Senate Bill No. 502, have inspected same, and find them correctly engrossed.

FRANK W. FOLEY, *Chairman.*

We concur in this report: Martin J. Durkan, Michael J. Gallagher, Marshall A. Neill.

Senate Chamber,  
Olympia, Wash., March 16, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Concurrent Resolution No. 14, have inspected same, and find it correctly enrolled and certified.

....., *Chairman.*

We concur in this report: Michael J. Gallagher, Marshall A. Neill, Perry B. Woodall.

**Senate Bill No. 320:**

Senate Chamber,  
Olympia, Wash., March 6, 1965.

Providing for easements back to owner upon certain condemnation actions by public utility districts (reported by Committee on Public Utilities):

MAJORITY recommends that it do pass as amended.

AUGUST P. MARDESICH, *Chairman.*

We concur in this report: Robert C. Bailey, Robert L. Charette, Joe Chytil, John L. Cooney, H. B. Hanna, Karl Herrmann, James Keefe, Harry B. Lewis, Mike McCormack, A. L. Rasmussen, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**GUBERNATORIAL APPOINTMENTS**

The following appointments by the Governor were acted upon as indicated:

**BOARD OF PHARMACY**

CLAUDE EDGREN, appointed February 5, 1965, succeeding Roy H. Tufts.

DONALD E. KUSLER, appointed February 5, 1965, succeeding Al J. Bailey.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

**CHAIRMAN, TAX COMMISSION**

GEORGE C. KINNEAR, appointed January 14, 1965, succeeding Charles W. Hodde.

Referred to Committee on Ways and Means.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 15, 1965.

MR. PRESIDENT:

The House has adopted: Senate Concurrent Resolution No. 14, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 15, 1965.

MR. PRESIDENT:

The Speaker has signed: House Concurrent Resolution No. 21, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 15, 1965.

MR. PRESIDENT:

Under the provisions of House Concurrent Resolution No. 21, the Speaker has appointed the following committee to notify the governor that the legislature is organized.

Representatives Pritchard, DeJarnatt, May.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Concurrent Resolution No. 14; also House Concurrent Resolution No. 21.**

**INTRODUCTION AND FIRST READING OF BILLS AND RESOLUTION**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 519**, by Senators Foley, Ryder and Dore:

An Act relating to the University of Washington and the support thereof; providing for deposits, transfers, investments, expenditures, and other operations of certain moneys and funds; amending section 43.79.201, chapter 8, Laws of 1965 and RCW 43.79.201; and declaring an emergency.

Referred to Committee on Ways and Means.

**Senate Bill No. 520**, by Senators Foley, Cooney and Ryder:

An Act relating to institutions of higher education; making appropriations; and declaring an emergency.

Referred to Committee on Ways and Means.

**Senate Bill No. 521**, by Senators Foley, Neill and Dore:

An Act relating to the investment of state funds; providing for the use of a portion of the income reserve fund; and amending section 43.84.090, chapter 8, Laws of 1965 and RCW 43.84.090.

Referred to Committee on Ways and Means.

**Senate Bill No. 522**, by Senators Ryder, Dore, Atwood, Moriarty, Jr. and Williams (by Executive request):

Pertaining to apportionment of school funds.

Referred to Committee on Ways and Means.

**Senate Bill No. 523**, by Senators Ryder, Moriarty, Jr. and Williams (by Executive request):

An Act relating to revenue and taxation; amending section 84.52.050, chapter 15, Laws of 1961 as amended by section 1, chapter 143, Laws of 1961 and RCW 84.52.050; and declaring an emergency.

Referred to Committee on Ways and Means.

**Senate Bill No. 524**, by Senators Ryder, Atwood, Moriarty, Jr. and Williams (by Executive request):

An Act relating to the distribution and expenditure of moneys received from forest reserves; and amending section 36.33.110, chapter 4, Laws of 1963 and RCW 36.33.110.

Referred to Committee on Ways and Means.

**Senate Bill No. 525**, by Senators Ryder, Moriarty, Jr. and Williams (by Executive request):

An Act relating to taxation; and providing an effective date.

Referred to Committee on Ways and Means.

**Senate Bill No. 526**, by Senators Greive and Herr:

An Act relating to congressional districts; amending sections 29.68.005, 29.68.011, 29.68.021, 29.68.030, 29.68.062, and 29.68.066, chapter 9, Laws of 1965 and RCW 29.68.005, 29.68.011, 29.68.021, 29.68.030, 29.68.062 and 29.68.066.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 527**, by Senators Dore, Mardesich, Petrich, Herr, Talley, Thompson, Jr., Peterson (Ted), Peterson (Lowell), Riley, Keefe, Hanna and Kupka:

An Act relating to revenue and taxation; allocating state sales tax revenues to cities and towns; prohibiting imposition of certain taxes and licenses by

cities and towns; and adding new sections to chapter 15, Laws of 1961 and to chapters 82.02 and 82.08 RCW.

Referred to Committee on Ways and Means.

**Senate Bill No. 528**, by Senator Neill:

An Act relating to firearms and dangerous weapons; and amending section 7, chapter 172, Laws of 1935 as amended by section 6, chapter 124, Laws of 1961 and RCW 9.41.070.

Referred to Judiciary Committee.

**Senate Joint Resolution No. 24**, by Senators Ryder, Moriarty, Jr. and Williams (by Executive request):

Lowering the assessed valuation to thirty percent of true value and providing for enforcement thereof.

Referred to Committee on Ways and Means.

#### SECOND READING OF BILLS

**Engrossed Substitute Senate Bill No. 93**, by Judiciary Committee:

Regulating charitable solicitations.

The bill was read the second time by sections.

On motion of Senator Petrich, the following amendments were adopted:

On page 1 of the printed and engrossed bills, on line 19, after "any" strike all of the material down to and including "public," on line 22 and insert "person having or purporting to have a charitable nature or purpose, or performing or purporting to perform charitable acts, or soliciting or collecting contributions for any charitable purpose. "Charitable" shall have its ordinary meaning and its meaning at common law including but not limited to humanitarian, benevolent, philanthropic, patriotic, educational, and other charitable purposes."

On page 23, section 25, line 17 of the printed bill, being line 25 of the engrossed bill, after "account," strike the remainder of the section on page 23 of the printed bill, being line 2, page 23a of the engrossed bill, and insert "in the general fund, to be expended for the purpose of this act."

On page 23, section 26, line 33 of the printed bill, being page 23a, line 6 of the engrossed bill, strike "felony" and insert "gross misdemeanor"

On page 24, section 26, line 6 of the printed and engrossed bills, strike "felony" and insert "gross misdemeanor"

On page 24 following section 27, add a new section as follows:

"**NEW SECTION.** Sec. 28. This chapter shall have no application to any corporation, association or organization chartered by the Congress of the United States of America, including but not limited to Boy Scouts of America, Girl Scouts of America, and American Red Cross, which submits to Congress annual reports of its activities containing such itemized accounts of all receipts and expenditures as may be required under Federal law, and is either audited annually by the Department of Defense or other Federal department, or required by Federal law to submit annually to Congress a report of independent audit of its accounts."

On motion of Senator Petrich, the rules were suspended, Reengrossed Substitute Senate Bill No. 93 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Reengrossed Substitute Senate Bill No. 93, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 1; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka,

Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senator Connor—1.

Excused: Senators Herr, Lewis—2.

Reengrossed Substitute Senate Bill No. 93, having received the 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 OF BILLS

**Senate Joint Memorial No. 16**, by Senators Woodall, Hallauer, Dore, Atwood and Redmon:

Requesting that Congress change the Yakima Indian land law.

On motion of Senator Woodall, the rules were suspended, the second reading considered the third, and Senate Joint Memorial No. 16 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 16, and the memorial passed the Senate by the following vote: Yeas, 45; nays, 2; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Those voting nay were: Senators Herrmann, McMillan—2.

Absent or not voting: Senator Connor—1.

Excused: Senator Lewis—1.

Senate Joint Memorial No. 16, having received the constitutional majority, was declared passed.

**Engrossed Substitute Senate Bill No. 167**, by Committee on Highways:

Subsidizing public transportation.

It was moved by Senator Kupka that Engrossed Substitute Senate Bill No. 167 be returned to second reading for the purpose of amendment.

The motion was lost on a rising vote.

Having voted on the prevailing side, Senator McCutcheon moved that the Senate do now reconsider the vote by which Engrossed Substitute Senate Bill No. 167 was not returned to second reading.

Debate ensued.

Senator Kupka demanded a roll call and the demand was sustained by Senators Bailey, Knoblauch, Donohue, McCutcheon, Petrich, Mardesich, Charette and Redmon.

#### ROLL CALL

The Secretary called the roll on the motion to reconsider and the motion was lost by the following vote: Yeas, 16; nays, 32; excused, 1.

Those voting yea were: Senators Bailey, Chytil, Cooney, Donohue, Dore,

Greive, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Petrich, Rasmussen—16.

Those voting nay were: Senators Atwood, Charette, Connor, Cowen, Durkan, England, Foley, Freise, Gallagher, Gissberg, Guess, Hallauer, Hanna, Henry, Herr, Lennart, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—32.

Excused: Senator Lewis—1.

On motion of Senator Gallagher, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 167 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 167, and the bill passed the Senate by the following vote: Yeas, 43; nays, 4; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Kupka, Lennart, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Those voting nay were: Senators Charette, Knoblauch, McCutcheon, Rasmussen—4.

Absent or not voting: Senator Hallauer—1.

Excused: Senator Lewis—1.

Engrossed Substitute Senate Bill No. 167, having received the constitutional 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. 301**, by Senators Gallagher, Freise and McCutcheon:

Providing a procedure for the cancellation of the registration of voters who do not reside at their registration address:

On motion of Senator Gallagher, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 301 was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 301, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senator Petrich—1.

Excused: Senator Lewis—1.

Engrossed Senate Bill No. 301, having received the constitutional majority, was declared passed.

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

#### MOTION

At 11:20 a. m., on motion of Senator Greive, the Senate recessed until 1:30 p. m.

### AFTERNOON SESSION

The President Pro Tempore called the Senate to order at 1:30 p. m.

The President Pro Tempore declared the Senate to be at ease.

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

The Secretary called the roll and announced to the President that all Senators were present except Senator Lewis, who was excused.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President Pro Tempore announced the presence within the bar of the Senate of a delegation of Turkish naval officers and appointed a special committee consisting of Senators Knoblauch, Riley and Cowen to escort the visitors to the rostrum.

With leave of the Senate, business was suspended to permit Commander Kamil to address the Senate.

#### SECOND READING OF BILLS

**Senate Bill No. 160**, by Senators Freise, Woodall, Chytil, Atwood, Herrmann, Cooney, Knoblauch, Stender and Redmon:

Providing an exemption from business and occupation tax, admission charges by agricultural fairs.

The bill was read the second time by sections.

On motion of Senator Freise, the following amendment was adopted:

Beginning on line 7, strike the entire paragraph down through and including "law" on line 15 and insert: "This chapter shall not apply to any business of any bona fide agricultural fair, if no part of the net earnings therefrom inures to the benefit of any stockholder or member of the association conducting the same: *Provided*, That any amount paid for admission to any exhibit, grandstand, entertainment, or other feature conducted within the fairgrounds by others shall be taxable under the provisions of this chapter, except as otherwise provided by law."

On motion of Senator Freise, the rules were suspended, Engrossed Senate Bill No. 160 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 160, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knob-



lauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Those voting nay were: Senator Dore—1.

Excused: Senator Lewis—1.

Engrossed Senate Bill No. 160, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 119**, by Senators Moriarty, Jr., Ryder and Riley:

Relating to condominiums.

The bill was read the second time by sections.

It was moved by Senator Dore that the following amendment be adopted:

On page 10, add a new section as follows:

**"NEW SECTION.** Sec. 8. That no person or organization building, constructing, selling, leasing and/or renting housing under this act shall discriminate against any person because of race, color or creed."

Debate ensued.

#### POINT OF ORDER

Senator Gallagher:

"Point of order, Mr. President:

"I think the question was raised the last time this particular type of amendment was put on this same type of bill. I wonder if the Chair has the ability to rule upon the point of order whether or not the amendment as proposed by Senator Dore is germane to the title and those portions which we seek to amend."

#### RULING BY THE PRESIDENT

President Pro Tempore Gissberg:

"The Chair, ruling on the point of order, rules that the point of order is not well taken. The amendment is in order. The title of the bill simply is: 'An act relating to condominiums.' The amendment adds a new section referring specifically to condominiums under this act."

It was moved by Senator Ryder that the amendment be laid upon the table.

Senator Dore demanded a roll call and the demand was sustained by Senators Kupka, Petrich, Dore, Herr, McCutcheon, Greive, Bailey, Connor, McCormack and Herrmann.

#### ROLL CALL

The Secretary called the roll and the motion was carried by the following vote: Yeas, 25; nays, 22; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Chytil, Cowen, England, Freise, Gallagher, Gissberg, Guess, Hanna, Henry, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Stender, Talley, Thompson, Jr., Williams, Woodall—25.

Those voting nay were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Greive, Hallauer, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, Morgan, Peterson (Lowell), Petrich, Rasmussen, Sandison, Washington—22.

Absent or not voting: Senator Lennart—1.

Excused: Senator Lewis—1.

On motion of Senator Moriarty, Jr., the rules were suspended, Senate Bill

No. 119 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 119, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Those voting nay were: Senator Greive—1.

Absent or not voting: Senator Lewis—1.

Senate Bill No. 119, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 320**, by Senators Hallauer and Herrmann:

Providing for easements back to owner upon certain condemnation actions by public utility districts.

On motion of Senator Hallauer, Senate Bill No. 320 was ordered to retain its place at the top of the second reading calendar for tomorrow.

**Senate Bill No. 332**, by Senators Chytil, Hanna and Woodall:

Providing for the transfer or continuation of certain common carrier contract carrier, or temporary carrier permits.

The bill was read the second time by sections.

On motion of Senator Chytil, the rules were suspended, Senate Bill No. 332 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 332, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senator Dore—1.

Excused: Senator Lewis—1.

Senate Bill No. 332, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 404**, by Senators Washington and Neill:

Authorizing the board of regents of Washington State University to establish an applied electrical research experiment station.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Senate Bill No. 404 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Riley:

"Would Senator Washington yield to a question?"

Senator Washington:

"I yield."

Senator Riley:

"I am, of course, interested but I have one question. Do you know whether or not Washington State University will, as a result of the passage of this measure, need any funds from the state of Washington during the ensuing biennium or the next biennium in order to conduct this research?"

Senator Washington:

"The plan is that it would not. Basically, the plan of financing is that the equipment will be secured by revenue bonds, by present rent from the public utilities district, by funds available from the federal government and Bonneville Power Administration and by contract and funds contributed by the electrical manufacturers and the utilities of the Pacific Northwest and the rest of the country. Basically, they will have a contract, but some of their people will be there. They will also then be able to have some of the graduate students work in that particular area. It is necessary to do this to cut a lot of red tape involved with Washington State University."

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 404, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herramnn, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Excused: Senator Lewis—1.

Senate Bill No. 404, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 148**, by Senators McCormack, Williams and Sandison:

Authorizing the University of Washington to sell lands in Benton county.

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 148:**

Senate Chamber,  
Olympia, Wash., February 25, 1965.

Authorizing the University of Washington to sell lands in Benton county (reported by Committee on Higher Education and Libraries):

Recommends that it do pass with the following amendment:

Beginning on page 1, section 2, line 27, after "made", strike all the matter down to and including "bidder" on page 2, line 2, and insert "only after the property shall be appraised by two independent competent real estate appraisers. Any sale pursuant to the provisions of this act shall be made to the best bidder for a price not less than the appraised value of said property and"

GORDON SANDISON, *Chairman*.

We concur in this report: R. Frank Atwood, Frank W. Foley, Wilbur G. Hallauer, Karl Herrmann, Harry B. Lewis, Mike McCormack, Marshall A. Neill, John N. Ryder, Don L. Talley, Nat Washington.

The bill was read the second time by sections.

On motion of Senator Sandison, the committee amendment was adopted.

On motion of Senator McCormack, the rules were suspended, Engrossed Senate Bill No. 148 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 148, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 5; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—43.

Absent or not voting: Senators Connor, Cooney, Peterson (Ted), Raugust, Talley—5.

Excused: Senator Lewis—1.

Engrossed Senate Bill No. 148, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 399**, by Senators Henry and Washington (by Highway Interim Committee request):

Providing for motor vehicle accident reports and availability of information to interested persons.

On motion of Senator Washington, Senate Bill No. 399 was ordered to retain its place on the second reading calendar for today immediately following Senate Bill No. 346.

**Senate Bill No. 183**, by Senators Sandison, Bailey and Chytil (by Departmental request):

Changing regulations relating to forest protection from spark-emitting electric, gasoline, etc., engines.

On motion of Senator Riley, Substitute Senate Bill No. 183 was substituted for Senate Bill No. 183 and Substitute Senate Bill No. 183 was placed on second reading and read the second time by sections.

On motion of Senator Peterson (Lowell), the rules were suspended, Substitute Senate Bill No. 183 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Substitute Senate Bill No. 183, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—43.

Those voting nay were: Senators Mardesich, Thompson, Jr.—2.

Absent or not voting: Senators Connor, Donohue, Raugust—3.

Excused: Senator Lewis—1.

Substitute Senate Bill No. 183, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 235**, by Senators Gissberg, Hanna and Atwood:

Creating a temporary municipal code committee.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, Senate Bill No. 235 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 235, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 4; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Connor, Donohue, Rasmussen, Raugust—4.

Excused: Senator Lewis—1.

Senate Bill No. 235, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 236**, by Senators Hanna, Gissberg and Woodall:

Establishing parallel standards for police judges in 1st, 2nd, and 3rd class cities, and in towns.

On motion of Senator Petrich, Senate Bill No. 236 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 78**, by Senators Herrmann, Cooney and Gallagher:

Providing the number of voters necessary for an election to authorize an excess levy for fire protection districts.

On motion of Senator McMillan, Senate Bill No. 78 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 346**, by Senators Durkan, Neill and Riley:

Defining procedures for electrical construction.

The bill was read the second time by sections.

On motion of Senator Durkan, the rules were suspended, Senate Bill No. 346 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Petrich:

"Would Senator Durkan yield to a question?"

"Senator Durkan, I read the memorandum which has been distributed and I would like to inquire as to whether or not, by striking the material from line 23 to 31 on page 6, you are not permitting then the power lines carrying an excess of 7,500 volts to be arranged in close proximity to the public or other people that may come in contact with the wires. I can understand why it is not necessary to have them insulated, but the stricken material includes the words: 'or arranged in such a fashion as not to come close to any person who may be in danger.' Now would you please explain the reason for striking those words dealing with the arrangement of the wires so as not to come in contact or close proximity with anyone in the area?"

Senator Durkan:

"In response to your question, this is one of the main arguments we had two years ago on this language and the question was posed to the department as to whether or not this would lower the overhead voltage line of 7,500 and above, closer to the ground or whether there would be any lowering between the spaces or between the cross bars, and this is what segments of labor opposed. Expert testimony as told to me by the department is that this in no way changes the space between the ground and the first cross bars, or as between one cross bar and the other. This was told to me by the people who administer this code, Senator."

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 346, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Those voting nay were: Senator Petrich—1.

Excused: Senator Lewis—1.

Senate Bill No. 346, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 399**, by Senators Henry and Washington (by Highway Interim Committee request):

Providing for motor vehicle accident reports and availability of information to interested persons.

## REPORT OF STANDING COMMITTEE

## Senate Bill No. 399:

Senate Chamber,  
Olympia, Wash., February 18, 1965.

Providing for motor vehicle accident reports and availability of information to interested persons (reported by Committee on Highways):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 1, line 25, after "report" strike "is insufficient in his opinion" and insert "[is insufficient in his opinion] *in his opinion is insufficient*"

On page 2, section 2, line 19, after "been filed" strike all the matter down through "days" on line 20.

On page 3, section 4, beginning on line 18, strike all the matter down to and including "accident, all" on line 22 and insert "All"

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, Gordon Herr, Reuben A. Knoblauch, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, Don L. Talley, Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendments were adopted.

On motion of Senator Stender, the following amendment was adopted:

On page 2, section 1, line 13, after "devised." add the following: "*The report forms shall be designated so as to provide that a copy may be retained by the reporting person*"

On motion of Senator Washington, the following amendment by Senators Washington and Woodall was adopted:

On page 2, section 3, line 29, after "officer" strike "may" and insert "[may] shall"

On motion of Senator Washington, the rules were suspended, Engrossed Senate Bill No. 399 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

On motion of Senator Chytil, Senator Thompson, Jr. was excused.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 399, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 1; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—46.

Absent or not voting: Senator Connor—1.

Excused: Senators Lewis, Thompson, Jr.—2.

Engrossed Senate Bill No. 399, having received the constitutional majority, was declared passed.

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

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

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 16, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 256, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk*.

**FIRST READING OF HOUSE BILLS**

**Engrossed House Bill No. 256**, by Representatives Day, Backstrom and Adams:

Regulating hair dressing and beauty culture establishments and the operators and employees thereof.

It was moved by Senator Gallagher that Engrossed House Bill No. 256 be substituted for Senate Bill No. 283 on the second reading calendar for today.

The motion was carried.

On motion of Senator Henry, Senate Bill No. 283 was referred to the Committee on Rules and Joint Rules.

Engrossed House Bill No. 256 was read the second time by sections.

On motion of Senator Hanna, the following amendments were adopted:

On page 7, section 8, line 14 of the printed and engrossed bills, after "expenses" add the following: "*: Provided, however, That all salaries, compensation, and travel expenses shall come from the license and application fees collected pursuant to this act*"

On page 11, section 14, line 1 of the printed and engrossed bills, after "expenses" add the following: "*: Provided, however, That all compensation and travel expenses shall come from the license and application fees collected pursuant to this act*"

**MOTION**

On motion of Senator Petrich, Engrossed House Bill No. 256 was ordered to retain its place at the top of the second reading calendar for tomorrow.

**THIRD READING OF BILL**

**Engrossed Senate Bill No. 281**, by Senators Peterson (Ted), Riley, Kupka and Talley:

Requiring director of labor and industries to issue rules pertaining to electricians and increasing certain fees.

On motion of Senator Riley, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 281 was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 281, and the bill passed the Senate by the following vote: Yeas, 35; nays, 9; absent or not voting, 3; excused, 2.

Those voting yea were: Senators Bailey, Connor, Cooney, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—35.



Those voting nay were: Senators Atwood, Charette, Chytil, Cowen, Donohue, Henry, Lennart, Mardesich, Moriarty, Jr.—9.

Absent or not voting: Senators Dore, Durkan, Petrich—3.

Excused: Senators Lewis, Thompson, Jr.—2.

Engrossed Senate Bill No. 281, having received the constitutional majority, was declared passed.

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

#### MOTIONS

On motion of Senator Greive, the use of the Senate Chamber was extended to the Committee on Ways and Means for the purpose of a public hearing at 8:00 p. m. this evening.

At 3:35 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Wednesday, March 17, 1965.

WILLIAM A. GISSBERG, *President Pro Tempore of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## THIRD DAY

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### MORNING SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, March 17, 1965.

The Senate was called to order at 10:30 a.m. by President Pro Tempore Gissberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages W. Wallace Raugust, Color Bearer, and Bridget Fuller, presented the Colors.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed a special committee consisting of Senators Gallagher, Foley, Durkan, Moriarty, Jr., Riley, Connor, Dore, Keefe, Cooney and Greive to escort Reverend Father Brendan Gallagher to the rostrum.

Reverend Brendan Gallagher, pastor of the Immaculate Heart of Mary Catholic Church of Sedro Woolley and St. Catherine's Catholic Church of Concrete, offered prayer as follows:

"Come, Holy Spirit, and fill the hearts of Thy faithful with the Light of Thy Grace. Inspire us so that every thought, work and act of ours may begin from You, and with Your help be happily ended, through Jesus Christ our Lord. Amen."

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

With leave of the Senate, business was suspended to permit Mr. John F. Wilson of Everett, Washington, to sing a selection of Irish songs for the Senate and to permit Father Gallagher to address the Senate about Ireland.

## MOTION

On motion of Senator McCutcheon, the Committee on Constitution, Elections and Legislative Processes was relieved of further consideration of Senate Joint Resolution No. 18.

On motion of Senator McCutcheon, Senate Joint Resolution No. 18 was referred to the Committee on Way and Means.

The Secretary read:

## REPORTS OF STANDING COMMITTEES

## REPORT OF ENGROSSMENT

Senate Chamber,  
Olympia, Wash., March 16, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 148; also

Senate Bill No. 160; also

Senate Bill No. 399, have inspected same, and find them correctly engrossed.

Respectfully submitted,

....., *Chairman.*

We concur in this report: Fred H. Dore, Michael J. Gallagher, R. R. Bob Greive.

Senate Chamber,  
Olympia, Wash., March 16, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Engrossed Substitute Senate Bill No. 93, have inspected same, and find it correctly reengrossed.

Respectfully submitted,

....., *Chairman.*

We concur in this report: Fred H. Dore, Michael J. Gallagher, R. R. Bob Greive.

**Engrossed Senate Bill No. 358:**

Senate Chamber,  
Olympia, Wash., March 16, 1965.

Establishing procedure for planning and adopting limited access facilities by highway commission (reported by Committee on Highways):

MAJORITY recommends that Substitute Senate Bill No. 358 be substituted therefor and that the Substitute Bill do pass.

NAT WASHINGTON, *Chairman,*  
AL HENRY, *Vice Chairman.*

We concur in this report: Dewey C. Donohue, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, Sam C. Guess, Gordon Herr, Karl Herrmann, Reuben A. Knoblauch, August P. Mardesich, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, John A. Petrich, Fred G. Redmon, Gordon Sandison, John H. Stender, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 494:**

Senate Chamber,  
Olympia, Wash., March 16, 1965.

Providing for purchase of historical cannon for Fort Casey state park (reported by Committee on Parks, Capitol Grounds and Public Buildings):

Recommends that it do pass.

GORDON HERR, *Chairman.*

We concur in this report: Jack England, Wilbur G. Hallauer, H. B. Hanna, Lowell Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 16, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Concurrent Resolution No. 14, and the same is herewith transmitted.

House of Representatives,  
Olympia, Wash., March 16, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Substitute House Bill No. 96; also Reengrossed Substitute House Bill No. 104; also Engrossed House Bill No. 113; also Engrossed House Bill No. 137; also Engrossed House Bill No. 142; also Engrossed House Bill No. 156; also Engrossed House Bill No. 159; also Engrossed House Bill No. 161; also House Bill No. 163; also Engrossed House Bill No. 164; also Engrossed House Bill No. 173; also Engrossed House Bill No. 184; also Engrossed House Bill No. 203; also Engrossed House Bill No. 204; also House Bill No. 295; also House Bill No. 430; also Engrossed House Bill No. 442; also House Bill No. 461, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 16, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 9; also Engrossed House Bill No. 47; also Engrossed House Bill No. 125; also Engrossed House Bill No. 145; also House Bill No. 187; also House Bill No. 216; also House Bill No. 218; also House Bill No. 219; also House Bill No. 220; also Engrossed House Bill No. 234; also Engrossed House Bill No. 243; also House Bill No. 264; also Engrossed House Bill No. 289; also Engrossed House Bill No. 330; also Engrossed House Bill No. 351; also Engrossed House Bill No. 369; also House Bill No. 488; also House Bill No. 491; also Engrossed House Bill No. 643; also House Concurrent Resolution No. 6, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 16, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 364, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

## MOTION

At 11:45 a.m., on motion of Senator Greive, the Senate recessed until 1:30 p.m.

## AFTERNOON SESSION

The President Pro Tempore called the Senate to order at 1:30 p.m.

The Secretary called the roll and announced to the President that all Senators were present except Senator Stender.

On motion of Senator Atwood, Senator Stender was excused.

## SECOND READING OF BILLS

**Engrossed House Bill No. 256**, by Representatives Day, Backstrom and Adams:

Regulating hair dressing and beauty culture establishments and the operators and employees thereof.

The bill was read the second time by sections.

On motion of Senator Freise, the following amendments were adopted:

On page 5, section 5, after "hereunder." on line 24 of the printed bill, being page 5, line 22 of the engrossed bill, add the following paragraph:

*"Notwithstanding any provision of this amendatory act, any person, firm, association or corporation operating a school as defined in RCW 18.18.010, subsection (9), who is so licensed to operate and is operating said school upon the effective date of this act, shall be conclusively presumed to have complied with the provisions of the amendatory act and upon the application for a license or annual renewal thereof and upon the payment of the fees required, the director shall issue a license to the said person, firm, association or corporation without the necessity of having the said person, firm, association or corporation so operating said school qualify with and conform to the requirements of this amendatory act with respect to RCW 18.18.080 or any term or provision thereof."*

On page 5, section 5, line 21 of the printed bill, being page 5, line 18 of the engrossed bill, strike "holding a license issued" and insert "[holding a licensed issued] initially issued a license after June 30, 1965"

On line 22 of the printed bill, being line 19 of the engrossed bill, strike "which this repeals," and insert "[which this repeals,]"

On page 11, section 15, line 15, after "records" and before the period insert ", such witnesses shall be entitled to fees and mileage as provided by 2.40 RCW"

On motion of Senator Woodall, the following amendment was adopted:

On page 12, section 17, line 26, strike "immediate"

On motion of Senator Woodall, Engrossed House Bill No. 256 as amended by the Senate was ordered to retain its place on the second reading calendar for today immediately following consideration of Senate Bill No. 78.

**Senate Bill No. 320**, by Senators Hallauer and Herrmann:

Providing for easements back to owner upon certain condemnation actions by public utility districts.

## REPORT OF STANDING COMMITTEE

**Senate Bill No. 320:**

Senate Chamber,  
Olympia, Wash., March 6, 1965.

Providing for easements back to owner upon certain condemnation actions by public utility districts (reported by Committee on Public Utilities):

MAJORITY recommends that it do pass with the following amendment:

After the semicolon on line 5 strike the remainder of the section and insert the following:

"Notwithstanding any other provision of law, every public utility district acquiring privately owned lands, real estate or property for reservoir purposes of a hydroelectric power project dam on the Columbia river, upon acquisition of title to said lands, whether acquired by purchase or condemnation, shall grant back to the former owners of the lands acquired a perpetual easement for such occupancy and use and improvement of the acquired lands as will not be detrimental to the operation of the hydroelectric project and not be in violation of the required conditions of the district's Federal Power Commission license for the project: *Provided*, That said former owners shall not thereafter erect any structure thereon except under a permit issued by the public utility district: *Provided further*, That said easement shall include a provision that any shorelands thereunder shall be open to the public. The provisions of this section shall not be applicable with respect to: (1) Lands acquired from an owner who does not desire an easement for such occupancy and use; (2) lands acquired for, and reasonably necessary for, project structures (including borrow areas) or for relocation of roads, highways or railroads; and (3) lands heretofore disposed of by a public utility district for whatsoever purpose."

AUGUST P. MARDESICH, *Chairman*.

We concur in this report: Robert C. Bailey, Robert L. Charette, Joe Chytill, John L. Cooney, H. B. Hanna, Karl Herrmann, James Keefe, Harry B. Lewis, Mike McCormack, A. L. Rasmussen, Edward F. Riley, Albert C. Thompson, Jr.

The bill was read the second time by sections.

It was moved by Senator Mardesich that the Senate do not now consider the committee amendment to Senate Bill No. 320.

It was moved by Senator Hallauer that the following amendment be adopted:

On page 1, section 1, line 5, after the colon on line 5, strike the remainder of the section and insert the following:

"Notwithstanding any other provision of law, every public utility district acquiring privately owned lands, real estate or property for reservoir purposes of a hydroelectric power project dam on the Columbia river, upon acquisition of title to said lands, whether acquired by purchase or condemnation, shall grant back to the former owners of the lands acquired upon their request therefor, whether prior to conveyance of title to the district or within sixty days thereafter, a perpetual easement for such occupancy and use and improvement of the acquired lands as will not be detrimental to the operation of the hydroelectric project and not be in violation of the required conditions of the district's Federal Power Commission license for the project: *Provided*, That said former owners shall not thereafter erect any structure thereon except under a permit issued by the public utility district: *Provided further*, That said easement shall include a provision that any shorelands thereunder shall be open to the public, and shall be subject to cancellation upon sixty days notice to said former owners by the district that such lands are being conveyed to another public agency for game or game fish propagation or public recreational use, in which event the former owners shall remove any structures they may have erected thereon within a reasonable time without cost to the district. The provisions of this section shall not be applicable with respect to: (1) lands acquired from an owner who does not desire an easement for such occupancy and use; (2) lands acquired from an owner where the entire estate has been acquired; (3) lands acquired for, and reasonably necessary for, project structures (including borrow areas) or for relocation of roads, highways or railroads; and (4) lands heretofore disposed of by sale or lease by a public utility district for whatsoever purpose."

Debate ensued.

On motion of Senator Kupka, Senate Bill No. 320 was ordered to retain its place on the second reading calendar for today immediately following consideration of Senate Bill No. 423.

**Senate Bill No. 236**, by Senators Hanna, Gissberg and Woodall:

Establishing parallel standards for police judges in 1st, 2nd, and 3rd class cities, and in towns.

## REPORT OF STANDING COMMITTEE

## Senate Bill No. 236:

Senate Chamber,  
Olympia, Wash., February 19, 1965.

Establishing parallel standards for police judges in 1st, 2nd, and 3rd class cities, and in towns (reported by Judiciary Committee):

MAJORITY recommends that it do pass with the following amendments:

On page 8, section 3, line 17, after "thereat" and before "as" strike "or any practicing attorney" and insert "*any practicing attorney, or where all of such justices of the peace and all eligible practicing attorneys are unable or unwilling to so act, any person*"

On page 8, section 3, line 33, after "direct." insert "*Any municipal judge shall be removed only upon conviction of misconduct or malfeasance in office.*"

On page 10, section 6, line 14, after "who" and before "may be" insert "are appointed"

On page 19, section 9, line 31, after "state," and before "without" insert "or where all of such practicing attorneys are unable or unwilling to so act, any person,"

On page 24, section 12, strike all of the material down to and including the period on line 29 and insert:

"At the time he makes his other appointments, the mayor of a city in the third class shall appoint a police judge who shall be the regular elected justice of the peace, [in all cities of the third class, having a population of five thousand or more, if there is any such justice of the peace present in the city and not under any disability] or an attorney duly admitted to practice law in this state; PROVIDED, That where the regularly elected justices of the peace and all eligible practicing attorneys are unable or unwilling to so act, the mayor may appoint any person, without regard to whether he is a justice of the peace or attorney, to the office of the police judge."

On page 25, section 13, line 8, after "appointed" and before "shall have" in line 9, strike " , in addition to his powers as justice of the peace, if he is a justice of the peace," and insert [in addition to his powers as justice of the peace]

On page 29, section 17, line 17, after "appointed" and before "from" strike "either"

On page 29, section 17, line 24, after "peace," and before "to" insert "or any practicing attorney,"

On page 29, section 17, line 24, after "justice," and before "for" insert "where the regularly elected justices of the peace and all eligible practicing attorneys are unable or unwilling to so act. His term shall be"

In line 3 of the title, after "35.23.600" and before "35.24.020" strike "34.23.660,"

In line 7 of the title, after "35.23.600" and before "35.24.020" strike "35.23.660,"

JOHN A. PETRICH, Chairman.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, Karl Herrmann, August P. Mardesich, Nat Washington, Walter B. Williams, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendment to page 8, section 3, line 17 was not adopted.

It was moved by Senator Petrich that the committee amendment to page 8, section 3, line 33 be adopted.

On motion of Senator Petrich, the following amendments to the committee amendment were adopted:

On page 8, section 3, line 33, after "direct." insert "*Any municipal judge shall be removed only upon conviction of misconduct or malfeasance in office, or because of physical or mental disability rendering him incapable of performing the duties of his office.*"

In the Judiciary Committee amendment to page 8, section 3, line 33 of the printed bill, after "office" strike the period and insert "*, or because of physical or mental disability rendering him incapable of performing the duties of his office.*"

On motion of Senator Petrich, the committee amendment to page 8, section 3, line 33, as amended, was adopted.

On motion of Senator Petrich, the committee amendment to page 10 was adopted.

On motion of Senator Petrich, the committee amendment to page 19 was adopted.

It was moved by Senator Petrich that the committee amendment to page 24, section 12 be amended.

On motion of Senator Petrich, the following amendment to the committee amendment to page 24 was adopted:

On page 24, section 12, beginning on line 22, strike all of the material down to and including the period on line 29 and insert "At the time he makes his other appointments, the mayor of a city in the third class shall appoint a police judge who shall be the regular elected justice of the peace [in all cities of the third class, having a population of five thousand or more, if there is any such justice of the peace present in the city and not under any disability] or an attorney duly admitted to practice law in this state: *PROVIDED, That in cities of the third class having a population under five thousand, the legislative authority of the city may provide that the mayor may appoint any person without regard to whether he is a justice of the peace or attorney, to the office of the police judge.*"

On motion of Senator Petrich, the committee amendment to page 24, section 12, as amended, was adopted.

On motion of Senator Petrich, the committee amendment to page 25 was adopted.

On motion of Senator Petrich, the committee amendment to page 29, section 17, line 17 was adopted.

On motion of Senator Petrich, the committee amendment to page 29, section 17, line 24 was not adopted.

On motion of Senator Petrich, the committee amendment to page 29, section 17, line 24 was laid upon the table.

On motion of Senator Petrich, the committee amendments to the title were not adopted.

On motion of Senator Petrich, the following amendments were adopted:

On page 2, section 1, line 1, after "office" insert ", or because of physical or mental disability rendering him incapable of performing the duties of his office"

On page 10, section 6, line 15, after "office," and before "may" insert "or because of physical or mental disability rendering him incapable of performing the duties of his office,"

On page 20, section 9, line 2, after "office" insert ", or because of physical or mental disability rendering him incapable of performing the duties of his office"

On page 21, section 10, line 1, after "office" insert ", or because of physical or mental disability rendering him incapable of performing the duties of his office"

On page 25, section 12, line 5, after "office" insert ", or because of physical or mental disability rendering him incapable of performing the duties of his office"

On page 26, section 15, line 14, after "office" insert ", or because of physical or mental disability rendering him incapable of performing the duties of his office"

On page 29, section 17, line 22, after "town" strike all of the material down to and including "justice," on line 24, and insert "having a population under five thousand may provide that the mayor may appoint any person, without regard to whether he is a justice of the peace or practicing attorney, to the office of police justice,"

On page 29, section 17, line 26, after "office" insert ", because of physical or mental disability rendering him incapable of performing the duties of his office"

On motion of Senator Hanna, the rules were suspended, Engrossed Senate Bill No. 236 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 236 and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Lennart, McCutcheon, Rasmussen—3.

Excused: Senator Stender—1.

Engrossed Senate Bill No. 236, having received the constitutional 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. 78**, by Senators Herrmann, Cooney and Gallagher:

Providing the number of voters necessary for an election to authorize an excess levy for fire protection districts.

## REPORT OF STANDING COMMITTEE

**Senate Bill No. 78:**

Senate Chamber,  
Olympia Wash., February 16, 1965.

Providing the number of voters necessary for an election to authorize an excess levy for fire protection districts (reported by Committee on Cities, Towns and Counties): MAJORITY recommends that it do pass with the following amendment:

On page 3, section 1, line 3, after "election" and before the period insert "*of fire district commissioners.*"

DON L. TALLEY, Chairman.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Sam C. Guess, Al Henry, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Herrmann, the committee amendment was adopted.

On motion of Senator Herrmann, the following amendments were adopted:

On page 2, section 1, line 28, after "purpose" and before "or for" insert "*or for fire protection district purposes*"

Beginning on page 2, section 1, line 32, after "district" strike all of the underscored material down to and including "election" on page 3, line 3.

On motion of Senator Herrmann, the rules were suspended, Engrossed Senate Bill No. 78 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 78 and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann,



Keefe, Knoblauch, Kupka, Lewis, McCormack, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Lennart, McCutcheon, McMillan—3.

Excused: Senator Stender—1.

Engrossed Senate Bill No. 78, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 256**, by Representatives Day, Backstrom and Adams:

Regulating hair dressing and beauty culture establishments and the operators and employees thereof.

The bill was read the second time by sections.

On motion of Senator Woodall, the following amendment was adopted:

On page 11, section 15, line 30, after "shall have the" strike the remainder of the section and insert: "[right and appeal from the decision of the committee granted by RCW 43.24.120] *right to appeal from the decision of the board to the superior court of the county in which he maintains his place of business.*"

On motion of Senator Gallagher, the rules were suspended, Engrossed House Bill No. 256, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 256, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 41; nays, 2; absent or not voting, 5; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Cooney, Cowen, Donohue, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—41.

Those voting nay were: Senators Connor, Dore—2.

Absent or not voting: Senators Chytil, England, Lennart, McCutcheon, Rasmussen—5.

Excused: Senator Stender—1.

Engrossed House Bill No. 256, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 423**, by Senators Gissberg and Mardesich:

Reducing the period of separation necessary as grounds for divorce.

The bill was read the second time by sections.

The President Pro Tempore called upon Senator Cowen to preside.

It was moved by Senator Woodall that the following amendment be adopted:

On page 2, line 9, add a new section to the bill to be known as section 2 as follows: "Sec. 2. Section 3, page 406, Laws of 1854 as last amended by section 3, chapter 215, Laws of 1949 are each amended to read as follows: Any person who has been a resident of the state for [one year] *six months* may file his or her complaint for a divorce under oath, in the superior court of the county where he or she may reside.

Debate ensued.

The motion was lost on a rising vote and the amendment was not adopted. It was moved by Senator Riley that the following amendment be adopted: On page 1, strike lines 19 and 20. Renumber the following subsections.

Debate ensued.

The motion was lost and the amendment was not adopted.

It was moved by Senator Rasmussen that the following amendment be adopted:

On page 2, line 9, add a new subsection (11) as follows: "No attorney shall charge more than one hundred dollars for processing a divorce case."

Debate ensued.

On motion of Senator Moriarty, Jr., the amendment was laid upon the table.

It was moved by Senator Dore that the following amendment be adopted:

On page 2, line 9, add a new subsection (11) as follows: "That no attorney in securing a divorce under this act shall not charge less than one thousand dollars."

Debate ensued.

On motion of Senator Gissberg, the amendment was laid upon the table.

On motion of Senator Gissberg, the rules were suspended, Senate Bill No. 423 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 423 and the bill passed the Senate by the following vote: Yeas, 25; nays, 19; absent or not voting, 5.

Those voting yea were: Senators Atwood, Chytil, Cooney, Cowen, Donohue, Durkan, England, Freise, Gissberg, Guess, Hallauer, Henry, Herrmann, Lewis, McCormack, Neill, Peterson (Lowell), Rasmussen, Redmon, Ryder, Stender, Thompson, Jr., Washington, Williams, Woodall—25.

Those voting nay were: Senators Charette, Connor, Dore, Foley, Greive, Hanna, Herr, Keefe, Knoblauch, Kupka, Lennart, McMillan, Morgan, Moriarty, Jr., Peterson (Ted), Petrich, Raugust, Riley, Talley—19.

Absent or not voting: Senators Bailey, Gallagher, McCutcheon, Mardesich, Sandison—5.

Senate Bill No. 423, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 320**, by Senators Hallauer and Herrmann:

Providing for easements back to owner upon certain condemnation actions by public utility districts.

The Senate resumed consideration of Senate Bill No. 320 on second reading and the pending amendment by Senator Hallauer.

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Riley, the committee amendment was laid upon the table.

It was moved by Senator Lewis that Engrossed Senate Bill No. 320 be ordered to retain its place on the second reading calendar for tomorrow.

Debate ensued.

The motion was lost on a rising vote.

On motion of Senator Hallauer, the rules were suspended, Engrossed Senate Bill No. 320 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 320 and the bill passed the Senate by the following vote: Yeas, 36; nays, 8; absent or not voting, 5.

Those voting yea were: Senators Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Durkan, Foley, Freise, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Williams, Woodall—36.

Those voting nay were: Senators Atwood, England, Kupka, Lennart, Lewis, Petrich, Redmon, Washington—8.

Absent or not voting: Senators Connor, Dore, Gallagher, Hanna, Morgan—5.

Engrossed Senate Bill No. 320, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 111**, by Senators Ryder, Riley, Moriarty, Jr., Sandison and Lewis (by State Public Pension Commission request):

Creating a state advisory investment council to public pension systems.

The bill was read the second time by sections.

It was moved by Senator Ryder that the following amendment be adopted:

On page 5, section 14, beginning on line 31, strike all of section 14 and renumber the remaining sections consecutively.

Debate ensued.

#### POINT OF INQUIRY

Senator Gallagher:

"Mr. President, would Senator Ryder yield to a question?"

"Senator Ryder, I would like to inquire how this committee will function without some money?"

Senator Ryder:

"Senator Gallagher, the money which goes to finance this will be in the State Finance Committee's appropriation, and comes from the fund which is built up through the investment of the various securities."

Senator Gallagher:

"Well, then, there is some financial impact regardless of from where it comes?"

Senator Ryder:

"There probably will be some financial impact, but this can be taken care of in the Appropriations Committee. It will be very small, Senator."

Senator Gallagher:

"Yes, but then you would have no objection to the Appropriation Committee taking a look at it?"

Senator Ryder:

"I have already checked with Senator Foley. He does not think it is necessary."

Senator Foley:

"Well, it is going to be looked at. The appropriation taken out of here is being financed out of another fund and not the general fund."

Senator Gallagher:

"Mr. President:

"I think it is customary here that bills go to the Appropriations Committee where there is a financial impact and funds are being moved from one area to another. It has been customary in the past that those bills do go to the Appropriations Committee. I think when we discuss the merits of the bill, perhaps a motion will be in order to send it to Appropriations."

Senator Ryder:

"Senator Gallagher, the financing of the State Finance Committee in Roy Pitt's office now is from a different fund and there is ample funds in this to include the financing of this bill."

Senator Gallagher:

"Mr. President, another question:

"Then could you tell me roughly what the cost will be for the biennium to finance this particular committee?"

Senator Ryder:

"Senator Gallagher, the appropriation now for Roy Pitt's office is somewhere over fifty thousand dollars or in that neighborhood. His office, as it stands at the moment, regardless of any change, is going to need an additional fund because he is woefully understaffed for the job he is doing. I would say probably another twenty thousand dollars from the fund would be all that is necessary to put him on a working basis."

Senator Gallagher:

"Mr. President, one more question:

"You say that there is a surplus within that department. They do not now have the fifty thousand dollars. This will require, in addition to the fifty thousand surplus an additional twenty thousand dollars, am I correct?"

Senator Ryder:

"Approximately, yes."

Senator Gallagher:

"Seventy-five thousand dollars, then, for this particular—"

Senator Ryder:

"No, an additional twenty to twenty-five thousand."

Senator Gallagher:

"Plus the surplus which is available."

Senator Ryder:

"No, he is limited by appropriation to the amount that can be spent from the fund."

## POINT OF INQUIRY

Senator McCutcheon:

"Would Senator Ryder yield to another question?  
"Who handles the investment now?"

Senator Ryder:

"The State Retirement Board now handles the investment and they will continue to handle it. This board will merely act in an advisory capacity. The State Finance Committee at the present time acts in an advisory capacity to this board, but as you know, the State Finance Committee also sells state bonds. This has been a problem which many of us have looked askance at for quite some time, where on the one hand they sell bonds, and on the other hand, they buy them, and so far as Roy Pitt's office is concerned, he is handling a great deal of the mechanics of this now and regardless of whether this bill is passed or not, should probably have an increased appropriation because he does not have nearly enough staff in his office to do any kind of credible job."

Senator Gallagher:

"Would Senator Ryder yield to another question?"

"Senator Ryder, the old language on line eight says that the Retirement Board may authorize, and now you are striking this and inserting that this advisory council will say what they shall do with their funds. Of course, you're going to say it's not mandatory. The word 'may' is in there. But why is it necessary to change that? Why can't the present Finance Committee continue to handle this, or is it because this is going to be advisory? Why do you want to insert this so-called council for the State Finance Committee?"

Senator Ryder:

"Senator Gallagher, as I explained earlier, we are using the Investment Council in this bill to take the place of the State Finance Committee in many of the things which it is doing now for the various pension funds, and this is one of them. As you will notice, the word 'may' is in there now. It only refers to the Finance Committee. We have stricken that and inserted the Advisory Investment Council which is part of the transferring of some of the duties of the Finance Committee in the area of investment of funds of these pension funds to the Advisory Council and giving them the same powers that the Finance Committee now has. The Finance Committee still would have, under its jurisdiction, the sale of state bonds. This, I think, is a good thing to do, to separate these two duties in the Finance Committee."

Senator Gallagher:

"Now, Senator Ryder, again calling your attention to page 14, line 13, it used to be that the State Finance Committee would direct that funds be deposited. Now you are saying it is mandatory that they shall be deposited upon the advice of the State Employees' Retirement System."

Senator Ryder:

"Senator, this again is in line with separating the Finance Committee from its dual responsibility of, on the one hand, investing pension funds, and on the other hand, selling the state bonds. This will put the Finance Committee in the business only of selling state bonds and will take it out of the business of investing pension funds. This is given back to the Board of the State Employees' Retirement System as you see here, and that is where it should properly be."

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Ryder, the following amendment was adopted:

On lines 24 and 25 of the title, strike "making an appropriation;"

On motion of Senator Ryder, the rules were suspended, Engrossed Senate Bill No. 111 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

President Pro Tempore Gissberg resumed the Chair.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 111 and the bill passed the Senate by the following vote: Yeas, 40; nays, 7; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cowen, Donohue, Dore, England, Foley, Freise, Gissberg, Guess, Hallauer, Hanna, Herr, Herrmann, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—40.

Those voting nay were: Senators Connor, Cooney, Gallagher, Greive, Keefe, Knoblauch, McCutcheon—7.

Absent or not voting: Senators Durkan, Henry—2.

Engrossed Senate Bill No. 111, having received the constitutional majority, was declared passed.

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

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

## INTRODUCTION AND FIRST READING OF BILLS AND RESOLUTION

The following were introduced, read first time by title, and acted upon as indicated:

**Senate Bill No. 529**, by Senators Greive, Cooney, Neill, Durkan, Herrmann, Redmon, Herr, Moriarty, Jr., Riley and Peterson (Ted) (by Departmental request):

Establishing a department and board of water resources and setting out respective powers and duties.

Referred to Committee on Natural Resources.

**Senate Bill No. 530**, by Senators McMillan, Herrmann and Herr:

An Act relating to public highways; and amending section 17, chapter 3, Laws of 1963 extraordinary session and RCW 47.20.221.

Referred to Committee on Highways.

**Senate Bill No. 531**, by Senators Foley, Moriarty, Jr., Dore and Ryder:

An Act relating to the marine recreation land act of 1964; authorizing the expenditure of certain funds from the outdoor recreation account for administrative and coordinative purposes; and amending section 8, chapter 5, Laws of 1965 (unmodified).

Referred to Committee on Parks, Capitol Grounds and Public Buildings.

**Senate Bill No. 532**, by Senators Washington, Williams and Hanna:

An Act relating to recreational devices designed for the conveyance of persons; amending section 1, chapter 327, Laws of 1959, as amended by section 1, chapter 253, Laws of 1961, and RCW 70.88.010.

Referred to Judiciary Committee.

**Senate Concurrent Resolution No. 15**, by Senators McCormack, Dore, Williams, Hallauer, Stender, Peterson (Lowell), Gallagher, Lennart, Hanna, Henry, Connor, Knoblauch and Washington:

Resolving that the legislature support civil rights effort in Alabama.  
The resolution was read first time by title.

On motion of Senator McCormack, the rules were suspended, Senate Concurrent Resolution No. 15 was advanced to second reading and read the second time in full.

On motion of Senator Greive, Senate Concurrent Resolution No. 15 was ordered to retain its place on the second reading calendar for tomorrow.

#### FIRST READING OF HOUSE BILLS AND RESOLUTION

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 9**, by Representatives Uhlman, Gorton and Garrett:

Requiring the mayor or his delegate to prepare budgets for first class cities with population over three hundred thousand.

It was moved by Senator Greive that Engrossed House Bill No. 9 be referred to the Committee on Cities, Towns and Counties.

Debate ensued.

The motion was carried on a rising vote.

**Engrossed House Bill No. 47**, by Representatives Bottiger, Valle and Wang (by Departmental request):

An Act relating to licensed electricians and electrical installations; and amending section 4, chapter 169, Laws of 1935 as last amended by section 2, chapter 207, Laws of 1963, and RCW 19.28.120.

Referred to Committee on Rules and Joint Rules.

**Engrossed Substitute House Bill No. 96**, by Judiciary Committee:

An Act relating to eminent domain.

Referred to Judiciary Committee.

**Reengrossed Substitute House Bill No. 104**, by Committee on Higher Education:

An Act relating to community colleges; providing for the management thereof by community college districts; and amending section 10, chapter 2, Laws of 1963, extraordinary session, and RCW 28.84.215.

Referred to Committee on Higher Education and Libraries.

It was moved by Senator Sandison that Reengrossed Substitute House Bill No. 104 be referred to the Committee on Higher Education and Libraries.

Debate ensued.

The motion was carried on a rising vote.

**Engrossed House Bill No. 113**, by Representatives Haussler, Olsen and Garrett:

An Act relating to county budgets and expenditures; and amending section 36.40.100, chapter 4, Laws of 1963 and RCW 36.40.100.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 125**, by Representatives McDougall, Braun and DeJarnatt:

An Act relating to community colleges; amending section 5, chapter 198, Laws of 1961 as last amended by section 5, chapter 2, Laws of 1963 extraordinary session and RCW 28.84.210; and adding a new section to chapter 198, Laws of 1961 and to chapter 28.84 RCW.

Referred to Committee on Higher Education and Libraries.

**Engrossed House Bill No. 137**, by Representatives Litchman, Kink, Andersen (James A.), Lux, King (Richard "Dick"), Chatalas, Moon, Leland, Ahl-

quist, Johnson (Doris), Garrett, Taylor, Gallagher, Marzano, Kirk, Smith, O'Donnell, Brouillet, Olsen, Pritchard, Bottiger, Valle, Sawyer, Uhlman, Whetzel, Radcliffe, Copeland, O'Brien, Witherbee, Pierre, Haussler, Bozarth and Backstrom:

An Act relating to community colleges; amending section 11, chapter 198, Laws of 1961, as amended by section 9, chapter 2, Laws of 1963 first extraordinary session, and RCW 28.84.260.

Referred to Committee on Higher Education and Libraries.

**Engrossed House Bill No. 142**, by Representatives Conner, Haussler and Brachtenbach:

An Act relating to counties; authorizing the exchange of county real property for privately owned real property of equal value; prescribing procedures relating thereto; and adding a new section to chapter 4, Laws of 1963 and to chapter 36.34 RCW.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 145**, by Representatives Huntley, Johnston (Elmer E.) and Sawyer:

An Act relating to an approach to Eastern Washington State College; providing for the location, acquisition, financing, and maintenance thereof; making an appropriation and a reappropriation; and declaring an emergency.

Referred to Committee on Highways.

**Engrossed House Bill No. 156**, by Representatives Olsen, Haussler and Gallagher:

Allowing county sales by public auction to be held wherever county commissioners designate.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 159**, by Representatives Olsen, Garrett and Smith:

An Act relating to housing standards in cities, towns, and counties; amending section 35.80.010, chapter ....., Laws of 1965 and RCW 35.80.010; amending section 35.80.020, chapter ....., Laws of 1965 and RCW 35.80.020; and amending section 35.80.030, chapter ....., Laws of 1965 and RCW 35.80.030.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 161**, by Representatives Olsen, Haussler and Garrett:

An Act relating to county boards of adjustment and amending section 36.70.210, chapter 4, Laws of 1963, and RCW 36.70.210.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 163**, by Representatives Kalich, Haussler and Garrett:

An Act relating to the road fund and equipment rental and revolving fund; and adding a new section to chapter 4, Laws of 1963 and chapter 36.82 RCW.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 164**, by Representatives Thompson, Haussler, Kalich, Braun, Traylor, Kull, Olsen and Bozarth:

An Act relating to counties; amending section 1, chapter 218, Laws of 1963 and RCW 36.68.400; and amending section 2, chapter 218, Laws of



1963 and RCW 36.68.410; and adding a new section to chapter 4, Laws of 1963 and to chapter 36.32 RCW.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 173**, by Representatives O'Brien, Garrett and Brachtenbach:

An Act relating to funeral directors and embalmers; and amending section 1, chapter 108, Laws of 1937 and RCW 18.39.010; amending section 2, chapter 52, Laws of 1955 and RCW 18.39.030; amending section 4, chapter 108, Laws of 1937 as last amended by section 2, chapter 105, Laws of 1947 and RCW 18.39.040 and amending section 5, chapter 108, Laws of 1937 and RCW 18.39.070.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 184**, by Representatives Conner, Copeland and O'Brien:

An Act relating to protection and security of the life and person of the governor and his family; and adding a new section to chapter ....., Laws of 1965 (Senate Bill No. 4) and to chapter 43.43 RCW and declaring an emergency.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 187**, by Representatives Leland, Avey and Goldsworthy:

An Act relating to streets and roads.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 203**, by Representatives Olsen, Lux and Wolf:

An Act relating to state government; increasing per diem allowances; and amending section 43.03.050, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.03.050.

Referred to Committee on Ways and Means.

**Engrossed House Bill No. 204**, by Representatives Lux, Olsen and Wolf:

An Act relating to state government; increasing mileage allowance; and amending section 43.03.060, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.03.060.

Referred to Committee on Ways and Means.

**House Bill No. 216**, by Representatives King (Chet), Hawley, Taylor, Wang, Hood, Mahaffey, Kink and Berentson (by Departmental request):

An Act relating to food fish and shellfish; making it unlawful to dig hard shell clams for commercial purposes, except on licensed clam farms; and amending section 75.28.285, chapter 12, Laws of 1955 and RCW 75.28.285.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 218**, by Representatives Hawley, King (Chet), Taylor, Wang, Hood, Mahaffey, Kink, Berentson and Thompson (by Departmental request):

An Act relating to food fish and shellfish; requiring wholesale fish dealer's license for certain commercial activities; and amending section 75.28.300, chapter 12, Laws of 1955 as amended by section 11, chapter 212, Laws of 1955 and RCW 75.28.300.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 219**, by Representatives Hawley, King (Chet), Taylor, Wang, Hood, Mahaffey, Kink, Thompson, Berentson and Bergh (by Departmental request):

An Act relating to food fish and shellfish; and amending section 75.28.350, chapter 12, Laws of 1955 and RCW 75.28.350.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 220**, by Representatives King (Chet), Hawley, Taylor, Wang, Hood, Mahaffey, Conner, Kink, Berentson and Thompson (by Departmental request):

An Act relating to food fish and shellfish; and amending section 75.28.060, chapter 12, Laws of 1955 as last amended by section 8, chapter 309, Laws of 1959 and RCW 75.28.060.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 234**, by Representatives Sawyer, McCormick, Wang, Berentson, Cunningham, Warnke, Hawley, Beck, Leland and Bozarth (by Highway Interim Committee request):

Enacting new rules of the road for motor vehicles upon highways.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 243**, by Representatives Canfield, Jolly and McDougall (by Departmental request):

An Act relating to agricultural fairs; and amending sections 5 and 6, chapter 61, Laws of 1961 and RCW 15.76.140 and 15.76.150.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 264**, by Representatives Slagle, Adams, Chatalas and Newschwander (by Departmental request):

An Act relating to public assistance; adding a new section to chapter 26, Laws of 1959 and Title 74 RCW; repealing section 74.08.330, chapter 26, Laws of 1959 and RCW 74.08.330; providing penalties; and declaring an emergency.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 289**, by Representatives Brouillet, Wang and Garrett:

An Act relating to credit unions; amending section 11, chapter 23, Laws of 1957 and RCW 31.12.270; and amending section 12, chapter 23, Laws of 1957, as amended by section 7, chapter 138, Laws of 1959, and RCW 31.12.280.

Referred to Committee on Banks, Financial Institutions and Insurance.

**House Bill No. 295**, by Representatives Klein, DeJarnatt and Huntley:

An Act relating to the interstate library compact.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 330**, by Representatives May, Bottiger, Olsen, Marzano, Elder, Slagle and Pierre:

An Act relating to the settlement of disputes concerning wages, salaries, rates of pay, hours, working conditions and other terms and conditions of employment in municipal fire departments.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 351**, by Representatives Conner, Savage and Traylor:

An Act relating to the department of natural resources; authorizing de-

velopment, operation and acquisition of outdoor recreation areas and participation in outdoor recreation funding measures; and adding three new sections to chapter ....., Laws of 1965 (Senate Bill No. 4) and chapter 43.30 RCW.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 364**, by Representatives Brouillet, Goldsworthy, Johnson (Doris), Radcliffe, Saling, Cunningham, Braun, King (Richard "Dick"), Mahaffey and Sheridan:

Changing generally state teachers' retirement system law..

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 369**, by Representatives Gallagher, Valle and Humiston:

An Act relating to the judicial council; amending section 1, chapter 45, Laws of 1925, extraordinary session as last amended by section 1, chapter 271, Laws of 1961 and RCW 2.52.010.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 430**, by Representatives Sheridan, Klein and O'Donnell:

An Act relating to state government; authorizing parks and recreation commission to enter agreements with and to accept grants from the federal government for the support of the youth development and conservation corps program; and adding three new sections to chapter ....., Laws of 1965 (Senate Bill No. 4) and to chapter 43.51 RCW.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 442**, by Representatives Brouillet, Litchman and Saling:

An Act relating to the legislature; creating a joint committee on education; prescribing its powers and duties; providing for citizen participation; and repealing chapter 19, Laws of 1963 first extraordinary session and RCW 44.33.010 through 44.33.180.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 461**, by Representatives Garrett and Warnke:

An Act relating to water districts; providing certain contracting powers; and amending section 3, chapter 251, Laws of 1953, as amended by section 4, chapter 108, Laws of 1959, and RCW 57.08.045.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 488**, by Representative Copeland:

An Act relating to industrial insurance and compensation—right to and amount; amending section 51.32.040, chapter 23, Laws of 1961 and RCW 51.32.040.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 491**, by Representatives Conner, Savage and Haussler:

An Act authorizing the exchange of certain state forest lands for other lands of equal value for county park purposes.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 643**, by Representatives Chatalas, O'Donnell and May:

An Act relating to public assistance, amending section 74.04.005, chapter 26, Laws of 1959 as last amended by section 1, chapter 228, Laws of 1963,

and RCW 74.04.005; and repealing section 74.08.270, chapter 26, Laws of 1959 and RCW 74.08.270.

Referred to Committee on Rules and Joint Rules.

**House Concurrent Resolution No. 6**, by Representative Olsen:  
Congratulating Boeing Company on its fiftieth anniversary.

Referred to Committee on Rules and Joint Rules.

#### MOTION

At 4:35 p.m., on motion of Senator Greive, the Senate adjourned until 10:30 a.m., Thursday, March 18, 1965.

WILLIAM A. GISSBERG, *President Pro Tempore of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## FOURTH DAY

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### MORNING SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Thursday, March 18, 1965.

The Senate was called to order at 10:30 a. m. by President Pro Tempore Gissberg.

The Secretary called the roll and announced to the President that all Senators were present.

On motion of Senator Greive, Senator Gallagher was excused.

The Color Guard, consisting of Pages Peter Giovine, Color Bearer, and Karen Knudson, presented the Colors.

Reverend Leonard Rafalowski, pastor of St. Michael's Catholic Church of Olympia, offered prayer as follows:

"Oh God our Heavenly Father, and Ruler over the Universe and All Creatures . . . we bow our heads before Thee, as we pray in deep humility for Thy blessings upon this governmental assembly, and upon each Senate member who has accepted the great tasks of the responsibility of the government of our state.

"Endow each one, O Father, with a consciousness of his own unworthiness, and our dependence upon Thee. May they each seek Thee in prayer, that Thy Wisdom may be given to them in their search for solutions to the many confusing problems which confront them in this session.

"We pray that Thou wilt bring them together as one in their decisions for their people, even as we pray that Thou wilt bring all peoples of this world together in peace, understanding and love. May this understanding of their stewardship bring each one ever closer to Thee, to the glorious result that a birth of new understanding and human helpfulness may come upon us, and on all peoples everywhere. Amen."

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

#### MOTION

On motion of Senator Foley, the Committee on Parks, Capitol Grounds and Public Buildings, be relieved of further consideration of Senate Bill No. 531.

On motion of Senator Foley, Senate Bill No. 531 was referred to the Committee on Ways and Means.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., March 17, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 78; also

Senate Bill No. 111; also

Senate Bill No. 236, have inspected same, and find them correctly engrossed.

FRANK W. FOLEY, *Chairman*.

We concur in this report: R. R. Bob Greive, Marshall A. Neill.

#### GUBERNATORIAL APPOINTMENTS

Senate Chamber,  
Olympia, Wash., March 17, 1965.

DONALD E. KUSLER, to the position of member of the Board of Pharmacy, appointed February 5, 1965, succeeding Al J. Bailey (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

Recommends that said appointment be confirmed.

DAVID E. McMILLAN, *Chairman*.

We concur in this report: John L. Cooney, Dr. David C. Cowen, R. R. Bob Greive, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules.

Senate Chamber,  
Olympia, Wash., March 17, 1965.

CLAUDE EDGREN, to the position of member of the Board of Pharmacy, appointed February 5, 1965, succeeding Roy H. Tufts (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

Recommends that said appointment be confirmed.

DAVID E. McMILLAN, *Chairman*.

We concur in this report: John L. Cooney, Dr. David C. Cowen, R. R. Bob Greive, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules.

#### Senate Bill No. 233:

Senate Chamber,  
Olympia, Wash., March 17, 1965.

Providing rules for issuance of general obligation bonds by political subdivisions (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that Substitute Senate Bill No. 233 be substituted therefor and Substitute Bill do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Michael J. Gallagher, Al Henry, James Keefe, George W. Kupka, Peterson (Lowell), Peterson (Ted), W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

#### Senate Bill No. 421:

Senate Chamber,  
Olympia, Wash., March 17, 1965.

Revising schedule of attorneys' fees in industrial insurance actions (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore,

Martin J. Durkan, Jack England, Herbert H. Freise, William A. Gissberg, H. B. Hanna, August P. Mardesich, Marshall A. Neill, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 449:**

Senate Chamber,  
Olympia, Wash., March 17, 1965.

Providing for alcoholic rehabilitation (reported by Committee on Rules and Joint Rules):

MAJORITY recommends that it be referred to Committee on Ways and Means.

....., *Chairman.*

We concur in this report: Robert C. Bailey, John L. Cooney, Michael J. Gallagher, William A. Gissberg, R. R. Bob Greive, Wilbur G. Hallauer, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, Marshall A. Neill, W. C. Raugust, Edward F. Riley, John N. Ryder, Perry B. Woodall.

On motion of Senator Greive, the committee report was adopted and Senate Bill No. 449 was referred to the Committee on Ways and Means.

**Senate Bill No. 468:**

Senate Chamber,  
Olympia, Wash., March 17, 1965.

Providing for an interim committee on tourism (reported by Committee on Rules and Joint Rules):

MAJORITY recommends that it be referred to Committee on Ways and Means.

....., *Chairman.*

We concur in this report: Robert C. Bailey, John L. Cooney, Michael J. Gallagher, William A. Gissberg, R. R. Bob Greive, Wilbur G. Hallauer, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, Marshall A. Neill, W. C. Raugust, John N. Ryder, Perry B. Woodall.

On motion of Senator Cowen, the committee report was adopted and Senate Bill No. 468 was referred to the Committee on Ways and Means.

**Senate Bill No. 479:**

Senate Chamber,  
Olympia, Wash., March 18, 1965.

Relating to practitioners of the healing professions (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

Recommends that Substitute Senate Bill No. 479 be substituted therefor and Substitute Bill do pass.

DAVID E. McMILLAN, *Chairman.*

We concur in this report: John L. Cooney, Dr. David C. Cowen, R. R. Bob Greive, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 504:**

Senate Chamber,  
Olympia, Wash., March 17, 1965.

Completing the capitol campus (reported by Committee on Rules and Joint Rules):

MAJORITY recommends that it be referred to Committee on Ways and Means.

....., *Chairman.*

We concur in this report: Robert C. Bailey, John L. Cooney, Michael J. Gallagher, William A. Gissberg, R. R. Bob Greive, Wilbur G. Hallauer, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, Marshall A. Neill, W. C. Raugust, John N. Ryder, Perry B. Woodall.

On motion of Senator Cowen, the committee report was adopted and Senate Bill No. 504 was referred to the Committee on Ways and Means.

**Senate Bill No. 519:**

Senate Chamber,  
Olympia, Wash., March 17, 1965.

Providing for disposition of funds received by the University of Washington (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass.

FRANK W. FOLEY, *Chairman*.  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue and Regulatory.

We concur in this report: Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Jack England, William A. Gissberg, Wilbur G. Hallauer, Ernest W. Lennart, Mike McCormack, David E. McMillan, August P. Mardesich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 520:**

Senate Chamber,  
Olympia, Wash., March 17, 1965.

Appropriating funds for state projects undertaken under Higher Education Facilities Act of 1964 (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass.

FRANK W. FOLEY, *Chairman*.  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Jack England, Michael J. Gallagher, William A. Gissberg, R. R. Bob Greive, Wilbur G. Hallauer, Ernest W. Lennart, Mike McCormack, David E. McMillan, August P. Mardesich, Marshall A. Neill, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 521:**

Senate Chamber,  
Olympia, Wash., March 17, 1965.

Providing for use of portion of income reserve fund (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass.

FRANK W. FOLEY, *Chairman*.  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Jack England, Michael J. Gallagher, William A. Gissberg, R. R. Bob Greive, Wilbur G. Hallauer, Ernest W. Lennart, Mike McCormack, David E. McMillan, August P. Mardesich, Marshall A. Neill, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 17, 1965.

The House has passed: Engrossed House Bill No. 235; also

Engrossed House Bill No. 273; also

Engrossed House Bill No. 520; also

House Joint Memorial No. 27, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 17, 1965.

MR. PRESIDENT:

The House has passed: House Joint Memorial No. 29, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

**INTRODUCTION OF FIRST READING OF BILLS AND RESOLUTION**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 533**, by Senator Rasmussen:

An Act relating to the issuance of subpoenas; and amending section 297, page 188, Laws of 1854 as last amended by section 1, chapter 96, Laws of 1895, and RCW 5.56.020.

Referred to Judiciary Committee.

**Senate Bill No. 534**, by Senators Bailey, Rasmussen and Dore:

An Act relating to vocational rehabilitation.

Referred to Committee on Labor and Social Security.

**Senate Bill No. 535**, by Senators Washington, Henry, Guess, Donohue, Raugust, Bailey and Petrich:

An Act relating to highways; making appropriations and re-appropriations for the operations and capital improvements of the state highway commission and the Washington toll bridge authority; and declaring an emergency.

Referred to Committee on Highways.

**Senate Bill No. 536**, by Senators Kupka, Gissberg and Guess:

An Act relating to revenue and taxation; and providing for allocation and distribution of retail sales tax and use tax revenues in the state general fund to cities and towns.

Referred to Committee on Ways and Means.

**Senate Bill No. 537**, by Senator Petrich:

An Act relating to judges' salaries; amending section 1, chapter 144, Laws of 1953 as amended by section 1, chapter 260, Laws of 1957 and RCW 2.04.090; and amending section 2, chapter 144, Laws of 1953 as amended by section 2, chapter 260, Laws of 1957 and RCW 2.08.090.

Referred to Judiciary Committee.

**Senate Bill No. 538**, by Senators Foley and Neill:

An Act relating to the expenses and costs of the legislature including subsistence payments; making appropriations therefor; and declaring an emergency.

On motion of Senator Greive, the rules were suspended, Senate Bill No. 538 was advanced to second reading and read the second time by sections.

On motion of Senator Foley, the rules were suspended, Senate Bill No. 538 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 538, and the bill passed the Senate by the following vote: Yeas, 40; nays, 1; absent or not voting, 7; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Freise, Gissberg, Greive,



Guess, Hallauer, Hanna, Herr, Herrmann, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—40.

Those voting nay were: Senator Cowen—1.

Absent or not voting: Senators Henry, Keefe, McMillan, Mardesich, Petrich, Rasmussen, Talley—7.

Excused: Senator Gallagher—1.

Senate Bill No. 538, having received the constitutional majority, was declared passed.

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

**Senate Concurrent Resolution No. 16**, by Committee on Rules and Joint Rules:

Establishing a time limitation for the consideration of bills.

On motion of Senator Greive, the rules were suspended, Senate Concurrent Resolution No. 16 was advanced to second reading and read the second time in full.

On motion of Senator Greive, the rules were suspended, Senate Concurrent Resolution No. 16 was advanced to third reading, the second reading considered the third, the resolution placed on final passage and adopted.

#### FIRST READING OF HOUSE BILLS AND MEMORIALS

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 235**, by Representatives O'Donnell, Klein and O'Brien (by Departmental request):

Changes board against discrimination to human rights commission.

Referred to Judiciary Committee.

**Engrossed House Bill No. 273**, by Representatives Copeland, Lux and Chatalas (by Departmental request):

An Act relating to public assistance; adding a new chapter to chapter 26, Laws of 1959 and Title 74 RCW; and repealing sections 74.04.020, 74.04.034, 74.04.035, 74.04.141, 74.09.100, and 74.16.011 of chapter 26, Laws of 1959 and RCW 74.04.020, 74.04.034, 74.04.035, 74.04.141, 74.09.100, and 74.16.011.

Referred to Committee on Labor and Social Security.

**Engrossed House Bill No. 520**, by Representatives Gallagher, Taylor and Copeland:

An Act relating to crimes and punishment, and amending section 377, chapter 249, Laws of 1909 and RCW 9.45.060; and providing penalties.

Referred to Judiciary Committee.

**House Joint Memorial No. 27**, by Representative Taplin:

Requesting Congress to provide for navigational locks in proposed Asotin Dam.

Referred to Committee on Natural Resources.

**House Joint Memorial No. 29**, by Representatives Sheridan, Marzano, Smith, Pritchard, Radcliffe, O'Donnell, Marsh, O'Brien and Pierre:

Requesting legislation enabling all eligible citizens of the United States to register and vote.

Referred to Committee on Constitution, Elections and Legislative Processes.

## SECOND READING OF BILLS

**Senate Concurrent Resolution No. 15**, by Senators McCormack, Dore, Williams, Hallauer, Stender, Peterson (Lowell), Gallagher, Lennart, Hanna, Henry, Connor, Knoblauch and Washington:

Resolving that the legislature support civil rights effort in Alabama.

The resolution was read the second time by title.

On motion of Senator McCormack, the rules were suspended, Senate Concurrent Resolution No. 15 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

It was moved by Senator Stender that Senate Concurrent Resolution No. 15 retain its place at the top of the second reading calendar for tomorrow.

The motion was carried on a rising vote.

It was moved by Senator Washington that the Senate do now consider Senate Concurrent Resolution No. 15 on second reading.

Debate ensued.

The motion was lost.

**Senate Bill No. 313**, by Senators England, Kupka and Gallagher:

Regulating collection agencies.

It was moved by Senator Charette that Senate Bill No. 313 be referred to the Judiciary Committee, with instructions to report back to the Senate by 5:00 p. m., Friday, March 19, 1965.

Debate ensued:

It was moved by Senator Riley that the motion be amended and that the Judiciary Committee be instructed to report back no later than 10:30 a. m., Friday, March 19, 1965.

Debate ensued.

The motion by Senator Riley was carried.

The motion by Senator Charette, as amended by Senator Riley, was carried.

**Senate Bill No. 317**, by Senators Kupka, Cooney and Redmon:

Relating to savings and loan associations.

On motion of Senator Riley, Senate Bill No. 317 was ordered to retain its place on the second reading calendar for today immediately following consideration of Senate Bill No. 417.

**Senate Bill No. 8**, by Senators Washington, Neill and Cooney:

Declaring as vagrants persons who loiter about schools or institutions of higher learning.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Senate Bill No. 8 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

It was moved by Senator Stender that Senate Bill No. 8 be returned to second reading for the purpose of amendment.

Debate ensued.

The motion was lost.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 8, and the bill passed the Senate by the following vote: Yeas, 47; nays, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Those voting nay were: Senators Lennart, Stender—2.

Senate Bill No. 8, having received the constitutional 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. 417**, by Senators Hanna, Ryder and Talley:

Establishing refunding bond procedures.

The bill was read the second time by sections.

On motion of Senator Hanna, the rules were suspended, Senate Bill No. 417 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 417, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Those absent or not voting were: Senator Stender—1.

Senate Bill No. 417, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 317**, by Senators Kupka, Cooney and Redmon:

Relating to savings and loan associations.

On motion of Senator Ryder, Substitute Senate Bill No. 317 was substituted for Senate Bill No. 317, and Substitute Senate Bill No. 317 was placed on second reading and read by sections.

On motion of Senator Charette, the following amendment was adopted:

On page 2, section 2, line 3, strike all of section 2 and renumber the remaining sections consecutively.

It was moved by Senator Charette that the following amendment be adopted:

On page 4, section 7, line 1, after "or" and before "home furnishings" insert "new"

On line 7, after "years" insert ": *Provided further*, That such loan shall not be made to an officer or employee by an individual association"

Debate ensued.

## POINT OF INQUIRY

Senator Moriarty, Jr.:

"Mr. President, would Senator Charette yield to a question?"

"I wonder, Senator Charette, why you prohibit loans to officers or employees of a savings and loan association that they are happy to be connected with, when they can go down the street and get the loan from a different savings and loan association?"

Senator Charette:

"Senator Moriarty, my reason for that is that I have had some experience with these and I think that a person who is a valued employee might come to his employer and say, 'I need a thousand or two thousand dollars,' and it would be difficult for the employer to say no because they feel they might offend the employee. It's just as easy for them to go across the street and get the loan from another savings and loan where the loan is looked at and analyzed from an impersonal basis, not an employer-employee relationship basis."

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Freise, the following amendments were adopted:

On page 3, section 7, line 33, after "repairs" strike the period and insert a comma.

On page 4, line 2, after "ment:" insert "*Provided, That a loan made on new home furnishings or new equipment shall be made only in conjunction with a loan for home or property repairs, alterations and improvements or additions to real property:*"

Senator Durkan moved the adoption of the following amendment:

On page 3, section 5, line 15, strike all the underlined matter through line 18.

Debate ensued.

With the consent of the Senate, Senator Durkan was permitted to withdraw the amendment.

On motion of Senator Durkan, Substitute Senate Bill No. 317 was ordered to retain its place at the end of the second reading calendar for today.

**Senate Joint Resolution No. 6**, by Senators Gallagher, Moriarty, Jr. and McCutcheon:

Eliminating uncontested judicial positions from ballot.

On motion of Senator Gallagher, Substitute Senate Joint Resolution No. 6 was substituted for Senate Joint Resolution No. 6 and Substitute Senate Joint Resolution No. 6 was placed on second reading and read in full.

On motion of Senator Gallagher, the following amendment was adopted:

On line 16, after "candidate" strike the period and insert "*Provided, That in the event that there is filed with the county auditor within ten days after the date of the primary, a petition indicating that a write in campaign will be conducted for such single position and signed by one hundred registered voters qualified to vote with respect to the office, then such single position shall be subject to the general election.*"

On motion of Senator Woodall, the following amendment was adopted:

On line 13 after "in" strike "any" and insert "class AA, class A or first class"

On line 13 after "county" strike "containing a population of five hundred thousand or more"

On motion of Senator Gallagher, the rules were suspended, Engrossed Substitute Senate Joint Resolution No. 6 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued:

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Joint Resolution No. 6, and the resolution passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Those voting nay were: Senator Rasmussen—1.

Absent or not voting: Senators Durkan, Petrich—2.

Engrossed Substitute Senate Joint Resolution No. 6, having received the constitutional majority, was declared passed.

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

**Senate Joint Resolution No. 12**, by Senators McCormack, Bailey and McCutcheon:

Revising publication requirements for referendum bills.

The resolution was read the second time by sections.

On motion of Senator McCormack, the rules were suspended, Senate Joint Resolution No. 12 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Resolution No. 12, and the resolution passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Charette, Dore, Petrich—3.

Senate Joint Resolution No. 12, having received the constitutional majority, was declared passed.

**Senate Bill No. 391**, by Senators Williams, Riley, Ryder, Gallagher and England:

Prohibiting sale of intoxicating liquor on grounds of University of Washington.

On motion of Senator Bailey, Senate Bill No. 391 was ordered to retain its place on the second reading calendar for today immediately following consideration of Substitute Senate Bill No. 317.

**Senate Bill No. 474**, by Senators Washington, Sandison, Stender, Greive, Moriarty, Jr. and Morgan:

Authorizing selection of route for cross sound bridge.

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 474:**

Senate Chamber,  
Olympia, Wash., March 2, 1965.

Authorizing selection of route for cross sound bridge (reported by Committee on Highways):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 1, line 19, after "system" and before "as" strike "or" and insert ","

On page 1, section 1, line 19, after "project" and before " , in" insert "or as an extension to the federal interstate system provided such an extension is authorized by the federal government"

On page 2, section 3, line 16 after "(4) The" and before "cost" strike "study shall include the"

NAT WASHINGTON, *Chairman.*

AL HENRY, *Vice Chairman.*

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Ernest W. Lennart, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendments were adopted.

On motion of Senator Washington, the rules were suspended, Engrossed Senate Bill No. 474 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Riley:

"Would Senator Washington yield to a question, Mr. President?

"Senator Washington, my question is, with this study, how many studies in the total have we made covering the subject of cross-sound bridging?"

Senator Washington:

"I don't have the exact figure, but it will be a substantial number. I think all in all there have been six or seven studies, at least, made from time to time. This brings us up roughly to where we were in 1959, and there is no substitute. If we are going to go ahead, the traffic surveys have to be made. We are going to have to determine the effect of the toll-free Narrows Bridge. There are a number of things that will have to be considered, whether it will be necessary or whether we should actually add to the system as we did before, all of the connecting roads on the Kitsap Peninsula, or whether some of those roads should, with the new developments, be considered part of the highway system. Certainly even with all of the studies we have made in the past, we must continue to survey this problem."

President Pro Tempore Gissberg:

"Is your answer, Senator, if we study long enough, we may find an answer?"

Senator Washington:

"Yes, that is putting it succinctly."

#### POINT OF INQUIRY

Senator Peterson (Ted):

"Would Senator Washington yield to another question?

"Senator Washington, wouldn't it be true that with the tolls coming off of the Narrows Bridge, that we could save the \$125,000 if we decided upon crossing from Ballard to Bainbridge Island?"

Senator Washington:

"I think that would be a good political speech right now, Senator Peterson, but I know also there is going to be the usual contest as to where the bridge should be located. That's something we can't avoid. There are local interests, people who are very sincere, who will be advocating various proposed routes. I think we are going to have to accept the engineering decision and also the financial feasibility first, and then we will debate the propriety of it at the next session."

Senator Riley:

"Would Senator Washington yield to another question?"

"Senator Washington, would you agree with the statement that with the removal of the tolls on the Tacoma Narrows Bridge, this will be a deterrent in the matter of cross-sound bridging?"

Senator Washington:

"Well, I don't think I would use the word 'deterrent.' I think it does add a negative factor in any type of a cross-sound bridging operation where you are going to rely substantially on tolls. Any other possibility that can detract from the amount of traffic is certainly going to add problems to the feasibility."

Senator Rasmussen:

"Would Senator Washington yield to a question?"

"Senator Washington, is this study going to include studies of modernizing the ferry routes on Puget Sound where we can cut down some of the losses?"

Senator Washington:

"Senator Rasmussen, this study will not, in itself, be a ferry route study. That of course is a continuing study that is going on. If the next bill is passed authorizing construction of two new ferries, the impact that those ferries have will also be one of the things that will have to be considered in the overall study."

Debate ensued.

#### POINT OF INQUIRY

Senator Herrmann:

"Senator Washington, will this study be tied in with the ferry situation? I mean in determining what is to be done, will they be considering the ferry transportation?"

Senator Washington:

"Definitely any study which studies cross-sound bridging has to have, in order to show its feasibility or desirability, certain alternatives. One is to continue with the ferry type of transportation taking into consideration the possibility of four new ferries, evaluating what the economic impact will be, how these ferries will serve the area; and then on the other hand, evaluating the economic impact of a cross-sound bridge. They have to go hand in glove. There is no way of having a financial feasibility study or any type of feasibility study of a bridge without at the same time considering the impact and possible improvement of the ferry system."

Further debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 474, and the bill passed the Senate by the following vote: Yeas, 49; nays, 0.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—49.

Engrossed Senate Bill No. 474, having received the constitutional majority, was declared passed.

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

#### MOTION

At 12:25 p. m., on motion of Senator Greive, the Senate recessed until 1:30 p. m.

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**AFTERNOON SESSION**

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The President Pro Tempore called the Senate to order at 1:30 p. m.

The Secretary called the roll and announced to the President that all Senators were present.

**SECOND READING OF BILLS**

**Senate Bill No. 518**, by Senators Washington, Morgan, Sandison, Moriarty, Jr., Bailey, Peterson (Lowell), Mardesich, Stender, Herr and Greive (by State Highway Commission request):

Authorizing application for federal assistance in acquisition of ferry vessels and providing state financing to implement grant.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Senate Bill No. 518 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 518, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—42.

Those absent or not voting were: Senators Durkan, Foley, Lennart, Peterson (Lowell), Petrich, Rasmussen, Sandison—7.

Senate Bill No. 518, having received the constitutional majority, was declared passed.

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

Senators Greive, Hanna and Hallauer demanded a Call of the Senate.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

The President Pro Tempore declared the Senate to be at ease.

The President Pro Tempore called the Senate to order at 2:35 p. m.

**Senate Bill No. 422**, by Senators Mardesich, Charette and Durkan:

Increasing industrial insurance permanent partial disability benefits.

On motion of Senator Greive, Senate Bill No. 422 was ordered to retain its place on the second reading calendar for today immediately following Senate Bill No. 292.



**Senate Bill No. 292**, by Senators Herrmann, Neill and Sandison (by Insurance Commissioner request):  
Supplementing and changing insurance law.

**REPORT OF STANDING COMMITTEE**

**Senate Bill No. 292:**

Senate Chamber,  
Olympia, Wash., March 1, 1965.

Supplementing and changing insurance law (reported by Committee on Banks, Financial Institutions and Insurance):

MAJORITY recommends that it do pass with the following amendments:

On page 20, after section 34, add a section as follows:

"Sec. 35. Section .10.08, chapter 79, Laws of 1947 and RCW 48.10.080 are each amended to read as follows:

(1) "Attorney" as used in this chapter refers to the attorney in fact of a reciprocal insurer. *The attorney may be an individual, firm, or corporation.*

(2) *The attorney of a foreign or alien reciprocal insurer, which insurer is duly authorized to transact insurance in this state, shall not, by virtue of discharge of its duties as such attorney with respect to the insurer's transactions in this state, be thereby deemed to be doing business in this state within the meaning of any laws of this state applying to foreign persons, firms, or corporations.*

(3) *The subscribers and the attorney in fact comprise a reciprocal insurer and a single entity for the purposes of chapter 48.14 RCW as to all operations under the insurer's certificate of authority.*

In line 4 of the title, after the semicolon and before "amending" insert "amending section .10.08, chapter 79, Laws of 1947 and RCW 48.10.080;"

KARL HERRMANN, *Chairman,*  
....., *Vice Chairman.*

We concur in this report: Robert L. Charette, Frank W. Foley, George W. Kupka, Charles P. Moriarty, Jr., Fred G. Redmon, John N. Ryder.

The bill was read the second time by sections.

On motion of Senator Charette, the committee amendment to page 20 was adopted.

It was moved by Senator Rasmussen that the following amendment be adopted:

On page 20, following the adopted committee amendment, add a new section as follows:

"NEW SECTION. Sec. 36. Before any rate increase is granted, the insurance commissioner shall hold a public hearing thirty days before such increase is granted."

On motion of Senator Herrmann, the committee amendment to the title was adopted.

On motion of Senator Charette, the rules were suspended, Engrossed Senate Bill No. 292 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 292, and the bill passed the Senate by the following vote: Yeas, 49; nays, 0.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley,

Thompson, Jr., Washington, Williams, Woodall—49.

Engrossed Senate Bill No. 292, having received the constitutional majority, was declared passed.

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

On motion of Senator Charette, all bills passed today were ordered immediately transmitted to the House.

**Senate Bill No. 422**, by Senators Mardesich, Charette and Durkan:  
Increasing industrial insurance permanent partial disability benefits.

#### REPORT OF STANDING COMMITTEE

##### Senate Bill No. 422:

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Increasing industrial insurance permanent partial disability benefits (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 1, line 11 beginning with "Of one leg" strike all the matter down to and including "\$3,000.00" on page 2, line 28, and insert:

"[Of one leg at the hip or the upper half of the thigh.....	\$9,750.00
Of one leg at the knee or the lower half of the thigh.....	8,250.00
Of one leg below the knee.....	5,200.00
Of great toe with metatarsal bone thereof.....	1,450.00
Of great toe at the proximal joint.....	975.00
Of great toe at the second joint.....	350.00
Of one other toe other than the great toe with the metatarsal bone thereof...	975.00
Of second toe at proximal joint.....	350.00
Of third toe at proximal joint.....	350.00
Of fourth toe at proximal joint.....	350.00
Of fifth toe at proximal joint.....	225.00
Of one metatarsal bone on toe other than great toe.....	475.00
Of one arm so near the shoulder that an artificial arm cannot be worn.....	9,750.00
Of the major arm at or above the elbow.....	8,250.00
Of the forearm at upper third.....	6,825.00
Of the major hand at wrist.....	6,350.00
Of thumb with metacarpal bone thereof.....	2,425.00
Of thumb with proximal joint.....	1,950.00
Of thumb at second joint.....	510.00
Of index or first finger at proximal joint.....	1,400.00
Of index or first finger at second joint.....	975.00
Of index or first finger at distal joint.....	450.00
Of middle or second finger at proximal joint.....	810.00
Of middle or second finger at second joint.....	720.00
Of middle or second finger at distal joint.....	360.00
Of ring or third finger at proximal joint.....	720.00
Of ring or third finger at second joint.....	540.00
Of ring or third finger at distal joint.....	360.00
Of little or fourth finger at proximal joint.....	450.00
Of little or fourth finger at second joint.....	270.00
Of little or fourth finger at distal joint.....	180.00
Of metacarpal bone in finger except thumb.....	270.00

#### MISCELLANEOUS

Loss of one eye by enucleation.....	4,875.00
Loss of sight of one eye.....	3,900.00
Complete loss of hearing in both ears.....	6,825.00
Complete loss of hearing in one ear.....	1,950.00
Complete broken arch in foot.....	1,950.00
Of leg above the knee joint with short thigh stump (3" or less below tuberosity of ischium) .....	\$15,000
Of leg at or above knee joint with functional stump.....	13,500

Of leg below knee joint.....	12,000
Of leg at ankle (syne).....	10,500
Of foot at mid-metatarsals.....	5,250
Of great toe with resection of metatarsal bone.....	3,150
Of great toe at metatarsophalangeal joint.....	1,890
Of great toe at interphalangeal joint.....	1,470
Of lesser toe (2nd to 5th) with resection of metatarsal bone.....	525
Of lesser toe at metatarsophalangeal joint.....	315
Of lesser toe at proximal interphalangeal joint.....	210
Of lesser toe at distal interphalangeal joint.....	105
Of arm at or above the deltoid insertion or by disarticulation at the shoulder..	15,000
Of arm at any point from below the deltoid insertion to below the elbow joint at the insertion of the biceps tendon.....	14,250
Of arm at any point from below the elbow joint distal to the insertion of the biceps tendon to and including midmetacarpal amputation of the hand....	13,500
Of all fingers except the thumb at metacarpophalangeal joints.....	8,100
Of thumb at metacarpophalangeal joint or with resection of carpometacarpal bone .....	5,400
Of thumb at interphalangeal joint.....	4,050
Of index finger at metacarpophalangeal joint or with resection of metacarpal bone .....	3,375
Of index finger at proximal interphalangeal joint.....	2,700
Of index finger at distal interphalangeal joint.....	1,485
Of middle finger at metacarpophalangeal joint or with resection of metacarpal bone .....	2,700
Of middle finger at proximal interphalangeal joint.....	2,160
Of middle finger at distal interphalangeal joint.....	1,215
Of ring finger at metacarpophalangeal joint or with resection of	
Of ring finger at proximal interphalangeal joint.....	1,080
Of ring finger at distal interphalangeal joint.....	675
Of little finger at metacarpophalangeal joint or with resection of metacarpal bone .....	1,350
Of little finger at proximal interphalangeal joint.....	540
Of little finger at distal interphalangeal joint.....	270
<b>Miscellaneous</b>	
Loss of one eye by enucleation.....	6,000
Loss of central visual acuity in one eye.....	5,000
Complete loss of hearing in both ears.....	10,000
Complete loss of hearing in one ear.....	1,667"

A. L. RASMUSSEN, *Chairman.*

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, George W. Kupka, John T. McCutcheon, August P. Mardesich.

The bill was read the second time by sections.

It was moved by Senator Rasmussen that the committee amendment be adopted.

Debate ensued.

On motion of Senator Greive, the President Pro Tempore declared the Senate to be at ease.

The President Pro Tempore called the Senate to order at 3:20 p. m.

On motion of Senator Greive, the committee amendment was laid upon the table.

#### PERSONAL PRIVILEGE

Senator Rasmussen:

"Mr. President, point of personal privilege:

"As chairman of the Committee on Labor and Social Security I wish to state I did not intentionally mislead the members of the Senate on these amounts in the awards schedule. Apparently some place there has been some confusion in the figures. They

are checking the figures now, and if it is desirable, they will offer the amendment in the House. The figures that we had in the schedule would be very close to the present ones and we thought it was a better schedule because it had been approved by the Governor in his bill and by the national boards. That is the reason we made that statement. If we are in error, there will be no further attempt made to amend it in the House."

Senator Moriarty, Jr.:

"Mr. President:

"Responding to the remarks of Senator Rasmussen, if you will look at page 4 of Senate Bill No. 481, I think you can see why the apparent misunderstanding or misinformation gained credence, because in Senate Bill No. 481, which contains the benefit schedule which was in the committee amendment, there is an additional limitation limiting the amount of the permanent partial disability to two-thirds, rather than the full amount of the award, and also limiting the maximum to ten thousand rather than to fifteen thousand as was contained in Senate Bill No. 422."

On motion of Senator Riley, the rules were suspended, Senate Bill No. 422 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 422, and the bill passed the Senate by the following vote: Yeas, 48; nays, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Those voting nay were: Senator Guess—1.

Senate Bill No. 422, having received the constitutional majority, was declared passed.

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

On motion of Senator Riley, the Senate dispensed with the Call of the Senate.

**Senate Bill No. 136**, by Senators Freise and McCormack:

Naming a portion of secondary state highway No. 3D as "Ice Harbor Drive."

The bill was read the second time by sections.

On motion of Senator Freise, the rules were suspended, Senate Bill No. 136 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 136, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen,

Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senators Atwood, Durkan—2.

Senate Bill No. 136, having received the constitutional majority, was declared passed.

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

On motion of Senator Greive, the Senate returned to the sixth order of business.

#### INTRODUCTION AND FIRST READING OF BILLS AND RESOLUTIONS

The following were introduced, read first time by title, and acted upon as indicated:

**Senate Bill No. 539**, by Senator Henry:

An Act relating to foreign meat; and providing penalties.

Referred to Committee on Agriculture and Horticulture.

**Senate Bill No. 540**, by Senator Freise:

An Act relating to the state penitentiary; providing that the director of institutions shall institute programs at the state penitentiary which are corrective in nature rather than penal, authorizing the director to make rules for the administration of the penitentiary and providing for the superintendent to be custodian of personal property of inmates, and repealing section 72.08.100, chapter 28, Laws of 1959 and RCW 72.08.100.

Referred to Committee on Public Institutions.

**Senate Joint Resolution No. 25**, by Senators Talley, Moriarty, Jr., Kupka, Greive, Sandison and Bailey:

Authorizing port districts to use funds for industrial development or trade promotion and promotional hosting.

Referred to Committee on Cities, Towns and Counties.

**Senate Concurrent Resolution No. 17**, by Senators Petrich, Atwood and Charette:

Directing the legislative council to make a study of retail credit charges.

On motion of Senator Petrich, the rules were suspended, Senate Concurrent Resolution No. 17 was advanced to second reading and read the second time in full.

On motion of Senator Petrich, the rules were suspended, Senate Concurrent Resolution No. 17 was advanced to third reading, the second reading considered the third, the resolution placed on final passage and adopted.

On motion of Senator Durkan, the Senate returned to the second order of business.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

**Senate Bill No. 451:**

Senate Chamber,

Olympia, Wash., March 18, 1965.

Enabling public utility districts to continue payment of premiums of contracts for the benefit of employees after retirement (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass as amended.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Martin J. Durkan, Sam C. Guess, George W. Kupka, August P. Mardesich, John H. Stender, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 510:**

Senate Chamber,

Olympia, Wash., March 18, 1965.

Providing for school district reorganization (reported by Committee on Education): MAJORITY recommends that Substitute Senate Bill No. 510 be substituted therefor and that the substitute bill do pass.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert L. Charette, Herbert H. Freise, Karl Herrmann, Reuben A. Knoblauch, John T. McCutcheon, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, John H. Stender, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,

Olympia, Wash., March 18, 1965.

MR. PRESIDENT:

The House has passed: Senate Bill No. 538, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,

Olympia, Wash., March 18, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 256 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President Pro Tempore signed: Senate Bill No. 538.**

There being no objection, the Senate advanced to the seventh order of business.

**SECOND READING OF BILLS**

**Senate Bill No. 476**, by Senator Petrich:

Transferring authority over teletypewriter communications network to chief of Washington state patrol.

On motion of Senator Foley, Senate Bill No. 476 was ordered to retain its placed at the foot of the second reading calendar for today.

**Substitute Senate Bill No. 317**, by Senators Kupka, Cooney and Redmon:

Relating to savings and loan associations.

The bill was read the second time by sections.

It was moved by Senator Durkan that the following amendment be adopted.

On page 3, section 5, line 16, after "association" strike "or like corporation"

The motion was carried and the amendment was adopted.

On motion of Senator Ryder, the rules were suspended, Engrossed Substitute Senate Bill No. 317 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 317, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Atwood, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams—44.

Absent or not voting: Senators Bailey, Morgan, Peterson (Lowell), Petrich, Woodall—5.

Engrossed Substitute Senate Bill No. 317, having received the constitutional 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. 391**, by Senators Williams, Riley, Ryder, Gallagher and England:

Prohibiting sale of intoxicating liquor on grounds of University of Washington.

On motion of Senator Bailey, Senate Bill No. 391 was ordered to retain its place on second reading immediately following consideration of the third reading calendar for today.

**Senate Bill No. 476**, by Senator Petrich:

Transferring authority over teletypewriter communications network to chief of Washington state patrol.

On motion of Senator Henry, Senate Bill No. 476 was ordered to retain its place on second reading for today immediately following consideration of Senate Bill No. 391.

On motion of Senator Freise, all bills passed today and not previously transmitted were ordered engrossed and immediately transmitted to the House.

#### THIRD READING OF BILLS

**Engrossed Senate Bill No. 348**, by Senators McMillan, Cooney and Donohue: Authorizing sale of Chewelah Armory and the Prosser Armory.

On motion of Senator McMillan, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 348 was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 348, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Chytil, Donohue, Raugust—3.

Engrossed Senate Bill No. 348, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 205**, by Senators Knoblauch, Keefe and Freise:

Increasing maximum allowable unused vacation accrual time for state employees.

On motion of Senator Freise, the rules were suspended, the second reading considered the third, and Senate Bill No. 205 was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 205, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Charette, Donohue, McMillan, Mardesich, Peterson (Lowell)—5.

Senate Bill No. 205, having received the constitutional 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. 122**, by Senators Woodall, Dore, Bailey, Atwood, Petrich and Neill (by Legislative Council request):

Enacting the Uniform Commercial Code.

It was moved by Senator Herrmann that Engrossed Senate Bill No. 122 be returned to second reading for the purpose of amendment.

Debate ensued.

Senator Dore demanded a roll call and the demand was sustained by Senators Greive, McMillan, McCutcheon, Kupka, Petrich, Gallagher, Cooney and Donohue.

Senators Herrmann, Cooney and Gallagher demanded a Call of the Senate and the demand was not sustained.

#### ROLL CALL

The Secretary called the roll on the motion by Senator Herrmann that Engrossed Senate Bill No. 122 be returned to second reading, and the motion was carried by the following vote: Yeas, 25; nays, 21; absent or not voting, 3.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Kupka, McCormack, McCutcheon, Morgan, Rasmussen, Thompson, Jr., Woodall—25.

Those voting nay were: Senators Atwood, Chytil, England, Guess, Keefe, Knoblauch, Lennart, Lewis, McMillan, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Stender, Talley, Washington, Williams—21.

Absent or not voting: Senators Mardesich, Peterson (Lowell), Sandison—3.  
The Secretary read the following amendments by Senator Herrmann:

On page 213, section 9-313, line 9, after "estate." insert the following subsections.



"(2) It shall be an unfair practice for any real estate broker or salesman to, because of race, creed, color or national origin of any person:

(1) Refuse to sell any real property to a purchaser;

(2) Make any distinction, discrimination or restriction against a seller or purchaser in the price, terms, conditions or privileges relating to the listing or sale of real property or in furnishing any facilities or services in connection therewith;

(3) Prevent or obstruct the sale of any real property to purchaser;

(4) Attempt to do any of the unfair practices described above in this section.

(3) It shall be an unfair practice for a person to use, publish, circulate, issue or display, or cause to be used, published, circulated, issued or displayed, any memorandum, communication, notice, advertisement or sign of any kind relating to the sale of real property which indicates any preference, limitation, specification or discrimination based on race, creed, color or national origin.

(4) It shall be an unfair practice for a real estate broker or salesman to accept or retain any listing of real property for sale with the understanding that a purchaser may be discriminated against with respect to the sale thereof because of race, creed, color or national origin.

(5) It shall be an unfair practice for any person to assist, induce, incite or coerce another person to commit an act or engage in a practice that violates this amendatory act."

Renumber the remaining subsections consecutively.

On page 233, line 12, add a new article to read as follows:

#### "ARTICLE 11 DISCRIMINATION

Sec. 11-101. ELIMINATION OF DISCRIMINATION AGAINST PERSONS BECAUSE OF RACE, CREED, COLOR OR NATIONAL ORIGIN AS THE SAME APPLY TO THIS ACT. It shall be an unfair practice for any person to deny the right of any other person to purchase any service, mortgage, note, bond, security, debenture, chose in action or article of personal property offered or sold on, or by, any establishment or person to the public, without acts directly or indirectly causing persons of any particular race, creed or color, to be treated as not welcome, accepted, desired or solicited."

#### POINT OF ORDER

Senator Riley:

"Point of order, Mr. President:

"My point of order is that the amendments as offered go beyond the title and scope and object of the bill."

#### RULING BY THE PRESIDENT

President Pro Tempore Gissberg:

"Ruling on the point of order as raised by Senator Riley, the President rules that the first amendment which was read goes beyond the scope and object of the bill; hence, the point of order raised by Senator Riley is well taken insofar as the first amendment is concerned.

However, with respect to the second point of order, your point of order, Senator, is not well taken. The second proposed amendment has to do with notes, bonds, securities, debentures, choses in action or articles of personal property offered or sold to any person of the public. Hence it comes within both the title and the content of the bill and would not have two subjects within it as the first one does.

The President, therefore, rules on the point of order that the point of order as to the second amendment is not well taken and the second amendment is properly before the body."

It was moved by Senator Herrmann that the amendment to page 233, line 12, be adopted.

Debate ensued.

Senator Herrmann demanded a roll call and the demand was sustained by Senators Washington, Greive, McCutcheon, Morgan, Rasmussen, Gallagher, Cooney, Hallauer and Connor.

## ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Herrmann. The motion was carried and the amendment was adopted by the following vote: Yeas, 30; nays, 15; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, Morgan, Petrich, Rasmussen, Riley, Stender, Thompson, Jr., Washington, Williams—30.

Those voting nay were: Senators Chytil, Gissberg, Hanna, Lennart, Lewis, McCutcheon, McMillan, Moriarty, Jr., Neill, Raugust, Redmon, Ryder, Sandison, Talley, Woodall—15.

Absent or not voting: Senators Henry, Mardesich, Peterson (Lowell), Peterson (Ted)—4.

It was moved by Senator Freise that the following amendment be adopted:

On page 211, subsection (2) strike all of subsection (2) and renumber the remaining subsections consecutively.

Debate ensued:

## POINT OF INQUIRY

Senator Woodall:

"Would Senator Dore yield to a question?"

President Pro Tempore Gissberg:

"Senator Dore yields."

Senator Dore:

"Am I speaking to a lawyer or a farmer now?"

Senator Woodall:

"It will make common sense either way, Senator. Senator Dore, I notice you are speaking in behalf of uniformity and you mentioned we should vote this down because it is in keeping with the other states. I want to inquire if that last amendment we adopted is carried through the other states in this act."

Senator Dore:

"As far as I know, and I advised the Senate before, that the provision wasn't in any other acts. Senator Herrmann has advised me seventeen states of the thirty-four have it. I just take his statement on it. I am not aware they do but I'm sure he's examined it and if he says it is so, it is."

Debate ensued.

The motion was carried and the amendment was adopted.

It was moved by Senator Gallagher that Engrossed Senate Bill No. 122 be ordered to retain its place on the second reading calendar for tomorrow.

The motion was lost on a rising vote.

It was moved by Senator Durkan that the following amendment be adopted:

On page 56, section 2-703, line 33, after "resell" and before "as" strike "and recover damages"

Debate ensued.

With the consent of the Senate, Senator Durkan was permitted to withdraw the amendment.

It was moved by Senator Durkan that the following amendment be adopted:

On page 200, line 33, strike the period and all the matter through the period on page 201, line 1, and insert ": *Provided*, That nothing in this act may be construed

as depriving a buyer, as against an assignee, of asserting the defenses of fraud or material misrepresentation by the seller."

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Freise, the following amendment was adopted:

On page 59, following line 27, insert a new subparagraph as follows:

"(7) Any sale made hereunder, if a loss has been sustained, in order to charge the purchaser for the loss, the seller must have exerted a reasonable effort to obtain the fair market price of the said goods sold."

On motion of Senator Dore, the rules were suspended, Reengrossed Senate Bill No. 122 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Reengrossed Senate Bill No. 122, and the bill passed the Senate by the following vote: Yeas, 29; nays, 17; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Dore, England, Hallauer, Herr, Knoblauch, Lennart, Lewis, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Rasmussen, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—29.

Those voting nay were: Senators Cooney, Cowen, Durkan, Donohue, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herrmann, Keefe, Kupka, Mardesich, Raugust, Redmon—17.

Absent or not voting: Senators Durkan, McCutcheon, Peterson (Lowell)—3.

Reengrossed Senate Bill No. 122, having received the constitutional majority, was declared passed.

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

On motion of Senator Dore, Engrossed Senate Bill No. 122 was ordered immediately Reengrossed and transmitted to the House.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., March 18, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bil No. 538 have inspected same, and find it correctly enrolled and certified.

Respectfully submitted, ....., *Chairman.*

We concur in this report: Martin J. Durkan, Michael J. Gallagher, Marshall A. Neill.

#### GUBERNATORIAL APPOINTMENTS

Senate Chamber,  
Olympia, Wash., March 17, 1965.

A. L. WILIE, to the position of Director of the Department of Labor and Industries, appointed January 14, 1965, succeeding Helmer Stubbs (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that said appointment be confirmed.

AL HENRY, *Chairman.*

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules.

Senate Chamber,  
Olympia, Wash., March 17, 1965.

WILLIAM E. SCHNEIDER, to the position of Director of the Department of General Administration, appointed January 14, 1965, succeeding Fred Martin (reported by Committee on State Government and Veterans' Affairs):

Recommends that said appointment be confirmed. AL HENRY, *Chairman.*

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules.

Senate Chamber,  
Olympia, Wash., March 17, 1965.

SIDNEY E. SMITH, to the position of Commissioner of the Department of Employment Security, appointed February 15, 1965, succeeding Jack F. Gordon (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that said appointment be confirmed. AL HENRY, *Chairman.*

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules.

**Senate Bill No. 12:**

Senate Chamber,  
Olympia, Wash., March 18, 1965.

Providing for the report of campaign expenditures and contributions (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended. JOHN A. PETRICH, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Jack England, Michael J. Gallagher, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 133:**

Senate Chamber,  
Olympia, Wash., March 18, 1965.

Creating a board of judges to assist in the administration of the judges' retirement system (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended. JOHN A. PETRICH, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Jack England, Michael J. Gallagher, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 410:**

Senate Chamber,  
Olympia, Wash., March 17, 1965.

Providing for Washington state public timber marketing act (reported by Committee on Natural Resources):

MAJORITY recommends that it do pass. ...., *Chairman.*

We concur in this report: Joe Chytil, William A. Gissberg, Wilbur G. Hallauer, Gordon Herr, Mike McCormack, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 418:**

Senate Chamber,  
Olympia, Wash., March 17, 1965.

Providing for listing of expenditures and receipts of certain nonpartisan organizations publicizing election candidates or measures within state (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass. JOHN T. MCCUTCHEON, *Chairman.*

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, R. R. Bob Greive, Wilbur G. Hallauer, Al Henry, Gordon Herr, Karl Herrmann, James Keefe, Frances Haddon Morgan, Fred G. Redmon, Nat Washington.

**Senate Bill No. 418:**

Senate Chamber,  
Olympia, Wash., March 17, 1965.

Providing for listing of expenditures and receipts of certain nonpartisan organizations publicizing election candidates or measures within state (reported by Committee on Constitution, Elections and Legislative Processes):

MINORITY recommends that it do not pass. ...., *Chairman.*

We concur in this report: John H. Stender, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 445:**

Senate Chamber,  
Olympia, Wash., March 17, 1965.

Releasing certain tidelands (reported by Committee on Natural Resources):

MAJORITY recommends that it do pass. LOWELL PETERSON, *Chairman.*

We concur in this report: Joe Chytil, William A. Gissberg, Wilbur G. Hallauer, Harry B. Lewis, Mike McCormack, August P. Mardesich, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 459:**

Senate Chamber,  
Olympia, Wash., March 18, 1965.

Regulating justice court jury trials (reported by Judiciary Committee):

MAJORITY recommends that it do pass. JOHN A. PETRICH, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Jack England, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 531:**

Senate Chamber,  
Olympia, Wash., March 18, 1965.

Authorizing expenditure of certain outdoor recreation account funds for administrative and coordinative purposes (reported by Committee on Ways and Means):

Recommends that it do pass.

FRANK W. FOLEY, *Chairman.*  
FRED H. DORE, *Chairman,*  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman,*  
Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, Jack England, Michael J. Gallagher, William A. Gissberg, R. R. Bob Greive, Sam C. Guess, Wilbur G. Hallauer, Ernest W. Lennart, Mike McCormack, David E. McMillan, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 539:**

Senate Chamber,  
Olympia, Wash., March 18, 1965.

Providing for notice of the sale of imported meat and labeling of country of origin on each package (reported by Committee on Agriculture and Horticulture):

Recommends that it do pass. DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, H. B. Hanna, Reuben A. Knoblauch, David E. McMillan, Lowell Peterson, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 540:**

Senate Chamber,  
Olympia, Wash., March 18, 1965.

Surplus foods for institutions (reported by Committee on Public Institutions): MAJORITY recommends that it do pass. FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, James Keefe, Reuben A. Knoblauch, George W. Kupka, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Resolution No. 25:**

Senate Chamber,  
Olympia, Wash., March 18, 1965.

Authorizing port districts to use funds for industrial development or trade promotion and promotional hosting (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 273:**

Senate Chamber,  
Olympia, Wash., March 18, 1965.

Creates state advisory committee on public assistance and provides for county advisory committees (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, George W. Kupka, August P. Mardesich, John H. Stender, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTION**

At 5:30 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Friday, March 19, 1965.

WILLIAM A. GISSBERG, *President Pro Tempore of the Senate*.

WARD BOWDEN, *Secretary of the Senate*.

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## FIFTH DAY

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### MORNING SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Friday, March 19, 1965.

The Senate was called to order at 10:30 a. m. by President Pro Tempore Gissberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Ted Roessner, Color Bearer, and Yvonne Lovrovich, presented the Colors.

Reverend Matthew Naumes, O.S.B. Professor of Theology, St. Martin's College Curate, Sacred Heart Mission, Lacey, offered prayer as follows:

"Lord, You have set us in this land: a land surrounded by mountains telling us of your wisdom and power; a land surrounded by water telling us of your kindness and blessing; a land full of good and honest people telling us of your grace and spirit.

"We have learned Your lessons even as we have learned to love the beauty of Your mountains and water and the laughter and love of Your friends; but this then is our prayer this morning: to teach others of Your wisdom and power, to recount to others Your kindness and blessing, to impart to others your grace and spirit. For then truly we will be the men who dare to match Your mountains, who dare to ask another generation to be Your friends. Amen."

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

The Secretary read:

#### SENATE RESOLUTION

No. 1965 EX -5

By Senators Guess and Washington:

WHEREAS, The National System of Interstate and Defense Highways is being carried rapidly toward completion by the scheduled date of October 1, 1972; and

WHEREAS, The Federal Highway Trust Fund expires on that date; and

WHEREAS, The continuing growth of the nation's population and economy, and of its related transportation needs give evidence of need for continuing highway programs after that date; and

WHEREAS, The Federal-Aid Highway Program because of sound financing, long range planning and orderly construction has been a vital force in the dramatic expansion of the nation's productive capacity and in enhancing the well-being of the citizens of this state and the nation for over 40 years; and

WHEREAS, It is in the national interest that the federal-state relationship that has made this program possible be not terminated in 1972 but rather continued and strengthened,

*Now, Therefore, Be It Resolved* By the Senate, That the Washington State Legislature petitions the Congress to authorize and direct the Secretary of Commerce, with the cooperation of the state highway department and through them with the cooperation of the cities and counties, to undertake immediately a study to determine highway needs after 1972, and to recommend to the Congress a federal policy with respect to highways to meet these needs most effectively; and

That the study include, but not be limited to, a review of the desirable extent of the national system of interstate and defense highways, the requirements by states of federal-aid primary and secondary or other systems of highways, the street and highway needs in urban areas, the most appropriate basis of sharing the costs among the several levels of government in relation to the interests of each in the several highway systems, the problem of reimbursement for toll or other roads included in

the national system of interstate and defense highways, and such other matters as the Secretary or the states believe appropriate; and

*Be It Further Resolved*, That the study be completed and reported to the Congress no later than January 1, 1967.

On motion of Senator Guess, the resolution was adopted.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., March 18 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 122; also

Senate Bill No. 292; also

Senate Bill No. 317; also

Senate Bill No. 474, have inspected same, and find them correctly engrossed.

FRANK W. FOLEY, *Chairman*.

We concur in this report: Martin J. Durkan, Michael J. Gallagher, R. R. Bob Greive, Perry B. Woodall.

#### Senate Bill No. 297:

Senate Chamber,  
Olympia, Wash., March 18, 1965.

Establishing venue for actions against borrower in default from small loan companies (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Fred H. Dore, Jack England, Frank W. Foley, William A. Gissberg, John T. McCutcheon, August P. Mardesich, Charles P. Moriarty, Jr., Nat Washington, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

#### Senate Bill No. 299:

Senate Chamber,  
Olympia, Wash., March 19, 1965.

Raising firemen's minimum pensions (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Joe Chytil, Frank Connor, Michael J. Gallagher, Al Henry, James Keefe, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

#### Senate Bill No. 313:

Senator Petrich:

"Mr. President:

"I would like to make an oral report concerning a matter referred to the Judiciary Committee."

President Pro Tempore Gissberg:

"You may proceed, Senator."

Senator Petrich:

"Mr. President, members of the Senate:

"Senate Bill No. 313 was referred to the Senate Judiciary Committee yesterday afternoon with instructions to report back by 10:30 this morning. I wish to report on behalf of the committee that the bill is now under consideration. We have not had enough time to make definite recommendations to the body. I would at the appropriate time, respectfully request to be recognized and move that the committee be permitted to continue their study and report back by 1:30 p.m. this afternoon."



President Pro Tempore Gissberg:

"Are you making the motion at this point, Senator?"

Senator Petrich:

"I so move."

On motion of Senator Petrich, the Judiciary Committee was granted additional time until 1:30 p. m. today to report back to the Senate on Senate Bill No. 313.

**Senate Bill No. 323:**

Senate Chamber,  
Olympia Wash., March 19, 1965.

Continuing program of state aid for county probation services until June 30, 1967 (reported by Committee on Rules and Joint Rules):

MAJORITY recommends that Senate Bill No. 323 be referred to Committee on Ways and Means. \_\_\_\_\_, *Chairman.*

We concur in this report: Robert C. Bailey, John L. Cooney, David C. Cowen, Michael J. Gallagher, William A. Gissberg, R. R. Bob Greive, Wilbur G. Hallauer, H. B. Hanna, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, Marshall A. Neill, W. C. Raugust, Edward F. Riley, John N. Ryder, Perry B. Woodall.

On motion of Senator Cowen, the committee report was adopted and Senate Bill No. 323 was referred to the Comittee on Ways and Means.

**Senate Bill No. 386:**

Senate Chamber,  
Olympia, Wash., March 18, 1965.

Expanding the basis for issuance of search warrants (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Jack England, Frank W. Foley, William A. Gissberg, August P. Mardesich, Charles P. Moriarty, Jr., Nat Washington, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 444:**

Senate Chamber,  
Olympia, Wash., March 18, 1965.

Controlling distribution of obscene printed or written matter or articles (reported by Judiciary Committee):

MAJORITY recommends that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: R. Frank Atwood, Fred H. Dore, Frank W. Foley, William A. Gissberg, John T. McCutcheon, August P. Mardesich, Charles P. Moriarty, Jr., Nat Washington, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 534:**

Senate Chamber,  
Olympia, Wash., March 18, 1965.

Providing for vocational rehabilitation for the deaf or hard of hearing (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass.

A. L. RASMUSSEN, *Chairman.*

We concur in this report: Robert C. Bailey, Martin J. Durkan, Sam C. Guess, George W. Kupka, August P. Mardesich, John H. Stender.

On motion of Senator Rasmussen, the committee report was adopted and Senate Bill No. 534 was referred to the Committee on Ways and Means.

The Secretary read:

**MESSAGE FROM THE SECRETARY OF STATE**

Office of the Secretary,  
Olympia, Wash., March 19, 1965.

*To the Honorable, the President of the Senate,  
The Legislature of the State of Washington, Olympia, Washington.*

SIR:

I have the honor to transmit herewith pursuant to Section 12, Article 3 of the Constitution of the State of Washington, for the consideration of the Senate, Enrolled Senate Bill No. 29 which has been vetoed by the Governor, together with his veto message attached thereto.

Respectfully,

A. LUDLOW KRAMER,  
*Secretary of State,*  
STANLEY W. WORSWICK,  
*Assistant Secretary of State.*

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

Executive Department, State of Washington,  
Olympia, March 17, 1965.

*To the Honorable, The Senate of the State of Washington  
(through the Secretary of State)*

LADY AND GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval, Senate Bill No. 29 entitled:

"An Act relating to education and the support of the common schools; amending section 3, chapter 276, Laws of 1959 and RCW 28.48.010; amending section 9, chapter 141, Laws of 1945 and RCW 28.48.030; and making an effective date."

Senate Bill 29 changes the method of distributing state aid for schools from ten monthly payments from September through June to twelve monthly payments each year. The underlying purpose of this bill is to commit the state to a distribution in July and August of 1967 which the school districts of the state can anticipate in their planning for the 1966-67 school year, thus enabling them to carry out an improved educational program in the biennium ahead.

This aspect of the bill has been anticipated in Senate Bill No. 374, the Omnibus Appropriation Bill, which projects \$42,308,216 as the "carry-over" amount.

However, this deferral of \$42.3 million is not fiscally sound, if used entirely as a budget-balancing device. This would be tantamount to setting the fuse to a \$42 million bomb that will explode in the Legislature's face at the next session.

We should face up to the cost of supporting the needed increase in the level of educational services at this session, at least to the extent of \$20 million for deficit reduction. A measure such as Senate Bill No. 29 is sound only when included with an appropriation act and revenue measure that taken together result in a balanced budget accompanied by a \$20 million reduction in the general fund deficit. Therefore, I consider the bill premature at this time.

Moreover, Senate Bill No. 374 anticipates that the twenty-four payments to support school districts in 1965-67 will begin with September, 1965, rather than with July, 1965, as provided in Senate Bill No. 29. This aspect of Senate Bill No. 29 would serve to nullify, or at least to confuse the purpose of improving the educational program by projecting distribution after June 30, 1967, to pay part of the 1966-67 school year costs.

As written, Senate Bill No. 29 would mandate a distribution of between \$30 and \$35 million of General Fund tax money during July and August of *this* year, a period when *no* distribution would ordinarily be made, and a period for which school districts have already planned on the basis of no state aid.

The effect of this aspect of the bill would be to transfer to school district treasuries substantial sums of money in advance of actual need, to draw interest for their benefit at a corresponding increased cost to the hard-pressed General Fund.

The effective date of the act should be September 1, 1965.

For the foregoing reasons I have vetoed Senate Bill No. 29.

I will support a properly drafted measure to extend school aid payments to twelve months, if passed at the proper time.

Respectfully submitted,  
DANIEL J. EVANS,  
Governor.

#### MOTION

It was moved by Senator Greive that Senate Bill No. 29 and the Governor's veto message thereon be made a special order of business for 1:30 p. m. today.

#### POINT OF INQUIRY

Senator Moriarty, Jr.:

"Would Senator Greive yield to a question?"

Senator Greive:

"Yes."

Senator Moriarty, Jr.:

"Senator Greive, is the purpose of your motion to make this a special order of business for 1:30 to override the veto of the Governor?"

Senator Greive:

"I think that is a very distinct and real possibility, Senator. We have not discussed it and reached any policy on the matter, but I think you may expect at least if we do not, we will go down kicking."

The motion was carried.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 18, 1965.

MR. PRESIDENT:

The House has passed: House Bill No. 76; also  
Engrossed House Bill No. 77; also  
House Bill No. 103; also  
House Bill No. 133; also  
House Bill No. 134; also  
House Bill No. 152; also  
House Bill No. 192; also  
Reengrossed House Bill No. 222; also  
Engrossed House Bill No. 229; also  
Engrossed House Bill No. 240; also  
House Bill No. 245; also  
House Bill No. 247; also  
House Bill No. 249; also  
House Bill No. 265; also  
House Bill No. 270; also  
House Bill No. 271; also  
Engrossed House Bill No. 276; also  
House Bill No. 283; also  
Engrossed House Bill No. 347; also  
House Bill No. 362; also  
Reengrossed House Bill No. 382; also  
Substitute House Bill No. 391; also  
Engrossed House Bill No. 428; also  
Engrossed House Bill No. 444; also  
Engrossed House Bill No. 450; also  
House Bill No. 462; also  
Reengrossed House Bill No. 515; also  
Engrossed House Bill No. 592; also  
House Joint Memorial No. 14; also

House Joint Memorial No. 15; also  
House Concurrent Resolution No. 7; also  
House Concurrent Resolution No. 15, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 18, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 538, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 18, 1965.

MR. PRESIDENT:

The House has passed: Senate Concurrent Resolution No. 16 with the following amendment:

On line 2, after "on" and before "day" strike "Friday, the nineteenth" and insert "Monday, the twenty-second" and on line 5, after "on" and before "day" strike "Tuesday, the twenty-third" and insert "Thursday, the twenty-fifth" and on line 8, after "on" and before "day" on line 9, strike "Tuesday, the twenty-third" and insert "Thursday, the twenty-fifth" and on line 11, strike "congressional" and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Greive, the Senate concurred in the House amendments to Senate Concurrent Resolution No. 16.

On motion of Senator Greive, Senate Concurrent Resolution No. 16, as amended by the House, was adopted.

#### INTRODUCTION AND FIRST READING OF BILLS AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 541**, by Senators Moriarty, Jr. and Ryder (by Departmental request):

An Act relating to county government; establishing a county assessor's budget review board and setting out its powers and duties; and declaring an emergency.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 542**, by Senators Moriarty, Jr., Ryder and Thompson, Jr. (by Departmental request):

An Act relating to state government and the governor's advisory committee on salaries; and amending section 43.03.028, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.03.028.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 543**, by Senators Freise, Donohue and Raugust:

An Act relating to farm crops; and adding a new section to chapter 60.12 RCW.

Referred to Committee on Agriculture and Horticulture.

**Senate Bill No. 544**, by Senators Moriarty, Jr., Ryder, Thompson, Jr. and Neill (by Executive request):

An Act relating to education and the support of the common schools; amending section 3, chapter 276, Laws of 1959 and RCW 28.48.010; amending section 9, chapter 141, Laws of 1945 and RCW 28.48.030; and declaring an effective date.

Referred to Committee on Education.

**Senate Bill No. 545**, by Senators McCormack and Thompson, Jr.:

An Act relating to education; providing for the nonrenewal of teaching contracts and the discharge of certificated employees of school districts; amending section 2, chapter 241, Laws of 1961 and RCW 28.58.450; amending section 3, chapter 241, Laws of 1961 and RCW 28.58.460; amending section 3, chapter 68, Laws of 1955 as amended by section 1, chapter 241, Laws of 1961 and RCW 28.67.070; and amending section 1, page 362, Laws of 1909 as amended by section 9, chapter 241, Laws of 1961 and RCW 28.88.010.

Referred to Committee on Education.

**Senate Bill No. 546**, by Senators Washington, Bailey and Raugust:

An Act relating to the state highway commission; amending section 47.01.030, chapter 13, Laws of 1961 and RCW 47.01.030; and declaring an emergency.

Referred to Committee on Highways.

**Senate Joint Resolution No. 26**, by Senators Moriarty, Jr., Ryder and Neill:

Establishing the common school construction fund and providing for the financing thereof.

Referred to Committee on Ways and Means.

**Senate Concurrent Resolution No. 18**, by Senator Durkan:

Wishing former member Louis E. Hofmeister a speedy recovery from illness.

On motion of Senator Riley, the rules were suspended, Senate Concurrent Resolution No. 18 was advanced to second reading and read the second time in full.

On motion of Senator Riley, the rules were suspended, Senate Concurrent Resolution No. 18 was advanced to third reading, the second reading considered the third, the resolution placed on final passage and adopted.

**FIRST READING OF HOUSE BILLS, MEMORIALS AND RESOLUTIONS**

The following were read first time by title and acted upon as indicated:

**House Bill No. 76**, by Representatives Flanagan, Kink and McCormick:

An Act relating to campus police at state colleges; and amending sections 1, 2, and 3, chapter 123, Laws of 1949, and RCW 28.76.310, 28.76.320 and 28.76.330.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 77**, by Representatives Garrett, Grant and Litchman:

An Act relating to school districts; and authorizing school districts to provide insurance for school children.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 103**, by Representatives Witherbee, Angevine and Valle:

An Act relating to fire districts; amending section 3, chapter 70, Laws of 1941 as last amended by section 3, chapter 237, Laws of 1959 and RCW 52.08.060; and amending section 5, chapter 176, Laws of 1953 as amended by section 1, chapter 42, Laws of 1963 and RCW 52.24.090.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 133**, by Representatives Witherbee, Warnke and Perry:

An Act relating to counties; and amending section 36.21.050, chapter 4, Laws of 1963 and RCW 36.21.050.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 134**, by Representatives Witherbee, O'Donnell and May:

An Act relating to industrial insurance; and amending section 51.12.070, chapter 23, Laws of 1961, and RCW 51.12.070.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 152**, by Representatives Burtch, Andersen (James A.) and Anderson (Eric O.):

An Act relating to port districts; and amending sections 1 and 2, chapter 29, Laws of 1925 and RCW 53.36.070 and 53.36.080.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 192**, by Representatives Adams, Johnston (Elmer E.) and Conner:

An Act relating to mentally ill and mentally deficient persons; adopting the interstate compact on mental health relating to care and treatment of such persons in this and other participating states; authorizing agreements supplemental thereto; providing for the administration thereof; and adding a new chapter to chapter 28, Laws of 1959 and to Title 72 RCW.

Referred to Committee on Rules and Joint Rules.

**Reengrossed House Bill No. 222**, by Representatives Hawley, King (Chet), Taylor, Wang, Hood, Mahaffey, Kink, Berentson, Bergh and Thompson (by Departmental request):

An Act relating to food fish and shellfish; prohibiting alien commercial fishing activities and fraudulent application for license by alien; adding two new sections to chapter 12, Laws of 1955 and to chapter 75.28 RCW; and prescribing penalties.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 229**, by Representatives Anderson (Eric O), Burtch and Conner:

An Act relating to foodfish and shellfish, permitting a limit catch for the physically infirm by members of their immediate family; and adding a new section to chapter 75.24 RCW.

Referred to Committee on Fisheries, Game and Game Fish.

**Engrossed House Bill No. 240**, by Representatives Bledsoe and Kull (by Departmental request):

An Act relating to commercial feed including customer-formula feed; repealing sections 15.53.010 through 15.53.900, chapter 11, Laws of 1961 and RCW 15.53.010 through 15.53.900; providing penalties; and making an effective date.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 245**, by Representatives Gallagher, Taplin and Jolly (by Departmental request):

An Act relating to vehicle licenses; amending section 46.16.020, chapter 12, Laws of 1961 and RCW 46.16.020; and declaring an emergency.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 247**, by Representatives Cunningham and Gallagher (by Departmental request):

An Act relating to the use fuel tax; and amending sections 82.40.050, 82-40.060, 82.40.130, 82.40.220, 82.40.250 and 82.40.270, chapter 15, Laws of 1961 and RCW 82.40.050, 82.40.060, 82.40.130, 82.40.220, 82.40.250 and 82.40.270.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 249**, by Representatives Jolly, Huntley and Bozarth (by Departmental request):

An Act relating to motor vehicle licenses; amending section 46.16.270, chapter 12, Laws of 1961 and RCW 46.16.270.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 265**, by Representatives Huntley, Wolf and Gallagher (by Departmental request):

Changing regulation of motor vehicle fuel tax users.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 270**, by Representatives Beck, Epton and Elder (by Departmental request):

An Act relating to the department of institutions and the state bureau of criminal identification; providing for the establishment of the state bureau of criminal identification at the Washington correctional center at Shelton and qualifications for the superintendent of the bureau; and amending section 72.50.010 and 72.50.020, chapter 28, Laws of 1959 and RCW 72.50.010 and 72.50.020.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 271**, by Representatives Hurley, Chatalas and Epton (by Departmental request):

An Act relating to public assistance; amending section 74.04.265, chapter 26, Laws of 1959 and RCW 74.04.265.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 276**, by Representatives Epton, Adams and Savage (by Departmental request):

An Act relating to public assistance; amending section 74.12.010, chapter 26, Laws of 1959 as last amended by section 18, chapter 228, Laws of 1963 and RCW 74.12.010.

Referred to Committee on Rules and Joint Rules.

**Reengrossed House Bill No. 382**, by Representatives Moon and Kalich:

Raising assessments on milk and cream under dairy products commission.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 283**, by Representatives Taplin, Day and Huntley:

An Act relating to public highways; authorizing and directing the state highway commission to make a feasibility study of the need of constructing a section of primary state highway No. 3 in Asotin county; and making an appropriation.

Referred to Committee on Highways.

**Engrossed House Bill No. 347**, by Representatives Taylor, Smith, Gallagher and Conner:

An Act relating to cities and towns; and adding a new section to chapter ....., Laws of 1965 and to chapter 35.02 RCW.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 362**, by Representatives Kull, Canfield and McDougall:

An Act relating to agriculture, and the marketing of soft tree fruits and amending section 15.28.180, chapter 11, Laws of 1961 as amended by section 4, chapter 51, Laws of 1963 and RCW 15.28.180.

Referred to Committee on Rules and Joint Rules.

**Substitute House Bill No. 391**, by Committee on Local Government:

An Act relating to firemen's relief and pensions; amending section 6, chapter 91, Laws of 1947 as last amended by section 9, chapter 255, Laws of 1961 and RCW 41.16.060; amending section 1, chapter 382, Laws of 1955 as amended by section 1, chapter 255, Laws of 1961 and RCW 41.18.010; amending section 4, chapter 382, Laws of 1955 as amended by section 3, chapter 255, Laws of 1961 and RCW 41.18.040; and amending section 8, chapter 382, Laws of 1955 and RCW 41.18.100.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 428**, by Representatives Kalich, Jastad and King (Chet):

An Act relating to transportation; providing for the transfer or continuation of permits; and adding a new section to chapter 14, Laws of 1961, and to chapter 81.80 RCW.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 444**, by Representatives King (Richard "Dick"), Brouillet and Saling:

An Act relating to teachers' benefits; and amending section 2, chapter 68, Laws of 1955, as last amended by section 1, chapter 104, Laws of 1963, and RCW 28.58.100.

Referred to Committee on Education.

**Engrossed House Bill No. 450**, by Representatives Epton, May and Saling:

An Act relating to education and the support thereof; and adding a new section to chapter 28.47 RCW.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 462**, by Representatives Garrett and Warnke:

An Act relating to sewer districts; providing certain contract powers; and amending section 48, chapter 210, Laws of 1941, as last amended by section 3, chapter 103, Laws of 1959 and RCW 56.08.060.

Referred to Committee on Rules and Joint Rules.

**Reengrossed House Bill No. 515**, by Representatives Wolf, Kink and Traylor:

An Act relating to public highways; amending section 46.56.135, chapter 12, Laws of 1961, and RCW 46.56.135; adding a new section to chapter 12, Laws of 1961 and to chapter 46.56 RCW; and providing penalties.

Referred to Committee on Highways.

**Engrossed House Bill No. 592**, by Representatives Thompson, Jr., Johnston (Elmer E.) and Klein:

An Act relating to family courts; amending section 5, chapter 50, Laws of 1949, and RCW 26.12.050.

Referred to Committee on Rules and Joint Rules.



**House Joint Memorial No. 14**, by Representatives King (Chet), Hawley and Taylor:

Memorializing Congress to provide funds for Willamette Falls fishways.  
Referred to Committee on Fisheries, Game and Game Fish.

**House Joint Memorial No. 15**, by Representatives Traylor, Wolf and Rogers:  
Petitioning for dogfish study.

Referred to Committee on Rules and Joint Rules.

**House Concurrent Resolution No. 7**, by Representatives Hood, Cunningham and Conner:

Providing for an interim committee on problems of technological employment.

Referred to Committee on Labor and Social Security.

**House Concurrent Resolution No. 15**, by Representatives Uhlman, Copeland and O'Brien:

Providing for fiscal notes on certain legislation.

Referred to Committee on Rules and Joint Rules.

#### SECOND READING OF BILLS

**Senate Bill No. 391**, by Senators Williams, Riley, Ryder, Gallagher and England:

Prohibiting sale of intoxicating liquor on grounds of University of Washington.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, Senate Bill No. 391 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

Senators Ryder, Riley and Williams demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present, except Senator Sandison.

On motion of Senator Ryder, the rules were suspended and Senator Sandison was excused.

On motion of Senator Ryder, the Senate proceeded under the Call of the Senate.

It was moved by Senator England that Senate Bill No. 391 be ordered to retain its place on the third reading calendar for tomorrow.

It was moved by Senator Greive that the motion by Senator England be laid upon the table.

Senator Dore demanded a roll call and the demand was sustained by Senators Greive, Petrich, Peterson (Ted), Stender, Talley, McCutcheon, McMillan, Hanna, Rasmussen and Durkan.

It was moved by Senator Charette that the rules be suspended and that the roll be called in inverse alphabetical order.

Debate ensued.

The motion was carried.

## ROLL CALL

The Secretary called the roll in inverse order on the motion by Senator Greive. The motion by Senator Greive to lay the motion upon the table by Senator England was lost by the following vote: Yeas, 23; nays, 25; excused, 1.

Those voting yea were: Senators Donohue, Durkan, Foley, Freise, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Kupka, Lennart, McCutcheon, McMillan, Mardesich, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Talley, Washington, Woodall—23.

Those voting nay were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, England, Gallagher, Hallauer, Keefe, Knoblauch, Lewis, McCormack, Morgan, Moriarty, Jr., Neill, Petrich, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams—25.

Excused: Senator Sandison—1.

The President declared the question before the Senate is: It has been moved by Senator England that Senate Bill No. 391 be ordered to retain its place on the second reading calendar for tomorrow.

The motion was carried.

On motion of Senator Durkan, the Senate dispensed with the Call of the Senate.

**Senate Bill No. 476**, by Senator Petrich:

Transferring authority over teletypewriter communications network to chief of Washington state patrol.

The bill was read the second time by sections.

It was moved by Senator Petrich that the following amendment be adopted:

In line 8, strike all of section 1 and substitute the following:

"NEW SECTION. Section 1. There is added to chapter ....., Laws of 1965 (Senate Bill No. 4) and to chapter 43.89 RCW a new section to read as follows:

The powers, duties, and functions of the director of budget relating to the state teletypewriter communication network are transferred to the chief of the Washington state patrol. All existing contracts, orders, rules, regulations, records, and obligations together with communications equipment, motor vehicles, and any other property, device, or thing and any remaining appropriation pertaining to such communication network shall be transferred by the director of budget or his agent to the chief of the Washington state patrol as of the effective date of this 1965 amendatory act.

Sec. 2. Section 43.89.010, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.89.010 are each amended to read as follows:

The [director of budget] *chief of the Washington state patrol* is hereby authorized to establish a teletypewriter communications network which will inter-connect the law enforcement agencies of the state and its political subdivisions into a unified written communications system. The [director of budget] *chief of the Washington state patrol* is authorized to lease or purchase such facilities and equipment as may be necessary to establish and maintain such teletypewriter communications network.

(1) The communications network shall be used exclusively for the official business of the state, and the official business of any city, county, city and county, or other public agency.

(2) This section does not prohibit the occasional use of the state's communications network by any other state or public agency thereof when the messages transmitted relate to the enforcement of the criminal laws of the state.

(3) The [director of budget] *chief of the Washington state patrol* shall fix the monthly operational charge to be paid by any department or agency of state government, or any city, county, city and county, or other public agency participating in the communications network: *Provided*, That in computing charges to be made against a city, county, or city and county the state shall bear at least fifty percent of the costs of such service as its share in providing a modern unified communications network to the law enforcement agencies of the state.

(4) The [director of budget] *chief of the Washington state patrol* is authorized to arrange for the connection of the communications network with the law enforcement

communications system of any adjacent state, or the Province of British Columbia, Canada.

Sec. 3. Section 43.89.020, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.89.020 are each amended to read as follows:

There is hereby created the state communications advisory committee which shall advise the [director of budget] *chief of the Washington state patrol* on matters relating to the operation of the teletypewriter communications system established hereunder.

(1) The committee shall serve without pay and shall meet at such times as the chairman or [director of budget] *chief of the Washington state patrol* so determine. Attendance at meetings of the committee shall be deemed performance by a member of the duties of his state or political subdivision's employment.

(2) The Committee shall consist of seven members appointed by the governor and shall include:

- (a) An incumbent county sheriff;
- (b) An incumbent chief of police;
- (c) An incumbent county commissioner;
- (d) An incumbent city chief executive officer;
- (e) A member of the Washington state patrol;
- (f) The director of state institutions or his duly authorized representative;
- (g) The state director of civil defense.

(3) The term of each member of the committee shall be two years, except that the term of three of the original members, to be determined by the governor, shall expire on July 1, 1964. The governor shall designate one of the members to serve as chairman.

(4) The committee shall advise the [director of budget] *chief of the Washington state patrol* on the initial formation and installation of a teletypewriter communications network and approve the initial or subsequent connection of any city, county, city and county or local subdivision to the network.

(5) The committee shall adopt such rules, regulations, procedures, and methods of operation as it deems necessary to effectuate the most efficient and economical use of the communications network.

Sec. 4. Section 43.89.030, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.89.030 are each amended to read as follows:

Any city, county, city and county, or other public agency may connect with and participate in the teletypewriter communications network subject to the rules, regulations, procedures and methods of operation adopted by the state communications advisory committee: *Provided*, That such city, county, city and county, or other public agency shall first agree to pay such installation charges as may be necessary for such connection and such monthly operational charges as may be established by the [director of budget] *chief of the Washington state patrol*.

**NEW SECTION.** Sec. 5. There is added to chapter ....., Laws of 1965 (Senate Bill No. 4) and to chapter 43.89 RCW a new section to read as follows:

The transfer of the powers, duties, and functions relating to the state teletypewriter communication network from the director of budget to the chief of the Washington state patrol shall not terminate or affect the liability of the state accruing with respect to such communications network to any person, company, or corporation.

**NEW SECTION.** Sec. 6. This 1965 amendatory act shall take effect on July 1, 1965."

On motion of Senator Petrich, Senate Bill No. 476 was ordered to retain its place on the second reading calendar for today immediately following consideration of Senate Bill No. 451.

**Senate Concurrent Resolution No. 15**, by Senators McCormack, Dore, Williams, Hallauer, Stender, Peterson (Lowell), Gallagher, Lennart, Hanna, Henry, Connor, Knoblauch and Washington:

Resolving that the legislature support civil rights effort in Alabama.

The resolution was read the second time in full.

It was moved by Senator Washington that the following amendment be adopted:

On page 1, line 4, after "it" strike "is abundantly clear" and insert "appears"

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Greive, Senate Concurrent Resolution No. 15 was ordered to retain its place on the second reading calendar for today immediately following consideration of Senate Bill No. 233.

**Senate Bill No. 451**, by Senators Durkan, Rasmussen and McCormack:

Enabling public utility districts to continue payment of premiums of contracts for the benefit of employees after retirement.

#### REPORT OF STANDING COMMITTEE

##### Senate Bill No. 451:

Senate Chamber,  
Olympia, Wash., March 18, 1965.

Enabling public utility districts to continue payment of premiums of contracts for the benefit of employees after retirement (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass with the following amendment:

In line 13 after "." add the following: "Such payments, if negotiated as part of an employees compensation plan, and agreed to by the public utility district, shall be considered as deferred compensation. Such payments shall not be retroactive but shall only be available for those employees presently employed on the effective date of this act."

A. L. RASMUSSEN, *Chairman.*

We concur in this report: Robert C. Bailey, Martin J. Durkan, Sam C. Guess, George W. Kupka, August P. Mardesich, John H. Stender, Edward F. Riley.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the committee amendment was adopted.

On motion of Senator Durkan, the rules were suspended, Engrossed Senate Bill No. 451 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Lewis:

"Mr. President, would Senator Durkan yield to a question?"

"Senator Durkan, I am not as familiar with this bill as I should be. I wonder if you could tell me if there are any other areas in state government or public government where this type of program is available to employees?"

Senator Durkan:

"As to the payment on the pension program?"

Senator Lewis:

"On the payment of retirement income policies, group annuities, group insurance, etc. which is all going to be under this bill, partially paid for by the public utilities districts. I wonder if this same sort of thing is done in state government, county government, or any other type of government where the governmental body will continue to make payments after the retirement of an employee?"

Senator Durkan:

"Actually the retirement program funded by the state government for state employees is one instance where it is funded now to make it actuarially sound. This bill doesn't apply to it. We are talking here about annuities and contracts. I know of no instance where we have reached that far out in state government."

Senator Lewis:

"Senator Durkan, I don't know whether you have answered my question. At least I don't understand your answer clearly. The thing that I am asking is, do you know or are you aware of any other area in government where a governmental

agency will, after the retirement of an employee, continue to pay its share which it normally paid prior to retirement, for employee benefit programs such as are indicated under this bill?"

Senator Durkan:

"Mr. President:

"My answer would have to be 'no.'"

Further debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 451, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Marde-sich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Stender, Talley, Thompson, Jr., Wash-ington, Williams, Woodall—46.

Absent or not voting: Senators Keefe, Raugust—2.

Excused: Senator Sandison—1.

Engrossed Senate 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.

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

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 19, 1965.

MR. PRESIDENT:

The House has adopted: Senate Concurrent Resolution No. 17, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 19, 1965.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 256 and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### SIGNED BY THE PRESIDENT

**The President Pro Tempore signed: Senate Concurrent Resolution No. 16; also**

**Senate Concurrent Resolution No. 17; also**

**House Bill No. 256.**

There being no objection, the Senate advanced to the seventh order of business.

#### SECOND READING OF BILLS

The Senate resumed consideration of Senate Bill No. 476 on second reading.

On motion of Senator Petrich, Senate Bill No. 476 was ordered to retain its place on the second reading calendar for today, immediately following consideration of Senate Concurrent Resolution No. 15.

**Senate Bill No. 63**, by Senators Atwood, Hanna and Williams:

Authorizing cities and towns to combine their garbage and refuse disposal systems with water systems and/or sewerage systems.

The bill was read the second time by sections.

On motion of Senator Atwood, the rules were suspended, Senate Bill No. 63 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 63, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmusen, Redmon, Riley, Ryder, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Hallauer, Raugust—2.

Excused: Senator Sandison—1.

Senate Bill No. 63, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 459**, by Senator Petrich:

Regulating justice court jury trials.

On motion of Senator Petrich, Senate Bill No. 459 was ordered to retain its place at the top of the second reading calendar for this afternoon.

**Senate Bill No. 233**, by Senators Hanna, Ryder and Talley:

Changing municipal bonding procedures.

On motion of Senator Riley, Substitute Senate Bill No. 233 was substituted for Senate Bill No. 233, Substitute Senate Bill No. 233 was placed on second reading and read the second time by sections.

On motion of Senator Neill, Substitute Senate Bill No. 233 was ordered to retain its place on the second reading calendar for today, immediately following consideration of Senate Bill No. 476.

**Senate Concurrent Resolution No. 15**, by Senators McCormack, Dore, Williams, Hallauer, Stender, Peterson (Lowell), Gallagher, Lennart, Hanna, Henry, Connor, Knoblauch and Washington:

Resolving that the legislature support civil rights effort in Alabama.

The Senate resumed consideration of Senate Concurrent Resolution No. 15 on second reading.

The resolution was read the second time by sections.

It was moved by Senator Woodall that the following amendment be adopted:

On page 1, line 27, strike "rather than to attack and harrass"

Debate ensued.

The motion was carried and the amendment was adopted.

It was moved by Senator Woodall that the following amendment be adopted:

On page 1, strike the third "WHEREAS" and lines 8, 9 and 10.

Debate ensued.

It was moved by Senator McCutcheon that Senate Concurrent Resolution No. 15 be indefinitely postponed.

Debate ensued.

It was moved by Senator Keefe that Senate Concurrent Resolution No. 15 be referred to the Committee on Rules and Joint Rules.

Senator Dore demanded a roll call and the demand was sustained by Senators Guess, Stender, Peterson (Ted), Connor, Washington, Knoblauch and Hallauer.

#### ROLL CALL

The Secretary called the roll on the motion by Senator Keefe to refer Senate Concurrent Resolution No. 15 to the Committee on Rules and Joint Rules, and the motion was carried by the following vote: Yeas, 26; nays, 20; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Chytil, Cooney, Cowen, Donohue, Freise, Gissberg, Guess, Keefe, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Woodall—26.

Those voting nay were: Senators Charette, Connor, Dore, Durkan, Foley, Gallagher, Greive, Hallauer, Hanna, Herr, Knoblauch, Kupka, Lennart, Lewis, McCormack, Peterson (Lowell), Petrich, Rasmussen, Washington, Wililams—20.

Absent or not voting: Senators England, Henry, Herrmann—3.

#### MOTION

At 12:45 p. m., on motion of Senator Greive, the Senate recessed until 2:00 p. m.

#### AFTERNOON SESSION

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

The Secretary called the roll and announced to the President that all Senators were present.

#### MOTION

On motion of Senator Durkan, consideration of the special order of business set for 1:30 p. m., Senate Bill No. 29 and the Governor's veto message thereon, was postponed until 3:00 p. m. today.

#### SECOND READING OF BILLS

**Senate Bill No. 476**, by Senator Petrich:

Transferring authority over teletypewriter communications network to chief of Washington state patrol.

The Senate resumed consideration of Senate Bill No. 476 and the pending amendment by Senator Petrich.

On motion of Senator Foley, the following amendment to the amendment was adopted:

In the amendment by Senator Petrich to section 3, subsection (2) (e), strike "[A member of the Washington state patrol] *The state budget director*" and insert "A member of the Washington state patrol"

On motion of Senator Petrich, the amendment as amended was adopted.

On motion of Senator Petrich, the following amendment to the title was adopted:

Strike all of the title and substitute the following:

"An Act relating to state government; transferring the powers, duties and functions of the director of budget relating to the state teletypewriter communications network to the chief of the Washington state patrol; amending section 43.89.010, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.89.010; amending section 43.89.020, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.89.020; amending section 43.89.030, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.89.030; adding new sections to chapter ....., Laws of 1965 (Senate Bill No. 4) and to chapter 43.89 RCW; and providing an effective date."

On motion of Senator Petrich, the rules were suspended, Engrossed Senate Bill No. 476 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 476, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Atwood, Herrmann, Lennart, McCormack—4.

Engrossed Senate Bill No. 476, having received the constitutional majority, was declared passed.

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

**Substitute Senate Bill No. 233**, by Committee on Cities, Towns and Counties: Changing municipal bonding procedures.

The bill was read the second time by sections.

On motion of Senator Ryder, the rules were suspended, Substitute Senate Bill No. 233 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 233, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen,



Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Henry, Herrmann, Stender—3.

Substitute Senate Bill No. 233, having received the constitutional majority, was declared passed.

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

#### THIRD READING OF BILLS

**Engrossed Senate Bill No. 377**, by Senators McCormack, Lewis, Hallauer, Guess, Thompson, Jr., Atwood and Cowen:

Expanding the powers and duties of the state capitol historical association and the duties of its director.

On motion of Senator Lewis the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 377 was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 377, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Hanna, Herrmann, McCormack—3.

Engrossed Senate Bill No. 377, having received the constitutional 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. 187**, by Senators Kupka, Woodall and Greive:

Providing term of legislative council member terminates on his filing declaration of candidacy for elective state office.

On motion of Senator Kupka the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 187 was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 187, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Sandison, Stender, Talley, Washington, Williams, Woodall—43.

Those voting nay were: Senators Rasmussen, Thompson, Jr.—2.

Absent or not voting: Senators Dore, Herrmann, McCormack, Ryder—4.  
Engrossed Senate Bill No. 187, having received the constitutional majority, was declared passed.

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

**Senate Joint Memorial No. 6**, by Senators Gissberg, Neill, Riley, Herrmann, Lennart, Atwood, Raugust, Woodall, McMillan, Henry, Donohue, Lewis, Guess and Talley:

Memorializing Congress to amend the United States Constitution to set out the right of the people to choose whether or not they wish to have one house of the legislature of their state apportioned on the basis of factors other than population.

On motion of Senator Neill the rules were suspended, the second reading considered the third, and Senate Joint Memorial No. 6 was placed on final passage.

Debate ensued.

Senators Keefe, Cooney and Cowen demanded the previous question and the demand was sustained.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 6, and the memorial passed the Senate by the following vote: Yeas, 32; nays, 17.

Those voting yea were: Senators Atwood, Bailey, Chytil, Cooney, Cowen, Donohue, England, Freise, Gallagher, Gissberg, Guess, Henry, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Marde-sich, Morgan, Neill, Peterson (Lowell), Peterson (Ted), Raugust, Redmon, Riley, Ryder, Sandison, Talley, Woodall—32.

Those voting nay were: Senators Charette, Connor, Dore, Durkan, Foley, Greive, Hallauer, Hanna, Herr, McCormack, Moriarty, Jr., Petrich, Rasmussen, Stender, Thompson, Jr., Washington, Williams—17.

Senate Joint Memorial No. 6, having received the constitutional majority, was declared passed.

Senators Bailey, Greive and Rasmussen demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Bailey, the Senate proceeded under the Call of the Senate.

**Senate Bill No. 39**, by Senators Greive, Bailey and Rasmussen (by Executive request of Governor Rosellini):

Raising certain benefits under industrial insurance.

On motion of Senator Bailey the rules were suspended, the second reading considered the third, and Senate Bill No. 39 was placed on final passage.

Debate ensued.

Senators Riley, Gallagher, Stender and Talley demanded the previous question and the demand was sustained.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 39, and the bill passed the Senate by the following vote: Yeas, 41; nays, 8.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Riley, Sandison, Stender, Talley, Washington, Woodall—41.

Those voting nay were: Senators Guess, Lewis, Moriarty, Jr., Raugust, Redmon, Ryder, Thompson, Jr., Williams—8.

Senate 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.

**SPECIAL ORDER OF BUSINESS**

The time having arrived, the Senate proceeded to consideration of Senate Bill No. 29 and the veto message of the Governor thereon.

It was moved by Senator Dore that the Senate do pass Senate Bill No. 29, the Governor's veto notwithstanding.

Debate ensued.

**ROLL CALL**

The Secretary called the roll and the motion by Senator Dore was lost by the following vote: Yeas, 29; nays, 20.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—29.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Freise, Greive, Guess, Lennart, Lewis, McCutcheon, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Stender, Thompson, Jr., Williams, Woodall—20.

**NOTICE OF RECONSIDERATION**

Having voted on the prevailing side, Senator Greive gave notice that he would move at the proper time tomorrow that the Senate reconsider the vote by which the motion by Senator Dore failed to carry.

On motion of Senator Keefe, the Senate dispensed with the Call of the Senate.

On motion of Senator Keefe, Senator Gallagher was excused.

**Senate Bill No. 99**, by Senators Knoblauch and Lewis:

Extending health care services reimbursements.

On motion of Senator Knoblauch, Senate Bill No. 99 was referred to the Committee on Rules and Joint Rules.

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

**SECOND READING OF BILLS**

**Senate Bill No. 459**, by Senator Petrich:

Regulating justice court jury trials.

The bill was read the second time by sections.

On motion of Senator Petrich, the following amendment was adopted:

On page 2, section 2, line 6, after "trial." add the following:

"Nothing contained in this chapter shall alter or affect the right to a jury trial on appeals to the superior court"

On motion of Senator Woodall, the following amendments were adopted:

On page 2, line 29, add a new section as follows:

"NEW SECTION. Sec. 5. Section 4, chapter 156, Laws of 1951 and RCW 3.16.004 are each amended to read as follows: *Effective the second Monday in January, 1967*, in cities having a population of more than twenty thousand, the justices of the peace shall devote their full time to the duties of the office *and shall not engage in the practice of law or other employment.* [and receive a salary of five thousand four hundred dollars per annum. *Provided*, that in cities of the first class the county commissioners shall have the power to raise the salaries of justices of the peace to an amount not to exceed six thousand five hundred dollars per annum] *The annual salary shall be two-thirds of the amount provided by statute as the salary for the position of superior court judge or twelve thousand five hundred dollars, whichever is greater: Provided further*, That where justices of the peace in cities over the population of twenty thousand are also acting as police judges, [*their salaries shall be fixed by the legislative body of the city, three] five thousand dollars of [which] their salaries as hereinabove provided shall be charged against the counties and the remainder shall be paid by the municipality.*"

In line 4 of the title after "RCW" insert "and amending section 4, chapter 156, Laws of 1951 and RCW 3.16.004"

On motion of Senator Petrich, the rules were suspended, Engrossed Senate Bill No. 459 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Rasmussen:

"Mr. President, would Senator Petrich yield to a question?"

"Senator Petrich, always in the past when a person appeared in justice court, he assumed that he would be able to go into justice court and talk as an ordinary person, it being a small court. It was established for that purpose. Under this proposed bill, who will advise a person going into justice court that he must give notice that he wants a jury trial before he is in court?"

Senator Petrich:

"Senator, there is no provision in the bill as to who should advise the particular defendant. If he is going into court, I would assume that he would seek the advice of somebody that understands the procedure and then he would be properly advised. Otherwise, he would have to prepare himself as to his particular rights to a jury trial at that level."

Senator Rasmussen:

"Well, a further question, Senator Petrich:

"You didn't answer my question in entirety. The Justice court has always been presumed to be the small man's court. Now with the new material in the bill, it says that before he goes into the court, he must notify the court that he wants a jury trial. Now he is going into a small man's court without this knowledge. Will there be any matter of publicizing it? You understand, many people go into justice court without retaining an attorney."

Senator Petrich:

"Senator, I can only point out that the charges in which a man is entitled to a jury trial are perhaps the more serious of the charges that are handled by that particular court and they do involve normally reckless driving and drunken driving, and only in those cases is a man entitled to a jury trial in this particular court. I would assume that if it is serious enough a charge that a man ought to seek proper advice as to the procedure. He may inquire of his rights, and I am sure if he inquires of the court, the court would so advise him as to what his rights were."

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 459, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Freise, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Those voting nay were: Senator Rasmussen—1.

Absent or not voting: Senators Cowen, Riley—2.

Excused: Senator Gallagher—1.

Engrossed Senate Bill No. 459, having received the constitutional 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. 241**, by Senators Henry, Guess and Redmon:

Providing for disposition of licensing fees of engineers and land surveyors.

**REPORT OF STANDING COMMITTEE****Senate Bill No. 241:**

Senate Chamber,  
Olympia, Wash., February 18, 1965.

Providing for disposition of licensing fees of engineers and land surveyors (reported by Committee on Commerce, Manufacturing and Licenses):

MAJORITY recommends that it do pass with the following amendment:

On page 2, section 1, line 1, after "within" and before "days" strike "thirty" and insert "[thirty] ninety"

GEORGE W. KUPKA, *Chairman.*

We concur in this report: Frank Connor, John L. Cooney, Dr. David C. Cowan, Michael J. Gallagher, Sam C. Guess, Reuben A. Knoblauch, Harry B. Lewis, Ted G. Peterson.

The bill was read the second time by sections.

On motion of Senator Henry, the committee amendment was adopted.

On motion of Senator Henry, the following amendments were adopted:

On page 8, section 4, line 26, strike the entire section.

On line 7 of the title, after "RCW" strike all of the material down to and including "18.18.280" on line 9.

On motion of Senator Henry, the rules were suspended, Engrossed Senate Bill No. 241 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 241, and the bill passed the Senate by the following vote: Yeas, 41; nays, 2; absent or not voting, 5; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, Durkan, Foley, Freise, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peter-

son (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—41.

Those voting nay were: Senators Hanna, McCutcheon—2.

Absent or not voting: Senators Cowen, England, Mardesich, Ryder, Talley—5.

Excused: Senator Gallagher—1.

Engrossed Senate Bill No. 241, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 294**, by Senators Herrmann, Neill and Sandison (by Insurance Commissioner request):

Providing for reports on and examination of employee welfare trust funds.

The bill was read the second time by sections.

On motion of Senator Herrmann, the rules were suspended, Senate Bill No. 294 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 294, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 9; excused, 1.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Donohue, Durkan, England, Foley, Freise, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Thompson, Jr., Washington, Williams—39.

Absent or not voting: Senators Atwood, Cowen, Dore, Lennart, McMillan, Mardesich, Ryder, Talley, Woodall—9.

Excused: Senator Gallagher—1.

Senate Bill No. 294, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 229**, by Senator Gissberg:

Limiting notice requirement for county purchases.

The bill was read the second time by sections.

On motion of Senator Freise, the following amendment was adopted:

On page 1, section 1, line 16, after "board" and before "shall" strike the comma and insert "and"

On motion of Senator Riley, the rules were suspended, Engrossed Senate Bill No. 229 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 229, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 4; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor,

Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Donohue, Lennart, McMillan, Talley—4.

Excused: Senator Gallagher—1.

Engrossed Senate Bill No. 229, having received the constitutional 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. 414**, by Senators Donohue and Raugust (by Highway Interim Committee request):

Creating the county road administration board.

#### REPORT OF STANDING COMMITTEE

##### Senate Bill No. 414:

Senate Chamber,  
Olympia, Wash., February 24, 1965.

Creating the county road administration board (reported by Committee on Highways):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 2, line 7, after "mean" and before "practices" insert "general and uniform"

On page 1, section 2, line 8 after "roads" strike all the matter down to and including "for" on line 9 and insert "for the several classes of counties which shall apply to"

On page 1, section 2, line 9 after "engineering," and before "maintenance," strike "construction,"

On page 1, section 2, line 10 after "programing" and before "road" strike "and scheduling"

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, H. B. Hanna, Kari Herrmann, Reuben A. Knoblauch, Frances Haddon Morgan, Charles P. Moriarty, Jr. Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Gordon Sandison, Don L. Talley, Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendments were adopted.

On motion of Senator Freise, the following amendment was adopted:

On page 1, section 3, line 13, after "created" and before "a" insert "hereby"

On motion of Senator Washington, the rules were suspended, Engrossed Senate Bill No. 414 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 414 and the bill passed the Senate by the following vote: Yeas, 28; nays, 13; absent or not voting, 7; excused, 1.

Those voting yea were: Senators Bailey, Charette, Cooney, Cowen, Donohue, Dore, England, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Peterson

(Lowell), Petrich, Raugust, Riley, Sandison, Talley, Washington, Williams—28.

Those voting nay were: Senators Atwood, Chytil, Freise, Gissberg, Lewis, Mardesich, Neill, Peterson (Ted), Rasmussen, Redmon, Ryder, Stender, Thompson, Jr.—13.

Absent or not voting: Senators Connor, Durkan, Foley, Hanna, Lennart, Moriarty, Jr., Woodall—7.

Excused: Senator Gallagher—1.

Engrossed Senate Bill No. 414, having received the constitutional 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. 358**, by Senators Raugust, Peterson (Lowell) and Washington (by State Highway Commission request):

Establishing procedure for planning and adopting limited access facilities by highway commission.

On motion of Senator Washington, Substitute Senate Bill No. 358 was substituted for Senate Bill No. 358 and Substitute Senate Bill No. 358 was placed on second reading and read the second time by sections.

On motion of Senator Washington, the rules were suspended, Substitute Senate Bill No. 358 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Thompson, Jr.:

"Would Senator Washington yield to a question?"

"Senator, do I now understand that this bill, Senate Bill No. 358, does nothing to disturb the arbitration process that is going on in the Factoria Interchange dispute at the present time?"

Senator Washington:

"Yes, it makes no change in that proceeding and that proceeding will not only apply for the present emergency, but will also stay in effect for future years."

Senator Thompson, Jr.:

"So those people who objected to the original bill on that ground no longer need concern themselves. I have your assurance there is no longer any need for concern on that basis?"

Senator Washington:

"This is correct and the substitute bill was drawn to satisfy their objections."

#### POINT OF INQUIRY

Senator Petrich:

"Senator Washington, would you yield to another question?"

"Senator, in prior discussion of this matter on the floor, there was some provision in the original bill which permitted the hearing only upon request of certain property owners. As I recall, it was agreed at that time on the floor that the hearing would be automatic in any event, even though there was no opposition. What does this particular bill provide now?"

Senator Washington:

"This particular bill provides for the consolidated hearing by all three hearings, so the abutting property owners will be available and can attend the hearing and present arguments as they could before."



**ROLL CALL**

The Secretary called the roll on the final passage of Substitute Senate Bill No. 358, and the bill passed the Senate by the following vote: Yeas, 38; nays, 1; absent or not voting, 10.

Those voting yea were: Senators Bailey, Charette, Chytil, Cooney, Cowen, Donohue, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Washington, Woodall—38.

Those voting nay were: Senator Thompson, Jr.—1.

Absent or not voting: Senators Atwood, Connor, Dore, Durkan, Foley, Lennart, McCormack, McMillan, Talley, Williams—10.

Substitute Senate Bill No. 358, having received the constitutional 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. 413**, by Senators Petrich and Freise:

Providing presentence hearing before sentencing in criminal cases where jury may impose death penalty.

**REPORT OF STANDING COMMITTEE****Senate Bill No. 413:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Providing presentence hearing before sentencing in criminal cases where jury may impose death penalty (reported by Judiciary Committee):

MAJORITY recommends that it do pass with the following amendments:

In section 1, line 6, after "crime," and before "shall" insert "or the defendant shall enter a plea of guilty to such crime."

In section 1, line 7, before "hear" strike "be held to"

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Fred H. Dore, Jack England, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendments were adopted.

It was moved by Senator Charette that Engrossed Senate Bill No. 413 be indefinitely postponed.

Debate ensued.

Senators Riley, Henry and Charette demanded the previous question and the demand was sustained.

Senator McCutcheon demanded a roll call and the demand was sustained by Senators Charette, Cooney, Washington, Hanna, Stender, Mardesich, Neill and Woodall.

**ROLL CALL**

The Secretary called the roll and the motion to indefinitely postpone Engrossed Senate Bill No. 413 was lost by the following vote: Yeas, 10; nays, 35; absent or not voting, 4.

Those voting yea were: Senators Charette, Gallagher, Gissberg, Greive, McCutcheon, Mardesich, Morgan, Peterson (Lowell), Sandison, Woodall—10.

Those voting nay were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Cowen, Donohue, England, Freise, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Stender, Talley, Thompson, Washington, Williams—35.

Absent or not voting: Senators Dore, Durkan, Foley, Ryder—4.

It was moved by Senator Charette that the following amendment be adopted:

On page 1, section 3, line 21, add the following: "Life shall mean until death by natural causes and without parole."

Debate ensued.

On motion of Senator Riley, the amendment was laid upon the table.

On motion of Senator Freise, the rules were suspended, Engrossed Senate Bill No. 413 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

Senators Riley, Freise, Neill and Gallagher demanded the previous question and the demand was sustained.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 413, and the bill passed the Senate by the following vote: Yeas, 34; nays, 14; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Donohue, Dore, England, Freise, Gissberg, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Stender, Talley, Thompson, Jr., Washington, Williams—34.

Those voting nay were: Senators Charette, Cowen, Durkan, Gallagher, Greive, Guess, Lennart, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Sandison, Woodall—14.

Absent or not voting: Senator Foley—1.

Engrossed Senate Bill No. 413, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 408**, by Senators Riley, Connor and Thompson, Jr.:

Making possession of liquor identification card not issued to holder thereof a misdemeanor.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, Senate Bill No. 408 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 408, and the bill passed the Senate by the following vote: Yeas, 47; nays, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe,

Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—47.

Those voting nay were: Senators Dore, Talley—2.

Senate Bill No. 408, having received the constitutional 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. 76**, by Senators Freise, Lewis and Kupka:

Providing criminally insane be committed to jurisdiction of director of institutions and in such institutions as director determines.

The bill was read the second time by sections.

On motion of Senator Woodall, Senate Bill No. 76 was ordered to retain its place on the second reading calendar for today immediately following consideration of Senate Bill No. 327.

**Senate Bill No. 155**, by Senators Moriarty, Jr., Atwood, Petrich and McCutcheon (by request of Secretary of State):

Preventing theft and destruction of initiative and referendum petitions.

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 155:**

Senate Chamber,  
Olympia, Wash., March 3, 1965.

Preventing theft and destruction of initiative and referendum petitions (reported by Judiciary Committee):

MAJORITY recommends that it do pass with the following amendments:

In section 1, line 10, after "having custody" and before " , an" strike "or the right to custody"

In section 1, line 11, after "shall be" strike all of the material down to the period on line 13 and insert "guilty of a gross misdemeanor"

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Herbert H. Freise, Michael J. Gallagher, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill.

The bill was read the second time by sections.

On motion of Senator Moriarty, Jr., the committee amendments were adopted.

On motion of Senator Moriarty, Jr., the rules were suspended, Engrossed Senate Bill No. 155 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 155, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley,

Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Donohue, Dore, Hallauer, McCormack—4.

Engrossed Senate Bill No. 155, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 185**, by Senators Sandison, Charette and Chytil (by Departmental request):

Abolishing Olympic peninsula forest protection area.

The bill was read the second time by sections.

On motion of Senator Sandison, the rules were suspended, Senate Bill No. 185 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 185, and the bill passed the Senate by the following vote: Yeas, 42; nays, 1; absent or not voting, 6.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Talley, Washington, Woodall—42.

Those voting nay were: Senator Thompson, Jr.—1.

Absent or not voting: Senators Connor, Donohue, Hallauer, McCormack, Ryder, Williams—6.

Senate Bill No. 185, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 252**, by Senators Peterson (Ted), Petrich and Atwood (by Departmental request):

Repealing the personal commercial fishing license and increasing gear license fees.

The bill was read the second time by sections.

On motion of Senator Peterson (Ted), the rules were suspended, Senate Bill No. 252 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 252, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Morgan, Moriarty, Jr.,

Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Dore, McCormack, Mardesich, Petrich, Ryder—5.

Senate Bill No. 252, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 265**, by Senators Charette, Peterson (Ted) and Petrich (by Departmental request):

Defining primary market value.

The bill was read the second time by sections.

On motion of Senator Charette, the rules were suspended, Senate Bill No. 265 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 265, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Woodall—41.

Absent or not voting: Senators Donohue, Dore, Mardesich, Peterson (Ted), Petrich, Raugust, Washington, Williams—8.

Senate Bill No. 265, having received the constitutional 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. 266**, by Senators Petrich, Peterson (Ted) and Atwood (by Departmental request):

Requiring reimbursement to state for shellfish lease evaluation.

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 266:**

Senate Chamber,

Olympia, Wash., February 17, 1965.

Requiring reimbursement to state for shellfish lease evaluation (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass with the following amendments:

On page 3, add a new section following section 3 as follows:

**NEW SECTION.** Sec. 4. Section 41, chapter 271, Laws of 1951 and RCW 79.01.580 are each amended to read as follows:

Before entering into possession of the leased lands, the applicant shall cause the same to be surveyed by a registered land surveyor, and he shall furnish to the Commissioner of Public Lands and to the Director of Fisheries, a map of the leased premises signed and certified by the registered land surveyor. The lessee shall also cause the boundaries of the leased premises to be marked by piling monuments or other markers of a permanent nature as the Director of Fisheries may direct.

Renumber Section 4 as Section 5 and renumber the remaining sections consecutively.

In line 6 of the title after "RCW 79.01.576" and before the semicolon insert "amend-

ing section 41, chapter 271, Laws of 1951 and RCW 79.01.580'

ROBERT L. CHARETTE, *Chairman.*

We concur in this report: Ernest W. Lennart, Lowell Peterson, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, John H. Stender, Don L. Talley.

The bill was read the second time by sections.

On motion of Senator Charette, the committee amendments were adopted.

On motion of Senator Charette, the rules were suspended, Engrossed Senate Bill No. 266 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 266, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Woodall—43.

Absent or not voting: Senators Connor, Dore, McMillan, Mardesich, Petrich, Williams—6.

Engrossed Senate Bill No. 266, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 76**, by Senators Freise, Lewis and Kupka:

Providing criminally insane be committed to jurisdiction of director of institutions and in such institutions as director determines.

On motion of Senator Woodall, the Senate resumed consideration of Senate Bill No. 76.

On motion of Senator Freise, the following amendment was adopted:

On page 4, line 11, insert four new sections as follows:

"Sec. 3. The director of institutions shall provide for the establishment of programs and procedures for convicted persons at the state penitentiary, which are designed to be corrective, rehabilitative and reformatory of the undesirable behavior problems of such persons, as distinguished from programs and procedures essentially penal in nature.

Sec. 4. The director of institutions is authorized to make rules and regulations for the administration, supervision, security and disciplinary measures inflicted upon convicted persons at the state penitentiary.

Sec. 5. The superintendent shall be custodian of all funds and valuable personal property of a convicted person as shall be in his possession upon admission to the state penitentiary, or which shall be sent or brought to such person, or earned by him while in custody, or which shall be forwarded to the superintendent on behalf of a convicted person. All such funds shall be deposited in the personal account of the convicted person and the superintendent shall have authority to disburse moneys from such person's personal account for the personal and incidental needs of the convicted person as may be deemed reasonably necessary. When a convicted person is released from the confines of the state penitentiary either on parole or discharge, all funds and valuable personal property in the possession of the superintendent belonging to such convicted person shall be delivered to him.

Sec. 6. Section 72.08.100, chapter 28, Laws of 1959 and RCW 72.08.100 are each repealed."

Renumber section 3 as section 7.

On motion of Senator Freise, the following amendment to the title was adopted:

On line 1 of the title after "to" strike "the criminally insane" and insert "institutions"

On line 5, after "070;" insert "providing that the director of institutions shall institute programs at the state penitentiary which are corrective in nature rather than penal, authorizing the director to make rules for the administration of the penitentiary and providing for the superintendent to be custodian of personal property of inmates, and repealing section 72.08.100, chapter 28, Laws of 1959 and RCW 72.08.100;"

On motion of Senator Freise, the rules were suspended, Engrossed Senate Bill No. 76 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 76, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Woodall—42.

Absent or not voting: Senators Connor, Lennart, Mardesich, Petrich, Raugust, Talley, Williams—7.

Engrossed Senate Bill No. 76, having received the constitutional majority, was declared passed.

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

On motion of Senator Freise, all bills passed today were ordered immediately engrossed and transmitted to the House.

**Senate Bill No. 288**, by Senators Kupka, Dore and Cooney:

Regulating school district boundary change.

On motion of Senator Bailey, Senate Bill No. 288 was referred to the Committee on Rules and Joint Rules.

**Senate Bill No. 324**, by Senators Morgan and Kupka (by Departmental request):

Authorizing purchase of property near Fort Worden school from federal government.

The bill was read the second time by sections.

On motion of Senator Sandison, the rules were suspended, Senate Bill No. 324 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 324, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Bailey, Charette, Chytil, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill,

Peterson (Lowell), Peterson (Ted), Rasmussen, Redmon, Riley, Ryder, Sandison, Thompson, Jr., Washington, Woodall—40.

Absent or not voting: Senators Atwood, Connor, Donohue, Gallagher, Petrich, Raugust, Stender, Talley, Williams—9.

Senate Bill No. 324, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 326**, by Senators Morgan and Kupka (by Departmental request):

Amending Interstate Compact on Juveniles to provide out-of-state confinement.

The bill was read the second time by sections.

#### POINT OF INQUIRY

**Senator Riley:**

"Mr. President, would Senator Kupka yield?"

"Senator Kupka, this is a compact. I want to know whether or not the emergency clause is necessary for us to participate?"

**Senator Kupka:**

"I believe it is. The Department of Institutions would like to have the emergency clause so that they could utilize this particular law immediately. I presume that they have cases pending and this might save a little money."

On motion of Senator Kupka, the rules were suspended, Senate Bill No. 326 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 326, and the bill passed the Senate by the following vote: Yeas, 44; nays, 2; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—44.

Those voting nay were: Senators Guess, Lennart—2.

Absent or not voting: Senators Donohue, Raugust, Talley—3.

Senate Bill No. 326, having received the constitutional 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. 327**, by Senator Petrich:

Authorizing departments of state government to procure life insurance for certain employees while passengers on nonscheduled flights.

On motion of Senator Petrich, Senate Bill No. 327 was ordered to retain its place on the second reading calendar for today immediately following consideration of Senate Bill No. 344.



**Senate Bill No. 343**, by Senators Rasmussen, Bailey, England and Chytil (by Departmental request):

Extending permissible days of nursing home services for certain recipients of federal aid assistance.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, Senate Bill No. 343 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

The President Pro Tempore called upon Senator Cowen to preside.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 343, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Cooney, Mardesich, Raugust—3.

Senate Bill No. 343, having received the constitutional 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. 344**, by Senators Rasmussen, Gissberg and Williams (by Departmental request):

Changing definition of resources for public assistance purposes; changing method of appropriating funds for old age assistance.

On motion of Senator Rasmussen, House Bill No. 643 was substituted for Senate Bill No. 344 and House Bill No. 643 was placed on second reading and read the second time by sections.

On motion of Senator Rasmussen, Senate Bill No. 344 was referred to the Committee on Rules and Joint Rules.

On motion of Senator Rasmussen, the rules were suspended, Engrossed House Bill No. 643 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 643, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Woodall—44.

Absent or not voting: Senators Gissberg, Lennart, Mardesich, Petrich, Williams—5.

Engrossed House Bill No. 643, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 327**, by Senator Petrich:

Authorizing departments of state government to procure life insurance for certain employees while passengers on nonscheduled flights.

The bill was read the second time by sections.

On motion of Senator Petrich, the following amendments were adopted:

Beginning on line 10, strike all of the material down to and including the period on line 14 and insert "The departments of state government are authorized to procure at state expense life insurance coverage not to exceed one hundred thousand dollars per person for the benefit of state employees and state elected officials, including legislators, while they are, in the course of their employment, passengers on or crew members of any nonscheduled aircraft flight."

In line 2 of the title, after "for" and before "while" strike "employees" and insert "state employees, state elected officials including legislators"

On motion of Senator Woodall, Senators Freise and Atwood were excused.

On motion of Senator Petrich, the rules were suspended, Engrossed Senate Bill No. 327 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 327, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 2; excused, 2.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Lennart, Mardesich—2.

Excused: Senators Atwood, Freise—2.

Engrossed Senate Bill No. 327, having received the constitutional 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. 520**, by Senators Foley, Cooney and Ryder:

Appropriating funds for state projects undertaken under Higher Education Facilities Act of 1964.

The bill was read the second time by sections.

On motion of Senator Foley, the rules were suspended, Senate Bill No. 520 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 520, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 2; excused, 2.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Lennart, Mardesich—2.

Excused: Senators Atwood, Freise—2.

Senate 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.

**Senate Bill No. 222**, by Senators Kupka, Talley and McCutcheon (by request of State Auditor):

Extending municipal appropriations for services.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, Senate Bill No. 222 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 222, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 3; excused, 2.

Those voting yea were: Senators Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Connor, Lennart, Peterson (Lowell)—3.

Excused: Senators Atwood, Freise—2.

Senate Bill No. 222, having received the constitutional majority, was declared passed.

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

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., March 18, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Concurrent Resolution No. 16; also

Senate Concurrent Resolution No. 17, have inspected same, and find them correctly enrolled and certified.

FRANK W. FOLEY, *Chairman.*

We concur in this report: Marshall A. Neill, John A. Petrich, Perry B. Woodall.

**Senate Bill No. 270:**

Senate Chamber,  
Olympia, Wash., March 19, 1965.

Establishing hair seal control program (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it be referred to Committee on Ways and Means.

ROBERT L. CHARETTE, *Chairman.*

We concur in this report: Lowell Peterson, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, Fred G. Redmon, Gordon Sandison, John H. Stender, Don L. Talley.

On motion of Senator Riley, the Committee report was adopted and Senate Bill No. 270 was referred to the Committee on Ways and Means.

**Senate Bill No. 509:**

Senate Chamber,  
Olympia, Wash., March 19, 1965.

Providing for the distribution by counties of funds received from federal government for forest reserves located within such counties (reported by Committee on Rules and Joint Rules):

MAJORITY recommends that it be referred to Committee on Ways and Means.

....., *Chairman.*

We concur in this report: Robert C. Bailey, John L. Cooney, David C. Cowen, Michael J. Gallagher, William A. Gissberg, R. R. Bob Greive, Wilbur G. Hallauer, H. B. Hanna, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, Marshall A. Neill, W. C. Raugust, Edward F. Riley, John N. Ryder, Perry B. Woodall.

On motion of Senator Riley, the committee report was adopted and Senate Bill No. 509 was referred to the Committee on Ways and Means.

**Senate Bill No. 543:**

Senate Chamber,  
Olympia, Wash., March 19, 1965.

Providing for limitation of third party rights with respect to agreements between growers and suppliers of seed (reported by Committee on Agriculture and Horticulture):

MAJORITY recommends that it do pass.

DEWEY C. DONOHUE, *Chairman.*

We concur in this report: Joe Chytil, Herbert H. Feise, H. B. Hanna, David E. McMillan, Lowell Peterson, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Memorial No. 27:**

Senate Chamber,  
Olympia, Wash., March 19, 1965.

Requesting Congress to provide for navigational locks in proposed Asotin Dam (reported by Committee on Natural Resources):

MAJORITY recommends that it do pass.

LOWELL PETERSON, *Chairman.*

We concur in this report: Joe Chytil, Wilbur G. Hallauer, Gordon Herr, Harry B. Lewis, Mike McCormack, August P. Mardesich, Fred G. Redmon.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 19, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 348; also  
Engrossed House Bill No. 456; also

House Concurrent Resolution No. 19, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**INTRODUCTION AND FIRST READING OF BILLS AND RESOLUTION**

The following were introduced, read first time by title and acted upon as indicated:

**Engrossed House Bill No. 348**, by Representatives Taylor, Smith, Gallagher and Conner:

An Act relating to public service companies; amending section 4, chapter 295, Laws of 1961 and RCW 81.77.030; adding two new sections to chapter 295, Laws of 1961 and to chapter 81.77 RCW; amending section 81.08.010, chapter 14, Laws of 1961 and RCW 81.08.010; amending section 81.12.010, chapter 14, Laws of 1961, as amended by section 5, chapter 59, Laws of 1963, and RCW 81.12.010.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 456**, by Representatives Day, Moos and Perry:

An Act relating to the practice of chiropractic; prescribing penalties; amending section 1, chapter 53, Laws of 1959 and RCW 18.25.015.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

**House Concurrent Resolution No. 19**, by Representatives Litchman, Gallagher and Johnston (Elmer E.):

Reactivating Joint Committee on Governmental Cooperation.

Referred to Committee on State Government and Veterans' Affairs.

**MOTION**

At 6:10 p. m., on motion of Senator Greive, the Senate adjourned until 10:00 a. m., Saturday, March 20, 1965.

WILLIAM A. GISSBERG, *President Pro Tempore of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

**SIXTH DAY****MORNING SESSION**

SENATE CHAMBER,

OLYMPIA, WASH., Saturday, March 20, 1965.

The Senate was called to order at 10:00 a. m. by President Pro Tempore Gissberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Herr, McCormack and Talley.

On motion of Senator Greive, Senators Herr and Talley were excused.

The Color Guard, consisting of Pages W. Wallace Raugust, Color Bearer, and Karen Knudson, presented the Colors.

Doctor Henry S. Rahn, pastor of the First Baptist Church of Olympia, offered prayer as follows:

"Eternal God, as we behold Thy wondrous works and catch glimpses of Thy majestic greatness, we marvel at the realization that Thou art mindful of man and that Thou dost come to him.

"Thou givest more strength as our labors increase. Thou givest more grace as our burdens grow greater. Thy love has no limits, Thy grace has no measure. Thy patience goes beyond our comprehension.

"Grant to these leaders in state government Thy wisdom and strength in abundant measure. Keep their loved ones in Thy watch care. We pray in our Master's name. Amen."

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

#### MOTION

On motion of Senator McCutcheon, the use of the Senate Chamber was extended to the Committee on Constitution, Elections and Legislative Processes for the purpose of a public hearing on Monday, March 22, 1965, at 7:00 p. m.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., March 20, 1965.

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 76; also

Senate Bill No. 155; also  
Senate Bill No. 229; also  
Senate Bill No. 241; also  
Senate Bill No. 266; also  
Senate Bill No. 327; also  
Senate Bill No. 413; also  
Senate Bill No. 414; also  
Senate Bill No. 451; also  
Senate Bill No. 476, have inspected same, and find them correctly engrossed.

FRANK W. FOLEY, *Chairman*.

We concur in this report: Martin J. Durkan, Michael J. Gallagher, R. R. Bob Greive, Marshall A. Neill, Perry B. Woodall.

#### Senate Bill No. 546:

Senate Chamber,  
Olympia, Wash., March 19, 1965.

Prescribing qualifications of members of the state highway commission (reported by Committee on Highways):

MAJORITY recommends that it do pass.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Martin J. Durkan, Sam C. Guess, Wilbur G. Hallauer, Karl Herrmann, James Keefe, Reuben A. Knoblauch, August P. Mardesich, Charles P. Moriarty, Jr., Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

#### Engrossed House Bill No. 229:

Senate Chamber,  
Olympia, Wash., March 20, 1965.

Permitting physically handicapped to be aided by immediate family members in catching food fish and shellfish limits (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass.

ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Lowell Peterson, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, Fred G. Redmon, Gordon Sandison, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 456:**Senate Chamber,  
Olympia, Wash., March 20, 1965.

Regulating chiropractors (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

MAJORITY recommends that it do pass.

DAVID E. McMILLAN, *Chairman*.

We concur in this report: John L. Cooney, R. R. Bob Greive, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 520:**Senate Chamber,  
Olympia, Wash., March 19, 1965.Penalizing the failure to return rented property. (reported by Judiciary Committee):  
MAJORITY recommends that it do pass as amended.JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Martin J. Durkan, Herbert H. Freise, Michael J. Gallagher, Karl Herrmann, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**MESSAGE FROM THE GOVERNOR**

The Secretary read:

State of Washington, Executive Department,  
Olympia, March 19, 1965.*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bill, entitled:

**Senate Bill No. 538.**

"An Act relating to the expenses and costs of the legislature including subsistence payments; making appropriations therefor; and declaring an emergency."

Very truly yours,

RAYMOND W. HAMAN,

*Legal Counsel to the Governor.*

The Secretary read:

**MESSAGES FROM THE HOUSE**House of Representatives,  
Olympia, Wash., March 19, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 7; also

Engrossed House Bill No. 16; also

Engrossed House Bill No. 206; also

Engrossed House Bill No. 291; also

Engrossed House Bill No. 302; also

House Bill No. 361; also

House Bill No. 402; also

Engrossed Substitute House Bill No. 411; also

Engrossed House Bill No. 448; also

Engrossed House Bill No. 449; also

House Bill No. 470; also

Engrossed House Bill No. 621; also

Engrossed House Bill No. 665, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.House of Representatives,  
Olympia, Wash., March 19, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 14; also

Engrossed Substitute House Bill No. 36; also

House Bill No. 132; also  
 Engrossed House Bill No. 342; also  
 Engrossed House Bill No. 377; also  
 Engrossed House Bill No. 378; also  
 House Bill No. 473; also  
 Engrossed House Bill No. 590; also  
 House Joint Resolution No. 12, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., March 19, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Concurrent Resolution No. 16; also  
 Senate Concurrent Resolution No. 17, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The President Pro Tempore declared the Senate to be at ease.  
 The President Pro Tempore called the Senate to order at 10:30 a. m.

#### INTRODUCTION AND FIRST READING OF BILLS AND RESOLUTION

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 547**, by Senators Peterson (Ted), Mardesich and Connor:

An Act relating to motorboats and prescribing penalties; and amending sections 3 and 5 of chapter 72, Laws of 1933, and sections 88.12.030 and 88.12-.050 RCW.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 548**, by Senators Rasmussen, Bailey and Stender:

An Act relating to state government.

It was moved by Senator Rasmussen that Senate Bill No. 548 be referred to the Committee on Labor and Social Security.

Debate ensued.

The motion was lost on a rising vote.

On motion of Senator Gallagher, Senate Bill No. 548 was referred to the Judiciary Committee.

**Senate Bill No. 549**, by Senators Durkan, Dore and Foley:

An Act relating to revenue and taxation; and amending section 82.32.380, chapter 15, Laws of 1961 and RCW 82.32.380.

Referred to Committee on Ways and Means.

**Senate Joint Resolution No. 27**, by Senators Atwood, Keefe and Guess:

Removing the exemption of public utility districts from property taxation.

Referred to Committee on Ways and Means.

#### FIRST READING OF HOUSE BILLS AND RESOLUTION

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 7**, by Representatives Klein, Burtch and Litchman:

An Act creating a constitutional advisory council; prescribing its powers and duties.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Engrossed House Bill No. 14**, by Representatives Lux, Thompson, Bergh, Litchman, Beck and Angevine (by Executive request of Governor Rosellini):

An Act relating to state government; creating a higher education facilities



commission; providing for the selection, term, and reimbursement of certain expenditures of the members of the commission, and conferring rights, powers, duties and prescribing the functions of the commission; and declaring an emergency.

Referred to Committee on Higher Education and Libraries.

**Engrossed House Bill No. 16**, by Representatives Kink, O'Donnell, Litchman, Beck, Olsen, Radcliffe, Jolly, Johnson, Valle, Uhlman, Chatalas, Sheridan and Kalich (by Executive request of Governor Rosellini):

An Act relating to taxation; and adding a new section to chapter 82.04 RCW; and amending section 82.32.060, chapter 15, Laws of 1961, as amended by section 1, chapter 22, Laws of 1963 and RCW 82.32.060.

Referred to Committee on Ways and Means.

**Substitute House Bill No. 36**, by Committee on Education and Libraries:

An Act relating to state government; creating a state educational television commission and defining its powers and duties; and declaring an emergency.

Referred to Committee on State Government and Veterans' Affairs.

**House Bill No. 132**, by Representatives Gorton, Uhlman and Dootson (by Departmental request):

An Act relating to school district boundaries; amending section 5, chapter 266, Laws of 1947, as last amended by section 1, chapter 208, Laws of 1963, and RCW 28.57.150; and declaring an emergency.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 206**, by Representatives Beck, Bozarth and Moos:

An Act relating to the support of state and local government; providing for the disposition of certain fees, fines, and forfeitures; imposing an in lieu tax on real property owned by the state and used as game lands; amending section 77.12.200, chapter 36, Laws of 1955 and RCW 77.12.200; and adding three new sections to chapter 36, Laws of 1955 and to chapter 77.12 RCW.

Referred to Committee on Fisheries, Game and Game Fish.

**Engrossed House Bill No. 291**, by Representatives Conner, Traylor and King (Chet):

An Act relating to food fish; providing for the first-phase construction of Sol Duc Salmon Production Station.

Referred to Committee on Fisheries, Game and Game Fish.

**Engrossed House Bill No. 302**, by Representatives King (Richard "Dick") and Elder:

An Act relating to public buildings; and requiring uniform standards of architectural design of buildings and facilities constructed by the state, its agencies and political subdivisions, and by counties, cities, towns and other municipal and quasi municipal corporations, for the benefit of and use by the physically handicapped.

Referred to Committee on State Government and Veterans' Affairs.

**Engrossed House Bill No. 342**, by Representatives Sawyer, May and Perry:

An Act relating to electricians and electrical installations; providing for an electrical contractor's qualifying certificate; prescribing powers and duties of the electrical advisory board in relation thereto; adding new sections to

chapter 169, Laws of 1935 and to chapter 19.28 RCW; and providing an effective date.

Referred to Committee on Commerce, Manufacturing and Licenses.

**House Bill No. 361**, by Representatives Valle, Juelling and Garrett:

An Act relating to cities and towns; authorizing adjustment of water and sewer districts' boundaries; and amending section 35.13.250, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.13.250.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 377**, by Representatives Grant, Gorton and Elder:

An Act relating to elections; amending sections 29.13.080, 29.45.010, 29.45-.020, 29.45.030, 29.45.050, 29.45.060, 29.51.100, 29.54.170, 29.54.010, 29.54.020, 29.54.030, 29.54.040, 29.54.045 and 29.54.050, chapter ....., Laws of 1965 (Senate Bill No. 5) and RCW 29.13.080, 29.45.010, 29.45.020, 29.45.030, 29.45.050, 29.45-.060, 29.51.100, 29.51.170, 29.54.010, 29.54.020, 29.54.030, 29.54.040, 29.54.045, and 29.54.050; and adding new sections to chapter ....., Laws of 1965 (Senate Bill No. 5), and to chapters 29.51 and 29.54 RCW.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Engrossed House Bill No. 378**, by Representatives Grant, Gorton and Elder:

An Act relating to elections; amending section 29.07.100, chapter ....., Laws of 1965 (Senate Bill No. 5) and RCW 29.07.100; and amending section 29.07-.105, chapter ....., Laws of 1965 (Senate Bill No. 5) and RCW 29.07.105.

Referred to Committee on Constitution, Elections and Legislative Processes.

**House Bill No. 402**, by Representatives Andersen (James A.), DeJarnatt and Jolly:

An Act relating to adoption of charters by cities; and amending sections 35.17.430, 35.18.290, 35.22.030, 35.21.600, 35.22.050, 35.22.060, 35.22.070, 35.22-.110, 35.22.140, 35.22.170, and 35.22.200, chapter ....., Laws of 1965 (Senate Bill No. 3), and RCW 35.17.430, 35.18.290, 35.22.030, 35.21.600, 35.22.050, 35.22.060, 35.22.070, 35.22.110, 35.22.140, 35.22.170, and 35.22.200; and adding two new sections to chapter 35.01 RCW and repealing section 35.22.040, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.22.040.

Referred to Committee on Cities, Towns and Counties.

**Engrossed Substitute House Bill No. 411**, by Committee on Labor and Industrial Insurance:

An Act relating to mobile homes and travel trailers; providing for the promulgation of rules and regulations governing safety and the installation of certain equipment therein; and adding new sections to chapter 43.22 RCW.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Engrossed House Bill No. 448**, by Representatives Conner and Marzano:

Requiring registration of marriages, and decrees of divorce, annulment and separate maintenance with state registrar of vital statistics.

Referred to Judiciary Committee.

**Engrossed House Bill No. 449**, by Representatives Conner and Brouillet:

An Act relating to public health; providing for a two-year study of cystic fibrosis.

Referred to Committee on Medicine, Dentistry, Public Health, Air and Water Pollution.

**House Bill No. 470**, by Representatives Beck and Epton:

An Act relating to the transfer of title to certain real property and tidelands to the department of game, the title of which is held by the state of Washington for the Washington veterans' home.

Referred to Committee on Fisheries, Game and Game Fish.

**House Bill No. 473**, by Representatives Beck and Epton:

An Act relating to the department of institutions; authorizing the director of institutions to contract for the sale and conveyance of certain land and facilities at the Washington veterans' home; and declaring an emergency.

Referred to Committee on Public Institutions.

**Engrossed House Bill No. 590**, by Representatives Braun, Radcliffe and Taylor:

Pertaining to the retirement and disability system of cities and towns.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 621**, by Representatives Olsen, Sheridan and Taylor:

An Act relating to municipal corporations; authorizing creation of an agency for the purpose of studying region wide problems; prescribing powers and duties; and providing financing of the agency by the participating municipal corporations; and authorizing the establishment of youth agencies.

Referred to Committee on State Government and Veterans' Affairs.

**Engrossed House Bill No. 665**, by Representatives Jolly, Johnson (Doris) and Olsen:

An Act relating to port districts; amending section 12, chapter 65, Laws of 1955 as amended by section 1, chapter 52, Laws of 1959 and RCW 53.36.030; and declaring an emergency.

Referred to Committee on Cities, Towns and Counties.

**House Joint Resolution No. 12**, by Representatives Andersen (James A.), Brouillet, DeJarnatt, Angevine, Gorton, Saling, McCaffree, Bottiger, Chatalas, O'Donnell, Johnson (Doris), Uhlman, Garrett, Conner, Olsen, Witherbee, Gallagher, Sheridan, Kink, Thompson, Valle, Grant, Taylor, Cunningham, Whetzel, King (Richard "Dick"), Marzano, Elder, Litchman, Warnke, Sawyer, Wolf, Beck and Traylor (by Executive request):

Providing for a constitutional convention.

Referred to Committee on Constitution, Elections and Legislative Processes.

**SECOND READING OF BILLS****Senate Bill No. 464**, by Senators Washington and Guess:

Providing administrative procedure on loss of warrant or other instrument of indebtedness of the state and certain political subdivisions.

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

**Senate Bill No. 379**, by Senators Kupka, Keefe and Gallagher:

Providing for board of prison terms and paroles and appointing a chairman thereof.

**REPORT OF STANDING COMMITTEE****Senate Bill No. 379:**

Senate Chamber,  
Olympia, Wash., March 7, 1965.

Providing for board of prison terms and paroles and appointing a chairman thereof (reported by Committee on Public Institutions):

Recommends that it do pass with the following amendment:

On page 2, section 1, line 8, after "." insert "*The chairman shall cause the director of probation and parole to carry out the policies of the board of prison terms and paroles.*"

FRANCES HADDON MORGAN, Chairman.

We concur in this report: Joe Chytil, Herbert H. Freise, James Keefe, Reuben A. Knoblauch, George W. Kupka, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

The bill was read the second time by sections.

On motion of Senator Kupka, the committee amendment was adopted.

On motion of Senator Kupka, the rules were suspended, Engrossed Senate Bill No. 379 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

The President called upon Senator Cowen to preside.

Senators Greive, Gallagher and Riley demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present, except Senators Herr and Talley, who were excused.

On motion of Senator Riley, the Senate proceeded under the Call of the Senate.

The President Pro Tempore Gissberg resumed the Chair.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 379, and the bill passed the Senate by the following vote: Yeas, 30; nays, 17; excused, 2.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Ryder, Sandison, Washington, Williams—30.

Those voting nay were: Senators Atwood, Chytil, Durkan, Freise, Guess, Lennart, Lewis, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Stender, Thompson, Jr., Woodall—17.

Excused: Senators Herr, Talley—2.

Engrossed Senate Bill No. 379, having received the constitutional majority, was declared passed.

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

#### PERSONAL PRIVILEGE

Senator Lewis:

"Mr. President and members of the Senate:

"I would just like to make on point of personal privilege a brief remark or two on what we have done here, and I will keep my remarks very brief. I am very much concerned about this bill. However, as long as this is the pleasure of the Senate, I am certainly going to go along and do everything I can to give the Parole Board support which they apparently have earned through the passage of this bill, but I would like to just caution you. I think we are going in the wrong direction. What we have done actually today is to take the chief of the Parole Board and make him administratively responsible for the parole officers.

"I am not so much concerned as to whether the directions come from the top, as I am concerned about the parole officer in the state who wants to discover his boss.

I suggest to you that if you were a parole officer in the state of Washington today and you had a grievance which you wanted to seek remedy for through your administrative officer, you would find that you were shielded from him by an intermediate.

"I suggest that this is not a responsible way and it makes it extremely difficult for parole officers of the state. It is my hope that we have no difficulties in the two years coming, but in the event we do, perhaps we can take a better and closer look at a better solution next session."

On motion of Senator Greive, the Senate returned to the first order of business.

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Greive moved that the Senate do now reconsider the vote by which the Senate failed to override the veto of the Governor on Senate Bill No. 29.

Debate ensued.

The motion was carried.

It was moved by Senator Greive that Senate Bill No. 29 with the Governor's veto message thereon be retained at the desk of the Secretary of the Senate for consideration at a future time.

Debate ensued.

#### POINT OF INQUIRY

Senator Moriarty, Jr.:

"Would Senator Greive yield?"

"Senator, do I have your assurance that this will not be presented without notice?"

Senator Greive:

"Senator, you have my assurance that we will present it without notice if we can possibly do so."

The motion was carried.

#### SECOND READING OF BILLS

**Senate Bill No. 543**, by Senators Freise, Donohue and Raugust:

Providing for limitation of third party rights with respect to agreements between growers and suppliers of seed.

The bill was read the second time by sections.

On motion of Senator Freise, the rules were suspended, Senate Bill No. 543 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 543, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Marde-sich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—47.

Excused: Senators Herr, Talley—2.

Senate Bill No. 543, having received the constitutional 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. 421**, by Senators Petrich, Freise and Williams:  
Revising schedule of attorneys' fees in industrial insurance actions.

**REPORT OF STANDING COMMITTEE**

**Senate Bill No. 421:**

Senate Chamber,  
Olympia, Wash., March 17, 1965.

Revising schedule of attorneys' fees in industrial insurance actions (reported by Judiciary Committee):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 1, line 15, after "board" and before the period strike "*upon written application therefor by the attorney*" and insert "*if written application therefor is made by the attorney, workman or beneficiary*"

On page 1, section 1, line 22, after "board" and before the period on line 23, strike "[if] and the attorney shall make written application therefor [is made by the attorney]" and insert "*if written application therefor is made by the attorney, workman or beneficiary*"

On page 1, section 1, beginning on line 27, strike all of the material down to and including the period following "*increase*" on page 2, line 5.

On page 2, section 1, line 7, after period and before "*shall*" strike "*It*" and insert "*Where the board, pursuant to this section, fixes the attorney's fee, it*"

On page 2, section 1, line 8, after "board" and before the period strike "*except as herein provided*" and insert "*in excess of that fee fixed by the board*"

On page 2, section 2, beginning on line 13, strike all of the material down to and including "fixed" on line 18 and insert "[It shall be unlawful for any attorney representing a workman before the department or the board or the court to charge or receive either directly or indirectly any fee, unless the same has been previously fixed as provided in RCW 51.52.120 or 51.52.130, or to charge or receive either directly or indirectly any fee or fees greater in amount than the fee or fees so fixed] *Where the department, the board or the court, pursuant to RCW 51.52.120 or 51.52.130 fixes the attorney's fee, it shall be unlawful for an attorney to charge or receive any fee in excess of that fixed by the department, board or the court*"

JOHN A. PETRICH, Chairman.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Herbert H. Freise, William A. Gissberg, H. B. Hanna, August P. Mardesich, Marshall A. Neill, Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendments were adopted.

On motion of Senator Petrich, the rules were suspended, Engrossed Senate Bill No. 421 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 421, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—47.

Excused: Senators Herr, Talley—2.

Engrossed Senate Bill No. 421, having received the constitutional 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. 133**, by Senators Ryder, Riley, Moriarty, Jr. and Sandison (by State Public Pension Commission request):

Creating a board of judges to assist in the administration of the judges' retirement system.

#### REPORT OF STANDING COMMITTEE

##### Senate Bill No. 133:

Senate Chamber,  
Olympia, Wash., March 18, 1965.

Creating a board of judges to assist in the administration of the judges' retirement system (reported by Judiciary Committee):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 1, line 20, before "of that" strike "as a representative" and insert "by the chief justice"

On page 1, section 1, beginning in line 21, after "selected" and before "the state" on line 22, strike "as a representative of the superior courts" and insert "by the Superior Court Judges' Association"

On page 6, section 6, line 6, strike all of section 6 and renumber the remaining sections consecutively.

In line 7 of the title, after "RCW 2.12.050;" strike all of the material down to and including "RCW 2.12.060;" in line 9.

JOHN A. PETRICH, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Jack England, Michael J. Gallagher, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendments to the bill were adopted.

On motion of Senator Petrich, the following amendment was adopted:

On page 9, section 10, line 21, after "budget." strike the remaining material down to and including "submitted." on line 24.

On motion of Senator Petrich, the committee amendment to the title was adopted.

On motion of Senator Ryder, the rules were suspended, Engrossed Senate Bill No. 133 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 133, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Marde-sich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—47.

Excused: Senators Herr, Talley—2.

Engrossed Senate Bill No. 133, having received the constitutional 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. 336**, by Senators Dore, Petrich and Moriarty, Jr.:  
Broadening jurisdiction over corporation issuing securities.

On motion of Senator Dore, Senate Bill No. 336 was ordered to retain its place at the foot of the second reading calendar for today.

**Senate Bill No. 337**, by Senators Dore, Petrich and Moriarty, Jr.:  
Extending gift tax provisions to gifts to minors.

The bill was read the second time by sections.

On motion of Senator Freise, the rules were suspended, Senate Bill No. 337 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 337, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Marde-sich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—47.

Excused: Senators Herr, Talley—2.

Senate Bill No. 337, having received the constitutional 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. 539**, by Senator Henry:

Providing for notice of the sale of imported meat and labeling of country of origin on each package.

On motion of Senator Bailey, Senate Bill No. 539 was ordered to retain its place on the second reading calendar for today, immediately following consideration of Senate Bill No. 318.

**Senate Bill No. 444**, by Senators Greive, Petrich, Keefe, Kupka and Peterson (Ted):

Controlling distribution of obscene printed or written matter or articles.

On motion of Senator Greive, Senate Bill No. 444 was ordered to retain its place at the foot of the second reading calendar for today.

**Senate Bill No. 318**, by Senators Petrich, Charette and England:

Requiring fringe benefits and specifying procedures to insure payment of prevailing rate of wage on public works contracts.

On motion of Senator Riley, Senate Bill No. 318 was ordered to retain its place on the next second reading calendar.



**Senate Bill No. 539**, by Senator Henry:

Providing for notice of the sale of imported meat and labeling of country of origin on each package.

The bill was read the second time by sections.

On motion of Senator Henry, the rules were suspended, Senate Bill No. 539 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Durkan:

"Would Senator Henry yield to a question?"

"Senator Henry, as I read this bill, this requires that a sign is to be placed conspicuously on the premises indicating such meat is imported. Do I understand this would be on the front of the building: 'This store sells imported meats'?"

Senator Henry:

"I don't think it was the intent, Senator, to put it that conspicuously or perhaps have pickets in front of the store advertising the fact, no. This would be just like the Apple Commission advertising Newtown apples. They would have a sign in that particular department showing this is foreign meat. This is nothing unusual. Canned beef from Argentina is marked the same way. I think it would only be in the meat department itself."

Senator Dore:

"Senator Henry, this doesn't say that. This says by a sign or signs on the premises indicating such meat is imported."

Senator Henry:

"I presume, Senator, that the meat department would be on the premises."

Senator Dore:

"Senator Henry, I assume the Highway act would prohibit any signs along the freeway, at least?"

Senator Henry:

"Yes, I'm sure the people interested in that particular phase would forbid that type of sign."

Senator Mardesich:

"Would Senator Henry yield to a question?"

Senator Henry:

"This has nothing to do with salmon, Senator."

Senator Mardesich:

"I wonder if you would mind if we returned this to second reading so I could include—"

Senator Henry:

"Oysters and fish? I had that same conversation with Senator Bailey. It doesn't quite seem to fit."

Senator Mardesich:

"It would require two amendments."

Senator Henry:

"It would require a new bill, practically."

Senator Mardesich:

"But they are the same theory?"

Senator Henry:

"They are the same theory, but there are a couple of other subjects I could suggest where the theory is the same, but the action is different!"

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 539, and the bill passed the Senate by the following vote: Yeas, 38; nays, 9; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herrmann, Keefe, Knoblauch, Lennart, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Washington, Woodall—38.

Those voting nay were: Senators Dore, Kupka, Lewis, McCormack, McCutcheon, Mardesich, Rasmussen, Thompson, Jr., Williams—9.

Excused: Senators Herr, Talley—2.

Senate Bill No. 539, having received the constitutional majority, was declared passed.

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

It was moved by Senator Herrmann that Senate Bill No. 391 be ordered to retain its place at the top of the third reading calendar for Monday.

Debate ensued.

Senator Greive demanded a roll call and the demand was not sustained.

The motion was lost on a rising vote.

It was moved by Senator Ryder that the Senate do now consider Senate Bill No. 391 on third reading.

It was moved by Senator Greive that the rules be suspended and that Senator Herrmann be excused.

The motion was carried on a rising vote.

The motion by Senator Ryder was carried.

#### THIRD READING OF BILLS

**Senate Bill No. 391**, by Senators Williams, Riley, Ryder, Gallagher and England:

Prohibiting sale of intoxicating liquor on grounds of University of Washington.

On motion of Senator Riley, the rules were suspended, the second reading considered the third, and Senate Bill No. 391 was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Kupka:

"Mr. President, would Senator England yield to a question?"

"Senator England, even though this bill should pass, wouldn't this be up to the Liquor Board whether any sort of dispensation might be involved, and can the people use the referendum to override the Liquor Board?"

Senator England:

"Senator Kupka, in answer to your question, yes, this does not automatically grant any licenses to any person. There still has to be the application. There still has to be the notice given, and it still has to have the approval of the people in the area."

Debate ensued.

Senators Gallagher, Knoblauch and Bailey demanded the previous question and the demand was sustained.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 391, and the bill failed to pass the Senate by the following vote: Yeas, 10; nays, 36; excused, 3.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, England, Gallagher, Moriarty, Jr., Petrich, Riley, Ryder—10.

Those voting nay were: Senators Atwood, Chytil, Cowen, Donohue, Dore, Durkan, Foley, Freise, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—36.

Excused: Senators Herr, Herrmann, Talley—3.

Having failed to receive the constitutional majority, Senate Bill No. 391 was declared lost.

#### PARLIAMENTARY INQUIRY

Senator Williams:

"Mr. President:

"Having voted on the prevailing side, could I give notice now to move for reconsideration on Monday?"

#### REPLY BY THE PRESIDENT

President Pro Tempore Gissberg:

"You would have to give the notice now, Senator."

Senator Williams:

"My question is will the motion have to be made tomorrow, or can it be made on Monday?"

President Pro Tempore Gissberg:

"It would take a suspension of the rules to do that."

#### MOTION

On motion of Senator Greive, the rules were suspended to permit Senator Williams to give notice of intent to move for reconsideration of the vote by which Senate Bill No. 391 failed to pass on Monday, March 22, 1965.

#### NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Williams served notice that he would, at the proper time on Monday, March 22, 1965, move that the Senate reconsider the vote by which Senate Bill No. 391 failed to pass.

On motion of Senator Greive, Senate Bill No. 336 and Senate Bill No. 444 were ordered to retain their places on the second reading calendar for tomorrow.

On motion of Senator Greive, Senate Bill No. 101 was ordered to retain its place on the third reading calendar for tomorrow.

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**Senate Bill No. 118:**

Senate Chamber,  
Olympia, Wash., March 20, 1965.

Regulating the sale of checks (reported by Committee on Banks, Financial Institutions and Insurance):

MAJORITY recommends that it do pass.

KARL HERRMANN, *Chairman*,  
AUGUST P. MARDESICH, *Vice Chairman*.

We concur in this report: Fred H. Dore, Frank W. Foley, George W. Kupka, John T. McCutcheon, Charles P. Moriarty, Jr., Fred G. Redmon.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 289:**

Senate Chamber,  
Olympia, Wash., March 20, 1965.

Increasing credit union loan authorization (reported by Committee on Banks, Financial Institutions and Insurance):

Recommends that it do pass.

KARL HERRMANN, *Chairman*,  
AUGUST P. MARDESICH, *Vice Chairman*.

We concur in this report: Robert L. Charette, Fred H. Dore, Frank W. Foley, George W. Kupka, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Fred G. Redmon, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 473:**

Senate Chamber,  
Olympia, Wash., March 20, 1965.

Authorizes the director of institutions to sell or lease the sewage treatment and disposal plant at the Washington Veterans' Home to Kitsap county sewer district number 5 (reported by Committee on Public Institutions):

MAJORITY recommends that it do pass. FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, James Keefe, Reuben A. Knoblauch, George W. Kupka, Lowell Peterson, Fred G. Redmon.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Memorial No. 14:**

Senate Chamber,  
Olympia, Wash., March 20, 1965.

Memorializing Congress to provide funds for Willamette Falls fishways (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass. ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Ernest W. Lennart, Lowell Peterson, Ted G. Peterson, A. L. Rasmussen, Fred G. Redmon, Gordon Sandison, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 20, 1965.

The Speaker has signed: House Bill No. 643, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk*.

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 20, 1965.

The House has adopted: Senate Concurrent Resolution No. 18, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Riley, the Senate dispensed with the Call of the Senate.

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Concurrent Resolution No. 18; also House Bill No. 643.**

**MOTION**

At 12:45 p. m., on motion of Senator Greive, the Senate adjourned until 7:00 p. m., Sunday, March 21, 1965.

WILLIAM A. GISSBERG, *President Pro Tempore of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## SEVENTH DAY

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**EVENING SESSION**

SENATE CHAMBER,

OLYMPIA, WASH., Sunday, March 21, 1965.

The Senate was called to order at 7:00 p. m. by President Pro Tempore Gissberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Herrmann and Stender.

On motion of Senator Greive, Senator Herrmann was excused.

The Color Guard, consisting of Pages Bruce Norton, Color Bearer, and Yvonne Lovrovich, presented the Colors.

Reverend Maurice Haehlen, pastor of the United Churches of Olympia, offered prayer as follows:

"Almighty God and Father of us all, give to us of Thy calm and peace so that we might gain understanding and be saved from crudeness and clumsiness in our dealings. Flood our minds with Thy light and truth and use us if possible to make smooth the path over which the feet of little children coming on will one day walk.

"Purge us from all unbrottherliness and partisan thinking; all cynicism and hatred so that we might work for the common good and thereby establish justice and goodwill throughout our state and nation. Amen."

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

The Secretary read:

**SENATE RESOLUTION  
No. 1965 EX -6**

Senators Redmon, Woodall and Neill:

WHEREAS, Davis High School won 25 straight basketball games in winning the state Class AA High School Basketball tournament; and

WHEREAS, This championship was achieved over a long season during which Davis met outstanding teams from all over the state; and

WHEREAS, This achievement evidences not only fine athletic ability, good coaching and exemplary teamwork, and even more than that, outstanding sportsmanship, all of which reflects great credit on the faculty and staff of Davis High School; and

WHEREAS, The members of the Senate, especially the members of the Yakima delegation, and the citizens of the state of Washington wish to acknowledge with pride the signal achievements of Davis High School and wish to pay tribute to the school,

its faculty, Coach Larry Pryse and team members Dave Allen, Lennie Allen, Ed Brown, Del Carmichael, Dave Irwin, Jack Lockwood, Roy Pleasant, Phil Timpke, Bill Sissom, Ted Wierman and James Williams.

*Now, Therefore, Be It Resolved,* That the Senate, on behalf of the state of Washington, extends its heartiest congratulations to Davis High School for its superior performance in winning the 1965 Class AA Basketball Championship, thereby bringing great credit to the school and joining Marquette High School of Yakima Valley, the Class A High School Champion, in making Yakima Valley the high school basketball capital of the state in 1965;

*Be It Further Resolved,* That the Secretary of the Senate be and he is hereby directed to transmit copies of this resolution to the Principal, the Coach, the Managers and each member of the team of Davis High School, Yakima, Washington.

On motion of Senator Redmon, the resolution was adopted.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., March 20, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Concurrent Resolution No. 18, have inspected same, and find it correctly enrolled and certified.

....., *Chairman.*

We concur in this report: Martin J. Durkan, Michael J. Gallagher, R. R. Bob Greive, John A. Petrich, Perry B. Woodall.

Senate Chamber,  
Olympia, Wash., March 20, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 133; also

Senate Bill No. 379; also

Senate Bill No. 421, have inspected same and find them correctly engrossed.

....., *Chairman.*

We concur in this report: Michael J. Gallagher, R. R. Bob Greive, Perry B. Woodall.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 20, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Substitute House Bill No. 37; also

House Bill No. 86; also

House Bill No. 178; also

Engrossed House Bill No. 200; also

House Bill No. 231; also

House Bill No. 253; also

House Bill No. 257; also

House Bill No. 259; also

House Bill No. 279; also

House Bill No. 298; also

House Bill No. 299; also

House Bill No. 303; also

House Bill No. 436; also

Engrossed House Bill No. 454; also

Substitute House Bill No. 608, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**INTRODUCTION AND FIRST READING OF BILL AND RESOLUTION**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 550**, by Senators Lennart, Atwood, Stender, Redmon, Morgan, McMillan, Raugust, Donohue, Thompson, Jr. and Riley:

An Act relating to alcoholism; establishing the commission on alcoholism; levying taxes on alcoholic beverages; adding a new chapter to Title 70 RCW; making an appropriation; and repealing sections 1 through 15, chapter 85, Laws of 1959 and RCW 70.96.010 through 70.96.150 and section 16, chapter 85, Laws of 1959 and RCW 70.96.900.

Referred to Committee on Ways and Means.

**Senate Joint Resolution No. 28**, by Senator Washington:

Providing for constitutional convention.

Referred to Committee on Constitution, Elections and Legislative Processes.

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**Engrossed Substitute House Bill No. 37**, by Committee on State Government:

An Act creating a commission on Indian affairs; setting forth its powers and duties.

Referred to Committee on State Government and Veterans' Affairs.

**House Bill No. 86**, by Representatives Bledsoe, Flanagan and Jolly:

An Act relating to crimes and punishments; and amending section 40, page 82, Laws of 1854 as last amended by section 2, chapter 11, Laws of 1963 and RCW 9.09.020; and prescribing penalties.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 178**, by Representatives Day and Flanagan:

An Act relating to irrigation districts; empowering an irrigation district to acquire, by conveyance without cost, a water system from a water district wholly within the irrigation district's boundaries; and amending section 2, chapter 138, Laws of 1923, as last amended by section 1, chapter 57, Laws of 1943, and RCW 87.03.015.

Referred to Committee on Public Utilities.

**Engrossed House Bill No. 200**, by Representatives Smith, Marzano, Sheridan, Gorton, Pritchard, O'Donnell, Chatalas and Hood (by Executive request):

An Act to prevent and eliminate discrimination against persons because of race, creed, color or national origin; preventing and eliminating discrimination in the sale of real property; adding new sections to chapter 49.60 RCW; amending section 22, chapter 37, Laws of 1957 and RCW 49.60.270; and repealing section 15, chapter 37, Laws of 1957 and RCW 49.60.217.

#### MOTION

It was moved by Senator Dore that the rules be suspended and Engrossed House Bill No. 200 be advanced to second reading and read the second time by sections.

Debate ensued.

#### POINT OF ORDER

Senator Riley:

"Point of order, Mr. President:

"My point of order is that the Senator is now directing his attention to something about some resolution that happened before. I think he made a motion that a certain

bill should be advanced to second reading and read in full, and I would hope, Mr. President, that you would rule and ask the Senator to give us any clear-cut reason why any bill should move other than through committee."

**RULING BY THE PRESIDENT**

President Pro Tempore Gissberg:

"The point of order is well taken."

**POINT OF ORDER**

Senator Woodall:

"Further point of order, Mr. President:

"I believe under a motion to suspend the rules, he is only entitled to make a very, very brief statement as to the reason, not to go into any extensive debate at all."

**RULING BY THE PRESIDENT**

President Pro Tempore Gissberg:

"Your point of order is well taken, Senator Woodall.

"Senator Dore, you have moved that the rules be suspended to accomplish what you wish to do, and the rules do provide for a short explanation. The President reluctantly will have to ask you not to debate the merits of the bill in any way."

Senator Dore:

"Am I allowed to make a brief explanation of the bill?"

President Pro Tempore Gissberg:

"You may make a brief explanation as to why you wish the bill placed on the second reading calendar. You cannot get into the merits of the bill."

Senator Dore:

"I merely alluded to another resolution that we had earlier and was trying to explain that we had advised another state what to do, but I think now we have an opportunity—"

**POINT OF ORDER**

Senator Riley:

"Point of order, Mr. President:

"I repeat my point of order that the Senator made a motion that the rules be suspended and a certain bill be advanced to second reading and read in full. I also made mention in my remarks a moment ago that a resolution that was supposed to have passed last week has no place in this particular discussion, so my point of order is, as repeated by the President a moment ago, any motion to suspend the rules should be accompanied only by a brief explanation as to why any bill should move other than through the committee system."

**RULING BY THE PRESIDENT**

President Pro Tempore Gissberg:

"Your point of order is well taken. Senator Dore, will you kindly confine your remarks only to why the bill should be considered by the Senate at this time, rather than go through the regular committee procedure. As you know, the rule provides that when the President rules upon a point of order and finds the point of order is well taken, that the speaker is to be immediately seated. However, I am not directing you to do this, obviously, out of courtesy. Please confine your remarks, Senator."

Senator Dore:

"Yes. I think the reason I have asked for this extraordinary procedure, without going to committee and having the matter debated is there are just a few days left. I think this is probably one of the most important if not the most important bill that we will consider this session. It involves a very simple proposition that if you list



your house with a realtor, the realtor cannot discriminate. I think it is very clear. I think civil rights is, of course, in the forefront in the newspapers in the county and state today."

**POINT OF ORDER**

Senator Riley:

"Point of order, Mr. President."

**RULING BY THE PRESIDENT**

President Pro Tempore Gissberg:

"The point of order is well taken, Senator Riley. The motion before the Senate is that the rules be suspended and that Engrossed House Bill No. 200 be placed upon the second reading calendar and read in full."

Senator Dore demanded a roll call, but the demand was not sustained.  
The motion was lost.

Engrossed House Bill No. 200 was referred to the Judiciary Committee.

**House Bill No. 231**, by Representatives Beck, Haussler and Goldsworthy (by Departmental request):

An Act relating to the use of water in the state of Washington and the right to the use thereof; providing fees to be collected by the supervisor of water resources; and amending section 44, chapter 117, Laws of 1917 as last amended by section 5, chapter 57, Laws of 1951, and RCW 90.03.470.

Referred to Committee on Natural Resources.

**House Bill No. 253**, by Representatives Klein, Warnke and Hawley:

An Act relating to sewer districts; and adding a new section to chapter 210, Laws of 1941 and to chapter 56.08 RCW.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 257**, by Representatives DeJarnatt and Thompson:

An Act relating to diking improvement districts; providing a method to pay for the continuous operation of such districts; adding a new chapter to Title 85 RCW; and declaring an emergency.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 259**, by Representatives DeJarnatt and Thompson:

An Act relating to diking improvement districts; and adding new sections to chapter 85.08 RCW.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 279**, by Representatives Taplin, Jolly and Gallagher (by Departmental request):

An Act relating to revenue and taxation; and amending section 82.50.105, chapter 15, Laws of 1961 as last amended by section 8, chapter 199, Laws of 1963 and RCW 82.50.105 and amending section 82.50.110, chapter 15, Laws of 1961 and RCW 82.50.110.

Referred to Committee on Highways.

**House Bill No. 298**, by Representatives Canfield, Haussler and Garrett:

An Act relating to water districts; providing that a notice of adoption of certain resolutions relating to local improvement districts and utility local improvement districts shall be published rather than the full text of the resolution; amending section 11, chapter 18, Laws of 1959 and RCW 57.16.060; and amending section 13, chapter 114, Laws of 1929 and RCW 57.16.090.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 299**, by Representatives Canfield, Haussler and Garrett:

An Act relating to sewer districts; providing that a notice of adoption of certain resolutions relating to local improvement districts and utility local improvement districts shall be published rather than the full text of the resolution; amending section 27, chapter 210, Laws of 1941 as amended by section 17, chapter 250, Laws of 1953 and RCW 56.20.020; and amending section 32, chapter 210, Laws of 1941 and RCW 56.20.080.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 303**, by Representatives Uhlman, Brachtenbach and De-Jarnatt:

Changing dates for the preparation and consideration of school district budgets.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 436**, by Representatives Swayze, Lynch, Kirk and O'Donnell:

An Act relating to civil actions and procedure; permitting women to sue alone in actions for personal injuries; and amending section 5, page 131, Laws of 1854 as last amended by section 6, Code of 1881 and RCW 4.08.030.

Referred to Judiciary Committee.

**Engrossed House Bill No. 454**, by Representatives Marsh, Canfield and McDougall:

An Act relating to agricultural marketing and marketing contracts of associations of agricultural producers.

Referred to Committee on Rules and Joint Rules.

**Substitute House Bill No. 608**, by Committee on Ways and Means (Subcommittee on Revenue):

Defining terms of and providing exemptions from certain excise taxes.

Referred to Committee on Ways and Means.

The President Pro Tempore declared the Senate to be at ease.

The President Pro Tempore called the Senate to order at 8:10 p. m.

#### SECOND READING OF BILLS

**Senate Bill No. 318**, by Senators Petrich, Charette and England:

Requiring fringe benefits and specifying procedures to insure payment of prevailing rate of wage on public works contracts.

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 318:**

Senate Chamber,  
Olympia, Wash., March 1, 1965.

Requiring fringe benefits and specifying procedures to insure payment of prevailing rate of wage on public works contracts (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass with the following amendments:

On page 2, beginning on line 20, strike all of the material down to and including "subcontractors." on line 32, and insert the following:

"Sec. 3. Section 4, chapter 63, Laws of 1945 and RCW 39.12.040 are each amended to read as follows:

Before payment is made by or on behalf of the state, or any county, municipality, or political subdivision created by its laws, of any sum or sums due on account of a contract for a public improvement, it shall be the duty of the state treasurer, or of the treasurer of the county or municipal corporation, or other officer or person charged with the custody and disbursement of the state or corporate funds, applicable

to the contract under and pursuant to which payment is made, to require the contractor and each and every subcontractor from the contractor or a subcontractor, to file a statement in writing [in form satisfactory] to such officer [,] and to the director of the department of labor and industries, certifying the rate of hourly wage paid each classification of laborers, workmen or mechanics employed by him upon such work, and further certifying that no laborer, workman or mechanic employed by him upon such public work has been paid less than the prevailing rate of wage or less than the minimum rate of wage specified in the contract, which certificate and statement so to be filed shall be verified by the oath of the contractor or subcontractor, as the case may be, that he has read such a statement and certificate subscribed by him and knows the contents thereof, and that the same is true to his knowledge [.] : *PROVIDED, HOWEVER, That before payment is made by or on behalf of the state, or any county, municipality, or political subdivision created by its laws, of any sum, or sums due on account of a contract for a public improvement, the director of the department of labor and industries shall issue a statement certifying that the prevailing wage requirements of this section have been satisfied.*

On page 3, line 4, after "nature" and before "the matter" on line 5, strike "[and such dispute cannot be adjusted by the parties involved]" and insert "and such dispute cannot be adjusted by the parties [involved] in interest, including labor and management representatives."

In line 3 of the title after "39.12.010;" strike all of the material down to and including "39.12 RCW" on line 5 and insert "amending section 4, chapter 63, Laws of 1945 and RCW 39.12.040; amending section 6, chapter 63, Laws of 1945 and RCW 39.12.060; and adding a new section to chapter 63, Laws of 1945 and to chapter 39.12 RCW"

A. L. RASMUSSEN, *Chairman.*

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, George W. Kupka, John T. McCutcheon, August P. Mardesich, Edward F. Riley, John H. Stender.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the committee amendments were adopted.

On motion of Senator Rasmussen, the rules were suspended, Engrossed Senate Bill No. 318 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 318, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Washington, Williams, Woodall—47.

Absent or not voting: Senator Stender—1.

Excused: Senator Herrmann—1.

Engrossed Senate 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.

**Senate Bill No. 336**, by Senators Dore, Petrich and Moriarty, Jr.:

Broadening jurisdiction over corporation issuing securities.

The bill was read the second time by sections.

On motion of Senator Freise, the following amendment was adopted:

In line 10, strike “, or” and insert “and”

In line 12, strike the comma.

On motion of Senator Dore, the rules were suspended, Engrossed Senate Bill No. 336 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 336, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 5; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams—43.

Absent or not voting: Senators Greive, Morgan, Redmon, Stender, Woodall—5.

Excused: Senator Herrmann—1.

Engrossed Senate Bill No. 336, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 444**, by Senators Greive, Petrich, Keefe, Kupka and Peterson (Ted):

Controlling distribution of obscene printed or written matter or articles.

On motion of Senator Hallauer, Senate Bill No. 444 was ordered to retain its place at the end of the second reading calendar for today.

**Senate Bill No. 546**, by Senators Washington, Bailey and Raugust:

Prescribing qualifications of members of the state highway commission.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Senate Bill No. 546 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 546, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Guess, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Those voting nay were: Senator Greive—1.

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

Excused: Senator Herrmann—1.

Senate Bill No. 546, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 479**, by Senator Durkan:

Relating to practitioners of the healing professions.

On motion of Senator Riley, Substitute Senate Bill No. 479 was substituted for Senate Bill No. 479 and Substitute Senate Bill No. 479 was placed on second reading and read the second time by sections.

On motion of Senator Durkan, the rules were suspended, Substitute Senate Bill No. 479 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 479, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Washington, Williams, Woodall—43.

Those voting nay were: Senators Petrich, Thompson, Jr.—2.

Absent or not voting: Senators Mardesich, Morgan, Stender—3.

Excused: Senator Herrmann—1.

Substitute Senate Bill No. 479, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 297**, by Senators McCormack, Woodall and Gissberg:

Establishing venue for actions against borrower in default from small loan companies.

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 297:**

Senate Chamber,  
Olympia, Wash., March 18, 1965.

Establishing venue for actions against borrower in default from small loan companies (reported by Judiciary Committee):

MAJORITY recommends that it do pass with the following amendments:

On line 5, strike all of Section 1 and insert:

"Section 1. Section 55, Code of 1881 and RCW 4.12.080 are each amended to read as follows:

"Notwithstanding the provisions of RCW 4.12.030 all the parties to the action by stipulation in writing or by consent in open court entered in the records may agree that the place of trial be changed to any county of the state, and thereupon the court must order the change agreed upon [.] : *PROVIDED, That where the amount in controversy is one thousand dollars or less any such stipulation entered into at any time prior to the commencement of the action shall be of no force or effect.*"

Strike all of the title and substitute the following:

"An Act relating to the stipulation to place of venue; and amending section 55, Code of 1881 and RCW 4.12.080."

JOHN A. PETRICH, Chairman.

We concur in this report: R. Frank Atwood, Fred H. Dore, Jack England, Frank W. Foley, William A. Gissberg, H. B. Hanna, John T. McCutcheon, August P. Mardesich, Charles P. Moriarty, Jr., Nat Washington, Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendments were adopted.

On motion of Senator Petrich, the rules were suspended, Engrossed Senate Bill No. 297 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 297, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Those voting nay were: Senators Neill, Ryder—2.

Absent or not voting: Senator Stender—1.

Excused: Senator Herrmann—1.

Engrossed Senate Bill No. 297, having received the constitutional majority, was declared passed.

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

On motion of Senator Moriarty, Jr., all bills passed this evening were ordered immediately transmitted to the House.

**Senate Bill No. 177**, by Senators Sandison, Talley and Hanna:

Authorizing payment or cancellation of unpaid, nonguaranteed bonds or warrants delinquent for more than fifteen years.

The bill was read the second time by sections.

On motion of Senator Freise, the following amendment was adopted:

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

In line 12, after "ordinance," insert "may"

It was moved by Senator Washington that the following amendment be adopted:

On page 2, add a new section following section 4 as follows:

**"NEW SECTION. Sec. 5.** The special assessments provided for in RCW 87.84.070 shall be subject to and inferior to existing local improvement district assessments of any city or town which is included within the boundaries of an irrigation and rehabilitation district. The collection of local improvement district assessments of a city or town, and the right to foreclose the same when delinquent, shall not be impaired in any manner whatsoever by subsequent special assessments of an irrigation and rehabilitation district. In the event that the county treasurer forecloses on land located within the corporate limits of a city or town for nonpayment of irrigation and rehabilitation district assessments, the certificates of sale and the deeds issued pursuant to the foreclosure proceedings shall contain a recital that the certificate of sale and/or deed is subject to outstanding local improvement district assessments of the city or town."

Renumber Sec. 5 to read "Sec. 6"

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Washington, the following amendment was adopted:

In line 1 of the title after "and towns" strike all the material down to and including "thereto" in lines 2 and 3.

On motion of Senator Sandison, the rules were suspended, Engrossed Senate Bill No. 177 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 177, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Those voting nay were: Senator Rasmussen—1.

Absent or not voting: Senator Stender—1.

Excused: Senator Herrmann—1.

Engrossed Senate Bill No. 177, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 140**, by Senators Ryder, Riley, Moriarty, Jr. and Sandison (by State Public Pension Commission request):

Waiving receipt of public pension by a person reemployed in full time public employment.

It was moved by Senator Greive that Senate Bill No. 140 be referred to the Judiciary Committee with instructions to amend the bill to include all pensions and to report back not later than noon tomorrow.

Debate ensued.

#### POINT OF INQUIRY

Senator Washington:

"Would Senator Woodall yield to a question?"

"Senator Woodall, we are using this particular example of the state patrol. Under this bill, would a person still be able to receive his retirement pension and work for private employment?"

Senator Woodall:

"Yes, we can't stop them from working. This would only affect employment with another agency of government."

Further debate ensued.

The President Pro Tempore called upon Senator Riley to preside.

Senators Charette, Greive and Gallagher demanded the previous question and the demand was sustained.

Senator Greive demanded a roll call and the demand was sustained by

Senators Charette, Peterson (Ted), Donohue, Connor, Cooney, Gallagher, Talley and Ryder.

Senators Greive, Cooney and Gallagher demanded a Call of the Senate but the demand was not sustained.

#### ROLL CALL

The Secretary called the roll on the motion by Senator Greive that Senate Bill No. 140 be referred to the Judiciary Committee with instructions, and the motion was lost by the following vote: Yeas, 13; nays, 29; absent or not voting, 6; excused, 1.

Those voting yea were: Senators Bailey, Cooney, Donohue, Freise, Gallagher, Greive, Hanna, Keefe, Knoblauch, Kupka, McCutcheon, Peterson (Lowell), Talley—13.

Those voting nay were: Senators Atwood, Charette, Chytil, Connor, Cowen, Dore, England, Foley, Guess, Hallauer, Henry, Lennart, Lewis, McCormack, Mardesich, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Thompson, Jr., Washington, Williams, Woodall—29.

Absent or not voting: Senators Durkan, Gissberg, Herr, McMillan, Morgan, Stender—6.

Excused: Senator Herrmann—1.

#### REPORT OF STANDING COMMITTEE

##### Senate Bill No. 140:

Senate Chamber,  
Olympia, Wash., March 1, 1965.

Waiving receipt of public pension by a person reemployed in full time employment (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass with the following amendment:

On page 1, section 1, line 9, after "offices" strike the "." and insert "or deputy state fire marshals."

AL HENRY, *Chairman.*

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

Senate Bill No. 140 was read the second time by sections.

It was moved by Senator Henry that the committee amendment be adopted.

Debate ensued.

Senator Greive demanded a roll call and the demand was not sustained.

The motion was carried on a rising vote and the amendment was adopted.

It was moved by Senator Gallagher that the following amendment be adopted:

On page 3, section 8, line 13, strike the entire section and renumber the remaining sections consecutively.

Debate ensued.

The motion was lost and the amendment was not adopted.

It was moved by Senator Gallagher that the following amendment be adopted:

On page 3, section 9, line 23, after "exceed" and before "hundred" strike "eighteen" and insert "thirty-six"

Debate ensued.

The motion was carried and the amendment was adopted.



It was moved by Senator Gallagher that the following amendment be adopted:

On page 3, section 10, line 28, after "or circumstances" strike "is not affected" and insert "shall be held null and void."

Debate ensued.

The motion was lost and the amendment was not adopted.

On motion of Senator Freise, the following amendment was adopted:

On page 1, section 2, line 20, strike "It is the" and insert "The".

In line 20, after "act" insert "is"

On motion of Senator Petrich, the following amendment was adopted:

On page 1 section 1, line 6, after "nature" strike all the material down to and including "contractual," on line 7.

It was moved by Senator Freise that the following amendment be adopted:

On page 1, section 1, line 9, strike ", but shall not include elective offices."

Debate ensued.

The motion was lost and the amendment was not adopted.

On motion of Senator Gallagher, the following amendments were adopted:

On page 3, section 11, line 29, strike all of section 11.

On page 1, line 1 of the title, after "retirement" strike "; and declaring an emergency"

On motion of Senator Ryder, the rules were suspended, Engrossed Senate Bill No. 140 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

Senators Greive, McMillan and Charette demanded a Call of the Senate, but the demand was not sustained.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 140, and the bill passed the Senate by the following vote: Yeas, 28; nays, 18; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Chytil, Connor, Cowen, Dore, Durkan, England, Greive, Guess, Hallauer, Henry, Lennart, Lewis, McMillan, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Thompson, Jr., Washington, Williams, Woodall—28.

Those voting nay were: Senators Bailey, Charette, Cooney, Donohue, Foley, Freise, Gallagher, Hanna, Herr, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Morgan, Peterson (Lowell), Talley—18.

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

Excused: Senator Herrmann—1.

Engrossed Senate Bill No. 140, having received the constitutional majority, was declared passed.

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

#### NOTICE OF RECONSIDERATION

Senator Greive served notice that, having voted on the prevailing side, he would at the proper time tomorrow, move that the Senate reconsider the vote by which Engrossed Senate Bill No. 140 passed the Senate.

The President Pro Tempore resumed the Chair.

**House Joint Memorial No. 27**, by Representative Taplin:

Requesting Congress to provide for navigational locks in proposed Asotin Dam.

The memorial was read the second time by sections.

On motion of Senator Donohue, the rules were suspended, House Joint Memorial No. 27 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of House Joint Memorial No. 27, and the memorial passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Those voting nay were: Senator Lewis—1.

Absent or not voting: Senators Dore, Gissberg, Stender—3.

Excused: Senator Herrmann—1.

House Joint Memorial No. 27, having received the constitutional majority, was declared passed.

The President Pro Tempore declared the Senate to be at ease.

The President Pro Tempore called the Senate to order at 10:15 p. m.

On motion of Senator Greive, Senator Stender was excused.

Senators Greive, Woodall and Moriarty, Jr. demanded a Call of the Senate and the demand was sustained.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senators Herrmann and Stender, who were excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

**Senate Bill No. 47**, by Senators Charette, Rasmussen, Petrich, Foley, Neill, Moriarty, Jr. and Kupka:

Increasing judges' salaries.

**REPORT OF STANDING COMMITTEE****Senate Bill No. 47:**

Senate Chamber,  
Olympia, Wash., March 5, 1965.

Increasing judges' salaries (reported by Judiciary Committee):

MAJORITY recommends that it do pass with the following amendments:

In section 1, line 11, after "[twenty]" and before "dollars", strike "*twenty-five thousand*" and insert "*twenty-seven thousand five hundred*"

In section 2, line 20, after "[fifteen]" and before "thousand" strike "*twenty*" and insert "*twenty-two*"

Add a new section following section 2 as follows:

"*NEW SECTION.* Sec. 3. The judicial salary increases herein provided will not

be considered in computing the retirement benefits derived by virtue of section 2, chapter 286, Laws of 1961 and RCW 2.13.015; section 1, chapter 243, Laws of 1957 and RCW 2.12.030, nor in computing the monthly deduction from judges' salaries and the like state contribution provided by section 2, chapter 243, Laws of 1957 and RCW 2.12.060."

Add a new section following section 3 as follows:

"Sec. 4. Section 1, chapter 48, Laws of 1949, as last amended by section 2, chapter ....., Laws of 1965, as re-enacted by section 43.03.010, chapter ....., Laws of 1965, and RCW 43.03.010 are each amended to read as follows:

"The annual salaries of the following named state elected officials shall be: Governor, thirty-two thousand five hundred dollars; lieutenant governor, ten thousand dollars; secretary of state, fifteen thousand dollars; state treasurer, fifteen thousand dollars; state auditor, sixteen thousand five hundred dollars; attorney general, twenty-three thousand dollars; superintendent of public instruction, twenty-two thousand five hundred dollars; commissioner of public lands, twenty thousand dollars; state insurance commissioner, sixteen thousand five hundred dollars; members of the legislature shall receive for their service [twelve] *four thousand eight* hundred dollars per annum, and in addition, ten cents per mile for travel to and from legislative sessions: *Provided*, That anyone appointed to fill any vacancy that may occur in either the senate or house shall not receive any compensation for salary as herein provided until such appointee shall have qualified for office and shall have taken his oath of office at the next convening regular or special session of the legislature."

Add a new section following section 4 as follows:

"**NEW SECTION.** Sec. 5. The salary increases provided for herein shall take effect at the earliest time allowable by the Constitution of the state of Washington, including Article II, section 13, Article II, section 25, Article IV, section 13, and Article XXVIII: *Provided*, That it is the intent of the legislature that nothing in this act shall render a member of the legislature or of the judiciary ineligible to file for and be elected to the position now occupied by him."

In line 1 of the title, after "salaries" and before the semicolon, insert "and pensions, and salaries of members of the legislature"

In line 3 of the title, after the semicolon and before "amending" strike "and"

In line 5 of the title, after "RCW 2.08.090" and before the period, insert "; and amending section 1, chapter 48, Laws of 1949, as last amended by section 2, chapter ....., Laws of 1965, as re-enacted by section 43.03.010, chapter ....., Laws of 1965, and RCW 43.03.010"

JOHN A. PETRICH, *Chairman.*

We concur in this report: Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, John T. McCutcheon, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

The bill was read the second time by sections.

It was moved by Senator Gallagher that the committee amendment to section 1 be adopted.

Debate ensued.

It was moved by Senator McCormack that the motion by Senator Gallagher be laid upon the table.

#### PARLIAMENTARY INQUIRY

Senator McCutcheon:

"Mr. President, point of parliamentary inquiry:

"I know you can't amend an amendment should this motion carry. If this motion should carry, would that foreclose the question?"

#### REPLY BY THE PRESIDENT

President Pro Tempore Gissberg:

"Senator McCutcheon, you are in error when you say you cannot amend an amendment. It is proper to amend a committee amendment. However, that is not the motion that has been put. The motion that has been put is to lay the committee amendment on the table. With respect to your inquiry, however, as to when that

motion prevails and what status that leaves it, I would assume that further amendments could then be offered to the bill itself. I'll consult with the parliamentarian on that matter."

#### RULING BY THE PRESIDENT

"In regard to your parliamentary inquiry, Senator McCutcheon, the President will rule that if the motion to table carries, it will still leave the bill open to amendment in that particular section."

Senator Gallagher demanded a roll call and the demand was sustained by Senators Henry, Freise, Talley, Connor, McCutcheon, Morgan, Woodall, Peterson (Ted) and Cooney.

#### ROLL CALL

The Secretary called the roll and the motion to table was lost by the following vote: Yeas, 22; nays, 25; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Chytil, Donohue, Greive, Guess, Hallauer, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Thompson, Jr., Williams—22.

Those voting nay were: Senators Charette, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Hanna, Henry, Herr, Keefe, Knoblauch, Lennart, Morgan, Neill, Peterson (Lowell), Raugust, Sandison, Talley, Washington, Woodall—25.

Excused: Senators Herrmann, Stender—2.

On motion of Senator Gallagher, the committee amendment to section 1, line 11 was adopted.

It was moved by Senator Gallagher that the committee amendment to section 2, line 20 be adopted.

Debate ensued.

Senator Gallagher demanded a roll call and the demand was sustained by Senators Greive, Kupka, Hanna, Cooney, McCormack, Freise, Charette and Connor.

#### ROLL CALL

The Secretary called the roll, and the amendment to section 2, line 20, was adopted by the following vote: Yeas, 24; nays, 23; excused, 2.

Those voting yea were: Senators Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Knoblauch, McCutcheon, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Sandison, Talley, Washington, Woodall—24.

Those voting nay were: Senators Atwood, Bailey, Chytil, Cowen, England, Guess, Hallauer, Keefe, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Thompson, Jr., Williams—23.

Excused: Senators Herrmann, Stender—2.

It was moved by Senator Petrich that the committee amendment adding a new section, section 3, be adopted.

Debate ensued.

On motion of Senator Freise, the Senate deferred consideration of the committee amendment adding a new section 3 until after consideration of the remaining committee amendments.

It was moved by Senator Gallagher that the committee amendment adding a new section, section 4, be adopted.

It was moved by Senator McCutcheon that the following amendment to the committee amendment be adopted:

On page 1 of the Judiciary Committee amendment, section 4, line 16, strike "four thousand eight" and insert "three thousand six"

The motion was carried and the amendment to the committee amendment was adopted.

On motion of Senator Gallagher, the committee amendment as amended was adopted.

It was moved by Senator Petrich that the committee amendment adding a new section, section 5, be adopted.

It was moved by Senator Hallauer that the following amendment by Senators Hallauer and Charette to the committee amendment be adopted:

On page 2 of the Judiciary Committee amendment, section 5, line 8, after "elected to" strike the remainder of the sentence and insert "the legislature or the judiciary respectively."

The motion was carried and the amendment to the committee amendment was adopted.

The amendment as amended was adopted.

On motion of Senator Petrich, the committee amendment adding a new section 5, as amended, was adopted.

It was moved by Senator Freise that the following amendment be adopted:

"Add a new section following section 5 as follows: "NEW SECTION. Sec. 6. Section 1, chapter 259, Laws of 1957 and RCW 2.56.010 are each amended to read as follows: There shall be a state office known as the office of administrator for the courts who shall be appointed by the supreme court of this state from a list of five persons submitted by the governor of the state of Washington and shall hold office at the pleasure of the appointing power. He shall be a resident of this state and have been such for at least three years prior to his appointment. He shall receive a salary [not to exceed fifteen thousand dollars per year, to be fixed by the supreme court.] equal to the salary paid a judge of the superior court."

Debate ensued.

On motion of Senator Charette, the amendment was laid upon the table.

It was moved by Senator Rasmussen that Senate Bill No. 47 be ordered to retain its place on the second reading calendar for tomorrow.

On motion of Senator Gallagher, the motion by Senator Rasmussen was laid upon the table.

The Senate resumed consideration of the committee amendment adding a new section, section 3.

The President Pro Tempore declared the Senate to be at ease.

The President Pro Tempore called the Senate to order at 11:20 p. m.

On motion of Senator Freise, the following amendment to the committee amendment was adopted:

On page 1 of the Judiciary Committee amendment, section 3, line 4, strike "RCW 2.13.015" and insert "RCW 2.12.015."

On line 8 of the committee amendment, after "RCW 2.12.060," and before the period insert "but shall be computed on the basis of \$20,000 for supreme court justices and on the basis of \$15,000 for judges of the superior court."

On motion of Senator Gallagher, the committee amendment adding a new section, section 3, as amended, was adopted.

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Moriarty, Jr. moved that the Senate do now reconsider the vote by which the committee amendment to section 2, line 20 was adopted.

Debate ensued.

Senators Hanna, McCormack and Mardesich demanded the previous question and the demand was sustained.

Senator Gallagher demanded a roll call and the demand was sustained by Senators Moriarty, Jr., Freise, Peterson (Ted), Redmon, Mardesich, Lewis, Herr, Hanna and Charette.

#### ROLL CALL

The Secretary called the roll on the motion for reconsideration and the motion was carried by the following vote: Yeas, 32; nays, 15; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Chytil, Cowen, England, Foley, Greive, Guess, Hallauer, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Talley, Thompson, Jr., Williams—32.

Those voting nay were: Senators Charette, Connor, Cooney, Donohue, Dore, Durkan, Freise, Gallagher, Gissberg, Hanna, Henry, Peterson (Lowell), Sandison, Washington, Woodall—15.

Excused: Senators Herrmann, Stender—2.

On motion of Senator Moriarty, Jr., the committee amendment to section 2, line 20 was laid upon the table.

On motion of Senator Gallagher, the committee amendments to the title were adopted.

It was moved by Senator Riley that the following amendment be adopted:

On page 1, section 4, line 16 of the committee amendment as amended, after the words "service [twelve]" strike "*three thousand six*" and insert "*two thousand four*"

#### POINT OF ORDER

Senator Gallagher:

"Point of order, Mr. President:

"We have passed the main body of the bill and passed amendments to the title."

#### RULING BY THE PRESIDENT

President Pro Tempore Gissberg:

"That is correct, Senator Gallagher. However, I believe that the amendment was here at the desk and it was simply overlooked. However, there is another point of order that could be raised, I believe, Senator Gallagher, in connection with this and that is Reed's Rules which provides when dealing with amendments, you shall deal with the highest figure first and when acted upon favorably by the body as to one figure, you cannot thereafter propose and have acted upon by the body any lower figure."

Senator Gallagher:

"Well, Mr. President, I will cite that rule. It's too bad I didn't know it a little sooner."

President Pro Tempore Gissberg:

"The President would cite Senator Greive and Senator Riley Reed's Rules, paragraph 154 on page 95. Further, on the point of order, Senator Riley's proposed amendment would be an amendment to the amendment to the amendment which would likewise be out of order."

Senator Greive:

"Mr. President:

"I don't wish to get into an argument as to whether or not the amendment is correct, but Reed's Rule 164 deals with filling in blanks. That refers to measures submitted to the assembly with blanks as to dates and amounts to be filled in by the

body. This certainly isn't the case here. We didn't present anything with blanks to be filled in by the assembly. I don't think that is applicable here at all. You can make amendments up or down. We have never had a bill of that nature that I know of where something was presented with blanks where we were to fill them in."

Senator Rasmussen:

"Speaking to the point of order, Mr. President:

"Number one, the body has no knowledge of when Senator Riley's amendment was laid on the desk or when it was overlooked.

"Number two, once an amendment is adopted, it becomes a part of the bill and no longer an amendment. You are amending the bill.

"Number three, I don't think, Mr. President, that the President should raise the point of order for the body. The body should raise the point of order and the President should rule on it."

President Pro Tempore Gissberg:

"I did not raise the point of order. The point of order was raised by Senator Gallagher."

Senator Rasmussen:

"That's what we finally arrived at, Mr. President, but it's all right anyway. We'll arrive at a solution, I'm sure."

#### RULING BY THE PRESIDENT

President Pro Tempore Gissberg:

"The President is going to allow a vote to be taken, if that is the wish of the body, with respect to the amendment proposed by Senator Riley. I am going to recognize you for the purpose of moving the adoption of the amendment."

It was moved by Senator Gallagher that the amendment by Senator Riley be laid upon the table.

Senator Riley demanded a roll call and the demand was sustained by Senators Peterson (Ted), Guess, Redmon, Petrich, Greive, Rasmussen, Kupka and Lewis.

#### ROLL CALL

The Secretary called the roll, and the amendment was laid upon the table by the following vote: Yeas, 27; nays, 20; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Connor, Cooney, Durkan, England, Foley, Freise, Gallagher, Gissberg, Hallauer, Hanna, Henry, Knoblauch, Kupka, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Ryder, Talley, Thompson, Jr., Washington, Williams, Woodall—27.

Those voting nay were: Senators Charette, Chytil, Cowen, Donohue, Dore, Greive, Guess, Herr, Keefe, Lennart, Lewis, McMillan, Mardesich, Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison—20.

Excused: Senators Herrmann, Stender—2.

On motion of Senator Gallagher, the rules were suspended, Engrossed Senate Bill No. 47 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 47, and the bill passed the Senate by the following vote: Yeas, 25; nays, 22; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Connor, Cooney, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Hallauer, Hanna, Knob-

lauch, Kupka, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Thompson, Jr., Washington, Williams, Woodall—25.

Those voting nay were: Senators Charette, Chytil, Cowen, Donohue, Greive, Guess, Henry, Herr, Keefe, Lennart, Lewis, McMillan, Mardesich, Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley—22.

Excused: Senators Herrmann, Stender—2.

Engrossed Senate Bill No. 47, having received the constitutional majority, was declared passed.

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

On motion of Senator McCutcheon, Engrossed Senate Bill No. 47 was ordered immediately engrossed and transmitted to the House.

#### PERSONAL PRIVILEGE

Senator McCormack:

"Mr. President, personal privilege:

"I simply want to state that I hope no one will go out of this room and say that we have voted ourselves a raise. This raise is for the legislators and judges who are elected in the next election to whatever districts they are in in the state, and we are not voting ourselves raises tonight. It is for the legislators who are elected in the next election."

#### PROTEST

As one of the sponsors of Engrossed Senate Bill No. 47 I feel obliged to file a protest to said measure which passed the Senate on Sunday, March 21, 1965 by a vote of 25 to 22 with two absent. Engrossed Senate Bill No. 47 was originally a bill to raise the salaries of Supreme Court judges to \$25,000 and Superior Court judges to \$20,000 a year.

When the bill was referred to Judiciary Committee it was reported out as amended and the amendment included legislative pay increases. I could and would have voted for the judges' pay increase standing alone but could not and did not vote for Engrossed Senate Bill No. 47 on final passage because of the amendment which included legislative pay increase to \$3,600 annually.

Respectfully submitted,

ROBERT L. CHARETTE,

Senator, Twenty-First District.

#### PROTEST

I sponsored Engrossed Senate Bill No. 47 because I was in favor of a raise in pay for Supreme and Superior Court judges of \$5,000 a year. When the bill was amended by the Judiciary Committee it had raised the pay for Supreme Court judges by \$7,500 which I thought was excessive and way out of line with any increase we could grant to other employees of the state.

It further increased the salaries for legislators to \$3,600 a year. While I feel that legislators are entitled to some increase this too seemed out of line with what we could do for other employees.

For these reasons I voted against the bill.

Respectfully submitted,

A. L. "SLIM" RASMUSSEN,

Senator, Twenty-Eighth District.

**Senate Bill No. 1**, by Senators Durkan, Neill, Gissberg, and Moriarty, Jr.:

Establishing a code of ethics for elected public officials of the state or its political subdivisions.

On motion of Senator Durkan, Substitute Senate Bill No. 1 was substituted for Senate Bill No. 1 and Substitute Senate Bill No. 1 was placed on second reading and read the second time by sections.



It was moved by Senator Dore that the following amendment be adopted:

On page 3, line 9, add a new section to read as follows:

*"NEW SECTION. Sec. 11. That any member of the legislature who receives any compensation or emoluments of any kind, directly or indirectly, for the purpose of influencing the passage or defeat of any legislation during the 1965 session, or any subsequent session, shall file with the secretary of the house of which he is a member a statement of the compensation or emoluments received and the name or names and addresses of the person or persons who paid such compensation or emoluments. That such statement shall be filed with the secretary within ten days after receipt of the compensation and/or emoluments or within ten days after the completion of the session, which ever is sooner. That failure to file such information as provided herein shall be grounds for forfeiture of one's office in the legislature. That any interested voter in the district in which the legislator resides, may initiate a complaint for violation of this section of the act by filing a complaint in the superior court of the county where the legislator resides. That a hearing on the complaint shall be held in the superior court within sixty days after the complaint is filed. In the event it is proved by a preponderance of the evidence that there is a violation of this section, the court shall declare the offending legislator's office vacant, and the county commissioners of the county where the legislator resides shall appoint his replacement in accordance with the existing statutory procedure."*

Debate ensued.

It was moved by Senator Greive that the amendment by Senator Dore be laid upon the table.

Senator Dore demanded a roll call but the demand was not sustained, and the amendment was tabled by a voice vote.

It was moved by Senator Neill that the following amendment be adopted:

On page 2, section 8, line 30, after "agency or agencies" strike all the matter down to and including "period" on line 31.

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Petrich, the following amendment was adopted:

On page 1, line 27, strike "5" and insert "3"

Renumber the remaining sections consecutively.

It was moved by Senator Washington that the following amendment be adopted:

*"NEW SECTION. Sec. 11. (1) Except as authorized in this section, no member of the legislature shall directly or indirectly accept any compensation, gratuity or other thing of value from any source other than the state of Washington for any matter connected with or related to the legislative process.*

*(2) A member of the legislature may be employed by or may be associated with any person, firm or corporation employed to influence the enactment of legislation by the state legislature but only upon the following conditions:*

*(a) The member of the legislature shall disclose such employment or association in a written statement filed with the secretary of state within five days after his employer or associate is employed to influence the enactment of legislation, and*

*(b) The member of the legislature shall not himself receive any compensation arising from his employer's or associate's employment relating to the influencing of any legislative enactment.*

*(3) Nothing in this section shall prohibit any member of the legislature from being a guest at any meal or social event whether or not his host may in connection with such event directly or indirectly attempt to influence the enactment of legislation."*

It was moved by Senator Woodall that the following amendment to the amendment be adopted:

On line 3 of the amendment to the amendment by Senator Washington, after the word "source" insert "including public utility districts"

Debate ensued.

Senator Washington demanded a roll call and the demand was not sustained.

The motion was carried on a rising vote and the amendment to the amendment was adopted.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senator Washington as amended.

Senator Washington demanded a roll call, but the demand was not sustained.

The motion was lost on a rising vote and the amendment as amended was not adopted.

On motion of Senator Woodall, the following amendment was adopted:

On page 2, renumbered section 3, line 1, after "himself" strike the period and insert ", his spouse, child, parents or other persons standing in the first degree of relationship"

On motion of Senator Hanna, the following amendment was adopted:

On page 3, following renumbered section 8, add a new section to read as follows:

"Sec. 9. Section 29.18.140, chapter 9, Laws of 1965 and RCW 29.18.140 are each amended to read as follows:

Every candidate for nomination at a primary election, shall, within ten days after the day of holding the primary election at which he is a candidate, file an itemized statement in writing, duly sworn to as to its correctness, with the officer with whom his declaration of candidacy or other nomination paper is filed, setting forth each sum of money and thing of value, or any consideration whatever, contributed, paid or promised by him, or anyone for him, with his knowledge or acquiescence, for the purpose of securing or influencing, or in any way affecting his nomination to said office. The statement shall set forth the sums paid as personal expenses, stating fully the nature, kind and character of the expense for which the sums were expended separately, and the persons to whom the sums were paid and the purposes for which such payments were made. In this statement all sums or other considerations promised and not paid shall be included. The statement, when so filed shall immediately be subject to the inspection and examination of any elector and shall be and become a part of the public records. *Any violation of this section shall be a misdemeanor.*"

It was moved by Senator Dore that the following amendment be adopted:

On page 3, line 9, add a new section to read as follows:

"**NEW SECTION.** Sec. 11. That any member of the legislature who receives any compensation or emoluments of any kind, directly or indirectly, for the purpose of influencing the passage or defeat of any legislation, shall file with the secretary of the house of which he is a member a statement of the compensation or emoluments received and the name or names and addresses of the person or persons who paid such compensation or emoluments. That such statement shall be filed with the secretary within ten days after receipt of the compensation and/or emoluments or within ten days after the completion of the session, whichever is sooner. That failure to file such information as provided herein shall be grounds for forfeiture of one's office in the legislature. That any interested voter in the district in which the legislator resides, may initiate a complaint for violation of this section of the act by filing a complaint in the superior court of the county where the legislator resides. That a hearing on the complaint shall be held in the superior court within sixty days after the complaint is filed. In the event it is proved by a preponderance of the evidence that there is a violation of the section, the court shall declare the offending legislator's office vacant."

#### POINT OF ORDER

Senator McCormack:

"Point of order, Mr. President:

"Isn't this the sum and substance of an amendment previously voted down by the Senate?"

**RULING BY THE PRESIDENT**

President Pro Tempore Gissberg:

"No, I am advised it is different in some material respects."

Debate ensued.

The motion was lost and the amendment was not adopted.

**MOTION**

It was moved by Senator Washington that Substitute Senate Bill No. 1 retain its place at the top of the second reading calendar for tomorrow.

The motion was lost.

It was moved by Senator Dore that the following amendment be adopted:

On page 2, section 5, line 1, strike the period following "relationship" in the amendment by Senator Woodall and insert "or a third party for compensation or law partnership"

Debate ensued.

On motion of Senator Bailey, the amendment was laid upon the table.

On motion of Senator Neill, the following amendment was adopted:

On page 2, section 8, line 32, strike "by the public official or candidate"

On motion of Senator England, the following amendment was adopted:

On page 2, section 8, line 30, after "agencies" and before ", the name" insert "during the preceding twelve month period"

On motion of Senator Atwood, the rules were suspended and Senator Raugust was excused.

It was moved by Senator Rasmussen that the following amendment be adopted:

On page 3, renumbered section 7, line 5, following the word "section." add the following: "When any funds are distributed for campaign purposes by a legislator, a complete list of such funds with the donors names shall be filed with the secretary of the senate and the clerk of the house immediately after convening of the legislature."

Debate ensued.

It was moved by Senator Greive that the amendment be laid upon the table.

The motion was carried on a rising vote.

**PERSONAL PRIVILEGE**

Senator Morgan:

"Mr. President, personal privilege:

"I was trying to get the floor to comment on this recent discourtesy. I wanted to know if Senator Rasmussen included the A.W.I. in your solicitations and if you included contributions from individual legislators, sometimes as much as a thousand dollars, and other times when legislators have purchased newspaper advertising as in my case when I first ran for the Senate and people in the legislature bought a full page endorsing the gentleman I had filed against. Such soliciting should be included in your list, Mr. President, and particularly the Association of Washington Industries and other groups of that nature."

On motion of Senator Guess, the following amendment was adopted:

On page 3, renumbered section 7, line 4, after the period, strike all the matter down to and including "section." in line 5.

On motion of Senator Moriarty, Jr., the following amendment was adopted:

On page 3, renumbered section 7, line 3, after "section" strike "8" and insert "6"

On motion of Senator Hanna, the following amendment to the title was adopted:

In line 3 of the title before the period insert “; amending section 29.18.140, chapter 9, Laws of 1965 and RCW 29.18.140, and providing penalties”

#### PERSONAL PRIVILEGE

Senator Thompson, Jr.:

“Mr. President, I wish to speak on point of personal privilege:

“I attempted to get the floor on the bill that was just passed. I voted for it. I think it's good legislation, but I do feel that the Judiciary Committee of this Senate demonstrated tonight some lack of understanding of the problem. There were several questions that I thought should have been answered in final passage of this bill so that all of us who are not members of the bar would understand what we did. I would hope that these questions are answered in the House. I hope the bill does what we intend it to do, and I regret a great deal that certain questions by lay members of this body were not given an opportunity to be answered.”

On motion of Senator Durkan, the rules were suspended, Engrossed Senate Bill No. 1 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

Senators Greive, Mardesich and Durkan demanded the previous question and the demand was sustained.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 1, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; excused, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Excused: Senators Herrmann, Raugust, Stender—3.

Engrossed Senate Bill No. 1, having received the constitutional majority, was declared passed.

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

On motion of Senator Riley, the Senate dispensed with the Call of the Senate.

On motion of Senator Woodall, all bills passed today were ordered immediately transmitted to the House.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

**Senate Bill No. 74:**

Senate Chamber,

Olympia, Wash., March 20, 1965.

Removing full crew requirement on freight trains (reported by Committee on Public Utilities):

MAJORITY recommends that it do pass as amended.

AUGUST P. MARDESICH, *Chairman*.

We concur in this report: Robert L. Charette, Joe Chytil, David C. Cowen, Harry B. Lewis, Edward F. Riley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 313:**

Senate Chamber,

Olympia, Wash., March 20, 1965.

Regulating collection agencies (reported by Judiciary Committee):

MAJORITY recommends that Substitute Senate Bill No. 313 be substituted therefor and that the Substitute Bill is without recommendation.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Jack England, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams.

**Senate Bill No. 486:**

Senate Chamber,

Olympia, Wash., March 21, 1965.

Permitting superintendent of public instruction to establish advisory groups who shall be reimbursed for reasonable subsistence and traveling expenses in carrying out their duties (reported by Committee on Education):

MAJORITY recommends that it do pass.

MIKE McCORMACK, *Chairman*.

We concur in this report: Joe Chytil, Fred H. Dore, Herbert H. Freise, Reuben A. Knoblauch, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, A. L. Rasmussen, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 206:**

Senate Chamber,

Olympia, Wash., March 21, 1965.

Imposing in lieu tax on state game lands and eliminating partial payment of hunting fines and forfeitures to counties (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass.

ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Ernest W. Lennart, Lowell Peterson, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 444:**

Senate Chamber,

Olympia, Wash., March 21, 1965.

Requiring transfers of teachers' seniority and leave benefits (reported by Committee on Education):

MAJORITY recommends that it do pass.

MIKE McCORMACK, *Chairman*.

We concur in this report: Fred H. Dore, Herbert H. Freise, Reuben A. Knoblauch, Frances Haddon Morgan, John A. Petrich, A. L. Rasmussen, Don L. Talley, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 470:**

Senate Chamber,

Olympia, Wash., March 21, 1965.

Providing for the transfer of certain real property owned by the state to the department of game (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass.

ROBERT L. CHARETTE, *Chairman*.

We concur in this report: Ernest W. Lennart, Lowell Peterson, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, Fred G. Redmon, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTION**

At 1:15 a. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Monday, March 22, 1965.

WILLIAM A. GISSBERG, *President Pro Tempore of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

**EIGHTH DAY****MORNING SESSION**

SENATE CHAMBER,

OLYMPIA, WASH., Monday, March 22, 1965.

The Senate was called to order at 10:30 a. m. by President Pro Tempore Gissberg.

The Secretary called the roll and announced to the President Pro Tempore that all Senators were present except Senator Stender.

The Color Guard, consisting of Pages Lloyd Baker, Jr., Color Bearer, and Bridget Fuller, presented the Colors.

Reverend Maurice L. Haehlon, pastor of the United Churches Church of Olympia, offered prayer as follows:

"Almighty God, our Heavenly Father, Thou who hast committed unto us a sacred trust—help us to know that the hour for serving Thee is now. Lift us, in all our dealings above all pride of person or party and make of us statesmen for Thee. Cleanse our land of public waste and corruption and renew in us hope and courage. Amen."

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,

Olympia, Wash., March 22, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Substitute Senate Bill No. 1; also

Senate Bill No. 47; also

Senate Bill No. 177; also

Senate Bill No. 297; also

Senate Bill No. 318; also

Senate Bill No. 336, have inspected same, and find them correctly engrossed.

Respectfully submitted,

....., *Chairman.*

We concur in this report: Martin J. Durkan, Michael J. Gallagher, Perry B. Woodall.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,

Olympia, Wash., March 21, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 191; also

Engrossed House Bill No. 292; also

House Bill No. 465, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 21, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Concurrent Resolution No. 18, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 191**, by Representatives Newschwander, Grant and Brouillet:

Changing dates relating to primaries.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Engrossed House Bill No. 292**, by Representatives Bottiger and Marzano:

An Act relating to the regulation of contractors; and repealing section 4, chapter 77, Laws of 1963 and RCW 18.27.040.

Referred to Committee on Commerce, Manufacturing and Licenses.

**House Bill No. 465**, by Representatives O'Brien, O'Donnell and Copeland:

An Act relating to the investment of state funds; providing for the use of a portion of the income reserve fund; and amending section 43.84.090, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.84.090.

Referred to Committee on Ways and Means.

#### PRESIDENT'S PRIVILEGE

President Pro Tempore Gissberg:

"Members of the Senate, you will be delighted to know that Lieutenant Governor Cherberg has come back home, but he will not be able to preside, unfortunately for you, because of the fact that Governor Evans is out of the state and is now in Washington, D. C. However, you will have your own President back at such time as Governor Evans returns to the state of Washington."

#### PERSONAL PRIVILEGE

Senator Peterson (Ted):

"Mr. President:

"You talk as though we are displeased with your work here. We are not dissatisfied at all. We all think you have done a good job."

President Pro Tempore Gissberg:

"Thank you, Senator."

#### PARLIAMENTARY INQUIRY

Senator Hallauer:

"Point of parliamentary inquiry, Mr. President. Notice of reconsideration was given yesterday on Senate Bill No. 391, that reconsideration would be brought before the body today. Now, is it requisite that this reconsideration occur on the first order of business under motions, or may it be made at any time?"

#### REPLY BY THE PRESIDENT

President Pro Tempore Gissberg:

"It could be made at any time providing we go back to the first order of business during this working day for that purpose, Senator Hallauer."

#### SECOND READING OF BILLS

**Senate Bill No. 444**, by Senators Greive, Petrich, Keefe, Kupka and Peterson (Ted):

Controlling distribution of obscene printed or written matter or articles.

The bill was read the second time by sections.

It was moved by Senator Hallauer that the following amendment be adopted:

On page 1, section 1, line 16, after "means" on line 16, strike all the matter down to the period on line 18 and insert "material which would be likely to cause an average, experienced legislator not suffering from high blood pressure to blush instantaneously"

Debate ensued.

The motion was lost and the amendment was not adopted.

It was moved by Senator Hallauer that the following amendment be adopted:

On page 5, section 9, line 21, strike the underlined material.

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Hallauer, the following amendment was adopted:

On page 5, section 9, line 27, strike "complain" and insert "complaint"

It was moved by Senator Hallauer that the following amendment be adopted:

On page 1, section 1, line 16, after "means" on line 16, strike all the matter down to "." on line 18 and insert "material adjudged by a person having a graduate degree in literature, aesthetics and philosophy and being acquainted with world literature and art to be of no artistic merit and published solely to corrupt the morals of the public"

Debate ensued.

On motion of Senator Petrich, the amendment was laid upon the table.

On motion of Senator Hallauer, the following amendments were adopted:

On page 6, section 9, line 1, after "and" strike "shll" and insert "shall"

On page 6, section 9, line 4, after "of" insert "time"

On page 6, section 9, line 9, after "time" strike all the matter down to and including "character" on line 10.

It was moved by Senator Hallauer that the following amendment be adopted:

On page 5, section 9, line 26, after "complaint" strike all the matter down to the period on page 6, line 19.

Debate ensued.

On motion of Senator Talley, the amendment was laid upon the table.

It was moved by Senator Hallauer that the following amendment be adopted:

On page 6, section 10, line 32, after "shall" and before "be required" strike "not" and insert "[not]"

Debate ensued.

On motion of Senator Greive, the amendment was laid upon the table.

It was moved by Senator Hallauer that the following amendment be adopted:

On page 7, section 10, line 1, after the comma insert "*in an amount the court deems necessary to adequately protect the respondents but not less than \$1,000,*"

Debate ensued.

On motion of Senator Greive, the amendment was laid upon the table.

The Secretary read the following amendment by Senator Hallauer:

On page 7, section 10, line 2, after "shall" at the beginning of the line and before "be" strike "not" and insert "[not]", and after "and shall" and before "be" strike "not" and insert "[not]"



With the consent of the Senate, the amendment was withdrawn.

On motion of Senator Hallauer, the following amendment was adopted:

On page 7, section 10, line 5, after "enjoined" and before the period, insert "*in such cases the respondents shall be entitled to recover reasonable attorney fees*"

It was moved by Senator Hallauer that the following amendment be adopted:

On page 9, line 33, following section 16, add a new section as follows:

"NEW SECTION. Sec. 17. There is added to chapter 105, Laws of 1959 and to chapter 742 RCW a new section to read as follows:

"The provisions of this statute shall not apply to so-called 'stag' shows conducted by nationally organized veterans' organizations."

Re-number remaining sections consecutively.

Debate ensued.

On motion of Senator Petrich, the amendment was laid upon the table.

It was moved by Senator Hallauer that the following amendment be adopted:

On page 7, section 12, line 19, strike the entire section.

Re-number the remaining sections consecutively.

Debate ensued.

#### POINT OF INQUIRY

Senator McCormack:

"Would Senator Greive yield, Mr. President?"

Senator Greive:

"No."

Senator McCormack:

"Mr. President, then I'll ask Senator Hallauer if he would yield.

"Senator Hallauer, it is my understanding that the increase you are proposing to strike in this amendment is in violation of the federal constitution, is that correct?"

Senator Hallauer:

"The information I have is that extradition should not be allowed in civil proceedings or contempt proceedings, and that is what section 12 of the bill purports to do. Under the federal constitution it is allowed only in criminal proceedings, and therefore, I am trying to limit section 12 of the bill in order to solve the problem."

Debate ensued.

#### MOTION

It was moved by Senator Rasmussen that Senate Bill No. 444 be placed at the end of the second reading calendar for today.

The motion was lost on a rising vote.

The motion by Senator Hallauer was carried and the amendment was adopted.

On motion of Senator Atwood, the following amendment was adopted:

On page 1, section 1, line 16, strike lines 16, 17 and 18 and insert "'OBSCENE.' Material is obscene if, considered as a whole, its predominant appeal is to prurient interest, that is, a shameful or morbid interest, in nudity, sex or excretion, and if in addition it goes substantially beyond customary limits of candor in describing or representing such matters. Predominant appeal shall be judged with reference to ordinary adults unless it appears from the character of the material or the circumstances of its dissemination to be designed for children or other specially susceptible audience."

It was moved by Senator Petrich that the following amendment be adopted:

On page 10 add a new section following section 16 to read as follows:

"NEW SECTION. Sec. 17. The attorney general shall create a division within his office to be staffed by at least one attorney who shall devote his time to carrying out the provisions of this amendatory act which shall include a review of printed or written matter or articles as defined in section 1 of this amendatory act, sold, brought into or exhibited within this state."

Renumber the remaining section.

Debate ensued.

The motion was lost on a rising vote and the amendment was not adopted.

On motion of Senator Greive, the rules were suspended, Engrossed Senate Bill No. 444 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

During the debate, the following proceedings were had:

Senator Greive:

"Now, I have in my hand a little gem and I would like to read to the members of the Senate some of the items that I have reference to."

#### POINT OF ORDER

Senator McCormack:

"Point of order, Mr. President:

"I rise to object. We all know perfectly well the material he is bringing in here."

Senator Woodall:

"Point of order, Mr. President:

"We have minors here in the galleries and pages around these halls. Now if this is bad, it's bad; and, we have minors here and if this is bad it shouldn't be read. If it's good, it's good; if it's bad, it's bad and Senator Greive shouldn't read it around minors."

#### REPLY BY THE PRESIDENT

President Pro Tempore Gissberg:

"Senator Woodall, if you are raising the point of order, the President is not going to set himself up as the censor."

Senator McCormack:

"Mr. President, I move that no titles or other obscene or suggestive material be read on the floor."

President Pro Tempore Gissberg:

"Your motion is not necessary, Senator. The rules provide that there shall be no reading from any papers and that is our rule, and it takes a suspension of the rules in order to read from a paper. Senator Greive is not reading from a paper. At least, I haven't heard him read from any paper up to this point. If and when he does, Senator McCormack, you can raise your point of order."

#### PERSONAL PRIVILEGE

Senator Neill:

"Mr. President, point of personal privilege.

"Having voted against the bill, I expect my motives will be impugned, and I want to say that it is presently against the law to sell obscene literature in the state of Washington. Our problem has been one of enforcement. What we have done by this bill is gone around the duly elected enforcement officials, the thirty-nine prosecuting attorneys in the state of Washington, and put this in the hands of the Attorney General to chase all over the state of Washington in this particular field.

"Now, if people wanted something done about this, and I want something done about it, there are remedies in the courthouse back home. Let's get the prosecutors on the job and enforce it."

**Senator Greive:**

"It seems like we are debating this when it is useless, but it was felt that this was something that the industry wanted. The problem has been uniformity. They felt in some jurisdictions they were landed on full force, while in others this was not enforced at all. I think part of the protection is a uniformity throughout the state by putting this in the hands of one central authority. At least the industry will know where they are."

**Senator Hallauer:**

"Mr. President, I'm glad that Senator Neill made the point that he did about the change in the central system that we have made in this bill. There is one other thing that should be pointed out in this connection. This makes a fine political vehicle for some."

Further debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 444, and the bill passed the Senate by the following vote: Yeas, 44; nays, 4; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Those voting nay were: Senators Hallauer, Lennart, McCormack, Neill—4.

Absent or not voting: Senator Stender—1.

Engrossed Senate Bill No. 444, having received the constitutional majority, was declared passed.

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

**EXPLANATION OF VOTE**

Statement by Senators Wilbur G. Hallauer, Ernest W. Lennart, Mike McCormack and Marshall A. Neill:

We wish to state that our vote in opposition to Senate Bill 444 was based on the following arguments:

- (1) There is adequate existing law in the state of Washington for control of obscene literature. This existing law calls for enforcement at the local level by the County Prosecuting Attorneys and other local law enforcement officials. If these existing laws were enforced, no other law would be necessary.
- (2) Senate Bill 444 introduces new concepts into the statutes which would of necessity, have to be adjudicated in the future. This would only result in confusion.
- (3) Senate Bill 444 initiates the creation of a new division within the Attorney General's Office with personnel who would be charged with the responsibility of examining all literature and seeking instances where obscene literature might be made available to the public. Such a division could expand into an unnecessary bureaucracy, which might be used for political purposes.
- (4) Senate Bill 444 establishes local custom as a basis for determining what is obscene. It is obvious that what is obscene to one person will not necessarily be obscene to another. The adoption of this criterion could only result in attempts to exert control over the literature and thoughts of a majority of the society by persons hypersensitive on the subject of obscenity.

- (5) Freedom of speech and press are integral parts of our constitutional foundation. The legal definitions surrounding that foundation should be touched only with the greatest of reluctance and as seldom as is conceivably possible.

Wilbur G. Hallauer  
Ernest W. Lennart  
Mike McCormack  
Marshall A. Neill

### THIRD READING OF BILLS

**Senate Bill No. 101**, by Senators Lewis and McMillan:

Establishing state employees' suggestion awards.

On motion of Senator Moriarty, Jr., Senate Bill No. 101 was ordered to retain its place on the second reading calendar for today immediately following consideration of Senate Bill No. 92.

**Senate Bill No. 464**, by Senators Washington and Guess:

Providing administrative procedure on loss of warrant or other instrument of indebtedness of the state and certain political subdivisions.

On motion of Senator Washington, the rules were suspended and Senate Bill No. 464 was returned to second reading.

The bill was read the second time by sections.

On motion of Senator Washington, the following amendment was adopted:

On page 1, line 2 of the title, after "agencies;" insert "and"

On motion of Senator Washington, the rules were suspended, Engrossed Senate Bill No. 464 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 464, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Connor, Hallauer, Stender—3.

Engrossed Senate Bill No. 464, having received the constitutional 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. 92**, by Senators Thompson, Jr., Riley and Sandison:

Allowing importation of duty free liquor for personal use.

On motion of Senator Thompson, Jr., the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 92 was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 92, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; absent or not voting, 2.

Those voting yea were : Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Thompson, Jr., Washington, Williams, Woodall—45.

Those voting nay were: Senators Herrmann, Talley—2.

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

Engrossed Senate Bill No. 92, having received the constitutional 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. 101**, by Senators Lewis and McMillan:

Establishing state employees' suggestion awards.

On motion of Senator Lewis, Senate Bill No. 101 was referred to the Committee on Ways and Means.

**Senate Bill No. 199**, by Senators Talley, Redmon and Bailey:

Allowing delivery of tax roll directly from the county assessor to the county treasurer.

On motion of Senator Talley, the rules were suspended, the second reading considered the third, and Senate Bill No. 199 was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 199, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

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

Senate Bill No. 199, having received the constitutional majority, was declared passed.

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

**MOTION**

At 12:25 p. m., on motion of Senator Greive, the Senate recessed until 2:00 p. m.

### AFTERNOON SESSION

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

The Secretary called the roll and announced to the President Pro Tempore that all Senators were present except Senator Stender.

#### THIRD READING OF BILLS

**Engrossed Senate Bill No. 264**, by Senators Charette, Thompson, Jr. and Peterson (Ted) (by Departmental request):

Authorizing the director of fisheries to sell food fish or shellfish caught or taken during test fishing operation.

On motion of Senator Charette, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 264 was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 264, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—42.

Absent or not voting: Senators Durkan, Hanna, Keefe, McCutcheon, Mardesich, Morgan, Stender—7.

Engrossed Senate Bill No. 264, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 366**, by Senators Raugust, Washington and Herr (by State Highway Commission request):

Requiring payment of fee and deposit by bidders on highway projects for maps, plans, etc.

On motion of Senator Washington, the rules were suspended, the second reading considered the third, and Senate Bill No. 366 was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 366, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen,

Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators McCutcheon, Mardesich, Stender—3.

Senate Bill No. 366, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 67**, by Senators Guess, McMillan and Herr:

Establishing safety standards for underground construction workers.

On motion of Senator Guess, Senate Bill No. 67 was referred to the Committee on Rules and Joint Rules.

**Engrossed Senate Bill No. 77**, by Senators Guess, Redmon and Riley:

Defining combination of services as applied to motor freight carriers.

On motion of Senator Guess, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 77 was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 77, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators England, McCutcheon, Morgan, Stender—4.

Engrossed Senate Bill No. 77, having received the constitutional majority, was declared passed.

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

**Engrossed Senate Bill No. 246**, by Senators Talley, Henry and Gissberg:

Giving power of eminent domain to diking improvement districts.

On motion of Senator Talley, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 246 was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 246, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Washington, Williams, Woodall—46.

Those voting nay were: Senator Thompson, Jr.—1.

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

Engrossed Senate Bill No. 246, having received the constitutional majority, was declared passed.

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

On motion of Senator Greive, Senator McCutcheon was excused.

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

#### SECOND READING OF BILLS

**Senate Bill No. 385**, by Senators Charette, Neill and Dore:

Prohibits state or political subdivisions from requiring bidder on construction projects to obtain insurance from particular company, agent or broker.

The bill was read the second time by sections.

On motion of Senator Charette, the rules were suspended, Senate Bill No. 385 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 385, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

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

Excused: Senator McCutcheon—1.

Senate Bill No. 385, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 446**, by Senators Thompson, Jr., Herr and Moriarty, Jr.:

Increasing state park commissioners' per diem.

The bill was read the second time by sections.

On motion of Senator Thompson, Jr., the rules were suspended, Senate Bill No. 446 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 446, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe,



Knoblauch, Kupka, Lennart, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams—45.

Those voting nay were: Senators Lewis, Woodall—2.

Absent or not voting: Senator Stender—1.

Excused: Senator McCutcheon—1.

Senate Bill No. 446, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 168**, by Senators Kupka, McCutcheon and Rasmussen:

Authorizing payment for care of mentally retarded children in private institutions.

The bill was read the second time by sections.

It was moved by Senator Freise that the following amendment be adopted:

On page 1, section 1, line 6, after the word "institution" insert "as defined in RCW 74.14.010(4) (a) and".

On motion of Senator Dore, Senate Bill No. 168 was ordered to retain its place on the second reading calendar for today immediately following consideration of Senate Bill No. 278.

**Senate Bill No. 117**, by Senators Hanna, England and Herr:

Increasing court reporters' salaries.

#### REPORT OF STANDING COMMITTEE

##### Senate Bill No. 117:

Senate Chamber,  
Olympia, Wash., February 19 1965.

Increasing court reporter's salaries (reported by Judiciary Committee):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 1, line 14, after "dollars]" and before "per annum" strike "eighty-five hundred twenty dollars" and insert "seven thousand six hundred dollars"

On page 1, section 1, line 16, after "dollars]" and before "per annum" strike "eighty-five hundred twenty dollars" and insert "seven thousand six hundred dollars"

On page 1, section 1, line 20, after "dollars]" and before "per annum" strike "seventy-five hundred twenty dollars" and insert "seven thousand dollars"

JOHN A. PETRICH, Chairman.

We concur in this report: R. Frank Atwood, Robert L. Charette, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, H. B. Hanna, Charles P. Moriarty, Jr., Nat Washington, Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendments were adopted.

It was moved by Senator Bailey that the following amendment be adopted:

On page 2, section 1, line 24, add a new paragraph as follows:

"On all days during which courts are required by law to be in session, official court reporters listed in subsections 1, 2 and 3 of this act, during the hours from nine thirty a.m. to four thirty p.m. shall not engage in private reporting, the taking of depositions for private parties, or the transcription of notes in cases other than those that have been reported in their official capacity."

Debate ensued.

The motion was carried on a rising vote and the amendment was adopted.

On motion of Senator Hanna, the rules were suspended, Engrossed Senate

Bill No. 117 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 117, and the bill passed the Senate by the following vote: Yeas, 39; nays, 4; absent or not voting, 5; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Thompson, Jr., Washington, Woodall—39.

Those voting nay were: Senators Gissberg, Hallauer, McMillan, Mardesich—4.

Absent or not voting: Senators Henry, Raugust, Stender, Talley, Williams—5.

Excused: Senator McCutcheon—1.

Engrossed Senate Bill No. 117, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 278**, by Senators Peterson (Lowell), Hanna and Lewis:

Giving mayors pro tempore right to serve more than one day.

The bill was read the second time by sections.

On motion of Senator Peterson (Lowell), the rules were suspended, Senate Bill No. 278 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 278, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Hanna, Kupka, Raugust, Stender, Talley—5.

Senate Bill No. 278, having received the constitutional majority, was declared passed.

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

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**Engrossed Substitute House Bill No. 36:**

Senate Chamber,  
Olympia, Wash., March 22, 1965.

Creating a state education television commission and defining its powers and duties (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass. AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, Frances Haddon Morgan, Charles P. Moriarty, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 159:**

Senate Chamber,  
Olympia, Wash., March 22, 1965.

Regulating county-city housing standards (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Ted G. Peterson, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 200:**

Senate Chamber,  
Olympia, Wash., March 22, 1965.

Forbidding discrimination in housing and real property (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Herbert H. Freise, William A. Gissberg, H. B. Hanna, Karl Herrmann, August P. Mardesich, Charles P. Moriarty, Jr., Nat Washington, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 235:**

Senate Chamber,  
Olympia, Wash., March 22, 1965.

Changes board against discrimination to human rights commission (reported by Judiciary Committee):

MAJORITY recommends that it do pass. JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Jack England, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, Karl Herrmann, August P. Mardesich, Charles P. Moriarty, Jr., Nat Washington, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 449:**

Senate Chamber,  
Olympia, Wash., March 22, 1965.

Establishing a two-year study of cystic fibrosis (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

Recommends that Engrossed House Bill No. 449 be referred to Committee on Ways and Means. DAVID E. McMILLAN, *Chairman*.

We concur in this report: John L. Cooney, David C. Cowen, R. R. Bob Greive, Albert C. Thompson, Jr., Perry B. Woodall.

On motion of Senator Riley, the committee report was adopted and Engrossed House Bill No. 449 was referred to the Committee on Ways and Means.

**Engrossed House Bill No. 665:**

Senate Chamber,  
Olympia, Wash., March 22, 1965.

Providing for issuance of general obligation bonds by certain port districts operating municipal airports (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Sam C. Guess, James Keefe, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**House Concurrent Resolution No. 19:**

Senate Chamber,  
Olympia, Wash., March 22, 1965.

Reactivating Joint Committee on Government Cooperation (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass.

AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, Frances Haddon Morgan, Charles P. Moriarty, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

The Senate advanced to the seventh order of business.

**SECOND READING OF BILLS**

**Senate Bill No. 168**, by Senators Kupka, McCutcheon and Rasmussen:

Authorizing payment for care of mentally retarded children in private institutions.

The Senate resumed consideration of Senate Bill No. 168 on second reading and the pending amendment by Senator Freise.

Debate ensued.

With the consent of the Senate, Senator Freise was permitted to withdraw the amendment.

On motion of Senator Kupka, the rules were suspended, Senate Bill No. 168 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 168, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Those voting nay were: Senator Redmon—1.

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

Senate 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.

#### MOTION

At 3:05 p. m., on motion of Senator Gallagher, the Senate recessed until 4:00 p. m.

### SECOND AFTERNOON SESSION

The President Pro Tempore called the Senate to order at 4:00 p. m.

The Secretary called the roll and announced to the President Pro Tempore that all Senators were present except Senators Durkan and Stender.

On motion of Senator Gallagher, Senator Durkan was excused.

It was moved by Senator Gallagher that the Senate do now consider Senate Bill Nos. 162, 118, 356 and 286 on second reading in that order.

The motion was carried.

It was moved by Senator McMillan that the Senate do now consider Senate Bill No. 410 on second reading.

Debate ensued.

It was moved by Senator Gallagher that the motion by Senator McMillan be laid upon the table.

The motion was carried on a rising vote.

#### SECOND READING OF BILLS

**Senate Bill No. 162**, by Senators Foley, Lennart and Riley:  
Creating a temporary municipal budget committee.

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 162:**

Senate Chamber,  
Olympia, Wash., March 2, 1965.

Creating a temporary municipal budget committee (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 1, line 10, after "legislators;" and before "municipal" strike "five" and insert "six"

On page 1, section 1, line 13, after "Business Administration" and before the "." insert "; and three state officials"

On page 1, section 1, line 17, after "by the" strike all the matter down to "." on line 19 and insert "following executive committees: the Association of Washington Cities, two members; the Association of Municipal Finance Officers, two members; the Association of Municipal Attorneys, one member; and the Association of City Managers, one member"

On page 1, section 1, line 24, after "." insert "The members selected as state officials shall be appointed as follows: one by the Attorney General and two by the State Auditor."

On page 2, section 2, line 4, after "of the" and before "." strike "Association of Washington Cities" and insert "State Auditor"

On page 3, section 5, line 7, after "shall be" on line 7 strike all the matter down to "." on line 14 and insert "credited by the State Treasurer to account 413 Municipal

Revolving Fund. Such money shall be disbursed in payment of the expenses of the committee on state vouchers signed by the chairman and secretary of the committee and approved by the State Auditor" DON L. TALLEY, *Chairman.*

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, Edward F. Riley, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator Foley, the committee amendments were adopted.

On motion of Senator Riley, the rules were suspended, Engrossed Senate Bill No. 162 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Rasmussen:

"Mr. President, would Senator Riley yield to a question?

"Senator Riley, isn't this a matter that could be handled by the legislative council?"

Senator Riley:

"Mr. President and Senator Rasmussen, the answer given to me is that it could not be handled in the legislative council because it is not a study that the council can make. It is a matter of their own physical position and making uniform procedures and practices throughout the entire city, municipal-type governments, so to restate my first word, Senator Rasmussen, the answer is, 'no,' I do not believe that this is anything for the legislative council. This is something for the cities to do for themselves. They are spending their own money, whereas the legislative council would be spending state money."

Senator Rasmussen:

"My second question, Senator Riley:

"Will this study, when completed, improve the budgetary practices of the city of Seattle?"

Senator Riley:

"Mr. President, Senator Rasmussen:

"I can only assure you, Senator, that the cities, because they realize there are some—maybe we can't use the term, 'deficiencies,' areas where there is a difference in the type of budgetary practices. They claim through their two vocal spokesmen that they can do it with this study, and they ask that we give them this permission."

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 162, and the bill passed the Senate by the following vote: Yeas, 38; nays, 9; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Peterson (Ted), Petrich, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams—38.

Those voting nay were: Senators Atwood, Lennart, Lewis, Moriarty, Jr., Neill, Raugust, Redmon, Woodall—9.

Absent or not voting: Senator Stender—1.

Excused: Senator Durkan—1.

Engrossed Senate Bill No. 162, having received the constitutional majority, was declared passed.

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

**PARLIAMENTARY INQUIRY**

Senator Moriarty, Jr.:

"Mr. President, point of parliamentary inquiry:

"Am I correct that the concurrent resolution which prohibits the consideration of Senate Bills after 5:00 p. m. does not apply to constitutional amendments?"

**REPLY BY THE PRESIDENT**

President Pro Tempore Gissberg:

"That is correct, Senator."

**Senate Joint Resolution No. 25**, by Senators Talley, Moriarty, Jr., Kupka, Greive, Sandison and Bailey:

Authorizing port districts to use funds for industrial development or trade promotion and promotional hosting.

On motion of Senator Moriarty, Jr., Senate Joint Resolution No. 25 was ordered to retain its place at the top of the second reading calendar for tomorrow.

**Senate Bill No. 118**, by Senators Ryder and Dore:

Regulating the sale of checks.

The bill was read the second time by sections.

On motion of Senator Woodall, Senate Bill No. 118 was ordered to retain its place on second reading immediately following consideration of Senate Bill No. 356.

**Senate Bill No. 356**, by Senators Washington, Petrich and Freise (by Highway Interim Committee request):

Provides notice of revocation or suspension of driver's license be given state patrol and local police; permits stopping vehicle during period and checking driver's license of operator.

**REPORT OF STANDING COMMITTEE**

**Senate Bill No. 356:**

Senate Chamber,  
Olympia, Wash., March 1, 1965.

Provides notice of revocation or suspension of driver's license be given state patrol and local police; permits stopping vehicles during period and checking driver's license of operator (reported by Committee on Highways):

MAJORITY recommends that it do pass with the following amendment:

On page 1, section 1, line 7 after "patrol" and before "if" insert "or the county sheriff"

On page 1, after section 2, add a new section as follows:

"NEW SECTION. Sec. 3. This act shall expire July 1, 1967."

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, William A. Gissberg, Sam C. Guess, H. B. Hanna, Gordon Herr, Karl Herrmann, James Keefe, Reuben A. Knoblauch, August P. Mardesich, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, Don L. Talley, Walter B. Williams.

The bill was read the second time by sections.

It was moved by Senator Washington that the committee amendments be adopted.

## POINT OF INQUIRY

Senator Rasmussen:

"Mr. President, would Senator Washington yield to a question?

"Senator Washington, I have a friend that owns a beauty shop. Her husband drinks. His license is revoked. She doesn't drink. Every time she takes the automobile out and is driving this automobile, every sheriff, every state patrolman is going to stop her and ask to see her driver's license.

Senator Washington:

"No, in addition to the license number, they will be given a description of the individual involved, and certainly if her husband is involved, they will not stop the car when it is being driven by a woman."

Senator Rasmussen:

"Further question. Will Senator Washington yield?

"I have a twin brother. He drinks, and I don't."

Senator Washington:

"He has troubles."

Debate ensued.

The motion was carried and the committee amendments were adopted.

It was moved by Senator Woodall that the following amendment be adopted:

On page 1, section 1, line 9, after "resides." insert: "if the licensee is an Indian then the department shall send a notice thereof to the law enforcement agency of the tribe to which such licensee belongs."

With the consent of the Senate, Senator Woodall was permitted to withdraw the amendment.

It was moved by Senator Rasmussen that the following amendment be adopted:

On page 1, line 25, add a new section as follows:

"NEW SECTION. Sec. 3. This law shall not apply where there are twins in the family."

Debate ensued.

The motion was lost and the amendment was not adopted.

On motion of Senator Washington, the rules were suspended, Engrossed Senate Bill No. 356 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 356, and the bill passed the Senate by the following vote: Yeas, 39; nays, 3; absent or not voting, 6; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Chytil, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Washington, Williams, Woodall—39.

Those voting nay were: Senators Lewis, Rasmussen, Thompson, Jr.—3.

Absent or not voting: Senators Charette, Connor, Herr, McCormack, Morgan, Stender—6.

Excused: Senator Durkan—1.



Engrossed Senate Bill No. 356, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 118**, by Senators Ryder and Dore:

Regulating the sale of checks.

The Senate resumed consideration of Senate Bill No. 118 on second reading.

The bill was read the second time by sections.

On motion of Senator Gallagher, the rules were suspended, Senate Bill No. 118 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 118, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Lennart, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Connor, McCormack, Stender—3.

Excused: Senator Durkan—1.

Senate Bill No. 118, having received the constitutional majority, was declared passed.

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

#### MOTIONS

On motion of Senator Woodall, all bills passed thus far today were ordered immediately engrossed and transmitted to the House.

It was moved by Senator Riley that Senate Bill No. 208 be placed at the end of the second reading calendar for today.

Debate ensued.

#### POINT OF ORDER

Senator Greive:

"May I remind the President that the hour of five o'clock is now passed."

Senator Riley withdrew his motion with the permission of the Senate.

#### MOTION

At 5:05 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Tuesday, March 23, 1965.

WILLIAM A. GISSBERG, *President Pro Tempore of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## NINTH DAY

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### MORNING SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Tuesday, March 23, 1965.

The Senate was called to order at 10:30 a. m. by President Pro Tempore Gissberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Roderick Burton, Color Bearer, and Nancy Bergh, presented the Colors.

Dr. Henry S. Rahn, pastor of the First Baptist Church of Olympia, offered prayer as follows:

"Bless the Lord, O my soul! O Lord our God, Thou art very great! Thou art clothed with honor and majesty, Who coverest Thyself with light as with a garment, Who hast stretched out the heavens like a tent, Who hast laid the beams of Thy chambers, on the waters, Who makest the clouds Thy chariots, Who ridest on the wings of the wind, Who makest the winds Thy messengers, Fire and flame Thy ministers.

"We bow in awe before Thee, we behold in wonder and humility the world which Thou hast made. We know in part, our knowledge is fractional, we live on the outskirts of understanding, but may our reach always exceed our grasp.

"Help us this day with the problems which we must view at close range. Help us to see them in proper perspective. Help us to honor Thee with our achievements of this day. In Our Master's Name. Amen."

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

#### MOTION

On motion of Senator Charette, the Committee on Fisheries, Game and Game Fish was relieved of further consideration of House Bill No. 291.

On motion of Senator Charette, House Bill No. 291 was referred to the Committee on Ways and Means.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., March 22, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred: Senate Bill No. 117; also

Senate Bill No. 162; also

Senate Bill No. 356; also

Senate Bill No. 444; also

Senate Bill No. 464 have inspected same, and find them correctly engrossed.

FRANK W. FOLEY, *Chairman.*

We concur in this report: Michael J. Gallagher, Perry B. Woodall.

**Senate Bill No. 352:**

Senate Chamber,  
Olympia, Wash., March 22, 1965.

Increasing industrial insurance pensions (reported by Committee on Rules and Joint Rules):

MAJORITY recommends that Senate Bill No. 352 be referred to Committee on Ways and Means. \_\_\_\_\_, *Chairman.*

We concur in this report: Robert C. Bailey, John L. Cooney, David C. Cowen, Michael J. Gallagher, William A. Gissberg, R. R. Bob Greive, Wilbur G. Hallauer, H. B. Hanna, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, Marshall A. Neill, W. C. Raugust, Edward F. Riley, John N. Ryder, Perry B. Woodall.

On motion of Senator Cowen, the committee report was adopted and Senate Bill No. 352 was referred to the Committee on Ways and Means.

**House Bill No. 279:**

Senate Chamber,  
Olympia, Wash., March 22, 1965.

Strikes sending of notice of delinquency to owners when overdue house trailer excise tax; removes present added penalty for overdue tax (reported by Committee on Highways):

MAJORITY recommends that it do pass. NAT WASHINGTON, *Chairman,*  
AL HENRY, *Vice Chairman.*

We concur in this report: Dewey C. Donohue, Frank W. Foley, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, H. B. Hanna, Gordon Herr, Karl Herrmann, Reuben A. Knoblauch, Ernest W. Lennart, Charles P. Moriarty, Jr., Ted G. Peterson, John A. Petrich, Fred G. Redmon, Gordon Sandison, John H. Stender, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Bill No. 391:**

Senate Chamber,  
Olympia, Wash., March 22, 1965.

Adjusting firemen's pensions (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman.*

We concur in this report: Robert L. Charette, Frank Connor, Dewey C. Donohue, Al Henry, James Keefe, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 450:**

Senate Chamber,  
Olympia, Wash., March 22, 1965.

Providing state matching funds may be used for major repairs of existing buildings (reported by Committee on Rules and Joint Rules):

Recommends that Engrossed House Bill No. 450 be referred to Committee on Ways and Means. JOHN A. CHERBERG, *Chairman.*

We concur in this report: Robert C. Bailey, John L. Cooney, David C. Cowen, Michael J. Gallagher, William A. Gissberg, R. R. Bob Greive, Wilbur G. Hallauer, H. B. Hanna, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, Marshall A. Neill, W. C. Raugust, Edward F. Riley, John N. Ryder, Perry B. Woodall.

On motion of Senator Cowen, the committee report was adopted and Engrossed House Bill No. 450 was referred to the Committee on Ways and Means.

**Reengrossed House Bill No. 515:**

Senate Chamber,  
Olympia, Wash., March 22, 1965.

Providing penalties for persons littering public property (reported by Committee on Highways):

MAJORITY recommends that it do pass. NAT WASHINGTON, *Chairman,*  
AL HENRY, *Vice Chairman.*

We concur in this report: Dewey C. Donohue, Frank W. Foley, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, H. B. Hanna, Gordon Herr, Karl Herrmann, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, Fred G. Redmon, Gordon Sandison, John H. Stender, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 621:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Permitting the creation of regional agencies for purpose of studying regional governmental problems (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass as amended. AL HENRY, *Chairman*.

We concur in this report: Dewey C. Donohue, George W. Kupka, Frances Haddon Morgan, Charles P. Moriarty, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, Wash., March 22, 1965.

*To the Honorable, the Senate of the state of Washington.*

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate bills, entitled:

**Senate Bill No. 25:**

Allocating income from lands granted for normal school purposes to the bond retirement funds of the state colleges.

**Senate Bill No. 26:**

Allocating Washington State University income derived from land grants to bond retirement purposes.

**Senate Bill No. 72:**

Removing the term "epileptics" from provisions dealing with non-resident deportation.

**Senate Bill No. 90:**

Eliminating death requirement on safe deposit boxes.

**Senate Bill No. 109:**

Precluding redemption by real estate mortgagor where abandonment preceded foreclosure.

**Senate Bill No. 152:**

Authorizing port district improvement and operation of certain park and recreational facilities.

**Senate Bill No. 184:**

Permitting supervisor of natural resources to designate open areas during normal closed forest season.

**Senate Bill No. 211:**

Proposing additional security devices for public hospital contracts.

**Senate Bill No. 272:**

Extending state employee retirement system to cover certain school district employees.

**Senate Bill No. 338:**

Authorizing transfer of stock pursuant to community survivor's agreement.

**Senate Bill No. 345:**

Increasing volunteer firemen's death and disability benefits and employer contribution thereto.

**Senate Bill No. 462:**

Including pharmacists within health care services.

**Senate Bill No. 15:**

Amending law relating to development, regulation, and utilization of sources of ionizing radiation.

- Senate Bill No. 57:**  
Modernizing the personal exemptions statute.
- Senate Bill No. 70:**  
Authorizing Washington State University to exchange land.
- Senate Bill No. 71:**  
Requiring municipal corporations to observe existing labor contracts when purchasing existing transportation system.
- Senate Bill No. 86:**  
Removing county immunity for acts of sheriffs.
- Senate Bill No. 91:**  
Changing meeting date of county board of equalization.
- Senate Bill No. 94:**  
Pertaining to qualifications of police judges in third class cities.
- Senate Bill No. 95:**  
Raising justice of the peace jurisdiction to one thousand dollars.
- Senate Bill No. 96:**  
Changing jurisdiction of certain justices of the peace.
- Senate Bill No. 98:**  
Raising chiropody licensing fees.
- Senate Bill No. 120:**  
Consolidating 1959 amendments of materialmen's lien statute.
- Senate Bill No. 129:**  
Providing procedure for certification of local law by federal courts to the state supreme court.
- Senate Bill No. 149:**  
Permitting director of licenses to administer the receipt of fees.
- Senate Bill No. 150:**  
Providing necessary expenses for port district commissioners and employees.
- Senate Bill No. 157:**  
Allowing consolidation of port districts lying in more than one county.
- Senate Bill No. 158:**  
Limiting the total dues assessment by the school directors' association.
- Senate Bill No. 163:**  
Designating "Lake Spokane".
- Senate Bill No. 171:**  
Removing prohibition against increasing compensation of appointive third class city and town officials.
- Senate Bill No. 172:**  
Authorizing special election to elect officers upon cities' advancement in classification.
- Senate Bill No. 173:**  
Giving mayors of third and fourth class cities tie-breaking vote.
- Senate Bill No. 174:**  
Authorizing the appointment of police judges pro tempore in third class cities and towns.
- Senate Bill No. 176:**  
Redefining circumstances precluding benefits to city firemen for nonduty disability.
- Senate Bill No. 182:**  
Permitting storm sewers to be financed on a revenue basis.
- Senate Bill No. 200:**  
Specifying time of investment fee deductions for certain public funds.
- Senate Bill No. 202:**  
Changing fire district commission powers.
- Senate Bill No. 213:**  
Requiring bid deposits for contracts entered into with county.
- Senate Bill No. 219:**  
Requiring bid proposal deposits when contracting with cities.
- Senate Bill No. 220:**  
Concerns conveyance of land in Walla Walla county.
- Senate Bill No. 221:**  
Authorizing claims against local governments.
- Senate Bill No. 224:**  
Requiring fencing by auto wrecking yards.

- Senate Bill No. 232:**  
Authorizing the pledging of utility revenue to pay the principal and interest on general obligation bonds for municipal utilities.
- Senate Bill No. 240:**  
Authorizing townships to own and operate cemeteries jointly.
- Senate Bill No. 247:**  
Increasing compensation of elective officials of diking improvement districts.
- Senate Bill No. 274:**  
Providing for the sale of bonds by the state to finance certain arterial and farm to market roads.
- Senate Bill No. 279:**  
Eliminating school district free public libraries.
- Senate Bill No. 296:**  
Changing generally laws relating to elections.
- Senate Bill No. 315:**  
Changing law generally relating to financial responsibility of motor vehicle operators and owners.
- Senate Bill No. 316:**  
Regulating the appointment of town marshals and prescribing powers and duties relative thereto.
- Senate Bill No. 321:**  
Providing for closing of estate where amount of liens, taxes, final expenses and awards equals value of estate.
- Senate Bill No. 330:**  
Permitting town to sell waterfront created by dams.
- Senate Bill No. 364:**  
Removing residence requirement for applicant for aid to the blind.
- Senate Bill No. 416:**  
Authorizing the acquisition, regulation and rental of state capitol parking facilities.
- Senate Bill No. 454:**  
Authorizing the acquisition of certain water rights by cities and towns.
- Senate Bill No. 48:**  
Permitting stays in declaratory judgment proceedings.
- Senate Bill No. 54:**  
Allowing first class cities to create separate department to manage civic centers.
- Senate Bill No. 61:**  
Providing for reasonable attorney's fees and assumption of appeal costs for indigents accused of crime.
- Senate Bill No. 73:**  
Eliminating county auditor's liability for damage caused by misspelled words or incorrect names.
- Senate Bill No. 84:**  
Relating to fuel tax refunds for urban transportation systems.
- Senate Bill No. 159:**  
Authorizing cooperative financing of vocational or technical facilities by school districts.
- Substitute Senate Bill No. 250:**  
Changing fees charged for certain overweight motor vehicle loads.
- Senate Bill No. 280:**  
Increasing the maximum area of municipal corporation having more than fifteen hundred population to four miles.
- Senate Bill No. 304:**  
Authorizing the creation of intermediate school districts.
- Senate Bill No. 335:**  
Providing for authorized but unissued stock and stock option plans for banks and trust companies.
- Senate Bill No. 285:**  
Allowing acquisition and operation of sewer systems by irrigation districts.

Very truly yours,

RAYMOND W. HAMAN,  
Legal Counsel to the Governor.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 22, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 12; also  
Engrossed House Bill No. 13; also  
Engrossed House Bill No. 105; also  
Engrossed House Bill No. 122; also  
Engrossed House Bill No. 258; also  
Engrossed House Bill No. 284; also  
House Bill No. 293; also  
Engrossed House Bill No. 323; also  
Engrossed Substitute House Bill No. 325; also  
House Bill No. 368; also  
Engrossed House Bill No. 374; also  
House Bill No. 387; also  
House Bill No. 394; also  
Engrossed House Bill No. 409; also  
House Bill No. 418; also  
Engrossed House Bill No. 424; also  
House Bill No. 433; also  
House Bill No. 451; also  
House Bill No. 637; also  
House Bill No. 638; also  
Engrossed House Bill No. 660; also  
House Bill No. 676; also  
Engrossed House Bill No. 677; also  
House Bill No. 679, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*  
House of Representatives,  
Olympia, Wash., March 22, 1965.

MR. PRESIDENT:

The House has passed: House Bill No. 148; also  
House Bill No. 274; also  
House Bill No. 275; also  
House Bill No. 277; also  
House Bill No. 318; also  
House Bill No. 319; also  
Engrossed House Bill No. 321; also  
House Bill No. 338; also  
Engrossed House Bill No. 354; also  
House Bill No. 384; also  
Engrossed House Bill No. 392; also  
Engrossed House Bill No. 477; also  
House Bill No. 579; also  
House Joint Resolution No. 39, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*  
House of Representatives,  
Olympia, Wash., March 24, 1965.

MR. PRESIDENT:

The Speaker has signed: House Joint Memorial No. 27 and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President Pro Tempore signed: House Joint Memorial No. 27.**

**INTRODUCTION AND FIRST READING OF MEMORIALS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Joint Memorial No. 17**, by Senators Peterson (Ted), Charette and Petrich:

Requesting the president and congress to protect our fisheries by extending the offshore limit.

The memorial was read first time by title.

On motion of Senator Peterson (Ted), the rules were suspended, Senate Joint Memorial No. 17 was advanced to second reading and read the second time in full.

On motion of Senator Peterson (Ted), the rules were suspended, Senate Joint Memorial No. 17 was advanced to third reading, the second reading considered the third, and the memorial placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 17, and the memorial passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, England, Foley, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—40.

Absent or not voting: Senators Dore, Durkan, Freise, Hallauer, Herrmann, Lennart, McCutcheon, Raugust, Thompson, Jr.—9.

Senate Joint Memorial No. 17, having received the constitutional majority, was declared passed.

**Senate Joint Memorial No. 18**, by Senators Talley, Woodall, Henry and Morgan:

Memorializing for delay in closure of veterans' hospitals.

The memorial was read first time by title.

On motion of Senator Woodall, the rules were suspended, Senate Joint Memorial No. 18 was advanced to second reading and read the second time in full.

On motion of Senator Talley, the rules were suspended, Senate Joint Memorial No. 18 was advanced to third reading, the second reading considered the third and the memorial was placed on final passage.

#### POINT OF INQUIRY

Senator Riley:

"Mr. President, would Senator Talley yield to a question?"

"Senator Talley, in the memorial, you make reference to the fact that President Johnson has decreed that some Veterans' Hospitals will be closed. Are any of the hospitals located in the state of Washington on this list?"

Senator Talley:

"Not at the present time, Senator. We are a little concerned. That's the reason for the memorial."

Debate ensued.

The President Pro Tempore declared the Senate to be at ease.

The President Pro Tempore called the Senate to order at 11:30 a. m.



The Secretary called the roll and announced to the President that all Senators were present, except Senator Thompson, Jr., who was excused.

The Senate resumed consideration of Senate Joint Memorial No. 18 on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 18, and the memorial passed the Senate by the following vote: Yeas, 29; nays, 6; absent or not voting, 13; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Hal-lauer, Hanna, Henry, Herr, Knoblauch, Kupka, Lennart, Lewis, Morgan, Peterson (Lowell), Peterson (Ted), Rasmussen, Redmon, Sandison, Talley, Washington, Woodall—29.

Those voting nay were: Senators Chytil, Guess, Mardesich, Moriarty, Jr., Ryder, Williams—6.

Absent or not voting: Senators Cowen, Freise, Greive, Herrmann, Keefe, McCormack, McCutcheon, McMillan, Neill, Petrich, Raugust, Riley, Stender—13.

Excused: Senator Thompson, Jr.—1.

Senate Joint Memorial No. 18, having received the constitutional majority, was declared passed.

#### FIRST READING OF HOUSE BILLS AND RESOLUTION

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 12**, by Representatives Brouillet, Lux, DeJarnatt, Beck, Bottiger, Marzano, Savage, Uhlman, Chatalas and Kalich (by Executive request of Governor Rosellini):

An Act providing for the reporting of campaign contributions and expenditures; repealing section 29.18.140, chapter ....., Laws of 1965 and RCW 29.18-.140; and providing penalties.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Engrossed House Bill No. 13**, by Representatives Lux, Burtch, Anderson (Eric O.), Bottiger and Savage (by Executive request of Governor Rosellini):

An Act relating to navigation canals; establishing a canal commission; setting forth the power of said commission.

Referred to Committee on State Government and Veterans' Affairs.

**Engrossed House Bill No. 105**, by Representatives Brouillet, Backstrom and Moos:

An Act relating to education; permitting school boards in second and third class districts to determine the date and time of their regular meetings; amending section 6, page 299, Laws of 1909 and RCW 28.63.030; and amending section 6, page 302, Laws of 1909 and RCW 28.63.032.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 122**, by Representatives Uhlman, Chatalas and Gorton:

Enables cities to engage in preannexation planning.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 148**, by Representatives Conner and Johnston (Elmer E.):

An Act relating to the leasing of state lands; amending section 62, chapter

255, Laws of 1927 and RCW 79.01.248; amending section 63, chapter 255, Laws of 1927 and RCW 79.01.252; amending section 64, chapter 255, Laws of 1927 and RCW 79.01.256; amending section 65, chapter 255, Laws of 1927 and RCW 79.01.260; amending section 66, chapter 255, Laws of 1927 and RCW 79.01.264; and amending section 3, chapter 203, Laws of 1949 and RCW 79.12.590.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 258**, by Representatives DeJarnatt and Thompson:

An Act relating to diking, drainage, and sewerage improvement districts; increasing the compensation of election officials thereof; and amending section 20, chapter 176, Laws of 1913 as last amended by section 1, chapter 338, Laws of 1955 and RCW 85.08.300.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 274**, by Representatives Newschwander, Chatalas and O'Donnell (by Departmental request):

An Act relating to public assistance; amending section 74.09.090, chapter 26, Laws of 1959 and RCW 74.09.090; amending section 4, chapter 211, Laws of 1963 and RCW 74.09.430; and declaring an emergency.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 275**, by Representatives Epton, Humiston and Slagle (by Departmental request):

An Act relating to public assistance; adding new sections to chapter 26, Laws of 1959 and to chapter 74.04 RCW.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 277**, by Representatives Savage, Humiston and Marzano (by Departmental request):

An Act relating to public assistance; amending section 74.08.120, chapter 26, Laws of 1959 and RCW 74.08.120.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 284**, by Representatives DeJarnatt, Lux and King (Richard "Dick") (by request of Interim Committee on Education):

An Act relating to education; and amending section 1, chapter 203, Laws of 1941, as last amended by section 1, chapter 31, Laws of 1963, and RCW 28.05.050.

Referred to Committee on Higher Education and Libraries.

**House Bill No. 293**, by Representatives Beck, Flanagan and Haussler:

An Act relating to port districts and providing a method for the dissolution of inactive port districts.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 318**, by Representatives King (Chet), Garrett and Kalich:

An Act relating to industrial insurance and the assessment and collection of premiums, payrolls and records thereunder; amending section 51.16.060, chapter 23, Laws of 1961 and RCW 51.16.060.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 319**, by Representatives King (Chet), Garrett and Kalich:

An Act relating to industrial insurance and the funds thereunder; and amending section 51:44.100, chapter 23, Laws of 1961 as amended by section 10, chapter 281, Laws of 1961, and RCW 51.44.100.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 321**, by Representatives Moos, Beck and Bledsoe:

An Act relating to hunting and fishing and limiting the liability of owners of agricultural, range and forest land and water areas made available to the public for hunting and fishing purposes.

Referred to Committee on Agriculture and Horticulture.

**Engrossed House Bill No. 323**, by Representatives King (Chet), Smith, Jastad, May, King (Richard "Dick"), Moon, Marzano and O'Donnell:

An Act relating to industrial insurance and medical aid thereunder; and amending section 51.36.010, chapter 23, Laws of 1961 and RCW 51.36.010.

Referred to Committee on Labor and Social Security.

**Substitute House Bill No. 325**, by Committee on Licenses:

Revising law relating to barbers and the licensing thereof.

Referred to Committee on Commerce, Manufacturing and Licenses.

**House Bill No. 338**, by Representatives Beck, Taplin and Moos:

An Act relating to game and game fish; adding new sections to chapter 36, Laws of 1955 and chapter 77.12 RCW.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 354**, by Representatives Marzano, Radcliffe and Kink:

An Act relating to ownership of motor vehicles; and providing penalties.

Referred to Judiciary Committee.

**House Bill No. 368**, by Representatives O'Brien and Hawley:

An Act relating to tax exemptions; amending section 82.08.030, chapter 15, Laws of 1961, as last amended by section 3, chapter 28, Laws of 1963 extraordinary session, and RCW 82.08.030; and amending section 82.12.030, chapter 15, Laws of 1961, and section 1, chapter 76, Laws of 1963, as last amended by section 4, chapter 28, Laws of 1963 extraordinary session, and RCW 82.12.030.

Referred to Committee on Ways and Means.

**Engrossed House Bill No. 374**, by Representative Savage:

An Act relating to the department of institutions; providing for the establishment, operation and administration of an institution to be known as the Washington correctional institution for women; amending section 72.68.080, chapter 28, Laws of 1959 and RCW 72.68.080; amending section 72.68.100, chapter 28, Laws of 1959 and RCW 72.68.100.

Referred to Committee on Public Institutions.

**House Bill No. 384**, by Representatives Hood, Taylor and Moon:

An Act relating to banks and trust companies; amending section 30.04.090, chapter 33, Laws of 1955, as last amended by section 1, chapter 194, Laws of 1963, and RCW 30.04.090; amending section 30.04.140, chapter 33, Laws of 1955 and RCW 30.04.140; and amending section 30.24.030, chapter 33, Laws of 1955 and RCW 30.24.030.

Referred to Committee on Banks, Financial Institutions and Insurance.

**House Bill No. 387**, by Representatives Sheridan, Gallagher, Marzano, Savage, Marsh and O'Donnell:

An Act relating to industrial insurance; and amending section 51.32.070, chapter 23, Laws of 1961 as amended by section 1, chapter 108, Laws of 1961, and RCW 51.32.070.

Referred to Committee on Labor and Social Security.

**Engrossed House Bill No. 392**, by Representatives Garrett, Lynch and Taylor:

An Act relating to cities and towns; amending section 35.39.030, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.39.030; and repealing sections 35.22.240, 35.22.250, 35.22.260, 35.22.270, 35.39.010 and 35.39.020, chapter ....., Laws of 1965 (Senate Bill No. 3) and RCW 35.22.240, 35.22.250, 35.22.260, 35.22.270, 35.39.010 and 35.39.020.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 394**, by Representatives Leland, Garrett and Taylor:

Relating to annexation and consolidation of cities and towns.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 409**, by Representatives Uhlman, Goldsworthy and Marzano:

An Act relating to the militia; and amending section 21, chapter 130, Laws of 1943, as amended by section 3, chapter 210, Laws of 1961, and RCW 38.12.030.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 418**, by Representatives O'Brien, Jueling and Olsen:

An Act relating to state depositories; and amending section 43.85.080, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.85.080.

Referred to Committee on Banks, Financial Institutions and Insurance.

**Engrossed House Bill No. 424**, by Representatives Gallagher, McCormack and Huntley:

An Act relating to motor vehicle braking equipment; amending section 46.37.340, chapter 12, Laws of 1961 as amended by section 21, chapter 154, Laws of 1963 and RCW 46.37.340.

Referred to Committee on Highways.

**House Bill No. 433**, by Representatives Kirk, Johnson (Doris), O'Donnell, Swayze, Lynch and McCaffree:

An Act relating to persons exempt from jury service; and amending section 2, chapter 57, Laws of 1911 and RCW 2.36.080.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 451**, by Representatives Sheridan, Valle and Brouillet:

Regulating investments of state permanent funds.

Referred to Committee on State Government and Veterans' Affairs.

**Engrossed House Bill No. 477**, by Representatives Flanagan, McCormick and Newhouse:

An Act relating to the Columbia Basin commission; amending section 43.49.010, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.49.010; amending section 43.49.030, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.49.030; amending section 43.49.040, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.49.040; amending section 43.49.070, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.49.070; repealing section 43.49.020, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.49.020; and repealing section 43.49.050, chapter ....., Laws of 1965 (Senate Bill No. 4) and RCW 43.49.050.

Referred to Committee on Public Utilities.

**House Bill No. 579**, by Representatives Johnson (Doris) and Jolly:

An Act relating to state parks and recreation; and to the acquisition of certain lands in Benton county for park purposes.

Referred to Committee on Rules and Joint Rules.

**House Bill No. 637**, by Representatives Backstrom and Ahlquist:

Prescribing administrative procedures relating to the collection of taxes.

Referred to Committee on Ways and Means.

**House Bill No. 638**, by Representatives Chatalas, Hurley and O'Donnell:

An Act relating to public assistance; amending section 4, chapter 211, Laws of 1963 and RCW 74.09.430.

Referred to Committee on Rules and Joint Rules.

**Engrossed House Bill No. 660**, by Representatives Bottiger, Johnston (Elmer E.) and Sawyer:

An Act relating to negotiable instruments; and adding a new section to chapter 35, Laws of 1955 and to chapter 62.01 RCW.

Referred to Judiciary Committee.

**House Bill No. 676**, by Representatives Clark and Klein:

An Act relating to probate law and procedure; and amending section 11.04.015, chapter ..... (Senate Bill No. 6), Laws of 1965 (uncodified).

Referred to Judiciary Committee.

**Engrossed House Bill No. 677**, by Representative Clark:

An Act relating to evidence; adding a new section to chapter 125, Laws of 1959 and to chapter 5.46 RCW; amending section 1, chapter 273, Laws of 1953 as last amended by section 1, chapter 125, Laws of 1959 and RCW 5.46.010; amending section 4, chapter 273, Laws of 1953 and RCW 5.46.920; and repealing sections 2 and 3, chapter 273, Laws of 1953 and RCW 5.46.900 and 5.46.910.

Referred to Judiciary Committee.

**House Bill No. 679**, by Representatives Savage, Pritchard and Garrett:

An Act relating to recreational devices designed for the conveyance of persons; amending section 1, chapter 327, Laws of 1959, as amended by section 1, chapter 253, Laws of 1961, and RCW 70.88.010.

Referred to Committee on Parks, Capitol Grounds and Public Buildings.

**House Joint Resolution No. 39**, by Representative Thompson:

Providing for publication dates for notice of election called to ratify the contraction of state debt.

Referred to Committee on Rules and Joint Rules.

Senators Riley, Bailey and Henry demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Bailey, the rules were suspended and Senator Thompson, Jr., was excused.

On motion of Senator Riley, the Senate proceeded under the Call of the Senate.

## SECOND READING OF BILLS

**Senate Joint Resolution No. 25**, by Senators Talley, Moriarty, Jr., Kupka, Greive, Sandison and Bailey:

Authorizing port districts to use funds for industrial development or trade promotion and promotional hosting.

The resolution was read the second time in full.

On motion of Senator Bailey, the rules were suspended, Senate Joint Resolution No. 25 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Rasmussen:

"Mr. President, would Senator Riley yield to a question?"

"Senator Riley, the present law or the constitution prohibits the hiring or the traveling of a port industrial manager, is that right?"

Senator Riley:

"If I understand your question correctly, Senator, you have asked: Does the present law permit a port district to have a manager?"

Senator Rasmussen:

"An industrial manager who can travel?"

Senator Riley:

"My answer to that would be, no. The answer that we are seeking is the fact that we may have this man as a sales person, as a contact man going to see these big shippers to divert that cargo, but he is not permitted to go to the big shippers, the people who make this decision where cargo goes, he is not permitted to buy them dinner, take them to the theatre. He is not permitted to take them to a boxing match or spend any funds that would normally be considered prudent expenditures of anyone in the position of getting acquainted with a buyer to direct our products and cargoes to Puget Sound, as contrasted with California or Oregon."

Senator Rasmussen:

"My second question, Senator Riley, is: wasn't the recent supreme court decision based on a flagrant violation of wining and dining where they joined golf clubs and athletic clubs for the port commissioners in the Seattle area?"

Senator Riley:

"I must tell you, Senator Rasmussen, I did not read the court decision, and I, of course, would not agree that there was any flagrant violation."

Senators Durkan, Greive and Talley demanded the previous question and the demand was sustained.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Resolution No. 25, and the resolution passed the Senate by the following vote: Yeas, 42; nays, 6; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams—42.

Those voting nay were: Senators Lewis, Mardesich, Rasmussen, Raugust, Redmon, Woodall—6.

Excused: Senator Thompson, Jr.—1.

Senate Joint Resolution No. 25, having received the constitutional two-thirds majority, was declared passed.

#### PERSONAL PRIVILEGE

Senator Lennart:

"Mr. President, speaking on personal privilege:

"If I understood correctly, Senator Guess said that he was wrong and that he would vote for the bill. Then the President praised the Senator from King county for his patient explanation of the bill. I would like to praise Senator Guess. Only a big man would admit when he is wrong.

"Also, I would like to admit this is the first time I have voted for a liquor bill."

President Pro Tempore Gissberg:

"You, too, have displayed courage, Senator Lennart."

**House Bill No. 86**, by Representatives Bledsoe, Flanagan and Jolly:

Increasing definition of arson.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, House Bill No. 86 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 86, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—48.

Excused: Senator Thompson, Jr.—1.

House Bill No. 86, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 456**, by Representatives Day, Moos and Perry:

Regulating chiropractors.

The bill was read the second time by sections.

On motion of Senator McMillan, the rules were suspended, Engrossed House Bill No. 456 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

On motion of Senator Riley, the Senate dispensed with the Call of the Senate.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 456, and the bill passed the Senate by the following vote: Yeas, 43; nays, 5; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Redmon, Riley, Ryder, Stender, Thompson, Jr., Washington, Williams, Woodall—43.

Those voting nay were: Senators Charette, Greive, Rasmussen, Sandison, Talley—5.

Absent or not voting: Senator Raugust—1.

Engrossed House Bill No. 456, having received the constitutional majority, was declared passed.

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

On motion of Senator Herrmann, Engrossed House Bill No. 456 was ordered immediately transmitted to the House.

**Engrossed House Bill No. 173**, by Representatives O'Brien, Garrett and Brachtenbach:

Setting forth necessary qualifications before being licensed as embalmer.

The bill was read the second time by sections.

On motion of Senator Woodall, the following amendment was adopted:

On page 4, section 4, line 3 of the printed bill, being page 3, section 4, line 32 of the engrossed bill, after "completed" and before the period insert ": PROVIDED, That if an applicant is otherwise qualified, the director of licenses shall issue a license to such applicant if he has made application to five licensed funeral directors for the one year course of training required by sections 2 and 3 herein and has been turned down by said five licensed funeral directors"

## PARLIAMENTARY INQUIRY

Senator Moriarty, Jr.:

"Mr. President, point of parliamentary inquiry:

"Could we have a ruling as to whether or not the Senate amendments placed on this bill by Senator Woodall on March 10, are still on the bill. They appear in our books. I assume they are not, but I thought it best to avoid confusion by asking the question at this time."

President Pro Tempore Gissberg:

"Would you be kind enough to refer to the amendment by line?"

Senator Moriarty, Jr.:

"The amendment I have in my book reads, 'page 2, section 2, lines 4 and 5 of the engrossed bill, strike the underlined material.' The underlined material is still in the engrossed bill."

## REPLY BY THE PRESIDENT

President Pro Tempore Gissberg:

"Senator Moriarty, it would appear that the Senate amendments that were previously amended by the Senate during the regular session are not included in the engrossed bill."

On motion of Senator Hanna, the rules were suspended, Engrossed House Bill No. 173 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.



**POINT OF INQUIRY**

Senator Petrich:

"Would Senator Hanna yield to a question?"

"Senator Hanna, is there any requirement under the existing law for the existing embalmers or funeral directors to be licensed periodically?"

Senator Hanna:

"Senator Petrich, I do not know that to be a fact. Perhaps someone else can answer that. I cannot answer that because I don't know."

Senator Petrich:

"Would Senator Hanna further yield?"

"Senator, I note that this bill deals with those people who are applying for a license as embalmers or as funeral directors. Is there anything in this law which would affect an existing funeral director and an existing embalmer from continuing in business?"

Senator Hanna:

"Not to my knowledge."

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed House Bill No. 173, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—45.

Those voting nay were: Senator McCormack—1.

Absent or not voting: Senators Herrmann, Raugust, Talley—3.

Engrossed House Bill No. 173, having received the constitutional majority, was declared passed.

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

**MOTION**

At 12:25 p. m., on motion of Senator Greive, the Senate recessed until 2:00 p. m.

**AFTERNOON SESSION**

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

The Secretary called the roll and announced to the President Pro Tempore that all Senators were present.

**SECOND READING OF BILLS**

**Reengrossed House Bill No. 382**, by Representatives Moon and Kalich:

Raising assessments on milk and cream under dairy products commission.

The bill was read the second time by sections.

On motion of Senator Donohue, the rules were suspended, Reengrossed House Bill No. 382 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Reengrossed House Bill No. 382, and the bill passed the Senate by the following vote: Yeas, 35; nays, 0; absent or not voting, 14.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cowen, Donohue, Durkan, England, Freise, Gallagher, Gissberg, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Mardesich, Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington—35.

Absent or not voting: Senators Atwood, Cooney, Dore, Foley, Greive, Herrmann, Lennart, McMillan, Morgan, Moriarty, Jr., Petrich, Riley, Williams, Woodall—14.

Reengrossed 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.

**Engrossed House Bill No. 156**, by Representatives Olsen, Haussler and Gallagher:

Allowing county sales by public auction to be held wherever county commissioners designate.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, Engrossed House Bill No. 156 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 156, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Herrmann, McMillan, Morgan, Raugust—4.

Engrossed House Bill No. 156, having received the constitutional majority, was declared passed.

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

**House Bill No. 265**, by Representatives Huntley, Wolf and Gallagher (by Departmental request):

Changing regulation of motor vehicle fuel tax users.

On motion of Senator Thompson, Jr., House Bill No. 265 was ordered to retain its place on the second reading calendar for today immediately following consideration of House Bill No. 249.

**Engrossed House Bill No. 428**, by Representatives Kalich, Jastad and King (Chet):

Providing for the transfer of a motor freight carrier's permit upon the death of the holder.

On motion of Senator Chytil, Engrossed House Bill No. 428 was ordered to retain its place on the second reading calendar for today immediately following consideration of House Bill No. 265.

**House Bill No. 103**, by Representatives Witherbee, Angevine and Valle:

Dispensing with elections in merger of and annexation by fire districts when certain percentage of voters approve petition.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, House Bill No. 103 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 103, and the bill passed the Senate by the following vote: Yeas, 44; nays, 2; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Those voting nay were: Senators Charette, McMillan—2.

Absent or not voting: Senators Henry, Morgan, Riley—3.

House Bill No. 103, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 289**, by Representatives Brouillet, Wang and Garrett:

Increasing credit union loan authorization.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, Engrossed House Bill No. 289 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 289, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Giss-

berg, Greive, Guess, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Rasmussen, Redmon, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—41.

Absent or not voting: Senators Dore, Henry, Lennart, Morgan, Peterson (Ted), Petrich, Raugust, Riley—8.

Engrossed House Bill No. 289, having received the constitutional majority, was declared passed.

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

**House Bill No. 76**, by Representatives Flanagan, Kink and McCormick:

Establishing campus police for state colleges.

The bill was read the second time by sections.

On motion of Senator Sandison, the rules were suspended, House Bill No. 76 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 76, and the bill passed the Senate by the following vote: Yeas, 40; nays, 3; absent or not voting, 6.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Petrich, Rasmussen, Redmon, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—40.

Those voting nay were: Senators Foley, Lennart, Lewis—3.

Absent or not voting: Senators Donohue, Henry, Morgan, Peterson (Ted), Raugust, Riley—6.

House Bill No. 76, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 665**, by Representatives Jolly, Johnson (Doris) and Olsen:

Providing for issuance of general obligation bonds by certain port districts operating municipal airports.

The bill was read the second time by sections.

On motion of Senator McCormack, the rules were suspended, Engrossed House Bill No. 665 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Woodall:

"Mr. President, would Senator McCormack yield to a question?"

"Senator McCormack, under this measure, can they float bonds for any other purpose than airports?"

Senator McCormack:

"No, Senator, they cannot. The amendment specifically says, 'airports, only.' It must be where there is an existing airport. This is exclusively for airport capital improvements."

Senator Woodall:

"My concern is that many of these airport districts are going out and buying ground and then they are luring industry in and giving them a tax free setup to compete with those that are in other areas, but if this restricts it to airports, only, I would have no objection."

#### POINT OF INQUIRY

Senator Hanna:

"I wonder if Senator McCormack would yield to another question?"

"Senator McCormack, it is my understanding that Chelan county airport has just recently taken over operation of Pangborn Field in East Wenatchee. Does this specifically relate itself only to airports in your area, or would the Chelan county airport district benefit from this?"

Senator McCormack:

"No, it would not benefit, Senator, because this is limited to a total assessed evaluation of fifty million dollars and Chelan county airport has an assessed evaluation of more than fifty million dollars. It was felt that this limit should be put on it to avoid getting involved in the large airports. It was felt the large airports could do this without benefit of this provision."

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 665, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Donohue, Herrmann, Morgan, Peterson (Ted), Raugust—5.

Engrossed House Bill No. 665, having received the constitutional majority, was declared passed.

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

**House Bill No. 271**, by Representatives Hurley, Chatalas and Epton (by Departmental request):

Allowing department of public assistance to coordinate state aid to federal programs respecting earnings of those receiving assistance.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, House Bill No. 271 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of House Bill No. 271, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Freise, Morgan, Petrich, Raugust—4.

House Bill No. 271, having received the constitutional 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. 184**, by Representatives Conner, Copeland and O'Brien:

Requiring the state patrol to protect the governor and his family.

On motion of Senator Talley, Engrossed House Bill No. 184 was ordered to retain its place on the second reading calendar immediately following consideration of House Bill No. 428.

**House Bill No. 249**, by Representatives Jolly, Huntley and Bozarth (by Departmental request):

Abolishing issuance of duplicate vehicle license plates.

The bill was read the second time by sections.

On motion of Senator England, the following amendments by Senators England and Lewis were adopted:

On page 2, line 12, add a new section following section 1 as follows:

"**NEW SECTION.** Sec. 2. Vehicle license number plates issued by the state of Washington commencing with the next general issuance of such plates shall be so designed as to designate the name of the state of Washington in full without abbreviation."

In line 2 of the title, after "RCW 46.16.270" and before the period, insert "and adding a new section to chapter 46.16 RCW"

On motion of Senator Washington, the rules were suspended, House Bill No. 249, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of House Bill No. 249, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Dore, Morgan, Petrich, Raugust—4.

House Bill No. 249, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**House Bill No. 265**, by Representatives Huntley, Wolf and Gallagher (by Departmental request):

Changing regulation of motor vehicle fuel tax users.

On motion of Senator Washington, House Bill No. 265 was ordered to retain its place at the beginning of the next second reading calendar.

**Engrossed House Bill No. 428**, by Representatives Kalich, Jastad and King (Chet):

Providing for the transfer of a motor freight carrier's permit upon the death of the holder.

The bill was read the second time by sections.

On motion of Senator Charette, Engrossed House Bill No. 428 was ordered to retain its place on the next second reading calendar immediately following consideration of House Bill No. 265.

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**Engrossed House Bill No. 7:**

Senate Chamber,  
Olympia, Wash., March 22, 1965.

Creating a constitutional advisory council (reported by Committee on Constitution, Elections and Legislative Process):

MAJORITY recommends that it do pass. JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: John L. Cooney, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, Gordon Herr, Karl Herrmann, James Keefe, Ernest W. Lennart, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Reengrossed Substitute House Bill No. 104:**

Senate Chamber,  
Olympia, Wash., March 22, 1965.

Providing for administration of community colleges on a district basis (reported by Committee on Higher Education and Libraries):

MAJORITY recommends that it do pass. GORDON SANDISON, *Chairman*.

We concur in this report: Frank W. Foley, Wilbur G. Hallauer, Karl Herrmann, Harry B. Lewis, Mike McCormack, Marshall A. Neill, John N. Ryder, Don L. Talley, Nat Washington.

**Reengrossed Substitute House Bill No. 104:**

Senate Chamber,  
Olympia, Wash., March 22, 1965.

Providing for administration of community colleges on a district basis (reported by Committee on Higher Education and Libraries):

MINORITY recommends that it do not pass. ...., *Chairman*.

I concur in this report: R. Frank Atwood.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 125:**

Senate Chamber,  
Olympia, Wash., March 22, 1965.

Allowing management of dormitories by community colleges (reported by Committee on Higher Education and Libraries):

Recommends that it do pass as amended. GORDON SANDISON, *Chairman*.

We concur in this report: R. Frank Atwood, Frank W. Foley, Wilbur G. Hallauer, Karl Herrmann, Harry B. Lewis, Mike McCormack, Marshall A. Neill, John N. Ryder, Don L. Talley, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 302:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Regulating public building construction (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass as amended. AL HENRY, *Chairman*.

We concur in this report: Martin J. Durkan, George W. Kupka, Frances Haddon Morgan, A. L. Rasmussen, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 321:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Limiting liability of landowners on land made available for public recreation (reported by Committee on Agriculture and Horticulture):

MAJORITY recommends that Engrossed House Bill No. 321 do pass and be referred to Judiciary Committee. DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, H. B. Hanna, Reuben A. Knoblauch, David E. McMillan, Lowell Peterson.

On motion of Senator Moriarty, Jr., the committee report was adopted and Engrossed House Bill No. 321 was referred to the Judiciary Committee.

**Engrossed House Bill No. 347:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Preserves franchise rights in areas incorporated by cities and towns (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, George W. Kupka, Frances Haddon Morgan, Lowell Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 348:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Regulating and prescribing procedures relating to garbage and/or refuse collection companies (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, George W. Kupka, Frances Haddon Morgan, Lowell Peterson.

Passed to Committee on Rules and Joint Rules for second reading.



**House Bill No. 402:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Permitting cities of ten thousand population or over to adopt city charters (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Joe Chytil, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, George W. Kupka, Lowell Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 590:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Pertaining to the retirement and disability system of cities and towns (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: Robert L. Charette, Joe Chytil, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James Keefe, George W. Kupka, Lowell Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 679:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Providing that ski tow operators shall not be common carriers (reported by Committee on Parks, Capitol Grounds and Public Buildings):

Recommends that it do pass. GORDON HERR, *Chairman*.

We concur in this report: Jack England, Wilbur G. Hallauer, H. B. Hanna, Lowell Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**SECOND READING OF BILLS**

**Engrossed House Bill No. 184**, by Representatives Conner, Copeland and O'Brien:

Requiring the state patrol to protect the governor and his family.

The bill was read the second time by sections.

It was moved by Senator Talley that the following amendment be adopted:

On page 1, line 5 of the mimeographed amendment to the printed bill by the Committee on State Government, Military and Veterans' Affairs, being page 1, line 15 of the engrossed bill, after "election" and before the period, insert "and the members of the legislature while in session"

Debate ensued.

Senators Durkan, Talley and Bailey demanded the previous question and the demand was sustained.

The motion was carried and the amendment was adopted.

On motion of Senator Henry, the following amendment to the title was adopted:

In line 2 of the title of the printed and engrossed bills, after " ; and" and before "adding" insert "the members of the legislature;"

The President Pro Tempore declared the Senate to be at ease.

The President resumed the Chair.

The President called the Senate to order at 3:25 p. m.

The Senate resumed consideration of Engrossed House Bill No. 184 on second reading.

On motion of Senator Henry, the rules were suspended, Engrossed House Bill No. 184, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 184, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 39; nays, 2; absent or not voting, 8.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lewis, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Woodall—39.

Those voting nay were: Senators Lennart, Mardesich—2.

Absent or not voting: Senators Connor, Dore, Foley, Herrmann, McCutcheon, Raugust, Talley, Williams—8.

Engrossed House Bill No. 184, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**House Bill No. 265**, by Representatives Huntley, Wolf and Gallagher (by Departmental request):

Changing regulation of motor vehicle fuel tax users.

The bill was read the second time by sections.

On motion of Senator Thompson, Jr., the following amendments were adopted:

On page 13, section 10, line 24, strike "*permanently-affixed*"

In line 25 strike "*inboard or permanently-affixed*"

On page 14, section 12, line 25, strike "*permanently-affixed*" and on lines 25 and 26 strike "*inboard or permanently-affixed*"

On motion of Senator Washington, the rules were suspended, House Bill No. 265, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 265, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senators Foley, McCormack—2.

House Bill No. 265, as amended by the Senate, having received the constitutional 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. 428**, by Representatives Kalich, Jastad and King (Chet):

Providing for the transfer of a motor freight carrier's permit upon the death of the holder.

The bill was read the second time by sections.

On motion of Senator Chytil, the following amendments were adopted:

Beginning on page 1, line 5 of the printed and engrossed bills, strike all of the material down to and including "prescribe." on page 2, line 7 of the printed and engrossed bills, including the House amendment by Committee on Highways to page 1, section 1, line 26 of the printed bill, and substitute the following:

"Section 1. Section 81.80.270, chapter 14, Laws of 1961 as amended by section 6, chapter 59, Laws of 1963 and RCW 81.80.270 are each amended to read as follows:

No permit issued under the authority of this chapter shall be construed to be irrevocable. Nor shall such permit be subject to transfer or assignment except upon a proper showing that property rights might be affected thereby, and then in the discretion of the commission, and upon the payment of a fee of twenty-five dollars.

No person, partnership or corporation, singly or in combination with any other person, partnership or corporation, whether a carrier holding a permit or otherwise, or any combination of such, shall acquire control or enter into any agreement or arrangement to acquire control of a common or contract carrier holding a permit through ownership of its stock or through purchase, lease or contract to manage the business, or otherwise except after and with the approval and authorization of the commission: *PROVIDED, That upon the dissolution of a partnership, which holds a permit, because of the death, bankruptcy, or withdrawal of a partner where such partner's interest is transferred to his spouse or to one or more remaining partners, or in the case of a corporation which holds a permit, where a shareholder's interest is transferred to his spouse or to one or more of the remaining shareholders, the commission shall transfer the permit to the newly organized partnership which is substantially composed of the remaining partners, or continue the corporation's permit without making the proceeding subject to hearing and protest.* Any such transaction either directly or indirectly entered into without approval of the commission shall be void and of no effect.

Every carrier who shall cease operation and abandon his rights under the permits issued him shall notify the commission within thirty days of such cessation or abandonment, and return to the commission the identification plates issued to him."

In line 2 of the title of the printed and engrossed bills, after "permits;" strike all of the material down to and including "RCW" on line 3 and insert "and amending section 81.80.270, chapter 14, Laws of 1961 as amended by section 6, chapter 59, Laws of 1963 and RCW 81.80.270."

On motion of Senator Chytil, the rules were suspended, Engrossed House Bill No. 428, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 428, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Freise, Gallagher, Gissberg, Greive, Gwess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust,

Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Dore, Foley, Kupka, Lennart, Ryder—5.

Engrossed House Bill No. 428, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**House Bill No. 132**, by Representatives Gorton, Uhlman and Dootson (by Departmental request):

Removes requirement that school district boundaries be coextensive with city boundaries.

The bill was read the second time by sections.

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

On page 2, section 1, line 10, after "first" insert "*second or third*"

On motion of Senator Thompson, Jr., House Bill No. 132 was ordered to retain its place on the second reading calendar for today immediately following consideration of House Bill No. 218.

**Engrossed House Bill No. 142**, by Representatives Conner, Haussler and Brachtenbach:

Authorizing exchanges of county real property.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, Engrossed House Bill No. 142 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 142, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Neill, Raugust, Talley—3.

Engrossed House Bill No. 142, having received the constitutional majority, was declared passed.

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

**House Bill No. 152**, by Representatives Burtch, Andersen (James A.) and Anderson (Eric O.):

Allowing port district special levy for canal construction or land leveling or filling purposes.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, Engrossed House

Bill No. 152 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 152, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Williams, Woodall—46.

Absent or not voting: Senators Neill, Raugust, Washington—3.

House Bill No. 152, having received the constitutional majority, was declared passed.

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

**House Bill No. 192**, by Representatives Adams, Johnston (Elmer E.) and Conner:

Adopting the interstate compact on mental health.

The bill was read the second time by sections.

On motion of Senator Kupka, the rules were suspended, House Bill No. 192 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 192, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Those voting nay were: Senator Gissberg—1.

Absent or not voting: Senators Hanna, McCormack, Neill, Raugust—4.

House Bill No. 192, having received the constitutional majority, was declared passed.

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

**House Bill No. 216**, by Representatives King (Chet), Hawley, Taylor, Wang, Hood, Mahaffey, Kink and Berentson (by Departmental request):

Making it unlawful to dig hard shell clams for commercial purposes, except on licensed clam farms.

The bill was read the second time by sections.

On motion of Senator Charette, the rules were suspended, House Bill No. 216 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 216, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 5.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Those voting nay were: Senator Freise—1.

Absent or not voting: Senators Mardesich, Morgan, Neill, Raugust, Ryder—5.

House Bill No. 216, having received the constitutional majority, was declared passed.

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

**House Bill No. 218**, by Representatives Hawley, King (Chet), Taylor, Wang, Hood, Mahaffey, Kink, Berentson and Thompson (by Departmental request):

Requiring wholesale fish dealer's license for certain business activities.

The bill was read the second time by sections.

On motion of Senator Charette, the rules were suspended, House Bill No. 218 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 218, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Connor, Keefe, McCutcheon, Raugust, Ryder—5.

House Bill No. 218, having received the constitutional majority, was declared passed.

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

**House Bill No. 132**, by Representatives Gorton, Uhlman and Dootson (by Departmental request):

Removes requirement that school district boundaries be coextensive with city boundaries.

The bill was read the second time by sections.

On motion of Senator McCormack, the following amendment was adopted:

On page 3, section 1, line 1, after "chapter 28.57" insert "as now or hereafter amended"

On motion of Senator Thompson, Jr., the rules were suspended, House Bill No. 132, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 132, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senators McCutcheon, Raugust—2.

House Bill No. 132, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**House Bill No. 219**, by Representatives Hawley, King (Chet), Taylor, Wang, Hood, Mahaffey, Kink, Thompson, Berentson and Bergh (by Departmental request):

Defining fish buyer.

The bill was read the second time by sections.

On motion of Senator Charette, the rules were suspended, House Bill No. 219 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 219, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 5.

Those voting yea were: Senators Atwood, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Woodall—43.

Those voting nay were: Senator Mardesich—1.

Absent or not voting: Senators Bailey, Dore, McCutcheon, Raugust, Williams—5.

House Bill No. 219, having received the constitutional majority, was declared passed.

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

**House Bill No. 220**, by Representatives King (Chet), Hawley, Taylor, Wang, Hood, Mahaffey, Conner, Kink, Berentson and Thompson (by Departmental request):

Requiring that commercial fishing gear be licensed according to residency of operator rather than owner.

The bill was read the second time by sections.

On motion of Senator Charette, the rules were suspended, House Bill No. 220 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 220, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Atwood, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Woodall—42.

Absent or not voting: Senators Bailey, Dore, England, Henry, McCutcheon, Raugust, Williams—7.

House Bill No. 220, having received the constitutional majority, was declared passed.

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

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### Engrossed House Bill No. 191:

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Changing dates relating to primaries (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass. JOHN T. MCCUTCHEON, *Chairman*.

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, R. R. Bob Greive, Wilbur G. Hallauer, Al Henry, James Keefe, David E. McMillan, Marshall A. Neill, Fred G. Redmon, John N. Ryder, John H. Stender, Nat Washington, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

##### Engrossed House Bill No. 323:

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Allowing medical aid for pensioners (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, George W. Kupka, August P. Mardesich, John H. Stender, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.



**House Bill No. 374:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Establishing and providing for the administration of a correctional institution for women (reported by Committee on Public Institutions):

MAJORITY recommends that it do pass. FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Joe Chytil, Reuben A. Knoblauch, George W. Kupka, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 377:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Relating to the appointment of election officials, their duties and the counting of ballots (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass. JOHN T. MCCUTCHEON, *Chairman*.

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, R. R. Bob Greive, Wilbur G. Hallauer, Al Henry, James Keefe, David E. McMillan, Marshall A. Neill, John N. Ryder, Nat Washington, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 387:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Increasing industrial insurance pensions (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, George W. Kupka, August P. Mardesich, Edward F. Riley, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**House Concurrent Resolution No. 7:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Providing for an interim committee on problems of technological employment (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, George W. Kupka, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

**PRESIDENT'S PRIVILEGE**

President Cherberg:

"The President should like to say at this time he is delighted and pleased to be back in the fold and wishes to extend his deepest appreciation and thanks to the Honorable William A. Gissberg, President Pro Tempore of the Washington State Senate, for the wonderful cooperation the President has received, and also to compliment and commend Senator Gissberg upon the highly efficient and splendid manner in which he has performed the duties of your President and the duties of chairman of the Senate Committee on Rules and Joint Rules. I certainly hope that you will join with me in giving him resounding applause."

Senator Knoblauch:

"Mr. President, members of the Senate:

"Senator Gissberg was so efficient in the job as President during your absence, that I hope you noticed in the Rules Committee Room that your picture has been taken down and Senator Gissberg's is now in the old position that you held.

"We want you to know, Governor Cherberg, that we missed you, but at the same time, we can say most sincerely that Senator Gissberg upheld the fine tradition you have established and the dignity of the Senate that you have displayed so well, and I could think of no finer successor during the days you were gone than Senator Gissberg."

The President:

"Thank you, Senator Knoblauch. The President appreciates your saying those kind remarks, but I should also like to direct your attention to the picture on the wall in the Senate Rules Room at the present time."

#### MOTION

At 4:30 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Wednesday, March 24, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## TENTH DAY

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### MORNING SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, March 24, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Donohue and Herr.

On motion of Senator Greive, Senators Donohue and Herr were excused.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Janise Ebert, presented the Colors.

Reverend Charles Howard Perry, rector of St. John's Episcopal Church of Olympia, offered prayer as follows:

"Almighty God, the Father of all men, we ask Thy blessing upon the members of the Senate of the state of Washington. Give to each member of this legislative body a sense of his responsibility to all the people of this state and to the Union of States of which it is a part.

"Grant, O God, as Americans, that we may always prove ourselves a people who by action and word, work to set men free from the bonds of poverty, prejudice and injustice; from fear and tyranny and the ignorance which causes men to war with one another.

"Keep the men of this House calm in the presence of disagreement; self-controlled when others lose control of self; strong when others demonstrate weakness of spirit or will.

"Give a spirit of grace and fairness to the presiding officer and those charged with particular duties amongst them, and may all share a sense of self respect in what they do for the people of this state by the laws passed to govern us. As justice and truth come from Thee, Our Father, may we each seek these gifts of Thine and use them to Thy glory and for the upbuilding of the people of Washington. All this we pray in the name of Jesus Christ Our Lord. Amen."

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., March 24, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 68; also

Senate Bill No. 76; also

Substitute Senate Bill No. 183; also

Senate Bill No. 423; also

Senate Bill No. 502, have inspected same, and find them correctly enrolled and certified.

Respectfully submitted,

FRANK W. FOLEY, *Chairman.*

We concur in this report: Michael J. Gallagher, Marshall A. Neill.

**Engrossed House Bill No. 14:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Creating and setting forth powers and duties of the higher education facilities commission (reported by Committee on Higher Education and Libraries):

MAJORITY recommends that Engrossed House Bill No. 14 do pass and be referred to Committee on Ways and Means.

GORDON SANDISON, *Chairman.*

We concur in this report: R. Frank Atwood, Wilbur G. Hallauer, Karl Herrmann, Harry B. Lewis, Mike McCormack, Marshall A. Neill, John N. Ryder, Don L. Talley.

On motion of Senator Cowen, the committee report was adopted and Engrossed House Bill No. 14, was referred to the Committee on Ways and Means.

**Engrossed Substitute House Bill No. 96:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Providing for reimbursement of expenses of condemnee in eminent domain proceedings (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, August P. Mardesich, Charles P. Moriarty, Jr., Nat Washington, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 137:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Authorizing the establishment of five additional community colleges (reported by Committee on Higher Education and Libraries):

MAJORITY recommends that Engrossed House Bill No. 137 do pass and be referred to Committee on Ways and Means.

GORDON SANDISON, *Chairman.*

We concur in this report: R. Frank Atwood, Frank W. Foley, Wilbur G. Hallauer, Karl Herrmann, Harry B. Lewis, Mike McCormack, Marshall A. Neill, John N. Ryder, Nat Washington.

On motion of Senator Cowen, the committee report was adopted and Engrossed House Bill No. 137 was referred to the Committee on Ways and Means.

**Engrossed House Bill No. 424:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Excepting certain vehicles from requirement of having brakes (reported by Committee on Highways):

MAJORITY recommends that it do pass.

NAT WASHINGTON, *Chairman.*  
AL HENRY, *Vice Chairman.*

We concur in this report: Dewey C. Donohue, Frank W. Foley, Herbert H. Freise, Sam C. Guess, H. B. Hanna, Karl Herrmann, Reuben A. Knoblauch, Ernest W. Lennart, August P. Mardesich, Ted G. Peterson, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, March 23, 1965.

To the Honorable, The Senate of the State of Washington.

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bills, entitled:

**Senate Bill No. 51:**

Creating a department of motor vehicles.

**Senate Bill No. 223:**

Changing generally provisions relating to state employees' retirement system.

**Senate Bill No. 295:**

Permitting certain cities and towns to operate dock facilities.

Very truly yours,

RAYMOND W. HAMAN,

*Legal Counsel to the Governor.*

**MESSAGES FROM THE SECRETARY OF STATE**

DEPARTMENT OF STATE  
OFFICE OF THE SECRETARY

Olympia, Wash., March 24, 1965.

To the Honorable

*The President of the Senate,*

*The Legislature of the State of Washington, Olympia, Washington.*

SIR:

I have the honor to transmit herewith pursuant to Section 12, Article 3 of the Constitution of the State of Washington, for the consideration of the Senate, a certified copy of Enrolled Senate Bill No. 50, partially vetoed by the Governor, together with his veto message attached thereto.

Respectfully,

A. LUDLOW KRAMER,

*Secretary of State.*

UNITED STATES OF AMERICA, THE STATE OF WASHINGTON  
DEPARTMENT OF STATE

I, A. LUDLOW KRAMER, *Secretary of State of the State of Washington and Custodian of the Seal of said State, do hereby certify that:* According to the records now on file in my office, the attached is a true and correct copy of Enrolled Senate Bill No. 50 as passed by the Regular Session—1965 Legislature—and partially vetoed by the Governor.

I further certify that the remaining portion of the act not vetoed by the Governor is now identified as Chapter 158, Laws of 1965.

*In testimony whereof,* I have herewith set my hand and affixed hereto the Seal of the State of Washington. Done at the Capitol, at Olympia on this the date of March 24, 1965.

A. LUDLOW KRAMER,

*Secretary of State.*

(Seal of the State of Washington)

Executive Department,

Olympia, March 23, 1965.

To the Honorable

*The Senate of the State of Washington (Through the Secretary of State)*

LADY AND GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval as to certain items, Senate Bill No. 50 entitled:

"AN ACT Relating to state government; establishing a state law enforcement officers' training commission; providing for its organizational structure; defining

its power and duties; establishing a law enforcement officers' training fund; and amending section 3, page 421, Laws of 1873 as last amended by section 1, chapter 30, Laws of 1919 and RCW 10.82.070."

This bill creates a Law Enforcement Officers' Training Commission in order to improve standards of law enforcement throughout the state. I approve of this legislation in principle; however, I have vetoed certain items in Section 3 and all of Section 19.

Section 3 provides that the membership of the commission shall include the Attorney General, the Chief of the State Patrol and the Special Agent in charge of the Seattle office of the FBI, or their respective designees. Six other members of the commission are to be appointed by the Governor; however, the bill restricts the appointing power of the Governor to nominees submitted by various associations of sheriffs, chiefs of police, county commissioners and cities.

I believe these restrictions are contrary to sound public policy. The person who makes an appointment should be held responsible for it. If it is good, he deserves the credit; if it is bad, he deserves the blame. But no appointing power can properly be held to account for an appointment which he is not free to make in accordance with his own best judgment. When making appointments to this commission I will seek the advice and counsel of persons knowledgeable in the field of law enforcement. I will welcome suggestions from all interested parties and organizations, including those associations named in this bill. I believe any succeeding Governor would follow this example.

In exercise of the power of item veto, I have retained the basic make-up of the commission, in that the six appointive members of the commission must include two sheriffs, two chiefs of police, one county commissioner, and one executive officer of a city. Only the requirement that the appointments be made from restricted lists submitted to the Governor has been removed.

Section 19 provides that funds appropriated or otherwise available to the commission shall be under the direct jurisdiction of the commission, and that vouchers shall be submitted to the State Treasurer. This is contrary to procedures established pursuant to the Budget and Accounting Act with respect to other state agencies. I do not believe that the legislature intended this commission to be exempt from the usual budgetary controls. Because I fear the provision is susceptible to that interpretation, I have vetoed Section 19.

The remainder of the bill is approved.

Respectfully submitted,

DANIEL J. EVANS, *Governor*.

DEPARTMENT OF STATE  
OFFICE OF THE SECRETARY

Executive Department,  
Olympia, Wash., March 22, 1965.

To the Honorable,

*The President of the Senate,*

*The Legislature of the State of Washington, Olympia, Washington.*

SIR:

I have the honor to transmit herewith pursuant to Section 12, Article 3 of the Constitution of the State of Washington, for the consideration of the Senate, a certified copy of Enrolled Senate Bill No. 126, partially vetoed by the Governor, together with his veto message attached thereto.

Respectfully,

A. LUDLOW KRAMER,  
*Secretary of State.*

UNITED STATES OF AMERICA, THE STATE OF WASHINGTON

DEPARTMENT OF STATE

I, A. LUDLOW KRAMER, *Secretary of State of the State of Washington and Custodian of the Seal of said State*, do hereby certify that: According to the records now on file in my office, the attached is a true and correct copy of Enrolled Senate Bill No. 126 as passed by the Regular Session—1965 Legislature—and partially vetoed by the Governor.

I further certify that the remaining portion of the act not vetoed by the Governor is now identified as Chapter 147, Laws of 1965.

*In Testimony Whereof*, I have hereunto set my hand and affixed hereto the Seal of the State of Washington. Done at the Capitol at Olympia on this the date of March 22, 1965.

A. LUDLOW KRAMER,  
Secretary of State.

(Seal of the State of Washington)

Executive Department,  
Olympia, March 20, 1965.

To the Honorable, The Senate of the State of Washington.  
(Through the Secretary of State)

LADY AND GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval as to one item, Senate Bill No. 126 entitled:

"AN ACT Relating to courts of limited jurisdiction; providing increases in salaries; changing the method of paying salaries of judges of courts of limited jurisdiction; amending section 100, chapter 299, Laws of 1961 and RCW 3.58.010; amending section 4, chapter 156, Laws of 1951 and RCW 3.16.004; and amending section 35.20.160, chapter 7, Laws of 1965 and RCW 35.20.160."

Section 2 of Senate Bill No. 126 directs that Justices of the Peace in cities over 20,000 shall not engage in the practice of law. This provision becomes effective 90 days after the adjournment of the regular session of the legislature.

Section 2 also provides for an increase in the compensation of these Justices from \$6,500 per year to \$12,500 or two-thirds the amount of the salary provided by statute as the salary for Superior Court Judges, whichever is greater. Pursuant to Article XI, Section 8, of the Washington State Constitution, the salary of these Justices cannot be increased during their term of office. This would create a period in which a number of Justices would be required to serve as full-time Justices of the Peace at a salary of \$6,500 a year.

The language of the statute is clear, and the unfortunate result would occur without regard to the intent of the Legislature. To allow it to become law would undoubtedly result in litigation, which the legislature obviously did not intend.

I am informed that the Senate has added an amendment to Senate Bill No. 459, which correctly accomplishes what the Legislature intended to accomplish by Section 2 of Senate Bill No. 126. I urge that you take favorable action on that amendment.

For the above reasons, I have vetoed all of section 2 of Senate Bill No. 126, restoring the original statutory language of RCW 3.16.004. The remainder of Senate Bill No. 126 is approved.

Respectfully submitted,

DANIEL J. EVANS, Governor.

DEPARTMENT OF STATE  
OFFICE OF THE SECRETARY

Olympia, Wash., March 22, 1965.

To the Honorable, The President of the Senate,  
The Legislature of the State of Washington, Olympia, Washington.

SIR:

I have the honor to transmit herewith pursuant to Section 12, Article 3 of the Constitution of the State of Washington, for the consideration of the Senate, a certified copy of Enrolled Senate Bill No. 6, partially vetoed by the Governor, together with his veto message attached thereto.

Respectfully,

A. LUDLOW KRAMER,  
Secretary of State.

UNITED STATES OF AMERICA, THE STATE OF WASHINGTON  
DEPARTMENT OF STATE

I, A. LUDLOW KRAMER, Secretary of State of the State of Washington and Custodian of the Seal of said State, do hereby certify that: According to the records now on file in my office, the attached is a true and correct copy of Enrolled Senate Bill No. 6 as passed by the Regular Session—1965 Legislature—and partially vetoed by the Governor.

I further certify that the remaining portion of the act not vetoed by the Governor is now identified as Chapter 145, Laws of 1965.

*In Testimony Whereof*, I have hereunto set my hand and affixed hereto the Seal of the State of Washington. Done at the Capitol at Olympia on this the date of March 22, 1965.

A. LUDLOW KRAMER,  
Secretary of State.

(Seal of the State of Washington)

Executive Department,  
Olympia, March 20, 1965.

To the Honorable, The Senate of the State of Washington.  
(Through the Secretary of State)

LADY AND GENTLEMEN:

I am filing herewith to be transmitted to the Senate without my approval as to one item, Senate Bill No. 6 entitled:

"AN ACT Establishing a code of probate law and procedure, including the making and probating of wills, administration of estates of deceased persons and appointment of guardians of the persons and estates of minors, insane and mentally incompetent persons and administration of their estates; enacting a title of the Revised Code of Washington to be known as Title 11--Probate Law and Procedure; providing penalties; repealing certain acts and parts of acts; and declaring an effective date."

This bill culminates three years of work by the Washington State Bar Association to modernize the state probate code. Its enactment will eliminate unnecessary expense in the administration of estates, accelerate the settlement of decedent's estates, and liberalize the administration of small estates.

I am particularly pleased that the legislature chose to use this bill as a vehicle for the removal of appraisals of decedent's property from the area of political patronage. This provision of the bill will greatly assist in my desire to create confidence of the people of our state in clean government, and will reduce unnecessary expense to the survivors of a decedent.

The section of the bill numbered RCW 11.04.015 (1) (a) originally provided that if a person died without a will, the surviving spouse would receive all the net community estate. This section was amended by the legislature to provide that in certain situations the surviving spouse would receive only three-quarters of the net community estate. The effect of this amendment is as follows:

1. If a person dies, leaving no children, one-half of the community property passes to the parents rather than the surviving spouse.
2. If no parents or children survive the decedent, one-half of the community property passes to brothers and sisters rather than the surviving spouse.
3. If no children, parents, or collateral heirs survive the decedent, one-half the community estate will escheat to the state.

This unintended effect would obviously defeat the entire purpose of enactment of a new probate code. To allow it to remain in the law during the next two years, even though the new code will not become effective, would be a disservice to the legislature. I have therefore vetoed the following language of Section 11.04.015 (1) (a):

"If the intestate is survived by issue or by either parent, three-fourths of"

The section will therefore read:

"(1) Share of surviving spouse. The surviving spouse shall receive the following share:

"(a) The net community estate; and"

I urge that the legislature reenact this language at the next session of the legislature to insure that it accurately expresses their intent.

The remainder of Senate Bill No. 6 is approved.

Respectfully submitted,

DANIEL J. EVANS, Governor.

DEPARTMENT OF STATE  
OFFICE OF THE SECRETARY

Olympia, Wash., March 24, 1965.

To the Honorable, The President of the Senate,  
The Legislature of the State of Washington, Olympia, Washington.

SIR:

I have the honor to transmit herewith pursuant to Section 12, Article 3 of the Constitution of the State of Washington, for the consideration of the Senate, a certified copy of Enrolled Senate Bill No. 310, partially vetoed by the Governor, together with his veto message attached thereto.

Respectfully,

A. LUDLOW KRAMER,  
Secretary of State.

UNITED STATES OF AMERICA, THE STATE OF WASHINGTON  
DEPARTMENT OF STATE

I, A. LUDLOW KRAMER, *Secretary of State of the State of Washington and Custodian of the Seal of said State*, do hereby certify that: According to the records now on file in my office, the attached is a true and correct copy of Enrolled Senate Bill No. 310 as passed by the Regular Session—1965 Legislature—and partially vetoed by the Governor.

I further certify that the remaining portion of the act not vetoed by the Governor is now identified as Chapter 157, Laws of 1965.

In Testimony Whereof, I have hereunto set my hand and affixed hereto the Seal of the State of Washington. Done at the Capitol at Olympia on this the date of March 24, 1965.

A. LUDLOW KRAMER,  
Secretary of State.

(Seal of the State of Washington)

Executive Department,  
Olympia, March 23, 1965.

To the Honorable, The Senate of the State of Washington.  
(Through the Secretary of State)

LADY AND GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval as to one item, **Senate Bill No. 310**, entitled:

"AN ACT Relating to public hospital districts; amending section 6, chapter 264, Laws of 1945, as amended by section 18, chapter 197, Laws of 1949 and RCW 70.44.060; amending section 10, chapter 264, Laws of 1945 and RCW 70.44.160; amending section 16, chapter 264, Laws of 1945 and RCW 70.44.170; and declaring an emergency."

Section 5 contains the standard emergency clause requiring the act to take effect immediately. Imposition of an emergency clause defeats the right of the people to reject legislative action by referendum, and should be sparingly used. Having carefully considered each section of Senate Bill No. 310, it is clear that no part of the act is necessary for the immediate preservation of public peace, health and safety, or the support of state government and its existing public institutions.

Section 5 is therefor vetoed. The remainder of Senate Bill No. 310 is approved.

Respectfully submitted,

DANIEL J. EVANS, *Governor*.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 23, 1965.

MR. PRESIDENT:

The House has adopted: House Concurrent Resolution No. 23, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.



House of Representatives,  
Olympia, Wash., March 23, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 68; also  
Engrossed Senate Bill No. 76; also  
Substitute Senate Bill No. 183; also  
Senate Bill No. 423; also  
Engrossed Senate Bill No. 502, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 68; also  
Senate Bill No. 76; also  
Substitute Senate Bill No. 183; also  
Senate Bill No. 423; also  
Senate Bill No. 502.**

House of Representatives,  
Olympia, Wash., March 23, 1965.

MR. PRESIDENT:

The House has passed: Senate Bill No. 97 with the following amendment:

On page 1, section 1, line 13, after "equipment" and before "necessary" strike "and supplies," and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Thompson, Jr., the Senate concurred in the House amendments to Senate Bill No. 97.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 97, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 3; excused, 2.

Those voting nay were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Dore, Gissberg, Herrmann—3.

Excused: Senators Donohue, Herr—2.

Senate Bill No. 97, as amended by the House, having received the constitutional majority, was declared passed.

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

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 23, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Substitute Senate Joint Resolution No. 6 with the following amendments:

On page 1, strike the Senate amendments by Senator Woodall to line 13, and on page 1, line 13 of the printed bill, after "population of" strike "five" and insert "one"

On page 1, line 16 of the printed bill being line 14 of the engrossed bill, after "candidate" and before the Senate amendment by Senator Gallagher, insert a period and a new sentence: "If, after any contested primary for superior court judge in any county, only one candidate is entitled to have his name printed on the general election ballot for any single position, no election shall be held as to such position, and a

certificate of election shall be issued to such candidate", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Gallagher, the Senate concurred in the House amendments to Engrossed Substitute Senate Joint Resolution No. 6.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Joint Resolution No. 6, as amended by the House, and the resolution passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 3; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—43.

Those voting nay were: Senator Rasmussen—1.

Absent or not voting: Senators Gissberg, Herrmann, Talley—3.

Excused: Senators Donohue, Herr—2.

Engrossed Substitute Senate Joint Resolution No. 6, as amended by the House, having received the constitutional two-thirds majority, was declared passed.

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

#### MOTIONS

On motion of Senator McCormack, the Committee on Education was relieved of further consideration of Senate Bill No. 544.

On motion of Senator McCormack, Senate Bill No. 544 was referred to the Committee on Ways and Means.

There being no objection, the Senate advanced to the sixth order of business.

#### INTRODUCTION AND FIRST READING OF RESOLUTION

The following was introduced, read first time by title and acted upon as indicated:

**Senate Joint Resolution No. 29**, by Senators Hanna, Hallauer, Chytil, Washington and Talley:

Enabling expenditures by municipal corporations for industrial development or trade promotion.

Referred to Committee on Cities, Towns and Counties.

#### FIRST READING OF HOUSE RESOLUTION

The following was read first time by title and acted upon as indicated:

**House Concurrent Resolution No. 23**, by Representatives Newschwander, O'Brien and Copeland:

Authorizing the youth legislature to be held in the legislative chambers.

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

On motion of Senator Moriarty, Jr., the rules were suspended, House Concurrent Resolution No. 23 was advanced to third reading, the second

reading considered the third, the resolution placed on final passage and adopted.

#### SECOND READING OF BILLS

**House Bill No. 491**, by Representatives Conner, Savage and Haussler:  
Authorizing acquisition of Shi Shi Beach for county park purposes.

The bill was read the second time by sections.

On motion of Senator Sandison, the rules were suspended, House Bill No. 491 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 491, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 4; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Absent or not voting: Senators Cowen, Gissberg, Herrmann, Morgan—4.

Excused: Senators Donohue, Herr—2.

House Bill No. 491, having received the constitutional majority, was declared passed.

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

**Reengrossed Substitute House Bill No. 104**, by Committee on Higher Education:

Providing for administration of community colleges on a district basis.

On motion of Senator Ryder, Reengrossed Substitute House Bill No. 104 was ordered to retain its place on the second reading calendar for today immediately following House Bill No. 274.

**House Bill No. 134**, by Representatives Witherbee, O'Donnell and May:

Making it unlawful for county to issue construction permit to employer not paying industrial insurance premium.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, House Bill No. 134 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 134, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 3; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley,

Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Gissberg, Herrmann, McMillan—3.

Excused: Senators Donohue, Herr—2.

House Bill No. 134, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 243**, by Representatives Canfield, Jolly and McDougall (by Departmental request):

Changing eligibility requirements for state allocations to agricultural fairs and amount of such allocations.

The bill was read the second time by sections.

On motion of Senator Bailey, the rules were suspended, Engrossed House Bill No. 243 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 243, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 4; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Absent or not voting: Senators Gissberg, Guess, Herrmann, Ryder—4.

Excused: Senators Donohue, Herr—2.

Engrossed House Bill No. 243, having received the constitutional 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. 592**, by Representatives Thompson, Johnston (Elmer E.) and Klein:

Providing appointments for assistants for family courts in third class counties.

The bill was read the second time by sections.

On motion of Senator Freise, the following amendments were adopted:

In section 1, lines 6 and 7 of the printed and engrossed bills, strike “, [and] second and third” and insert “*through ninth*”

In section 1, line 9 of the printed and engrossed bills, after “*third*” and before “*class*” insert “*through ninth*”

On motion of Senator Freise, the rules were suspended, Engrossed House Bill No. 592, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed House Bill No. 592, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 2; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Gissberg, McMillan—2.

Excused: Senators Donohue, Herr—2.

Engrossed House Bill No. 592, as amended by the Senate, having received the constitutional 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. 409**, by Representatives Uhlman, Goldsworthy and Marzano:

Giving the adjutant general and assistant adjutants general pay parallel to major and brigadier generals in United States services.

On motion of Senator Greive, Engrossed House Bill No. 409 was ordered to retain its place at the end of the second reading calendar for today.

On motion of Senator Freise, all bills passed thus far today were ordered immediately transmitted to the House.

**House Bill No. 274**, by Representatives Newschwander, Chatalas and O'Donnell (by Departmental request):

Changing services available under public institutions in county institutions and nursing homes.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, House Bill No. 274 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of House Bill No. 274, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 3; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Dore, Durkan, England, Foley, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Connor, Freise, Gissberg—3.

Excused: Senators Donohue, Herr—2.

House Bill No. 274, having received the constitutional majority, was declared passed.

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

**Reengrossed Substitute House Bill No. 104**, by Committee on Higher Education:

Providing for administration of community colleges on a district basis.

It was moved by Senator Thompson, Jr., that Reengrossed Substitute House Bill No. 104 be ordered to retain its place on the second reading calendar for tomorrow.

Debate ensued.

It was moved by Senator Charette that the motion by Senator Thompson, Jr., be laid upon the table.

Senator Dore demanded a roll call and the demand was sustained by Senators Thompson, Jr., Peterson (Ted), Stender, Redmon, Atwood, McCutcheon, McMillan, Morgan and Rasmussen.

#### ROLL CALL

The Secretary called the roll on the motion by Senator Charette. During the roll call, the following proceedings were had:

Senators Thompson, Jr., McCutcheon and Herrmann demanded a Call of the Senate.

On motion of Senator Keefe, Senator Gissberg was excused.

The demand for a Call of the Senate was not sustained by a rising vote.

The Secretary continued to call the roll.

Senator McCutcheon requested a Call of the Senate.

#### POINT OF ORDER

Senator Woodall:

"Point of order, Mr. President:

"That demand was just voted down and there has been no intervening business."

Senator McCutcheon:

"Mr. President:

"I heard a couple of names called and people have voted. If that isn't intervening business, what is it?"

#### RULING BY THE PRESIDENT

The President:

"Senator McCutcheon, your observation is well taken. The Secretary advises me that Senator Kupka changed his vote, as did Senator Redmon."

Senators McCutcheon, Greive and Morgan demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senators Donohue, Gissberg and Herr, who were excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

The Secretary completed the roll call on the motion by Senator Charette to table Senator Thompson, Jr.'s motion, and the motion was carried by the following vote: Yeas, 25; nays, 18; absent or not voting, 3; excused, 3.

Those voting yea were: Senators Bailey, Charette, Cooney, Cowen, Foley, Greive, Guess, Hallauer, Herrmann, Keefe, Knoblauch, Lennart, Lewis,

McCormack, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Raugust, Redmon, Riley, Ryder, Sandison, Washington, Woodall—25.

Those voting nay were: Senators Atwood, Chytil, Connor, Dore, England, Freise, Hanna, Henry, Kupka, McCutcheon, McMillan, Morgan, Peterson (Ted), Petrich, Rasmussen, Stender, Talley, Thompson, Jr.—18.

Absent or not voting: Senators Durkan, Gallagher, Williams—3.

Excused: Senators Donohue, Gissberg, Herr—3.

#### MOTION

It was moved by Senator Dore that Reengrossed Substitute House Bill No. 104 be made a special order of business for 2:00 p. m.

Debate ensued.

It was moved by Senator McCormack that the motion be laid upon the table.

Senator Dore demanded a roll call and the demand was sustained by Senators Thompson, Jr., Peterson (Ted), McCutcheon, Connor, Riley, Kupka, Mardesich and Morgan.

#### ROLL CALL

The Secretary called the roll and the motion by Senator McCormack was carried by the following vote: Yeas, 27; nays, 20; excused, 2.

Those voting yea were: Senators Bailey, Charette, Chytil, Cooney, Cowen, Foley, Gallagher, Greive, Guess, Hallauer, Herr, Herrmann, Keefe, Knoblauch, Lennart, McCormack, Moriarty, Jr., Neill, Peterson (Lowell), Raugust, Redmon, Ryder, Sandison, Talley, Washington, Williams, Woodall—27.

Those voting nay were: Senators Atwood, Connor, Dore, Durkan, England, Freise, Hanna, Henry, Kupka, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Ted), Petrich, Rasmussen, Riley, Stender, Thompson, Jr.—20.

Excused: Senators Donohue, Gissberg—2.

Reengrossed Substitute House Bill No. 104 was read the second time by sections.

It was moved by Senator Hallauer that the following amendment be adopted:

On page 1, section 2, line 23, strike subsection (2) and insert the following:

“(2) Proposed methods and extent of local area support of capital outlay financing;

“(3) Continuance of present state and student fee support for maintenance and operation;”

Renumber succeeding subsections.

Debate ensued.

It was moved by Senator Stender that the following amendment to the amendment by Senator Hallauer be adopted:

In subsection (2) of the amendment by Senator Hallauer, after the word “financing;” insert: “*Provided*, That said proposal shall provide that the bonded indebtedness of any school district incurred for the support of an existing or new community college shall be equitably adjusted so as to obligate the new community college district to accept responsibility for said bonded indebtedness;”

Debate ensued.

On motion of Senator Morgan, copies of the amendment by Senator Hallauer and the amendment to the amendment by Senator Stender were ordered printed.

Further debate ensued.

On motion of Senator Riley, copies of all amendments pending to Reengrossed Substitute House Bill No. 104 were ordered printed.

**MOTION**

On motion of Senator Riley, Reengrossed Substitute House Bill No. 104 was made a special order of business for 2:00 p. m. today.

**Engrossed House Bill No. 125**, by Representatives McDougall, Braun and DeJarnatt:

Allowing management of dormitories by community colleges.

On motion of Senator Hanna, Engrossed House Bill No. 125 was ordered to retain its place on the second reading calendar for today immediately following consideration of House Bill No. 245.

**House Bill No. 245**, by Representatives Gallagher, Taplin and Jolly (by Departmental request):

Exempting United States vehicles from motor vehicle registration; providing registration of vehicles possessed by international body.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, House Bill No. 245 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of House Bill No. 245, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Excused: Senators Donohue, Gissberg—2.

House Bill No. 245, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 125**, by Representatives McDougall, Braun and DeJarnatt:

Allowing management of dormitories by community colleges.

**REPORT OF STANDING COMMITTEE****Engrossed House Bill No. 125:**

Senate Chamber,  
Olympia, Wash., March 22, 1965.

Allowing management of dormitories by community colleges (reported by Committee on Higher Education and Libraries):

Recommends that it do pass with the following amendments:

On page 1, section 1, line 3 of the mimeographed amendment to the printed bill by Representatives McDougall and Kink, being page 1, section 1, line 22 of the engrossed bill, after "directly" strike "[or indirectly]" and insert "or indirectly"

On page 2, section 2, line 33 of the printed bill, being line 27 of the engrossed bill, after "Employ" and before "employees" strike "head residents, assistants, and" and insert "such".

GORDON SANDISON, *Chairman*.



We concur in this report: R. Frank Atwood, Frank W. Foley, Wilbur G. Hallauer, Karl Herrmann, Harry B. Lewis, Mike McCormack, Marshall A. Neill, John N. Ryder, Don L. Talley, Nat Washington.

The bill was read the second time by sections.

On motion of Senator Sandison, the committee amendments were adopted.

On motion of Senator Hanna, the following amendment was adopted:

On page 2, section 2, line 20 of the printed bill, being line 24 of the engrossed bill, after "agreement" strike "shall" and insert "may"

On motion of Senator Hanna, the rules were suspended, Engrossed House Bill No. 125, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 125, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Excused: Senators Donohue, Gissberg—2.

Engrossed House Bill No. 125, as amended by the Senate, having received the constitutional majority, was declared passed.

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

#### MOTIONS

On motion of Senator Riley, the Senate dispensed with the Call of the Senate.

On motion of Senator Hanna, Engrossed House Bill No. 125, as amended by the Senate, was ordered immediately transmitted to the House.

On motion of Senator Talley, the Senate returned to the second order of business.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### Engrossed House Bill No. 13:

Senate Chamber,  
Olympia, Wash., March 24, 1965.

Establishing and setting forth powers and duties of a canal commission (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass.

AL HENRY, *Chairman.*

We concur in this report: R. Frank Atwood, Martin J. Durkan, George W. Kupka, Charles P. Moriarty, Jr., A. L. Rasmussen.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 122:**

Senate Chamber,  
Olympia, Wash., March 24, 1965.

Enables cities to engage in preannexation planning (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Frank Connor, Sam C. Guess, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 378:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Appointing members of political parties as deputy voter registrars (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass. JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, R. R. Bob Greive, Wilbur G. Hallauer, Al Henry, Gordon Herr, James Keefe, David E. McMillan, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 392:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Authorizing investments by cities (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Joe Chytil, Frank Connor, Michael J. Gallagher, Sam C. Guess, Al Henry, Ted G. Peterson, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 451:**

Senate Chamber,  
Olympia, Wash., March 24, 1965.

Regulating investments of state permanent funds (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass. AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Martin J. Durkan, George W. Kupka, Charles P. Moriarty, Jr., A. L. Rasmussen.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 660:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Providing for payment of interest and collection costs on nonpayment of checks and bills of exchange (reported by Judiciary Committee):

MAJORITY recommends that it do pass. JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Jack England, Herbert H. Freise, H. B. Hanna, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 676:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Amending the 1965 probate code (reported by Judiciary Committee):  
MAJORITY recommends that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Jack England, Frank W. Foley, Herbert H. Freise, H. B. Hanna, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTION**

At 12:25 p. m., on motion of Senator Greive, the Senate recessed until 2:00 p. m.

**AFTERNOON SESSION**

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

The Secretary called the roll and announced to the President that all Senators were present except Senators Donohue and Gissberg, who were excused.

Senators Bailey, Connor and McCutcheon demanded a Call of the Senate.  
A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present, except Senators Donohue and Gissberg, who were excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

The President declared the Senate to be at ease.

The President called the Senate to order at 3:15 p. m.

**SPECIAL ORDER OF BUSINESS**

The Senate resumed consideration of Reengrossed Substitute House Bill No. 104 on second reading.

**Reengrossed Substitute House Bill No. 104**, by Committee on Higher Education:

Providing for administration of community colleges on a district basis.

There being no objection, Senator Stender was permitted to withdraw his amendment to the amendment by Senator Hallauer.

There being no objection, Senator Hallauer was permitted to withdraw his amendment to page 1, subsection 2.

It was moved by Senator Hallauer that the following amendment by Senators Hallauer and Stender be adopted:

On page 1, section 2, line 23 of the printed and engrossed bills, strike the entire subsection (2) and insert:

“(2) Proposed methods and extent of local area support of capital outlay financing: *Provided*, That said proposal shall provide that the bonded indebtedness of any school district incurred for the support of an existing or new community college shall be

equitably adjusted so as to obligate the new community college district to accept the responsibility for said bonded indebtedness;

"(3) Continuance of present state and student fee support for maintenance and operations;"

Renumber the remaining subsections consecutively.

#### POINT OF INQUIRY

Senator Dore:

"Would Senator Hallauer yield to a question?"

"Senator Hallauer, in this amendment which you have proposed with Senator Stender, you state the new community college district shall accept the responsibility for said bonded indebtedness. Now you have used the word, 'responsibility.' By that, you mean they will make the financial arrangements in order to pay the local school districts for the bonded indebtedness for college construction?"

Senator Hallauer:

"Senator Dore, what it says in the amendment is that the new college district under such a set of recommendations would accept responsibility for such bonded indebtedness as might exist."

Senator Dore:

"Mr. President, Senator Hallauer:

"I was just wondering what your interpretation of responsibility was. Is it a moral or financial responsibility?"

Senator Hallauer:

"Certainly it is financial. It refers to bonded indebtedness."

Senator Dore:

"So the responsibility you propose in this amendment would force the new community college district to assume the financial responsibility of this bonded indebtedness, is that correct? Under the amendment you propose, you restricted the language that was in subsection (2), 'the proposed methods of financing and support, including both maintenance and operations, and capital outlay,' and you have struck that out and added your own language which confines it to capital outlay, only. Now on page 2, line 3, subsection (6), 'Alternate administrative organizational patterns in metropolitan areas,' it is my understanding that this was adopted at the Seattle school district request. They have an alternate plan. Now is it your plan that they also would be entitled to receive state aid for maintenance and operations?"

Senator Hallauer:

"Senator Dore, this is certainly my intention that they would not be cut out in any way whatsoever."

Debate ensued.

The motion was carried and the amendment was adopted.

The Secretary read the following amendment by Senators Dore, Thompson, Jr. and Peterson (Ted):

On page 1, section 2, subsection (2) line 24 of the printed and engrossed bills, after "outlay;" insert "and providing a method for transferring that portion of the bonded indebtedness of the school district incurred for college construction to the bonded indebtedness of the college district;"

With the consent of the Senate, the amendment was withdrawn.

On motion of Senator Dore, the following amendment by Senators Dore, Thompson, Jr. and Peterson (Ted) was adopted:

On page 2, section 2, line 4 of the printed and engrossed bills, following subsection (6), renumbered "(7)", add a new subsection as follows:

"(8) The establishment of procedures for determining the facilities and equipment to be established from the school district operating the college to the college district to be established and providing for transfer of title and reimbursement."

**POINT OF INQUIRY**

Senator Charette:

"Would Senator Dore yield to a question?"

"Senator Dore, this appears to be the only amendment which you and Senator Thompson and Senator Peterson have. If this amendment is left on the bill, do you intend to vote for this measure?"

Senator Dore:

"Senator, I haven't heard the debate on the floor. This is the only amendment I plan to offer."

It was moved by Senator Greive that the following amendment be adopted:

On page 2, section 2, line 4, following new subsection "(8)" add a new subsection as follows:

"(9) Methods of selecting elected area boards of community college boards of trustees."

**POINT OF INQUIRY**

Senator McCutcheon:

"Would Senator Ryder yield to a question?"

The President:

"Does Senator Ryder yield?"

Senator Ryder:

"Yes, I yield."

Senator McCutcheon:

"Senator Ryder, do you agree with what Senator Greive has just said that the trustees of this community college district should be elected, or should they be appointed?"

Senator Ryder:

"Mr. President, Senator McCutcheon:

"I certainly had no other idea in mind at any time in drafting this bill, but that the trustees, the local trustees, should be an elected body. I have absolutely no objection to putting that in the bill. Of course, there is one thing that I think we all have to remember. The next session of the legislature is the one that is going to make the final determination on this. But so far as I am personally concerned, I would support the elected trustees."

**POINT OF INQUIRY**

Senator Thompson, Jr.:

"Mr. President, would Senator Greive yield?"

"Senator, I support your amendment with one exception: Do you feel that the name, 'Board of Trustees,' is the name that should be applied to the new junior college district? Might it be better to strike, 'Board of Trustees,' and leave the name of this governing board to be determined at a future time? 'Trustees' is the name currently of the board of control of the four-year state colleges, as I understand it. 'Directors' are the board of control for common schools and 'regents' are the board of control for universities. Perhaps we could find some name to assign to this board that might be better than trustees?"

Senator Greive:

"In answer to Senator Thompson's inquiry, I am not particularly wedded to any particular language as to who the governing body should be in respect to their name. On the other hand, this is the language that was printed and used in the bill, and I merely picked it up. By that, I mean I didn't create a new language. All I wanted to be sure of was that the governing body of the school is elected so it would be kept close to the community, as a community college is."

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Greive, the following amendment was adopted:

On page 2, section 5, line 23 of the printed and engrossed bills, after "responsible to" and before "board" strike "the" and insert "an elected"

It was moved by Senator McCutcheon that the following amendment be adopted:

On page 1, section 1, beginning on line 10 of the printed and engrossed bills, strike all of the material down to and including "district." in line 13.

Debate ensued.

It was moved by Senator McCormack that the amendment be laid upon the table.

The motion was carried.

It was moved by Senator McCutcheon that the following amendment be adopted:

On pages 1 and 2, section 2, beginning in line 14 of the printed and engrossed bills, strike all of "NEW SECTION. Sec. 2."

Debate ensued.

On motion of Senator Riley, the amendment was laid upon the table.

It was moved by Senator McCutcheon that the following amendment be adopted:

On page 2, section 3, beginning on line 5 of the printed and engrossed bills, strike all of "NEW SECTION. Sec. 3."

Debate ensued.

On motion of Senator Ryder, the amendment was laid upon the table.

It was moved by Senator Riley that the following amendment be adopted:

On page 1, section 1, line 9 of the printed and engrossed bills, after "service" strike the period and insert "; limited to adult education courses which courses shall be self supporting."

Debate ensued.

With the consent of the Senate, Senator Riley was permitted to withdraw the amendment.

It was moved by Senator Lennart that the following amendment be adopted:

On page 1, section 1, line 13, after "district." insert "Community college districts hereafter established shall have no power to levy any taxes against real property within the district."

#### POINT OF INQUIRY

Senator Ryder:

"Would Senator Lennart yield to a question?"

"Senator Lennart, would this amendment mean that for capital outlay the community college district would be prohibited from levying a tax?"

Senator Lennart:

"Yes, it would."

Senator Ryder:

"They presently have the right to levy bonds to raise capital funds. Would this then not hamper the community college?"

Senator Lennart:

"I don't think so."

## POINT OF INQUIRY

Senator Rasmussen:

"Mr. President, would Senator Ryder yield?"

Senator Ryder:

"Yes."

Senator Rasmussen:

"Senator Ryder, I know you're familiar with school board actions. If you were on a school board and you had the problem of getting a new community college started in your community, and you also saw this legislation that says that there will be, two years hence, a new board which may be created to operate the junior college or even authorize the construction, would you go ahead on a junior college program, not knowing what was in your future and without any law saying that this would be so?"

Senator Ryder:

"Mr. President, Senator Rasmussen:

"I wish I did know what was in my future. Certainly, I would go ahead from day to day. But as a citizen of a community where I thought there should be a community college, regardless of whether my position was on the school board or otherwise, and particularly if it was on the school board, certainly, I would do everything in my power to get a community college started if I felt there should be one in that area, regardless of whether I was going to control it later or whether some other public spirited citizen was elected to do that job."

Debate ensued.

It was moved by Senator Riley that the amendment by Senator Lennart be laid upon the table.

The motion was carried on a rising vote.

The President called upon Senator Gissberg to preside.

It was moved by Senator Rasmussen that the following amendment be adopted:

On page 2, section 5, line 22, after the word "school district." strike the remaining underscored material.

Debate ensued.

On motion of Senator Riley, the amendment was laid upon the table.

It was moved by Senator Thompson, Jr., that the following amendment be adopted:

On page 1, section 2, subsection (1), line 22, after "colleges;" insert "with due consideration for necessary service areas of other public post-high school institutions supported in part by local property tax revenues;"

Debate ensued.

On motion of Senator Gallagher, the amendment was laid upon the table.

It was moved by Senator McCutcheon that the following amendment be adopted:

On page 2, line 26, add a new section to be known as "Sec. 6."

"NEW SECTION. Sec. 6. Any new plans for junior college districts shall be submitted to a vote of the people by referendum."

Debate ensued.

It was moved by Senator Gallagher that the amendment be laid upon the table.

Senator McCutcheon demanded a roll call and the demand was sustained by Senators Lennart, Dore, Greive, Morgan, Atwood, Peterson (Ted), Petrich and Herrmann.

**ROLL CALL**

The Secretary called the roll and the motion was carried and the amendment was laid upon the table by the following vote: Yeas, 31; nays, 18.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Donohue, England, Foley, Gallagher, Gissberg, Greive, Guess, Hallauer, Herrmann, Keefe, Knoblauch, Lewis, McCormack, Moriarty, Jr., Neill, Peterson (Lowell), Petrich, Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Washington, Williams, Woodall—31.

Those voting nay were: Senators Atwood, Cowen, Dore, Durkan, Freise, Hanna, Henry, Herr, Kupka, Lennart, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Ted), Rasmussen, Sandison, Talley—18.

It was moved by Senator Herrmann that the following amendment be adopted:

On page 1, section 2, line 22 of the printed and engrossed bills, after "colleges" and before the semicolon, insert "with provisions for population shifts and growth"

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator McCormack, the rules were suspended, Reengrossed Substitute House Bill No. 104, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**POINT OF INQUIRY**

Senator Dore:

"Mr. President, would Senator Hallauer yield?"

"Senator Hallauer, I have two questions I want to ask. Is it the intent of this legislature by this act that under the existing school boards of local school districts these boards may proceed to establish new community colleges as authorized or to make additions to existing community colleges under existing law prior to the fortieth session of the legislature?"

Senator Hallauer:

"It is certainly my expectation that they will do so. This is my understanding of the bill, and I'm sure this is correct."

Senator Dore:

"You are one of the chief sponsors of the bill?"

Senator Hallauer:

"This was drawn in the House, Senator. I have drawn variations with the intent as you suggested."

Senator Dore:

"One final question, Senator: Is it the intent of this legislature that a local school board under the existing laws of the state of Washington may hold a school district bond election to establish a new community college or to make additions to existing community colleges, and that the school district may sell these bonds prior to the meeting of the fortieth legislature?"

Senator Hallauer:

"Yes, that is the intent, Senator."

Debate ensued.

Senators Charette, Gallagher and Bailey demanded the previous question and the demand was sustained.



**ROLL CALL**

The Secretary called the roll on the final passage of Reengrossed Substitute House Bill No. 104, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 33; nays, 16.

Those voting yea were: Senators Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, England, Foley, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herrmann, Keefe, Lewis, McCormack, Moriarty, Jr., Neill, Peterson (Lowell), Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—33.

Those voting nay were: Senators Atwood, Connor, Durkan, Freise, Herr, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Ted), Petrich, Rasmussen, Thompson, Jr.—16.

Reengrossed Substitute House Bill No. 104, as amended by the Senate, having received the constitutional majority, was declared passed.

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

It was moved by Senator Ryder that Reengrossed Substitute House Bill No. 104 be immediately transmitted to the House.

Debate ensued.

**POINT OF ORDER**

Senator Woodall:

"Point of order, Mr. President. Is that motion not a suspension of the rules and thus not debatable?"

**NOTICE OF RECONSIDERATION**

Senator Dore:

"Mr. President:

"I now give notice that on the next working day, under the proper order of business, I shall move to reconsider the vote on Reengrossed Substitute House Bill No. 104."

**POINT OF ORDER**

Senator Charette:

"Point of order, Mr. President:

"I believe under the rules, the Chair should properly rule first of all on Senator Ryder's motion and put it to the body. Then, in accordance with Reed's Rule 205, Senator Dore's motion would be out of order."

Senator Woodall:

"I believe the rule would be that once a point of order has been raised, members can only be recognized to speak on the point of order prior to a ruling. They cannot rise to speak on a point of order and then make another motion."

Senator Dore:

"Speaking on the point of order, as I remember there was no motion made to suspend the rules. Senator Ryder merely made a motion that Reengrossed Substitute House Bill No. 104 be immediately transmitted to the House, which was improper, so there is no motion before us to suspend the rules before I was recognized."

Senator Ryder:

"Well, Mr. President, it has been called to my attention, and I wish to correct the motion."

On motion of Senator Gallagher, the Senate dispensed with the Call of the Senate.

Senator Gallagher:

"Speaking on the point of order, I wish to point out that I do believe that the President plans to call a meeting of the Rules Committee in order to get out important

legislation, which I believe Senator Dore is probably interested in, and one of those numbers is an even number. By these delaying tactics, I believe he is delaying the Rules Committee from getting to that important piece of legislation. If that be his idea, okay."

#### RULING BY THE PRESIDENT

The President:

"Ruling upon the point of order as presented by Senator Woodall, the President believes that inasmuch as the Senate rules do not provide for the immediate transmittal of bills to the House of Representatives, that it would require a suspension of the rules. However, the President further believes that such a device does not preclude the reconsideration of a vote by which a bill is either passed or failed to receive a constitutional majority."

Senator Ryder:

"Mr. President:

"I now move that the rules be suspended and Reengrossed Substitute House Bill No. 104 be immediately transmitted to the House."

Senator Dore demanded a roll call, and the demand was sustained by Senators Thompson, Jr., Peterson (Ted), Henry, Morgan, Rasmussen, Mardesich, Greive, Kupka and Lennart.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Ryder was carried by the following vote: Yeas, 32; nays, 15; absent or not voting, 2.

Those voting yea were: Senators Bailey, Charette, Chytil, Cooney, Cowen, Donohue, England, Foley, Gallagher, Guess, Hallauer, Hanna, Henry, Herrmann, Keefe, Knoblauch, Lewis, McCormack, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—32.

Those voting nay were: Senators Atwood, Dore, Durkan, Freise, Greive, Herr, Kupka, Lennart, McCutcheon, McMillan, Morgan, Peterson (Ted), Petrich, Rasmussen, Thompson, Jr.—15.

Absent or not voting: Senators Connor, Gissberg—2.

#### PERSONAL PRIVILEGE

Senator McCormack:

"Mr. President, personal privilege:

"I wish to request permission to enter material from the Attorney General in the record indicating that this bill will have no dilatory effect on the construction of community colleges in the next two years."

The President:

"If there is no objection, it is so ordered."

State of Washington, Office of the Attorney General,  
Olympia, March 18, 1965.

*Honorable Mike McCormack, Washington State Senator,  
Legislative Building, Olympia, Washington.*

DEAR SENATOR MCCORMACK:

You have asked for the informal views of this office upon Substitute House Bill No. 104 as it may affect bonds or bonding capacity of school districts.

In our opinion Substitute House Bill No. 104 in its present form does nothing to the bonding capacity of school districts. The bill is a mere expression of legislative intent to create in the future by legislative act community college districts. It is made a duty of the state superintendent to submit to the next session of the legislature a plan to accomplish this end.

Exactly what this plan will provide is, of course, mere conjecture. However, certain points should be mentioned. It would appear that any plan must provide a method of incurring bonded indebtedness on the part of the community college

districts. Presumably this will be something similar to those provisions relating to school district, chapter 28.51 RCW. However, as a distinct municipal corporation, i.e., not a school district, the community college district will be subject to different constitutional limitations in relation to bonding, the capacity, pursuant to Amendment 27, Washington State Constitution, rising to only half of the possible constitutional capacity of a school district.

Further, it is presumed that provision will be made for assuming the bonded indebtedness of the school district. However, unless there is some sort of refunding of the outstanding bonds, the school district will remain liable on the bond contract even though the new community college district assumes an obligation to pay the bonds.

These points are, as noted above, matters for future consideration. As to the present effect, it would appear there could be none. The legislature cannot impair the validity of any bonds issued now or prior to the time the legislature sees fit to change the present community college system. It should be noted in this regard that the legislature may in its discretion never change the present pattern. It would therefore be extremely difficult to say that the present act somehow will impair existing bonds or prevent future issuances under present authority.

We trust the foregoing will be of assistance to you.

Very truly yours,

JOHN J. O'CONNELL,  
Attorney General.

BRUCE W. COHOE,  
Assistant Attorney General.

Roberts, Shefelman, Lawrence, Gay & Moch,  
Seattle, Wash., March 17, 1965.

*Prepared at the Request of Senator Mike McCormack.*

This is in reply to your request to us that we review the most recent version of House Bill No. 104 relating to community colleges and give you our opinion on the affect of that bill on power of school districts to issue bonds.

We have reviewed the draft of the bill which we received today, and in its present form we find nothing which should affect the legality of any bonds heretofore issued by school districts, or bonds which will be issued by school districts during the next two years—even though those bonds will be to finance capital improvements in community colleges.

As we read the bill, it simply states that the legislature intends to separate the operation of community colleges from that of school districts two years hence. It further calls for a study on the best procedure for accomplishing that purpose. The procedure prescribed by the fortieth legislative session should contain a clear-cut standard for distribution of indebtedness but, meanwhile, until such definitive action has been taken, there is no impairment of the power of school districts to issue bonds under the present law, or under the proposed bill.

If we can be of further assistance to you, please do not hesitate to call us.

Best regards.

Very truly yours,

ROBERTS, SHEFELMAN, LAWRENCE, GAY & MOCH,  
By GEORGE M. MACK.

#### PERSONAL PRIVILEGE

Senator Morgan:

"Mr. President, personal privilege:

"This bill will result in a few larger colleges, rather than many medium-sized, well distributed institutions. In our district of 84,000 people, five districts and all wards oppose this. Such a drastic change in our taxpaying districts, creating new taxpaying districts, should have come to the vote of the people in my district. I simply want this in the record so my people will know how I stood. I'll be back in two years."

**House Bill No. 247**, by Representatives Cunningham and Gallagher (by Departmental request):

Changing administrative provisions relating to users under motor vehicle use fuel tax.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, House Bill No. 247 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 247, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Absent or not voting: Senators Donohue, Durkan, Gissberg, Lennart, McCutcheon, Morgan—6.

House Bill No. 247, having received the constitutional majority, was declared passed.

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

**House Bill No. 264**, by Representatives Slagle, Adams, Chatalas and Newschwander (by Departmental request):

Setting forth crimes for fraudulently obtaining public assistance.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, House Bill No. 264 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 264, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Atwood, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Bailey, Foley, Lennart, Morgan, Ryder—5.

House Bill No. 264, having received the constitutional majority, was declared passed.

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

#### MOTION

On motion of Senator Gallagher, the Senate returned to the second order of business.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., March 24, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Engrossed Senate Bill No. 97; also

Engrossed Substitute Senate Joint Resolution No. 6, have inspected same, and find them correctly reengrossed.

....., *Chairman.*

We concur in this report: Fred H. Dore, Marshall A. Neill, Perry B. Woodall.

Senate Chamber,  
Olympia, Wash., March 24, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 97; also

Substitute Senate Joint Resolution No. 6, have inspected same, and find them correctly enrolled and certified.

....., *Chairman.*

We concur in this report: Fred H. Dore, Marshall A. Neill, Perry B. Woodall.

**Senate Bill No. 323:**

Senate Chamber,  
Olympia, Wash., March 24, 1965.

Continuing program of state aid for county probation services until June 30, 1967 (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass.

FRANK W. FOLEY, *Chairman.*  
FRED H. DORE, *Chairman,*  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman,*  
Committee on Revenue and Regulatory Agencies.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, Jack England, Michael J. Gallagher, R. R. Bob Greive, Sam C. Guess, Wilbur G. Hallauer, Ernest W. Lennart, Mike McCormack, David E. McMillan, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., John A. Petrich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 9:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Requiring the mayor or his delegate to prepare budgets for first class cities with population over three hundred thousand (reported by Committee on Cities, Towns and Counties):

MAJORITY recommends that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: R. Frank Atwood, Joe Chytil, Frank Connor, Michael J. Gallagher, Sam C. Guess, Al Henry, Ted G. Peterson, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 231:**

Senate Chamber,  
Olympia, Wash., March 24, 1965.

Changing fees to be collected by supervisor of water resources (reported by Committee on Natural Resources):

MAJORITY recommends that it do pass.

LOWELL PETERSON, *Chairman.*

We concur in this report: Joe Chytil, Wilbur G. Hallauer, Gordon Herr, Harry B. Lewis, Mike McCormack, August P. Mardesich, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Bill No. 325:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Revising law relating to barbers and the licensing thereof (reported by Committee on Commerce, Manufacturing and Licenses):

MAJORITY recommends that it do pass.

GEORGE W. KUPKA, *Chairman.*

We concur in this report: Frank Connor, John L. Cooney, David C. Cowen, Jack England, Michael J. Gallagher, James Keefe, Harry B. Lewis, August P. Mardesich, Ted G. Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 342:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Requiring new electrical licensees to possess an electrical contractor's qualifying certificate (reported by Committee on Commerce, Manufacturing and Licenses):

MAJORITY recommends that it do pass.

GEORGE W. KUPKA, *Chairman.*

We concur in this report: Frank Connor, John L. Cooney, Fred H. Dore, Jack England, Michael J. Gallagher, R. R. Bob Greive, Sam C. Guess, James Keefe, Reuben A. Knoblauch, August P. Mardesich, Ted G. Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 354:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Limiting automobile ownership to persons at least eighteen years old (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman.*

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Jack England, Frank W. Foley, H. B. Hanna, Karl Herrmann, John T. McCutcheon, August P. Mardesich, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed Substitute House Bill No. 411:**

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Authorizing the director of labor and industries to promulgate and enforce safety regulations for mobile homes and travel trailers (reported by Committee on Commerce, Manufacturing and Licenses):

MAJORITY recommends that it do pass.

GEORGE W. KUPKA, *Chairman.*

We concur in this report: Frank Connor, John L. Cooney, David C. Cowen, Fred H. Dore, Jack England, Michael J. Gallagher, R. R. Bob Greive, Sam C. Guess, James Keefe, Reuben A. Knoblauch, Harry B. Lewis, August P. Mardesich, Ted G. Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 465:**

Senate Chamber,  
Olympia, Wash., March 24, 1965.

Providing for use of a portion of the state income reserve fund (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass.

FRANK W. FOLEY, *Chairman.*

FRED H. DORE, *Chairman,*

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*

Committee on Revenue and Regulatory Agencies.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Jack England, R. R. Bob Greive, Sam C. Guess, Wilbur G. Hallauer, Mike McCormack, David E. McMillan, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, A. L. Rasmussen, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.  
The Senate advanced to the seventh order of business.

#### SECOND READING OF BILLS

**Engrossed House Bill No. 276**, by Representatives Epton, Adams and Savage (by Departmental request):

Including as dependent children for public assistance purposes certain students over eighteen years of age.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, Engrossed House Bill No. 276 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 276, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Absent or not voting: Senators Foley, Mardesich, Morgan, Petrich, Ryder, Sandison—6.

Engrossed House Bill No. 276, having received the constitutional majority, was declared passed.

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

#### MOTIONS

On motion of Senator Greive, the rules were suspended and all bills passed today were ordered immediately transmitted to the House.

At 5:30 p. m., on motion of Senator Greive, the Senate recessed until 8:00 p. m.

The President declared the Senate to be at ease.

The President called the Senate to order.

The Secretary called the roll and announced to the President that all Senators were present except Senator Raugust, who was excused.

Senators Bailey, Connor and Charette demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Raugust who was excused.

On motion of Senator Bailey, the Senate proceeded under the Call of the Senate.

There being no objection, the Senate advanced to the seventh order of business.

#### SECOND READING OF BILLS

**House Bill No. 430**, by Representatives Sheridan, Klein and O'Donnell:

Authorizing receipt of federal funds by parks and recreation commission for youth development and conservation corps.

The bill was read the second time by sections.

On motion of Senator Herr, the rules were suspended, House Bill No. 430 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 430, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Excused: Senator Raugust—1.

House Bill No. 430, having received the constitutional majority, was declared passed.

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

**House Bill No. 298**, by Representatives Canfield, Haussler and Garrett:

Requiring publication of notice of resolutions for formation of LID's in water districts rather than publishing resolution in full.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, House Bill No. 298 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 298, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Excused: Senator Raugust—1.

House Bill No. 298, having received the constitutional majority, was declared passed.



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

#### MOTION

On motion of Senator Riley, the Senate dispensed with the Call of the Senate.

**House Bill No. 299**, by Representatives Canfield, Haussler and Garrett:

Requiring publication of notice of resolution for formation of LID's in sewer districts rather than publishing resolution in full.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, House Bill No. 299 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 299, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Excused: Senator Raugust—1.

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. 303**, by Representatives Uhlman, Brachtenbach and DeJarnatt:

Changing dates for the preparation and consideration of school district budgets.

The bill was read the second time by sections.

It was moved by Senator Lewis that the following amendment be adopted:

On page 7, section 18, line 31, after "settled," add a new section as follows:

"Sec. 19. Section 1, page 371, Laws of 1909 as amended by section 1, chapter 82, Laws of 1911, part, and RCW 28.35.010 are each amended to read as follows:

"The board of directors of any school district [of the first and second classes] shall have power to establish and maintain free kindergartens in connection with the common schools of said district for the instruction of children between the ages of four and six years, residing in said district, and shall establish such courses of training, study and discipline and such rules and regulations governing such kindergartens as said board may deem best: *PROVIDED, That no third class school district may maintain such a kindergarten when the number of pupils in such kindergarten is less than twenty.*"

Renumber the remaining section as "section 20"

#### POINT OF INQUIRY

Senator Dore:

"Would Senator Lewis yield to a question?"

"Senator Lewis, could you tell the body what the financial impact of this amendment would be?"

Senator Lewis:

"Yes, I have a letter from Mr. Westling, Senator Dore, a copy of which is on your desk. I gave it to you this afternoon. The impact, if they were full day students, would be \$47,628 if every district took advantage of it, but we are talking about only half a day because these are kindergartens, so it would be \$27,000."

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Lewis, the following amendment was adopted:

In line 1 of the title after "RCW;" insert "and amending section 1, page 371, Laws of 1909 as amended by section 1, chapter 82, Laws of 1911, part, and RCW 28.35.010;"

It was moved by Senator Neill that House Bill No. 303 be referred to the Committee on Ways and Means.

The motion was carried.

**Engrossed House Bill No. 161**, by Representatives Olsen, Haussler and Garrett:

Increasing county adjustment board size.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, Engrossed House Bill No. 161 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 161, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 5; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Herr, Herrmann, Keefe, Knoblauch, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Absent or not voting: Senators Durkan, Hallauer, Henry, Kupka, Ryder—5.

Excused: Senator Raugust—1.

Engrossed House Bill No. 161, having received the constitutional majority, was declared passed.

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

**House Bill No. 163**, by Representatives Kalich, Haussler and Garrett:

Authorizing labor charges by voucher to equipment rental and revolving fund by road fund and vice versa.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, House Bill No. 163 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 163, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Herrmann, McMillan, Ryder—3.

Excused: Senator Raugust—1.

House Bill No. 163, having received the constitutional 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. 409**, by Representatives Uhlman, Goldsworthy and Marzano:

Giving the adjutant general and assistant adjutants general pay parallel to major and brigadier generals in United States services.

The bill was read the second time by sections.

On motion of Senator Henry, the rules were suspended, Engrossed House Bill No. 409 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

On motion of Senator Gallagher, Engrossed House Bill No. 409 was ordered to retain its place on the third reading calendar for tomorrow.

**Substitute House Bill No. 391**, by Committee on Local Government:

Adjusting firemen's pensions.

On motion of Senator Atwood, Substitute House Bill No. 391 was ordered to retain its place on the second reading calendar for today immediately following consideration of Engrossed Substitute House Bill No. 96.

**Engrossed House Bill No. 444**, by Representatives King (Richard "Dick"), Brouillet and Saling:

Requiring transfers of teachers' seniority and leave benefits.

The bill was read the second time by sections.

On motion of Senator McCormack, the rules were suspended, Engrossed House Bill No. 444 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Ryder:

"Mr. President, would Senator McCormack yield to a question?"

"Senator, apparently they are going to set up a fund in Engrossed House Bill No. 444 which will take care of the payment of these teachers when they transfer for sick leave. Just how is this fund going to be set up and how is it going to be replenished from time to time?"

Senator McCormack:

"It is my understanding that the superintendent shall set up the fund and each school district shall contribute to it, based on the record of sick leave and sickness in the preceding year, so this will be a continuing fund used then to pay sick leave."

Senator Ryder:

"This will be on a year to year basis, is that right?"

Senator McCormack:

"Yes, I believe it would be, Senator Ryder."

Senator Ryder:

"Each year each school district puts in the amount of money that they would have paid on sick leave, had they had to bear the expense themselves?"

Senator McCormack:

"I believe that is correct, Senator."

Senator Ryder:

"Then how is this going to save any money for the individual school district?"

Senator McCormack:

"Normally they have to set aside a higher amount than they are going to use, on a contingency basis each year. Here they would have the state fund to back it up."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 444, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senator Herrmann—1.

Excused: Senator Raugust—1.

Engrossed House Bill No. 444, having received the constitutional majority, was declared passed.

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

**House Bill No. 676**, by Representatives Clark and Klein:

Amending the 1965 Probate Code.

The bill was read the second time by sections.

On motion of Senator Petrich, the rules were suspended, House Bill No. 676 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 676, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senator Herrmann—1.

Excused: Senator Raugust—1.

House Bill No. 676, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 240**, by Representatives Bledsoe and Kull (by Departmental request):

Regulating sale of commercial feed including customer-formula feed.

The bill was read the second time by sections.

On motion of Senator Donohue, the rules were suspended, Engrossed House Bill No. 240 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 240, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Gissberg, Talley—2.

Excused: Senator Raugust—1.

Engrossed House Bill No. 240, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 364**, by Representatives Brouillet, Goldsworthy, Johnson (Doris), Radcliffe, Saling, Cunningham, Braun, King (Richard "Dick"), Mahaffey and Sheridan:

Changing generally state teachers' retirement system law.

The bill was read the second time by sections.

It was moved by Senator Gallagher that the following amendment be adopted:

On page 2, section 1, line 22, after "year" insert " , except that any part of salaries and wages in excess of [ten] fifteen thousand dollars per annum shall be excluded in determining the earnable compensation of a member".

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator McCormack, the rules were suspended, Engrossed House Bill No. 364, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 364, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 3; absent or not voting, 0; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Those voting nay were: Senators Charette, Hallauer, Petrich—3.

Excused: Senator Raugust—1.

Engrossed House Bill No. 364, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 660**, by Representatives Bottiger, Johnston (Elmer E.) and Sawyer:

Providing for payment of interest and collection costs on nonpayment of checks and bills of exchange.

The bill was read the second time by sections.

On motion of Senator Petrich, the rules were suspended, Engrossed House Bill No. 660 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 660, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Donohue, Lennart—2.

Excused: Senator Raugust—1.

Engrossed House Bill No. 660, having received the constitutional 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. 96**, by Judiciary Committee:

Providing for reimbursement of expenses of condemnee in eminent domain proceeding.

## REPORT OF STANDING COMMITTEE

## Engrossed Substitute House Bill No. 96:

Senate Chamber,  
Olympia, Wash., March 23, 1965.

Providing for reimbursement of expenses of condemnee in eminent domain proceeding (reported by Judiciary Committee):

MAJORITY recommends that it do pass with the following amendments:

Strike all of the material after enacting clause and insert:

**NEW SECTION.** Section 1. A new section is added to chapter 8.04 RCW, chapter 8.08 RCW, chapter 8.12 RCW, chapter 8.16 RCW, chapter 8.20 RCW, and chapter 8.24 RCW to read as follows:

In all actions for the condemnation of property, or any interest therein, at least thirty days prior to the date set for trial of such action the condemnor shall serve a written statement showing the amount of total just compensation to be paid in the event of settlement on each condemnee who has made an appearance in the action.

**NEW SECTION.** Sec. 2. A new section is added to chapter 8.04 RCW, chapter 8.08 RCW, chapter 8.12 RCW, chapter 8.16 RCW, chapter 8.20 RCW, and chapter 8.24 RCW to read as follows:

In order to pay a part of the owner's costs of evaluating an offer of just compensation, any person or organization whose real property or interest therein is acquired by eminent domain or by consent under threat thereof, is entitled to receive from the agency or person acquiring such property or interest therein as a part of his just compensation the sum of one hundred dollars.

**NEW SECTION.** Sec. 3. A new section is added to chapter 8.04 RCW, chapter 8.08 RCW, chapter 8.12 RCW, chapter 8.16 RCW, chapter 8.20 RCW, and chapter 8.24 RCW to read as follows:

If a condemnor, after entry of an order of public use and necessity in any eminent domain proceeding, shall fail to proceed to acquire the property or abandons the proceedings, the court may in its discretion award to the condemnee a reasonable sum as attorneys fees and expert witness fees.

**NEW SECTION.** Sec. 4. A new section is added to chapter 8.04 RCW, chapter 8.08 RCW, chapter 8.12 RCW, chapter 8.16 RCW, chapter 8.20 RCW and chapter 8.24 RCW to read as follows:

Any person or organization whose real property or interest therein is acquired by eminent domain, or by consent under threat thereof, is entitled to be reimbursed by the agency or person acquiring such property or interest therein, as provided in this amendatory act, for the reasonable costs which he actually and necessarily incurred as a result of the acquisition in moving his personal property from the real property acquired, such costs to include dismantling, removing, packing, loading, transporting, unpacking and temporary storage not to exceed sixty days, but not a devaluation of such personal property incurred in or caused by such moving: *Provided*, That in no event shall the amount of reimbursement exceed the sum of two hundred dollars for removal of personal property in the case of an individual or a family, or the sum of three thousand dollars for removal of personal property in the case of a business concern (including the operation of a farm) or a nonprofit organization, or the sum of the two when both such removals are required: *Provided*, That in the case of a business concern or a nonprofit organization the amount of reimbursement for transportation shall not exceed the cost of moving fifty miles from the point from which such business or organization is displaced.

**NEW SECTION.** Sec. 5. A new section is added to chapter 8.04 RCW, chapter 8.08 RCW, chapter 8.12 RCW, chapter 8.16 RCW, chapter 8.20 RCW and chapter 8.24 RCW to read as follows:

Such a person or organization is entitled to reimbursement of such costs of moving only if his personal property was lawfully upon the real property when such real property or interest therein was acquired or when such person or organization relinquished his right of possession thereof to the condemnor or prospective condemnor in anticipation of its acquisition.

**NEW SECTION.** Sec. 6. A new section is added to chapter 8.04 RCW, chapter 8.08 RCW, chapter 8.12 RCW, chapter 8.16 RCW, chapter 8.20 RCW and chapter 8.24 RCW to read as follows:

Within ninety days following acquisition of the property or removal of the personal property, whichever last occurs, or if by condemnation within ninety days following

entry of judgment, the person claiming reimbursement shall serve upon the agency or person acquiring such real property or interest therein a written verified statement of his costs, including therein the following information:

- (1) The date the removal was completed.
- (2) The location from which and to which the personal property was moved.
- (3) The place and proprietor thereof, and the time and duration of any temporary storage.
- (4) An itemized statement of the costs incurred, including the name and address of any persons furnishing services in connection therewith.
- (5) The amount of reimbursement claimed.

When acquisition shall have been by condemnation, the condemnor shall have twenty days following service of the verified statement of costs of moving personal property to object hereto and move to quash or for an order fixing the amount thereof by the court.

**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." JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, August P. Mardesich, Charles P. Moriarty, Jr., Nat Washington, Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendment was adopted.

On motion of Senator Petrich, the following amendment was adopted:

In line 1 of the title after "domain" and before the period insert "; and declaring an emergency".

On motion of Senator Petrich, the rules were suspended, Engrossed Substitute House Bill No. 96, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 96, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Lennart, Mardesich—2.

Excused: Senator Raugust—1.

Engrossed Substitute House Bill No. 96, as amended by the Senate, having received the 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 Local Government:

Adjusting firemen's pensions.

The Senate resumed consideration of Substitute House Bill No. 391 on second reading.

The bill was read the second time by sections.

On motion of Senator Atwood, the rules were suspended, Substitute House



Bill No. 391 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 391, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 5; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cowen, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Absent or not voting: Senators Cooney, England, Hallauer, Lennart, Mardesich—5.

Excused: Senator Raugust—1.

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.

**Reengrossed House Bill No. 515**, by Representatives Wolf, Kink and Traylor:

Providing penalties for persons littering public property.

The bill was read the second time by sections.

On motion of Senator Lewis, the rules were suspended, Reengrossed House Bill No. 515 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Reengrossed House Bill No. 515, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Gissberg, Lennart, Mardesich—3.

Excused: Senator Raugust—1.

Reengrossed House Bill No. 515, having received the constitutional majority, was declared passed.

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

**House Bill No. 402**, by Representatives Andersen (James A.), DeJarnatt and Jolly:

Permitting cities of ten thousand population or over to adopt city charters.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, House Bill No. 402

was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 402, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senator Lennart—1.

Excused: Senator Raugust—1.

House Bill No. 402, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 348**, by Representatives Taylor, Smith, Gallagher and Conner:

Regulating and prescribing procedures relating to garbage and/or refuse collection companies.

The bill was read the second time by sections.

On motion of Senator Durkan, the rules were suspended, Engrossed House Bill No. 348 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 348, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Herrmann, Lennart—2.

Excused: Senator Raugust—1.

Engrossed House Bill No. 348, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 113**, by Representatives Haussler, Olsen and Garrett:

Pertaining to transfers within county budgets.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, Engrossed House Bill No. 113 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 113, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 6; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—42.

Absent or not voting: Senators Dore, Hallauer, Herrmann, Lennart, Morgan, Talley—6.

Excused: Senator Raugust—1.

Engrossed House Bill No. 113, having received the constitutional majority, was declared passed.

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

#### MOTION

On motion of Senator Greive, the Senate returned to the first order of business.

The Secretary read:

#### SENATE RESOLUTION

No. 1965 EX -4

By Senators Greive and Neill:

*Be It Resolved*, That Rule 31 of the Senate Rules is hereby amended to read as follows:

Amend the second paragraph of Senate Rule 31 to read:

"A motion to reconsider shall have precedence over every other motion, except a motion to adjourn; and when the senate adjourns while a motion to reconsider is pending or before passing the order of motions, the right to move a reconsideration shall continue to the next day of sitting. On and after the [fiftieth] *tenth* day of [the] *this extraordinary* session a motion to reconsider shall only be in order on the same day upon which notice of reconsideration is given and may be made at any time that day. Motions to reconsider a vote upon amendments to any pending question may be made and decided at once."

On motion of Senator Greive, the resolution was adopted.

There being no objection, the Senate advanced to the seventh order of business.

#### SECOND READING OF BILLS

**Engrossed House Bill No. 273**, by Representatives Copeland, Lux and Chatalas (by Departmental request):

Creates state advisory committee on public assistance and provides for county advisory committees.

On motion of Senator Gallagher, Engrossed House Bill No. 273 was ordered to retain its place on the second reading calendar for tomorrow.

**House Bill No. 319**, by Representatives King (Chet), Garrett and Kalich:

Changing requirements of investment of funds under workmen's compensation act.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, House Bill No. 319 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of House Bill No. 319, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Williams, Woodall—46.

Absent or not voting: Senators Lennart, Washington—2.

Excused: Senator Raugust—1.

House Bill No. 319, having received the constitutional majority, was declared passed.

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

**House Bill No. 679**, by Representatives Savage, Pritchard and Garrett:

Providing that ski tow operators shall not be common carriers.

On motion of Senator Woodall, House Bill No. 679 was ordered to retain its place on the second reading calendar for tomorrow.

**Engrossed House Bill No. 590**, by Representatives Braun, Radcliffe and Taylor:

Pertaining to the retirement and disability systems of cities and towns.

On motion of Senator Atwood, Engrossed House Bill No. 590 was ordered to retain its place at the beginning of the second reading calendar for tomorrow.

**Engrossed House Bill No. 520**, by Representatives Gallagher, Taylor and Copeland:

Penalizing the failure to return rented property.

On motion of Senator Woodall, Engrossed House Bill No. 520 was ordered to retain its place at the end of the second reading calendar for tonight.

**House Bill No. 362**, by Representatives Kull, Canfield and McDougall:

Increasing marketing assessment on soft tree fruits.

The bill was read the second time by sections.

On motion of Senator Donohue, the rules were suspended, House Bill No. 362 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of House Bill No. 362, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 3; excused, 1.

Those voting yea were: Senator Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Herr, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Those voting nay were: Senators Henry, Redmon—2.

Absent or not voting: Senators Hanna, Herrmann, Lennart—3.

Excused: Senator Raugust—1.

House Bill No. 362, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 392**, by Representatives Garrett, Lynch and Taylor:

Authorizing investments by cities.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, Engrossed House Bill No. 392 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed House Bill No. 392, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 5; excused, 1.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Absent or not voting: Senators Atwood, Donohue, Hanna, Lennart, Neill—5.

Excused: Senator Raugust—1.

Engrossed House Bill No. 392, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 347**, by Representatives Taylor, Smith, Gallagher and Conner:

Preserves franchise rights in areas incorporated by cities and towns.

The bill was read the second time by sections.

On motion of Senator Durkan, the rules were suspended, Engrossed House Bill No. 347 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 347, and the bill passed the Senate by the following vote: Yeas, 39; nays, 3; absent or not voting, 6; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Redmon, Riley, Ryder, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—39.

Those voting nay were: Senators Petrich, Rasmussen, Sandison—3.

Absent or not voting: Senators Charette, Guess, Hallauer, Hanna, Lennart, Neill—6.

Excused: Senator Raugust—1.

Engrossed House Bill No. 347, having received the constitutional 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. 378**, by Representatives Grant, Gorton and Elder: Appointing members of political parties as deputy voter registrars.

On motion of Senator Woodall, Engrossed House Bill No. 378 was ordered to retain its place on the second reading calendar for tomorrow.

**Engrossed House Bill No. 520**, by Representatives Gallagher, Taylor and Copeland:

Penalizing the failure to return rented property.

## REPORT OF STANDING COMMITTEE

**Engrossed House Bill No. 520:**

Senate Chamber,

Olympia, Wash., March 19, 1965.

Penalizing the failure to return rented property (reported by Judiciary Committee): MAJORITY recommends that it do pass with the following amendment:

On page 1, line 16 of the engrossed bill, being line 18 of the printed bill, after "who" and before "shall" insert "*having possession thereof*,"

JOHN A. PETRICH, Chairman.

We concur in this report: R. Frank Atwood, Robert L. Charette, Martin J. Durkan, Herbert H. Freise, Michael J. Gallagher, Karl Herrmann, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendment was adopted.

## POINT OF INQUIRY

Senator Moriarty, Jr.:

"Would Senator Petrich yield?"

"Senator Petrich, didn't we just pass a bill during the regular session which made it a crime to withhold rented property?"

Senator Petrich:

"That applied to automobiles. We passed a bill dealing with automobile rental which said that the failure to return the automobile or machinery in excess of \$2,000 value at the specified time created a presumption of an expression of intent to defraud or a larcenous intent."

Senator Moriarty, Jr.:

"I was wondering, Senator Petrich, why this bill is necessary in view of that act."

Senator Petrich:

"This deals with all rental equipment and would include items less than \$2,000 and items other than automobiles."

On motion of Senator Woodall, the following amendment was adopted:

On page 1, line 22 of the printed bill, being line 26 of the engrossed bill, add a new section as follows:

"NEW SECTION. Sec. 2. Any person charged with violation of section 1 hereof who successfully defends such action shall be entitled to recover from the rentor or lessor all costs, expenses and attorney fees expended in defense of said action, together with reasonable compensation for time lost in defending said action."

On motion of Senator Freise, the following amendment was adopted:

On page 1, section 1, line 20 of the printed bill, being line 19 of the engrossed bill, after "registered" and before "letter" insert "or certified".

On motion of Senator Woodall, the following amendment was adopted:

In line 2 of the title of the printed and engrossed bills, after the semicolon and before "and" insert "adding a new section"

On motion of Senator Greive, the rules were suspended, Engrossed House Bill No. 520, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage. Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 520, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 38; nays, 7; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Durkan, England, Foley, Freise, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McMillan, Mardesich, Morgan, Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams—38.

Those voting nay were: Senators Dore, Gallagher, Gissberg, McCutcheon, Moriarty, Jr., Petrich, Woodall—7.

Absent or not voting: Senators Donohue, Hanna, Lennart—3.

Excused: Senator Raugust—1.

Engrossed House Bill No. 520, as amended by the Senate, having received the constitutional majority, was declared passed.

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

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### House Bill No. 418:

Senate Chamber,  
Olympia, Wash., March 24, 1965.

Permitting federal reserve bank to act as holder of collateral securing state deposits (reported by Committee on Banks, Financial Institutions and Insurance):

Recommends that it do pass.

KARL HERRMANN, *Chairman*,  
AUGUST P. MARDESICH, *Vice Chairman*.

We concur in this report: Robert L. Charette, Fred H. Dore, Frank W. Foley, George W. Kupka, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Fred G. Redmon, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 436:**

Senate Chamber,  
Olympia, Wash., March 24, 1965.

Permitting women to sue alone (reported by Judiciary Committee):  
MAJORITY reports House Bill No. 436 without recommendation by the committee.

JOHN A. FERRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Frank W. Foley, Herbert H. Freise, Karl Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 477:**

Senate Chamber,  
Olympia, Wash., March 24, 1965.

Prescribing powers and duties of Columbia Basin commission (reported by Committee on Public Utilities):

MAJORITY recommends that it do pass. AUGUST P. MARDESICH, *Chairman*.

We concur in this report: Robert L. Charette, John L. Cooney, David C. Cowen, H. B. Hanna, Karl Herrmann, James Keefe, Mike McCormack, Edward F. Riley, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTION**

At 10:40 p. m., the Senate adjourned until 10:30 a. m., Thursday, March 25, 1965.

JOHN A. CHERBERG, *President of the Senate*.

WARD BOWDEN, *Secretary of the Senate*.

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**ELEVENTH DAY**

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**MORNING SESSION**

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SENATE CHAMBER,  
OLYMPIA, WASH., Thursday, March 25, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Karen Knudsen, presented the Colors.

Reverend Charles Howard Perry, rector of St. John's Episcopal Church of Olympia, offered prayer as follows:

"Almighty God, who has given us this good land for our heritage; we humbly beseech Thee that we may always prove ourselves a people mindful of Thy favour and glad to do Thy will. Bless our land with honourable industry, sound learning, and



pure manners. Save us from violence, discord, and confusion; from pride and arrogance, and from every evil way. Defend our liberties, and fashion into one united people the multitudes brought hither out of many kindreds and tongues. Endue with the spirit of wisdom those to whom in Thy Name we entrust the authority of government, that there may be justice and peace at home, and that, through obedience to Thy law, we may show forth Thy praise among the nations of the earth.

"More particularly we pray Thee, O God for the members of this Senate and those whom they represent in the state of Washington. In the time of prosperity, fill our hearts with thankfulness, and in the day of trouble, suffer not our trust in Thee to fail; all which we ask through Jesus Christ our Lord. Amen."

The President called on Senator Gissberg to preside.

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

Senators Greive, Connor and Bailey, demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., March 25, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 119; also

Substitute Senate Bill No. 233; also

Senate Bill No. 324; also

Senate Bill No. 346; also

Senate Bill No. 366; also

Engrossed Senate Bill No. 421; also

Engrossed Senate Bill No. 464; also

Senate Bill No. 546; also

Senate Joint Memorial No. 17, have inspected same, and find them correctly enrolled and certified.

FRANK W. FOLEY, *Chairman.*

We concur in this report: Martin J. Durkan, Michael J. Gallagher, Perry B. Woodall.

#### Senate Bill No. 101:

Senate Chamber,  
Olympia, Wash., March 24, 1965.

Establishing state employees' suggestion awards (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass as amended.

FRANK W. FOLEY, *Chairman.*

FRED H. DORE, *Chairman,*

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*

Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Frank Connor, David C. Cowen, Dewey C. Donohue, Jack England, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 203:**

Senate Chamber,  
Olympia, Wash., March 24, 1965.

Raising per diem for state officials and employees (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass.

FRANK W. FOLEY, *Chairman*.  
....., *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Frank Connor, David C. Cowen, Dewey C. Donohue, William A. Gissberg, Sam C. Guess, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, A. L. Rasmussen, John N. Ryder, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 303:**

Senate Chamber,  
Olympia, Wash., March 24, 1965.

Changing dates for the preparation and consideration of school district budgets (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass as amended.

FRANK W. FOLEY, *Chairman*.  
....., *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, John L. Cooney, David C. Cowen, Jack England, Michael J. Gallagher, Sam C. Guess, Wilbur G. Hallauer, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 24, 1965.

MR. PRESIDENT:

The House has passed: Senate Bill No. 119; also  
Substitute Senate Bill No. 233; also  
Senate Bill No. 324; also  
Senate Bill No. 346; also  
Senate Bill No. 366; also  
Engrossed Senate Bill No. 421; also  
Engrossed Senate Bill No. 464 also  
Senate Bill No. 546, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 24, 1965.

MR. PRESIDENT:

The House has passed: Senate Joint Memorial No. 17, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 97; also  
Senate Bill No. 119; also  
Substitute Senate Bill No. 233; also**

**Senate Bill No. 324; also  
Senate Bill No. 346; also  
Senate Bill No. 366; also  
Senate Bill No. 421; also  
Senate Bill No. 464; also  
Senate Bill No. 546; also  
Substitute Senate Joint Resolution No. 6; also  
Senate Joint Memorial No. 17.**

House of Representatives,  
Olympia, Wash., March 25, 1965.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 546, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

#### INTRODUCTION AND FIRST READING OF RESOLUTION

The following was introduced, read first time by title, and acted upon as indicated:

**Senate Concurrent Resolution No. 19**, by Senators Morgan, Greive, Bailey, Talley, Kupka, Peterson (Ted), Guess, Williams, McCutcheon, Stender, Thompson, Jr., Redmon, Cooney, Rasmussen, Sandison, Hallauer, Cowen and Gallagher:

Providing for interim committee study of problems of disabled and vocationally handicapped.

Referred to Committee on Ways and Means.

#### SECOND READING OF BILLS

**Engrossed House Bill No. 590**, by Representatives Braun, Radcliffe and Taylor:

Pertaining to the retirement and disability system of cities and towns.

The bill was read the second time by sections.

It was moved by Senator Bailey that the following amendment be adopted:

On page 20, following section 9 add the following new section:

"Sec. 10. Section 7, chapter 71, Laws of 1947 and RCW 41.44.070 are each amended to read as follows:

(1) The board of trustees shall consist of seven members, one of whom shall be the state insurance commissioner, ex officio; three elective city officials and three city employees eligible to the benefits of the system who shall be appointed by the governor from a list of [six city officials and six city employees submitted by the executive committee of the association of Washington cities as the official representative of cities and towns in the state after considering recommendations of city employees as to employee members] *three city officials submitted by the executive committee of the association of Washington cities as the official representative of cities and towns in the state and from a list of three city employees submitted by the executive board of the Washington state labor council after considering recommendations of city employees as to employee members.* Original terms of office of the appointees in the two groups shall be one, two and three years as designated by the governor; thereafter terms shall be for three years duration. Appointments to fill vacancies other than those caused by expiration of a term, shall be for the unexpired term. Appointees shall serve until successors have been appointed and qualified.

(2) The board shall annually, dating from the first officially recorded meeting, elect a chairman and secretary. Four members shall constitute a quorum.

(3) Each member of the board shall take an oath of office that he will diligently and honestly administer the affairs of the board, and that he will not knowingly violate or wilfully permit to be violated any of the provisions of this chapter."

Debate ensued.

It was moved by Senator Hallauer that the following amendment to the amendment be adopted:

On line 10, subsection (1), strike "*submitted by the executive board of the Washington state labor council*" and insert "*named*" before the word "*after*".

**POINT OF INQUIRY**

Senator Bailey:

"Mr. President, I would like to ask Senator Hallauer a question:

"If your amendment to my amendment prevails, who would nominate the employee member of this board?"

Senator Hallauer:

"Three city officials are to be submitted by the executive committee of the association of Washington cities as official representatives of cities and towns of the state from a list of three city employees after considering recommendations of city employees as to employee members. Possibly, Senator Bailey, there should be language there indicating they should be from independent labor groups, or something of that sort, and if you can come up with language that fills that void, I would be agreeable. I would be much more agreeable to the amendment than to pin it down to a specific group that doesn't have a proper status in the law."

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

With the consent of the Senate, Senator Bailey was permitted to withdraw the amendment as amended.

It was moved by Senator Ryder that the following amendment be adopted:

On page 16, section 8, line 2 of the mimeographed amendment to the printed bill by Committee on Local Government (Subcommittee on Cities and Towns), being page 16, line 25 of the engrossed bill, after "[ten]" strike "*eight*" and insert "*ten*"

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Riley, the rules were suspended, Engrossed House Bill No. 590, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Further debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed House Bill No. 590, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 49; nays, 0.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—49.

Engrossed House Bill No. 590, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 273**, by Representatives Copeland, Lux and Chatalas (by Departmental request):

Creates state advisory committee on public assistance and provides for county advisory committees.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, Engrossed House Bill No. 273 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 273, and the bill passed the Senate by the following vote: Yeas, 49; nays, 0.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—49.

Engrossed House Bill No. 273, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 378**, by Representatives Grant, Gorton and Elder: Appointing members of political parties as deputy voter registrars.

The bill was read the second time by sections.

It was moved by Senator Williams that the following amendment be adopted:

On page 1, section 1, lines 14 and 15, strike the words "at least" by enclosing in brackets and lining out [at least].

Debate ensued.

The motion was lost on a rising vote and the amendment was not adopted.

It was moved by Senator Williams that the following amendment be adopted:

On page 2, section 1, line 7, strike all material on line 7 through line 11.

Debate ensued.

It was moved by Senator Greive that the amendment be laid upon the table.

Senator Moriarty, Jr., demanded a roll call and the demand was sustained by Senators Neill, Chytil, Atwood, Guess, Woodall, Redmon, England, Thompson, Jr., and Freise.

## ROLL CALL

The Secretary called the roll and the motion by Senator Greive to lay the amendment by Senator Williams on the table carried by the following vote: Yeas, 31; nays, 18.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—31.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Stender, Thompson, Jr., Williams, Woodall—18.

It was moved by Senator Gallagher that the following amendment be adopted:

On page 1, section 1, line 15 of the printed bill, being line 14 of the engrossed bill, after "officers" insert "for each ten thousand registered voters, or fraction thereof."

Debate ensued.

With the consent of the Senate, Senator Gallagher was permitted to withdraw the amendment.

It was moved by Senator Gallagher that the following amendment be adopted:

On page 2, section 1, line 2 of the printed bill, being line 1 of the engrossed bill, after "concerned" strike the period and insert ": PROVIDED, That as a prerequisite to serving, each person so appointed as a deputy registrar shall complete a course of instruction on voter registration as prescribed and given by the city clerk."

The motion was carried and the amendment was adopted.

On motion of Senator Gallagher, the rules were suspended, Engrossed House Bill No. 378, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 378, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 31; nays, 18.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Stender, Talley, Washington—31.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Freise, Gess, Lennart, Lewis, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Thompson, Jr., Williams, Woodall—18.

Engrossed House Bill No. 378, as amended by the Senate, having received the 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 President declared the Senate to be at ease.

The President called the Senate to order at 12:10 p. m.

#### MOTION

It was moved by Senator Greive that the Senate do now consider the message from the House pertaining to Senate Bill No. 422.

The motion was carried.

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 24, 1965.

MR. PRESIDENT:

The House has passed Senate Bill No. 422 with the following amendments:

On line 1 of the title, after the semicolon following "insurance" strike the balance of the title and insert "revising the schedule of benefits; including the board of industrial insurance appeals within the scope of the Administrative Procedure Act and repealing sections of Title 51 inconsistent therewith; amending sections 51.32.080 and 51.32.090, chapter 23, Laws of 1961 as amended by sections 3 and 4, chapter 274, Laws of 1961 and RCW 51.32.080 and 51.32.090; amending section 51.52.100, chapter 23, Laws of 1961 as amended by section 4, chapter 148, Laws of 1963 and RCW 51.52.100; amending section 15, chapter 234, Laws of 1959 as amended by section 1, chapter 237, Laws of 1963 and RCW 34.04.150; amending section 51.52.050, chapter 23, Laws of 1961 and RCW 51.52.050; amending section 6, chapter 148, Laws of 1963 and RCW 51.52.104; amending section 51.52.110, chapter 23, Laws of 1961 and RCW 51.52.110; repealing sections 51.52.115 and 51.52.140, chapter 23, Laws of 1961 and RCW 51.52.115 and 51.52.140; and

repealing section 51.52.106, chapter 23, Laws of 1961 as amended by section 7, chapter 148, Laws of 1963 and RCW 51.52.106."

On page 1, strike everything after the enacting clause and insert:

"Section 1, section 51.32.080, chapter 23, Laws of 1961 as amended by section 3, chapter 274, Laws of 1961 and RCW 51.32.080 are each amended to read as follows:

(1) For the permanent partial disabilities here specifically described, the injured workman shall receive compensation as follows:

#### LOSS BY AMPUTATION

[Of one leg at the hip or the upper half of the thigh.....	\$9,750.00
Of one leg at the knee or the lower half of the thigh.....	8,250.00
Of one leg below the knee.....	5,200.00
Of great toe with metatarsal bone thereof.....	1,450.00
Of great toe at the proximal joint.....	975.00
Of great toe at the second joint.....	350.00
Of one other toe other than the great toe with the metatarsal bone thereof	975.00
Of second toe at proximal joint.....	350.00
Of third toe at proximal joint.....	350.00
Of fourth toe at proximal joint.....	350.00
Of fifth toe at proximal joint.....	225.00
Of one metatarsal bone on toe other than great toe.....	475.00
Of one arm so near the shoulder that an artificial arm cannot be worn....	9,750.00
Of the major arm at or above the elbow.....	8,250.00
Of the forearm at upper third.....	6,825.00
Of the major hand at wrist.....	6,350.00
Of thumb with metacarpal bone thereof.....	2,425.00
Of thumb with proximal joint.....	1,950.00
Of thumb at second joint.....	510.00
Of index or first finger at proximal joint.....	1,400.00
Of index or first finger at second joint.....	975.00
Of index or first finger at distal joint.....	450.00
Of middle or second finger at proximal joint.....	810.00
Of middle or second finger at second joint.....	720.00
Of middle or second finger at distal joint.....	360.00
Of ring or third finger at proximal joint.....	720.00
Of ring or third finger at second joint.....	540.00
Of ring or third finger at distal joint.....	360.00
Of little or fourth finger at proximal joint.....	450.00
Of little or fourth finger at second joint.....	270.00
Of little or fourth finger at distal joint.....	180.00
Of metacarpal bone in finger except thumb.....	270.00

#### MISCELLANEOUS

Loss of one eye by enucleation.....	4,875.00
Loss of sight of one eye.....	3,900.00
Complete loss of hearing in both ears.....	6,825.00
Complete loss of hearing in one ear.....	1,950.00
Complete broken arch in foot.....	1,950.00]
<i>Of leg above the knee joint with short thigh stump</i> <i>(3" or less below tuberosity of ischium).....</i>	<i>\$15,000</i>
<i>Of leg at or above knee joint with functional stump.....</i>	<i>13,500</i>
<i>Of leg below knee joint.....</i>	<i>12,000</i>
<i>Of leg at ankle (Syme).....</i>	<i>10,500</i>
<i>Of foot at mid-metatarsals.....</i>	<i>5,250</i>
<i>Of great toe with resection of metatarsal bone.....</i>	<i>3,150</i>
<i>Of great toe at metatarsophalangeal joint.....</i>	<i>1,890</i>
<i>Of great toe at interphalangeal joint.....</i>	<i>1,470</i>
<i>Of lesser toe (2nd to 5th) with resection of metatarsal bone.....</i>	<i>525</i>
<i>Of lesser toe at metatarsophalangeal joint.....</i>	<i>315</i>
<i>Of lesser toe at proximal interphalangeal joint.....</i>	<i>210</i>
<i>Of lesser toe at distal interphalangeal joint.....</i>	<i>105</i>
<i>Of arm at or above the deltoid insertion or by disarticulation at the shoulder</i>	<i>15,000</i>

<i>Of arm at any point from below the deltoid insertion to below the elbow joint at the insertion of the biceps tendon.....</i>	14,250
<i>Of arm at any point from below the elbow joint distal to the insertion of the biceps tendon to and including midmetacarpal amputation of the hand</i>	13,500
<i>Of all fingers except the thumb at metacarpophalangeal joints.....</i>	8,100
<i>Of thumb at metacarpophalangeal joint or with resection of carpometacarpal bone .....</i>	5,400
<i>Of thumb at interphalangeal joint.....</i>	4,050
<i>Of index finger at metacarpophalangeal joint or with resection of metacarpal bone .....</i>	3,375
<i>Of index finger at proximal interphalangeal joint.....</i>	2,700
<i>Of index finger at distal interphalangeal joint.....</i>	1,485
<i>Of middle finger at metacarpophalangeal joint or with resection of metacarpal bone .....</i>	2,700
<i>Of middle finger at proximal interphalangeal joint.....</i>	2,160
<i>Of middle finger at distal interphalangeal joint.....</i>	1,215
<i>Of ring finger at metacarpophalangeal joint or with resection of metacarpal bone .....</i>	1,350
<i>Of ring finger at proximal interphalangeal joint.....</i>	1,080
<i>Of ring finger at distal interphalangeal joint.....</i>	675
<i>Of little finger at metacarpophalangeal joint or with resection of metacarpal bone .....</i>	675
<i>Of little finger at proximal interphalangeal joint.....</i>	540
<i>Of little finger at distal interphalangeal joint.....</i>	270

## MISCELLANEOUS

<i>Loss of one eye by enucleation.....</i>	6,000
<i>Loss of central visual acuity in one eye.....</i>	5,000
<i>Complete loss of hearing in both ears.....</i>	10,000
<i>Complete loss of hearing in one ear.....</i>	1,667

(2) Compensation for amputation of a member or part thereof at a site other than those above specified, and for loss of central visual acuity and loss of hearing other than complete, shall be in proportion to that which such other amputation or partial loss of visual acuity or hearing most closely resembles and approximates. Compensation for any other permanent partial disability not involving amputation shall be in an amount equal to two-thirds of the proportion which the extent of such other disability, called unspecified disability, shall bear to that above specified, which most closely resembles and approximates in degree of disability such other disability, but not in any case to exceed the sum of [eight thousand seven hundred and fifty] *ten thousand* dollars: *Provided*, That the total compensation for all unspecified permanent partial disabilities resulting from the same injury shall not exceed the sum of [eight thousand seven hundred and fifty] *ten thousand* dollars [ . For disability to a member not involving amputation, not more than nine-tenths of the foregoing respective specified sums shall be paid: *Provided further*, That payment for any injury to minor hand or arm or any part thereof, shall not exceed ninety-five percent of the amounts hereinbefore enumerated]: *Provided further*, That in case permanent partial disability compensation is followed by permanent total disability compensation, any portion of the permanent partial disability compensation which exceeds the amount that would have been paid the injured workman if permanent total disability compensation had been paid in the first instance, shall be deducted from the pension reserve of such injured workman and his monthly compensation payments shall be reduced accordingly.

(3) [If the injured workman is under the age of twenty-one years and unmarried, the parents or parent shall also receive a lump sum payment equal to the ten percent of the amount awarded to the minor workman.

(4) Should a workman receive an injury to a member or part of his body already, from whatever cause, permanently partially disabled, resulting in the amputation thereof or in an aggravation or increase in such permanent partial disability but not resulting in the permanent total disability of such workman, his compensation for such partial disability shall be adjudged with regard to the previous disability of the injured member or part and the degree or extent of the aggravation or increase of disability thereof.

[(5)] (4) When the compensation provided for in subsections (1) and (2) exceeds one thousand dollars, payment shall be made in monthly payments in accordance with the schedule of temporary total disability payments set forth in RCW 51.32.090



until such compensation is paid to the injured workman in full, except that the first monthly payment shall be in the amount of one thousand dollars and interest shall be paid at the rate of five percent on the unpaid balance of such compensation commencing with the second monthly payment: *Provided*, That interest so paid shall not be charged to the cost experience of any employer but shall be borne wholly by the applicable class account: *Provided further*, That upon application of the injured workman the monthly payment may be converted, in whole or in part, into a lump sum payment, in which event the monthly payment shall cease in whole or in part. Such conversion may be made only upon written application of the injured workman to the department and shall rest in the discretion of the department depending upon the merits of each individual application: *Provided further*, That upon death of a workman all unpaid installments accrued, less interest, shall be paid in a lump sum amount to the widow or widower, or if there is no widow or widower surviving, to the dependent children of such claimant, and if there are no such dependent children, then to such other dependents as defined by this title.

Sec. 2. Section 51.32.090, chapter 23, Laws of 1961 as amended by section 4, chapter 274, Laws of 1961, and RCW 51.32.090 are each amended to read as follows:

[(1) When the total disability is only temporary, the schedule of payments contained in subdivisions (1), (2), (3) and (4) of RCW 51.32.060 shall apply, so long as the total disability continues.] *When the supervisor of industrial insurance shall determine that a condition temporarily incapacitating the workman from performing any work at any gainful occupation results from the injury, the workman's disability shall be classified as temporary total disability and he shall receive monthly during the period of such disability so long as the total disability continues:*

(1) *If unmarried at the time of the injury, the sum of one hundred eighty dollars.*

(2) *If the workman has a wife or invalid husband, but no child, the sum of two hundred ten dollars.*

(3) *If the workman has an able-bodied husband, but no child, the sum of one hundred seventy dollars.*

[(2) But] (4) *If the injured workman has a wife or husband and has no child or, being a widow or widower, with one or more children, the compensation for the case during such period of time as the total temporary disability continues, shall be per month as follows, to wit: (a) Injured workman with wife or invalid husband and no child, [one] two hundred [ninety] ten dollars; injured workman with able-bodied husband, but no child, one hundred [fifty-five] seventy dollars; injured workman with wife or invalid husband and one child, or being a widow or widower and having one child, two hundred [twenty-three] forty-five dollars; (b) injured workman with able-bodied husband and one child, [one] two hundred [eighty-eight] five dollars; (c) injured workman with wife or invalid husband and two children, or being a widow or widower and having two children, two hundred [fifty] seventy-five dollars; (d) injured workman with able-bodied husband and two children two hundred [fifteen] thirty-five dollars; and twenty-two dollars for each additional child, but the total monthly payments shall not exceed three hundred [ten] sixty-three dollars to an injured workman with a wife or invalid husband, or being a widow or widower, and having children, and shall not exceed [two] three hundred [seventy-five] twenty-three dollars to an injured workman with children and having an able-bodied husband and any deficit shall be deducted proportionately among the beneficiaries.*

Any compensation payable under this section for children not in the custody of the injured workman as of the date of injury shall be payable only to such person as actually is providing the support for such child or children pursuant to the order of a court of record providing for support of such child or children.

[(3)] (5) *As soon as recovery is so complete that the present earning power of the workman, at any kind of work, is restored to that existing at the time of the occurrence of the injury, the payments shall cease. If and so long as the present earning power is only partially restored, the payments shall continue in the proportion which the new earning power shall bear to the old. No compensation shall be payable out of the accident fund unless the loss of earning power shall exceed five percent.*

[(4)] (6) *No workman shall receive compensation out of the accident fund for or during the day on which injury was received or the three days following the same, unless his disability shall continue for a period of [thirty] fourteen consecutive calendar days from date of injury.*

[(5)] (7) *Should a workman suffer a temporary total disability and should his employer at the time of the injury continue to pay him the wages which he was*

earning at the time of such injury, such injured workman shall not receive any payment provided in [subsection (1) of] this section from the accident fund during the period his employer shall so pay such wages.

Sec. 3. Section 15, chapter 234, Laws of 1959 as amended by section 1, chapter 237, Laws of 1963 and RCW 34.04.150 are each amended to read as follows:

This chapter shall not apply to the state militia, or the board of prison terms and paroles. The provisions of RCW 34.04.090 through 34.04.130 shall not apply to [the board of industrial insurance appeals,] the state board of equalization or the insurance commissioner or the state tax commission. The provisions of RCW 34.04.060, 34.04.070 and 34.04.080 shall not apply to the department of public assistance.

Sec. 4. Section 51.52.050, chapter 23, Laws of 1961 and RCW 51.52.050 are each amended to read as follows:

Whenever the department has made any order, decision, or award, it shall promptly serve the workman, beneficiary, employer, or other person affected thereby, with a copy thereof by mail, which shall be addressed to such person at his 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 has taken any action or made any decision relating to any phase of the administration of this title the workman, beneficiary, employer, or other person aggrieved thereby may appeal to the board and any [such] party or person aggrieved by the decision and order of the board may thereafter [appeal to] petition the superior court for judicial review as prescribed in this chapter.

Sec. 5. Section 51.52.100, chapter 23, Laws of 1961 as amended by section 4, chapter 148, Laws of 1963 and RCW 51.52.100 are each amended to read as follows:

*Any appeal to the board from an order, decision, or award of the department shall be considered as a contested case as defined by subparagraph (3) of RCW 34.04.010 as now enacted and as hereinafter amended from time to time. Hearings and proceedings upon appeals before the board shall be informal and de novo, but they shall be subject to the provisions of this chapter and to the provisions of the Administrative Procedure Act, RCW 34.04, as now enacted and as hereafter amended from time to time. Hearings shall be held in the county of the residence of the workman or beneficiary, or in the county where the injury occurred, at a place designated by the board. [Such hearing shall be de novo and summary, but no witness' testimony shall be received unless he shall first have been sworn to testify the truth, the whole truth and nothing but the truth in the matter being heard, or unless his testimony shall have been taken by deposition according to the statutes and rules relating to superior courts of this state.] The department shall [be entitled to] appear in all proceedings before the board as a party and shall be entitled to introduce [testimony] evidence in support of its order. The board shall cause all oral testimony to be [stenographically] reported and [thereafter] promptly transcribed [, and when transcribed, the same, with all depositions shall be filed in, and remain a part of, the record on the appeal] after each hearing. A copy shall be furnished to any party upon request and without cost. Such hearings on appeal to the board may be conducted by one or more of its members, or a duly authorized hearing examiner, and depositions may be taken by a person duly commissioned for the purpose by the board.*

Members of the board, its duly authorized hearing examiners, and all persons duly commissioned by it for the purpose of taking depositions, shall have power to administer oaths; to preserve and enforce order during such hearings; to issue subpoenas for, and to compel the attendance and testimony of, witnesses, or the production of books, papers, documents, and other evidence, or the taking of depositions before any designated individual competent to administer oaths, and it shall be their duty so to do; to examine witnesses; and to do all things conformable to law which may be necessary to enable them, or any of them, effectively to discharge the duties of his office. If any person in proceedings before the board disobeys or resists any lawful order or process, or misbehaves during a hearing or so near the place thereof as to obstruct the same, or neglects to produce, after having been ordered so to do, any pertinent book, paper or document, or refuses to appear after having been subpoenaed, or upon appearing refuses to take oath as a witness, or after having the oath refuses to be examined according to law, the board or any member or duly authorized hearing examiner may certify the facts to the superior court having jurisdiction in the place in which said board or member or hearing examiner is sitting;

the court shall thereupon, in a summary manner, hear the evidence as to the acts complained of, and, if the evidence so warrants, punish such person in the same manner and to the same extent as for a contempt committed before the court, or commit such person upon the same conditions as if the doing of the forbidden act had occurred with reference to the proceedings, or in the presence, of the court.

Sec. 6. Section 6, chapter 148, Laws of 1963 and RCW 51.52.104 are each amended to read as follows:

After all evidence has been presented at hearings conducted by a hearing examiner, who shall be an active member of the Washington state bar association, the hearing examiner shall prepare a proposed or recommended decision and order which shall be in writing and shall contain findings and conclusions as to each contested issue of fact and law, as well as the order based thereon. The hearing examiner shall file the original of the proposed decision and order, signed by him, with the board, and copies thereof shall be mailed by the board to each party to the appeal and to his attorney of record. Within twenty days, or such further period as the board may allow on application of a party, from the date of communication of the proposed decision and order to the parties or their attorneys of record, any party may file with the board a written statement of exceptions to the same. Such statement of exceptions shall set forth in detail the grounds therefor and the party or parties filing the same shall be deemed to have waived all objections or irregularities not specifically set forth therein.

In the event no statement of exceptions is filed as provided herein by any party, the proposed decision and order of the hearing examiner shall be adopted by the board and become the decision and order of the board, and [no appeal may be taken therefrom to the courts] *the same shall not be subject to judicial review.*

Sec. 7. Section 51.52.110, chapter 23, Laws of 1961 and RCW 51.52.110 are each amended to read as follows:

[Within thirty days after the final decision and order of the board upon such appeal has been communicated to such workman, beneficiary, employer or other person, or within thirty days after the appeal is deemed denied as herein provided, such workman, beneficiary, employer or other person aggrieved by the decision and order of the board may appeal to the superior court.] *Any party or person aggrieved by a final decision of the board shall be entitled to judicial review thereof as provided in the Administrative Procedure Act, chapter 34.04 RCW, as now enacted and as hereafter amended from time to time.*

In cases involving injured workmen [such appeal] *the petition for judicial review shall be [to] filed in the superior court of the county of residence of the workman or beneficiary, as shown by the department's records, the superior court for Thurston county, or [to] in the superior court of the county wherein the injury occurred. In all other cases the [appeal] petition shall be to the superior court of Thurston county. [Such appeal shall be perfected by filing with the clerk of the court a notice of appeal and by serving a copy thereof by mail, or personally, on the director and on the board. The department shall, within twenty days after the receipt of such notice of appeal, serve and file its notice of appearance and such appeal shall thereupon be deemed at issue. The board shall serve upon the appealing party, the director and any other party appearing at the board's proceedings, and file with the clerk of the court before trial, a certified copy of the board's official record which shall include the notice of appeal and other pleadings, testimony and exhibits and the board's decision and order, which shall become the record in such case.] No bond shall be required on [appeals to] judicial reviews in the superior court or on appeals to the supreme court, except that [an appeal] a judicial review initiated by the employer from a decision and order of the board under RCW 51.48.070, shall be ineffectual unless, within five days following the service of [notice thereof] the petition for judicial review, a bond, with surety satisfactory to the court, shall be filed, conditioned to perform the judgment of the court. Except in the case last named [an appeal] a petition for judicial review shall not be a stay [ : Provided, however, That whenever the board has made any decision and order reversing an order of the supervisor of industrial insurance on questions of law or mandatory administrative actions of the director, the department shall have the right of appeal to the superior court].*

NEW SECTION. Sec. 8. Section 51.52.115, chapter 23, Laws of 1961 and RCW 51.52.115, section 51.52.140, chapter 23, Laws of 1961 and RCW 51.52.140, and section 51.52.106, chapter 23, Laws of 1961 as amended by section 7, chapter 148, Laws of 1963, and RCW 51.52.106 are each hereby repealed: *Provided, however, That such repeal*

shall not affect proceedings pending in the superior courts or the supreme court on the effective date of this amendatory act.", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

It was moved by Senator Greive that the Senate adhere to its position on Senate Bill No. 422 and ask the House to recede from its amendments thereto.

Debate ensued.

The President called upon Senator Gissberg to preside.

It was moved by Senator Moriarty, Jr., that the Senate do concur in the House amendments to Senate Bill No. 422.

#### POINT OF ORDER

Senator Greive:

"Mr. President, point of order:

"I think Senator Moriarty has a right to speak, but we are dealing with positive motions now. We are moving to adhere to our position. I think the two positive motions are of the same rank. I think we better look at the rules. Frankly, I haven't been through this too many times, but I think that is correct."

Senator Moriarty, Jr.:

"Mr. President:

"May I refer the President to Reed's Rule 247, motions relating to agreement and disagreement between the two Houses are five in number and have priority in the following order: The first being a motion to concur, and the last being a motion to adhere."

#### RULING BY THE PRESIDENT

President Pro Tempore Gissberg:

"The President is convinced that is the case, Senator Moriarty. Your motion having been put, it is now before the body and you have the floor."

Debate ensued.

It was moved by Senator Gallagher that the motion by Senator Moriarty, Jr., be laid upon the table.

The President resumed the Chair.

Senator Moriarty, Jr., demanded a roll call and the demand was sustained by Senators Neill, Chytil, England, Freise, Greive, Gallagher, Rasmussen, Kupka, Hanna and Cooney.

#### ROLL CALL

The Secretary called the roll on the motion by Senator Gallagher and the motion was carried by the following vote: Yeas, 35; nays, 14.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Riley, Sandison, Stender, Talley, Washington—35.

Those voting nay were: Senators Atwood, Chytil, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Raugust, Redmon, Ryder, Thompson, Jr., Williams, Woodall—14.

The President stated the question before the Senate is: It has been moved by Senator Greive that the Senate adhere to its position on Senate Bill No. 422 and ask the House to recede from its amendments.

Debate ensued.

Senators Gallagher, Greive and Kupka demanded the previous question. The motion was carried.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 12:40 p. m., on motion of Senator Greive, the Senate recessed until 1:30 p. m.

### AFTERNOON SESSION

The President called the Senate to order.

Senators Bailey, Gallagher and Hanna demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present, except Senators Donohue, Durkan and Ryder.

On motion of Senator Moriarty, Jr., the rules were suspended and Senator Ryder was excused.

On motion of Senator Greive, the rules were suspended and Senators Donohue and Durkan were excused.

On motion of Senator Bailey, the Senate proceeded under the Call of the Senate.

The Secretary read:

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 24, 1965.

MR. PRESIDENT:

The House has passed Senate Bill No. 63 with the following amendments:

On line 4 of the title, after "RCW 35.67.340," and before "and" insert

"amending section 35.32.010, chapter 7, Laws of 1965, and RCW 35.32.010; amending section 35.32.030, chapter 7, Laws of 1965, and RCW 35.32.030; amending section 35.32.050, chapter 7, Laws of 1965, and RCW 35.32.050; amending section 35.32.060, chapter 7, Laws of 1965, and RCW 35.32.060; amending section 35.32.070, chapter 7, Laws of 1965, and RCW 35.32.070; amending section 35.32.080, chapter 7, Laws of 1965, and RCW 35.32.080; amending section 35.32.140, chapter 7, Laws of 1965, and RCW 35.32.140; amending section 35.32.150, chapter 7, Laws of 1965, and RCW 35.32.150; amending section 35.32.210, chapter 7, Laws of 1965, and RCW 35.32.210; repealing section 35.32.180, chapter 7, Laws of 1965, and RCW 35.32.180; prescribing penalties;"

On page 2, following section 2, add ten new sections to read as follows:

"Sec. 3. Section 35.32.010, chapter 7, Laws of 1965, and RCW 35.32.010 are each amended to read as follows:

Unless the context clearly indicates otherwise, words used in this chapter have the meaning given in this section:

- (1) Auditor means the chief auditing officer, comptroller, auditor, or clerk of a city.
- (2) Budget means a definite plan for the financing of the city government for a specified fiscal period.
- (3) *Budget officer shall mean the mayor or the person appointed by the mayor to serve at the mayor's pleasure and to whom the mayor may delegate the necessary authority to carry out the duties provided in this chapter.*
- (4) Capital and betterment outlays include all amounts expended for permanent improvements such as the construction of or addition to public buildings, highways, or bridges, the acquisition of real estate, purchase of equipment, machinery, and furniture and all similar outlays representing tangible assets.

[(4)] (5) Council includes the respective governing officials, city councils or city commissioners.

[(5)] (6) Item means a specified sum to be paid for salaries, the total of any amount authorized to be paid for any specified kind of labor, the total of any amount authorized to be paid for any specified purpose, or specified sums to be paid for each capital outlay in a department.

[(6)] (7) Operating and maintenance expenses include the salaries of every officer and employee, the amounts required for the upkeep and maintenance of the respective departments, the maintenance and repair of public streets, highways, bridges, buildings, and similar expenses.

Sec. 4. Section 35.32.030, chapter 7, Laws of 1965, and RCW 35.32.030 are each amended to read as follows:

On or before the tenth day of July of each year, the heads of all departments shall submit to the [finance committee of the city council] *budget officer* an estimate of the probable expense of their several departments for the ensuing year.

If any person charged with the duty of preparing a budget estimate for any department fails to file it at the time or in the manner prescribed, the [council] *budget officer* may prepare the estimate for the department from the records of his office and other competent information.

Sec. 5. Section 35.32.050, chapter 7, Laws of 1965, and RCW 35.32.050 are each amended to read as follows:

The [city council] *budget officer* shall prepare an estimate of the various amounts required to meet interest and redemption payments upon the debt of the city for the ensuing year and the net amount of the surplus or deficit in the various funds as established at the close of the previous year from the official records.

Sec. 6. Section 35.32.060, chapter 7, Laws of 1965, and RCW 35.32.060 are each amended to read as follows:

The [city council] *budget officer* shall also prepare an estimate of the revenues, other than taxes, that are likely to accrue to the city. The auditor shall furnish the [council] *budget officer* such information as [it] he requires in preparing this estimate.

Sec. 7. Section 35.32.070, chapter 7, Laws of 1965, and RCW 35.32.070 are each amended to read as follows:

On or before the first Monday in September, after the proper assembling of the estimates of the various departments and after consideration of the estimates, during which consideration all persons interested shall be given an opportunity for a thorough and complete discussion of the items stated therein, [the council shall adopt the preliminary budget and cause] *the mayor shall present the proposed budget to the city council. The proposed budget shall include a budget message which explains the budget. It shall outline proposed financial policies of the city for the ensuing fiscal year, describe the important features of the budget, indicate major changes from the current year in financial policies, expenditures and revenues together with the reasons for such changes, summarize the city's debt position and include such other material as the budget officer deems desirable. The proposed budget shall contain the estimated income available during the ensuing fiscal year as well as the total proposed expenditures.*

*The budget shall provide a complete financial plan of all city funds and activities for the ensuing fiscal year, and, except as otherwise required by law or charter, shall be in such form as the budget officer deems desirable or the council may require. The budget officer shall cause sufficient copies of the proposed budget to be prepared and made available to all interested persons and shall cause a [complete] copy thereof in summary form to be published once each week for two successive weeks.*

Sec. 8. Section 35.32.080, chapter 7, Laws of 1965, and RCW 35.32.080 are each amended to read as follows:

On or before the first Monday in October, the council shall [further] consider the estimates in the [preliminary] *proposed budget at which hearings all persons interested shall be given an opportunity for discussion and suggestions, and the council shall then determine the changes to be made in the [preliminary] proposed budget and adopt [as] the final budget [the preliminary budget so amended] by ordinance.*

[In making up the final budget, the council may make transfers as between items for any department and may reduce any item, but it shall not allow to any department a greater total amount than was allotted to it in the preliminary budget.] *In making up the final budget, the council may modify, change, increase, decrease or eliminate any part or parts of the proposed budget.*

Sec. 9. Section 35.32.140, chapter 7, Laws of 1965, and RCW 35.32.140 are each amended to read as follows:

[On or before December 15th of each year the council by ordinance shall appropriate to each department the specific amounts allowed to it in the final budget subject to the authority of the council by ordinance to make transfers as between items in the budget of any department and to withdraw the whole or any unexpended part of any item for maintenance or betterments listed in the appropriation ordinance.] *The expenditures as classified and itemized in the final budget shall constitute the city's appropriations for the ensuing fiscal year. Nothing herein shall prevent the proper officers or employees of the city from making expenditures of moneys received from the sale of general obligation or revenue bonds for the purposes for which they were issued pursuant to state law, irrespective of whether or not an item therefor has been included in the city's annual budget. Transfers between the general classes and expenditures from funds received in excess of estimated revenues shall be permitted when authorized by a resolution duly adopted by the majority vote of all members of the council: PROVIDED, That the council shall at all times have the power by ordinance with the vote of one more than the majority of all members thereof, to revoke, recall, or decrease the whole or any part of any unexpended item as above provided, and shall further in said ordinance find that it is to the best interest of the city that such revocation, recall, or decrease of any unexpended item listed in the budget appropriation be made. Transfers between items within any class in the budget may be made by the budget officer subject to such regulations as may be prescribed by the council: PROVIDED, That no salary shall be increased above the amount provided therefor in the budget. Notwithstanding the provisions of any statute to the contrary, the budgetary transfers herein authorized may be made as between any offices, departments, divisions, services, institutions, or other subdivisions of the city government, or any combination thereof within a city's organizational structure which operate from the appropriations of the same fund.*

Sec. 10. Section 35.32.150, chapter 7, Laws of 1965, and RCW 35.32.150, are each amended to read as follows:

It shall not be lawful for any board, department, officer or employee to incur, authorize, or contract [for in any one month] for any expenditure or demand against any budget appropriation which, taken with all other expenditures, indebtedness, or liability made [or incurred during the month] against the appropriation, exceeds the quarterly allotments established by the budget officer. If at the end of any quarter there are any unexpended appropriations under a quarterly allotment, such expenditures may be made and included as a part of the next quarterly allotment subject to the regulations established by the budget officer. [one-twelfth of the amount of the appropriation for the fiscal year, except that for any sudden or unforeseen demand, accident, or seasonal expense or for any expenditure the nature of which necessitates lump sum appropriations and payments or for the purchase of any material or supplies procurable to better advantage in larger quantities, the council or its finance committee may suspend the one-twelfth restriction to the extent of but not to exceed] *Quarterly allotments are for the purpose of regulating encumbrances or expenditures of appropriations for each board, department, officer or employee. The manner in which necessary modifications may be made in allotments so established shall be prescribed by the budget officer. Such modifications shall not permit exceeding the unexpended allowance in the budget for such item or items for the current fiscal year.*

**NEW SECTION.** Sec. 11. Section 35.32.180, chapter 7, Laws of 1965, and RCW 35.32.180 are each hereby repealed.

Sec. 12. Section 35.32.210, chapter 7, Laws of 1965, and RCW 35.32.210, are each amended to read as follows:

Every public official authorizing, auditing, allowing, or paying any claims or demands against a city in violation of the provisions of this chapter shall be jointly and severally liable to the city in person and upon their official bonds to the extent of any payments upon such claims or demands.

Every person shall be charged with notice of the financial condition of the city and the limitations imposed upon expenditures by the budget and claims against it.

If any officer or employee charged with the duty of preparing a budget estimate for any department fails to file it at the time or in the manner prescribed, the [council] mayor may cause to be deducted from his salary ten dollars for every day of such failure after the tenth of July not exceeding a total of fifty dollars for any one person in any one year. The deductions shall be made from the delinquent's next salary warrant by the auditor upon notice from the [city council] mayor of the length of the delay.

Every person violating any of the provisions of this chapter, in addition to any other liability or penalty provided therefor, shall be guilty of a misdemeanor."

Renumber the old section to read "Sec. 13.",  
and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

#### MOTION

It was moved by Senator Gallagher that Senate Bill No. 63 and the House amendments thereto be referred to the Committee on Cities, Towns and Counties.

Debate ensued.

#### POINT OF ORDER

Senator Dore:

"Mr. President, I raise a point of order and I would like the presiding officer to rule on the point of order, that I don't think Senator Gallagher's position is well taken."

Senator Woodall:

"Mr. President, it is always in order to refer anything to a committee."

Senator Gallagher:

"Mr. President:

"Under Rule 62, I think the amendment did change the scope and object of the bill. I think this bill should take its regular course."

#### PARLIAMENTARY INQUIRY

Senator Moriarty, Jr.:

"Mr. President, point of parliamentary inquiry:

"Will it be the President's ruling for the record that matters relating to differences between the two Houses can be considered after the 5:00 p.m. cutoff time today?"

#### RULING BY THE PRESIDENT

The President:

"That is correct, Senator Moriarty.

"It has been moved that Senate Bill No. 63 be referred to the Committee on Cities, Towns and Counties."

The motion was carried.

#### SECOND READING OF BILLS

**House Bill No. 679**, by Representatives Savage, Pritchard and Garrett:

Providing that ski tow operators shall not be common carriers.

The bill was read the second time by sections.

It was moved by Senator Petrich that the following amendment be adopted:

On line 22, add a new section following section 1 to read as follows:

"Sec. 2. Section 4, chapter 327, Laws of 1959, and RCW 70.88.040 are each amended to read as follows:

[It shall be unlawful for any owner or operator of the recreational devices set forth in RCW 70.88.010 to knowingly and wilfully operate any such device that is defective. Violation of this section shall constitute a misdemeanor.] *Any violation of this chapter or the rules, regulations and codes of the state parks and recreation commission relating to public safety in the construction, operation and maintenance of the recreational devices provided for in this chapter shall be a misdemeanor."*

Debate ensued.

#### POINT OF INQUIRY

Senator Moriarty, Jr.:

"Mr. President, would Senator Petrich yield to a question?

"Senator Petrich, would your amendment make a violation of a rule and regulation adopted by the State Parks Commission a crime?"



Senator Petrich:

"Yes, it would, Senator, because the specific rules are confined to the safety devices, with ski lifts and ski tows."

Further debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Petrich, the following amendment to the title was adopted:

In line 4 of the title, after ".88.010" and before the period insert "; and amending section 4, chapter 327, Laws of 1959, and RCW 70.88.040"

On motion of Senator Hanna, the rules were suspended, House Bill No. 679, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

On motion of Senator Greive, the rules were suspended and Senator Durkan was excused.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 679, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 3; excused, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Talley, Washington, Williams, Woodall—43.

Those voting nay were: Senators Lewis, Moriarty, Jr., Thompson, Jr.—3.

Excused: Senators Donohue, Durkan, Ryder—3.

House Bill No. 679, as amended by the Senate, having received the constitutional 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. 13**, by Representatives Lux, Burtch, Anderson (Eric O.), Bottiger and Savage (by Executive request of Governor Rosellini):

Establishing and setting forth powers and duties of a canal commission.

The bill was read the second time by sections.

On motion of Senator Bailey, the following amendments were adopted:

On page 3, section 5, line 29 of the printed and engrossed bills, after "moneys" and before "from" insert "appropriated by the legislature or received"

On page 4, section 5, line 10 of the printed and engrossed bills, after "limited to," insert "contributing such moneys to the United States of America as may be required and appropriated for that purpose by the legislature and"

On page 4, following section 5, add a new section as follows:

**"NEW SECTION.** Sec. 6. For the purposes of this act, "canal" is defined as any waterway for navigation created by construction of reservoirs or construction of channels by excavation in dry ground, in streams, rivers or in tidal waters and any existing waterway incorporated into such a canal and including any appurtenant features necessary for operation and maintenance of the canal."

On motion of Senator Woodall, Engrossed House Bill No. 13 was ordered to retain its place on the second reading calendar immediately following consideration of House Bill No. 470.

**Engrossed House Bill No. 191**, by Representatives Newschwander, Grant and Brouillet:

Changing dates relating to primaries.

The bill was read the second time by sections.

On motion of Senator McCutcheon, the rules were suspended, Engrossed House Bill No. 191 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 191, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Excused: Senators Donohue, Ryder—2.

Engrossed House Bill No. 191, having received the constitutional majority, was declared passed.

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

#### MOTION

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

**Engrossed House Bill No. 377**, by Representatives Grant, Gorton and Elder: Relating to the appointment of election officials, their duties and the counting of ballots.

On motion of Senator Greive, Engrossed House Bill No. 377 was ordered to retain its place on second reading for today immediately following consideration of House Bill No. 473.

**House Bill No. 470**, by Representatives Beck and Epton:

Providing for the transfer of certain real property owned by the state to the department of game.

The bill was read the second time by sections.

On motion of Senator Morgan, the rules were suspended, House Bill No. 470 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 470, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 3; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr.,

Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Kupka, McMillan, Raugust—3.

Excused: Senators Donohue, Ryder—2.

House Bill No. 470, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 13**, by Representatives Lux, Burtch, Anderson (Eric O.), Bottiger and Savage (by Executive request of Governor Rosellini): Establishing and setting forth powers and duties of a canal commission.

The Senate resumed consideration of Engrossed House Bill No. 13 on second reading.

On motion of Senator Freise, the following amendment was adopted:

On page 2, section 2, lines 13 and 14 of the printed bill, being lines 9 and 10 of the engrossed bill, strike "The decision of the court shall be final and not subject to review."

On motion of Senator Bailey, the following amendment by Senators Chytil and Bailey was adopted:

On page 3, section 5, lines 5 and 6 of the printed and engrossed bills, after "director" strike ", who shall be a qualified engineer,".

On motion of Senator Moriarty, Jr. the following amendment was adopted:

On page 3, section 5, line 15 of the printed and engrossed bills, after "gift" strike the comma and insert "or" and after "purchase," strike "or condemnation"

Beginning on line 20, after "system." strike the remainder of the paragraph down to and including "commission." in line 24.

On motion of Senator Bailey, the rules were suspended, Engrossed House Bill No. 13, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 13, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 3; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Williams, Woodall—44.

Absent or not voting: Senators Durkan, Neill, Washington—3.

Excused: Senators Donohue, Ryder—2.

Engrossed House Bill No. 13, as amended by the Senate, having received the 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 President declared the Senate to be at ease.

The President called the Senate to order at 3:05 p. m.

**House Bill No. 473**, by Representatives Beck and Epton:

Authorizing the sale and/or lease of sewage treatment and disposal plant at Washington veterans' home.

The bill was read the second time by sections.

On motion of Senator Gallagher, the rules were suspended, House Bill No. 473 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of House Bill No. 473, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Dore, Durkan—2.

Excused: Senator Donohue—1.

House Bill No. 473, having received the constitutional 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. 377**, by Representatives Grant, Gorton and Elder:

Relating to the appointment of election officials, their duties and the counting of ballots.

The bill was read the second time by sections.

On motion of Senator England, the following amendment was adopted:

On page 3 of the mimeographed amendment to page 9 of the printed bill by Representatives McCaffree and Lynch, being page 10, line 28 of the engrossed bill, add a new section following section 16 to read as follows:

"Sec. 17. Section 29.51.200, chapter ....., Laws of 1965 and RCW 29.51.200 are each amended to read as follows:

The operation of voting shall be secret except to the extent necessary to assist physically disabled voters.

If any voter declares in the presence of the election officers that by reason of physical disability, he is unable to register or record his vote upon the machine, (1) *he may designate his spouse or any near relative who is also a registered voter to enter the voting machine booth with him and mark his ballot*, or (2) two election officers who must be of opposite political parties in case of partisan elections or primaries, shall enter the voting machine booth with him and register his vote for such candidates and for or against such measures as he may designate."

It was moved by Senator Herrmann that the following amendment be adopted:

Following section 16 of the engrossed bill, amendment adopted on March 19, 1965, add a section to read as follows: "Sec. 17. Section 1, chapter 169, Laws of 1955 and RCW 29.18.035 are each amended to read as follows:

No person when filing as a candidate or nominee at any election shall be permitted to use any titles designating his present or past occupation or profession, including ranks in the armed forces [ : *Provided*, That the provisions of this section shall not prohibit the use of a nickname by which a candidate is commonly known: *Provided further*; That should a nickname be used it shall be in addition to the candidate's

given name (for example: Richard A. "Dick" Roe or R. A. "Dick" Roe)] *nor to use any nickname or any name other than his true given middle and surname.*"

Debate ensued.

On motion of Senator McCormack, the amendment was laid upon the table.

On motion of Senator England, the following amendment was adopted:

In line 4 of the sixth mimeographed amendment to the title to the printed bill by Representative Conner, being line 8 of the engrossed bill, after "RCW" and before the period, add "; and amending section 29.51.200, chapter ....., Laws of 1965, and RCW 29.51.200".

On motion of Senator Gallagher, the rules were suspended, Engrossed House Bill No. 377, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 377, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Dore, Durkan, Herr—3.

Excused: Senator Donohue—1.

Engrossed House Bill No. 377, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**House Bill No. 275**, by Representatives Epton, Humiston and Slagle (by Departmental request):

Providing department of public assistance may transfer uncollectible debts to suspense account and limiting time for collection.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, House Bill No. 275 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 275, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 4; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon,

Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Dore, Herr, McMillan, Ryder—4.

Excused: Senator Donohue—1.

House Bill No. 275, having received the constitutional majority, was declared passed.

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

#### MOTION

It was moved by Senator Bailey that the Senate do now consider Engrossed House Bill No. 105 and House Bill No. 303, in that order, on second reading.

The motion was carried.

**Engrossed House Bill No. 105**, by Representatives Brouillet, Backstrom and Moos:

Permitting school boards in second and third class districts to determine the date and time of their regular meetings.

The bill was read the second time by sections.

On motion of Senator McCormack, the rules were suspended, Engrossed House Bill No. 105 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 105, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 4; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Connor, Dore, McCutcheon, Ryder—4.

Excused: Senator Donohue—1.

Engrossed House Bill No. 105, having received the constitutional majority, was declared passed.

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

**House Bill No. 303**, by Representatives Uhlman, Brachtenbach and De-Jarnatt:

Changing dates for the preparation and consideration of school district budgets.

## REPORT OF STANDING COMMITTEE

**House Bill No. 303:**

Senate Chamber,  
Olympia, Wash., March 24, 1965.

Changing dates for the preparation and consideration of school district budgets (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass with amendments adopted prior.

FRANK W. FOLEY, *Chairman.*

....., *Chairman.*

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman.*

Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, John L. Cooney, David C. Cowen, Jack England, Michael J. Gallagher, Sam C. Guess, Wilbur G. Hallauer, August P. Mardesich, Charles P. Moriarity, Jr., Marshall A. Neill, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator McCormack, the rules were suspended, House Bill No. 303, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of House Bill No. 303, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Cowen, Ryder—2.

Excused: Senator Donohue—1.

House Bill No. 303, as amended by the Senate, having received the constitutional majority, was 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 Savage, Humiston and Marzano (by Departmental request):

Authorizing payment of certain funeral services by department of public assistance.

The bill was read the second time by sections.

On motion of Senator Petrich, the following amendment was adopted:

On page 1, section 1, line 17, strike "*exempt*" and insert "*resources permitted to be owned by or available to an eligible applicant or recipient*".

On motion of Senator Rasmussen, the rules were suspended, House Bill No. 277, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 277, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Those voting nay were: Senator Gissberg—1.

Absent or not voting: Senators Connor, Lewis—2.

Excused: Senator Donohue—1.

House Bill No. 277, as amended by the Senate, having received the constitutional majority, was declared passed.

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

## MOTION

On motion of Senator Rasmussen, the rules were suspended and all bills passed today were ordered immediately transmitted to the House.

**House Bill No. 295**, by Representatives Klein, DeJarnatt and Huntley:

Providing for the entry of this state into the interstate library compact.

The bill was read the second time by sections.

On motion of Senator Charette, the rules were suspended, House Bill No. 295 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Riley:

"Mr. President, would Senator Charette yield to a question?"

"Senator Charette, I thought I heard you say this bill permits the transfer of library books across the line, and further I thought you said it also makes it possible to receive some federal funds. Do you have any idea what these federal funds might be and when they might be forthcoming or how much or when?"

Senator Charette:

"Senator Riley, I believe that these funds are already available and as soon as the compact is entered into and these various districts are operating with the exchange of books, these funds will be able to be accepted and then it will provide better service for the citizens of the states of the Pacific Northwest."

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 295, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill,



Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Woodall—44.

Those voting nay were: Senator Guess—1.

Absent or not voting: Senators Kupka, Lewis, Williams—3.

Excused: Senator Donohue—1.

House Bill No. 295, having received the constitutional majority, was declared passed.

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

**House Bill No. 279**, by Representatives Taplin, Jolly and Gallagher (by Departmental request):

Strikes sending of notice of delinquency to owners when overdue house trailer excise tax; removes present added penalty for overdue tax.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, House Bill No. 279 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 279, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senator Greive—1.

Excused: Senator Donohue—1.

House Bill No. 279, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 206**, by Representatives Beck, Bozarth and Moos:

Imposing in lieu tax on state game lands and eliminating partial payment of hunting fines and forfeitures to counties.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, Engrossed House Bill No. 206 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 206, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg,

Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Excused: Senator Donohue—1.

Engrossed House Bill No. 206, having received the constitutional 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. 621**, by Representatives Olsen, Sheridan and Taylor:

Permitting the creation of regional agencies for purpose of studying regional governmental problems.

#### REPORT OF STANDING COMMITTEE

##### Engrossed House Bill No. 621:

Senate Chamber,  
Olympia, Wash., March 22, 1965.

Permitting the creation of regional agencies for purpose of studying regional governmental problems (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass with the following amendment:

On page 2, section 3, lines 2 and 3 of the mimeographed amendment to the printed bill by Representative Olsen, being line 1 of the engrossed bill, after "agency" and before "for" strike "including neighboring states or their political subdivisions".

AL HENRY, *Chairman*.

We concur in this report: Dewey C. Donohue, George W. Kupka, Frances Haddon Morgan, Charles P. Moriarty, Jr., Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Henry, the committee amendment was adopted.

On motion of Senator Riley, the rules were suspended, Engrossed House Bill No. 621, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 621, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 4; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Durkan, Herrmann, Lennart, Neill—4.

Excused: Senator Donohue—1.

Engrossed House Bill No. 621, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 77**, by Representatives Garrett, Grant and Litchman:

Providing for accident insurance for school children.

The bill was read the second time by sections.

On motion of Senator McCormack, the following amendments were adopted:

In line 5 of the engrossed and printed bills, after "insurance" insert "by contract purchase"

Beginning on line 11 of the engrossed bill, after "RCW 28.76.410." strike all of the material down to and including "thereunder." on line 14, the same being the House amendment to line 11 by Representative Day.

It was moved by Senator Gissberg that the following amendment be adopted:

On page 1, line 12, insert a new section to be known as section 2 as follows: "Sec. 2. Section 1, chapter 92, Laws of 1917 and RCW 25.58.030 are each repealed."

Debate ensued.

The motion was lost on a rising vote and the amendment was not adopted.

On motion of Senator McCormack, the rules were suspended, Engrossed House Bill No. 77, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Further debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 77, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 4; excused, 1.

Those voting yea were: Senators Atwood, Charette, Chytil, Connor, Cooney, Cowen, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Bailey, Durkan, Herrmann, Ryder—4.

Excused: Senator Donohue—1.

Engrossed House Bill No. 77, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**House Bill No. 318**, by Representatives King (Chet), Garrett and Kalich:

Amending employer payroll reporting requirements under workmen's compensation act.

The bill was read the second time by sections.

On motion of Senator Woodall, the following amendment by Senator Herrmann was adopted:

On page 1, add a new section after section 1 as follows:

"Sec. 2. Section 51.40.020, chapter 23, Laws of 1961 as amended by section 1, chapter 36, Laws of 1965, and RCW 51.40.020 are each amended to read as follows:

Before any medical aid contract shall go into effect it shall be submitted to the supervisor of industrial insurance and may be disapproved by him when found not to provide for such care of injured workmen as is contemplated by the provisions of

RCW 51.04.030 and, if a contract so submitted is with the owners of a hospital operating the same, or with a hospital association, the supervisor of industrial insurance shall have power to disapprove the same if in his judgment the ownership or management of such hospital or hospital association is not such as to produce satisfactory service. Any such contract with physician, surgeon, or owner and operator of a hospital, or with a hospital association, so disapproved shall not be valid. If approved the contract shall be in effect for any period of time specified therein, not exceeding three years from the date of approval: *Provided*, That the director, through the division of industrial insurance, may, before approving any such contract, require the giving by any physician, surgeon, hospital or hospital association, of a bond in such sum and in such form, as the director may determine, conditioned that the obligor will faithfully perform such contract. Every such contract to be valid must provide the injured workman the same services and a standard of service equal to that provided by the department for noncontract cases: *Provided*, That the contract shall provide for the payment of fees to licensed practitioners of the healing arts that are not members of the medical contracting group but who render services to a contract-covered employee. Such fees shall not exceed the agreed fee schedule of the medical contracting group and said fees shall be subject to the proration of payments on the same basis as the medical aid contracting group and any such practitioner participating in the agreement of any contract-covered employee shall agree to render similar services in the event of a catastrophe and to accept a proration of payments on the same basis as the medical contracting group. Every such contract to be valid must provide that the expenses incident to it shall be borne one-half by the employer and one-half by the employees, and that it shall be administered by the two interests jointly and equally.

*No contract entered into prior to the time chapter 36, Laws of 1965 goes into effect shall be invalidated during its term by anything contained in the amendatory provisions of said chapter 36, Laws of 1965."*

On motion of Senator Woodall, the following amendments to the title were adopted:

In line 1 of the title after "industrial insurance" strike all of the matter down to and including "thereunder" in line 2.

In line 4 of the title, strike "15.16.060" and insert "51.16.060; and amending section 51.40.020, chapter 23, Laws of 1961, as amended by section 1, chapter 36, Laws of 1965, and RCW 51.40.020".

On motion of Senator Rasmussen, the rules were suspended, House Bill No. 318, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 318, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Durkan, Ryder—2.

Excused: Senator Donohue—1.

House Bill No. 318, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**MOTION**

On motion of Senator Riley, all bills passed today were ordered immediately transmitted to the House.

**THIRD READING OF BILLS**

**Engrossed House Bill No. 409**, by Representatives Uhlman, Goldsworthy and Marzano:

Giving the adjutant general and assistant adjutants general pay parallel to major and brigadier generals in United States services.

On motion of Senator McCutcheon the rules were suspended and Engrossed House Bill No. 409 was returned to second reading for the purpose of amendment.

The bill was read the second time by sections.

It was moved by Senator McCutcheon that the following amendment be adopted:

On page 2, section 1, lines 20 and 21, strike the words "*equal to the base pay of a major general in the United States army*" and insert the figures "*of \$14,500*".

**POINT OF INQUIRY**

Senator McCutcheon:

"Would Senator Henry yield to a question?"

Senator Henry:

"Yes."

Senator McCutcheon:

"Where does the money come from that pays the adjutant general?"

Senator Henry:

"Partially from the state, and partially from the federal government."

Senator McCutcheon:

"What are the proportions, do you know?"

Senator Henry:

"That, I can't answer. I imagine the federal government pays at least fifty percent."

The motion was lost and the amendment was not adopted.

It was moved by Senator Charette that the following amendment be adopted:

On page 2, section 1, line 27, after "*general*" strike the period and insert "*: PROVIDED, That no member of the judiciary of the state shall be an active member of the National Guard or the Air National Guard.*"

Debate ensued.

It was moved by Senator Riley that the amendment be laid upon the table.

The motion was lost on a rising vote.

The motion was carried and the amendment by Senator Charette was adopted.

On motion of Senator Henry, the rules were suspended, Engrossed House Bill No. 409, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 409, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Those voting nay were: Senators McCutcheon, McMillan—2.

Excused: Senator Donohue—1.

Engrossed House Bill No. 409, as amended by the Senate, having received the constitutional 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. 234**, by Representatives Sawyer, McCormick, Wang, Berentson, Cunningham, Warnke, Hawley, Beck, Leland and Bozarth (by Highway Interim Committee request):

Enacting new rules of the road for motor vehicles upon highways.

On motion of Senator Bailey, Engrossed House Bill No. 234 was made a special order of business for 4:55 p. m.

**House Bill No. 418**, by Representatives O'Brien, Jueling and Olsen:

Permitting federal reserve bank to act as holder of collateral securing state deposits.

The bill was read the second time by sections.

On motion of Senator Bailey, the rules were suspended, House Bill No. 418 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

It was moved by Senator Hallauer that House Bill No. 418 take its place on the second reading calendar for today immediately following consideration of Engrossed House Bill No. 234.

Debate ensued.

It was moved by Senator Gallagher that the motion be laid upon the table. The motion by Senator Gallagher was lost.

The motion by Senator Hallauer was carried, and Engrossed House Bill No. 418 was ordered to retain its place on the second reading calendar for today immediately following consideration of House Bill No. 234.

## MOTION

It was moved by Senator Dore that the Senate recess for five minutes with instructions to the Committee on Rules and Joint Rules to bring out House Bill No. 200.

## POINT OF ORDER

Senator Woodall:

"Point of order, Mr. President:

"My point of order is that this motion is out of order on the seventh order of business."

**RULING BY THE PRESIDENT**

The President:

"The point of order as presented by Senator Woodall is well taken."

Senator Dore:

"Mr. President:

"I move we suspend the rules and the Senate do now recess for five minutes with instructions to the Committee on Rules and Joint Rules to bring out House Bill No. 200 on the second reading calendar."

Senator Dore demanded a roll call and the demand was sustained by Senators Atwood, Petrich, Connor, Greive, McCutcheon, Morgan, Kupka and McCormack.

Senator Gissberg demanded that the question be divided.

**PARLIAMENTARY INQUIRY**

Senator Dore:

"Mr. President:

"Would you state what the division would be?"

**REPLY BY THE PRESIDENT**

The President:

"The division would be a suspension of the rules, for one part, and the second part would be that the Senate recess with instructions to the Senate Committee on Rules and Joint Rules to bring out House Bill No. 200. Do you wish the suspension first? The question before the Senate is, shall the rules be suspended."

Senator Dore:

"We have already asked for a roll call on this particular question."

The President:

"Senator, that was on the full motion. Do you wish to demand a roll call on the motion to suspend the rules?"

Senator Dore:

"We are only voting on the division, now, is that right?"

The President:

"The question has already been divided, Senator Dore."

Senator Dore demanded a roll call and the demand was not sustained.

The motion by Senator Dore to suspend the rules was lost on a rising vote.

**POINT OF ORDER**

Senator Gissberg:

"Mr. President:

"I now raise the point of order that we are not under the order of motions. Consequently, the motion cannot be put."

**RULING BY THE PRESIDENT**

The President:

"The point of order as presented by Senator Gissberg is well taken."

**Engrossed House Bill No. 164**, by Representatives Thompson, Haussler, Kalich, Braun, Traylor, Kull, Olsen and Bozarth:

Allowing all counties to create park and recreation service areas.

The bill was read the second time by sections.

On motion of Senator Williams, the following amendments were adopted:

On page 2 of the printed bill, following the House amendment by Representative Olsen adding a new section, being "Sec. 3", the same being on page 2, line 9 of the engrossed bill, add a new section as follows:

"NEW SECTION. Sec. 4. Any county or city may acquire by purchase, gift, devise, bequest, grant or exchange, title to or any interests or rights in real property to be provided or preserved for (a) park or recreational purposes, viewpoint or greenbelt purposes, (b) the conservation of land or other natural resources, or (c) historic, scenic, or view purposes."

In line 1 of the title, after "counties" insert "and cities".

On motion of Senator Freise, the rules were suspended, Engrossed House Bill No. 164, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 164, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; nays, 3; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—42.

Those voting nay were: Senators Gissberg, Guess, Lewis—3.

Absent or not voting: Senators Hanna, McCutcheon, Mardesich—3.

Excused: Senator Donohue—1.

Engrossed House Bill No. 164, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**Engrossed House Bill No. 122**, by Representatives Uhlman, Chatalas and Gorton:

Enables cities to engage in preannexation planning.

The bill was read the second time by sections.

On motion of Senator Thompson, Jr., the rules were suspended, Engrossed House Bill No. 122 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 122, and the bill passed the Senate by the following vote: Yeas, 44; nays, 2; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—44.

Those voting nay were: Senators McCutcheon, Rasmussen—2.



Absent or not voting: Senators Mardesich, Talley—2.

Excused: Senator Donohue—1.

Engrossed House Bill No. 122, having received the constitutional majority, was declared passed.

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

**House Bill No. 451**, by Representatives Sheridan, Valle and Brouillet:

Regulating investments of state permanent funds.

The bill was read the second time by sections.

On motion of Senator McCormack, the rules were suspended, House Bill No. 451 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 451, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Hanna, Lennart, Morgan—3.

Excused: Senator Donohue—1.

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.

#### SPECIAL ORDER OF BUSINESS

The time having arrived, the Senate resumed consideration of Engrossed House Bill No. 234 on second reading.

**Engrossed House Bill No. 234**, by Representatives Sawyer, McCormick, Wang, Berentson, Cunningham, Warnke, Hawley, Beck, Leland and Bozarth (by Highway Interim Committee request):

Enacting new rules of the road for motor vehicles upon highways.

The bill was read the second time by sections.

On motion of Senator Washington, the following amendment was adopted:

On page 10, section 15, line 14 of the printed and engrossed bills, after "pass" and before "to" strike "each other" and after "right" and before "and" insert "of each other".

#### PARLIAMENTARY INQUIRY

Senator Moriarty, Jr.:

"Point of parliamentary inquiry, Mr. President:

"I believe the President ruled in the past when we were facing a cutoff time like this that if we were working on the bill at the time of the cutoff, we could continue to work on it?"

**REPLY BY THE PRESIDENT**

The President:

"That is correct, Senator Moriarty."

On motion of Senator Stender, the following amendment was adopted:

On page 22, section 49, line 23 of the printed and engrossed bills, before "less miles" strike "of" and insert "or".

On motion of Senator Washington, the following amendments were adopted:

On page 23, section 52, line 33 of the printed and engrossed bills, strike "meeting or overtaking" and insert "overtaking or meeting"

On page 24, section 52, line 26 of the printed and engrossed bills, after "section" and before "of" strike "24" and insert "25"

On page 25, section 53, line 26 of the printed and engrossed bills, after "section" and before "of" strike "31" and insert "32"

It was moved by Senator Stender that the following amendment be adopted:

On page 26, section 54, line 29, after the word "access" and before "highway" insert "or other". After the word "highway" strike "constructed under chapter 47.52 RCW"

Debate ensued.

On motion of Senator Greive, the rules were suspended and Senator Ryder was excused.

Senators Greive, Bailey and Connor demanded a Call of the Senate.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present, except Senators Ryder and Donohue, who were excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

Debate ensued.

Senator Stender demanded a roll call and the demand was sustained by Senators Raugust, Riley, Petrich, Rasmussen, Washington, Gissberg, Keefe, Cowen, McMillan and Morgan.

**ROLL CALL**

The Secretary called the roll and the amendment by Senator Stender was not adopted by the following vote: Yeas, 23; nays, 24; excused, 2.

Those voting yea were: Senators Atwood, Chytil, Cooney, Durkan, England, Freise, Greive, Hallauer, Herr, Herrmann, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Rasmussen, Redmon, Stender, Thompson, Jr., Woodall—23.

Those voting nay were: Senators Bailey, Charette, Connor, Cowen, Dore, Foley, Gallagher, Gissberg, Guess, Hanna, Henry, Keefe, Knoblauch, Kupka, McMillan, Morgan, Peterson (Ted), Petrich, Raugust, Riley, Sandison, Talley, Washington, Williams—24.

Excused: Senators Donohue, Ryder—2.

On motion of Senator Freise, the following amendment was adopted:

On page 21, section 46, line 19 of the printed and engrossed bills, strike all of subsection (c) and renumber subsection (d) as subsection "(c)"

It was moved by Senator Woodall that the following amendment be adopted:

In new section 60 of the amendment by Senator Freise to page 28, add a new subsection to be known as subsection (4) as follows:

"(4) Evidence of the chemical analysis or scientific breath test of any kind of such person's blood shall not be admissible unless such person shall have been advised by the person giving the test before giving the test that such person has the constitutional right not to submit to such test. Evidence taken in violation of this act shall not be admitted in evidence in any criminal or civil proceeding."

Debate ensued.

On motion of Senator Woodall, the Senate postponed consideration of the amendment until after consideration of the amendments to page 30.

On motion of Senator Woodall, the following amendments were adopted:

On page 30, section 62, line 6 of the printed bill, being line 7 of the engrossed bill, after "more than" strike "one year" and insert "thirty days"

On line 7 of the printed bill, being lines 8 and 9 of the engrossed bill, after "more than" strike "five hundred dollars" and insert "one hundred dollars. The penalty so imposed may be suspended."

On page 30, section 62, line 10 of the printed bill, being line 11 of the engrossed bill, after "than" strike "thirty" and insert "five"

On line 10 of the printed bill, being line 12 of the engrossed bill, after "more than" strike "one year" and insert "six months"

On line 11 of the printed bill, being line 12 of the engrossed bill, after "more than" strike "one thousand" and insert "five hundred"

On line 16 of the printed bill, being line 18 of the engrossed bill, after "suspended." insert "A forfeiture of bail shall not be considered a conviction for the purposes of this section."

It was moved by Senator Freise that the following amendment be adopted:

On page 28, line 9 of the printed bill, being page 28, line 8 of the engrossed bill, strike all of section 60, including the House amendments thereto and substitute the following:

"**NEW SECTION.** Sec. 60. (1) It is unlawful for any person who is under the influence of or affected by the use of intoxicating liquor or of any narcotic drug to drive or be in actual physical control of any vehicle upon the public highways.

(2) In any criminal prosecution for a violation of the provisions of this section relating to driving a vehicle while under the influence of intoxicating liquor, the amount of alcohol in the defendant's blood at the time alleged as shown by chemical analysis of the defendant's blood, urine, breath, or other bodily substance shall give rise to the following presumptions:

(a) If there was at that time 0.05 percent or less by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was not under the influence of intoxicating liquor;

(b) If there was at that time in excess of 0.05 percent but less than 0.15 percent by weight of alcohol in the defendant's blood, such fact shall not give rise to any presumption that the defendant was or was not under the influence of intoxicating liquor, but such fact may be considered with other competent evidence in determining the guilt or innocence of the defendant;

(c) If there was at that time 0.15 percent or more by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was under the influence of intoxicating liquor.

(3) The foregoing provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether or not the defendant was under the influence of intoxicating liquor. Nothing herein contained shall be construed as requiring any person to submit to a chemical analysis of his blood, and the refusal to submit to such an analysis shall not be admissible in evidence in any criminal prosecution for a violation of the provisions of this section or in any civil action.

Debate ensued.

The motion was carried and the amendment was adopted.

The Senate resumed consideration of the amendment by Senator Woodall in new section 60 of the amendment by Senator Freise to page 28, adding a new subsection to be known as subsection (4).

Debate ensued.

The motion was carried and the amendment was adopted.

It was moved by Senator Riley that the following amendment be adopted:

On page 30, section 62, line 11, strike the word "one" following "than" and substitute "two".

Debate ensued.

It was moved by Senator Mardesich that Engrossed House Bill No. 234 be indefinitely postponed.

Senator Washington demanded a roll call and the demand was sustained by Senators Mardesich, Lewis, Freise, Moriarty, Jr., Stender, Bailey, Charette, Gallagher, Knoblauch and Kupka.

#### ROLL CALL

The Secretary called the roll on the motion to indefinitely postpone Engrossed House Bill No. 234, and the motion was lost by the following vote: Yeas, 8; nays, 40; excused, 1.

Those voting yea were: Senators Cooney, Durkan, Gallagher, Greive, Herrmann, McCutcheon, Stender, Woodall—8.

Those voting nay were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cowen, Donohue, Dore, England, Foley, Freise, Gissberg, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Talley, Thompson, Jr., Washington, Williams—40.

Excused: Senator Ryder—1.

The President stated the question before the Senate is: It has been moved by Senator Riley that the amendment be adopted.

Debate ensued.

The motion was lost on a rising vote and the amendment was not adopted.

#### MOTION

On motion of Senator Greive, the rules were suspended and the Senate returned to the fifth order of business to receive a message from the House.

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 25, 1965.

MR. PRESIDENT:

The House has passed Senate Bill No. 39 with the following amendments:

On line 1 of the title, after the semicolon following "insurance" strike the balance of the title and insert "revising the schedule of benefits; including the board of industrial insurance appeals within the scope of the Administrative Procedure Act and repealing sections of Title 51 inconsistent therewith; amending sections 51.32.080 and 51.32.090, chapter 23, Laws of 1961 as amended by sections 3 and 4, chapter 274, Laws of 1961 and RCW 51.32.080 and 51.32.090; amending section 51.52.100, chapter 23, Laws of 1961 as amended by section 4, chapter 148, Laws of 1963 and RCW 51.52.100; amending section 15, chapter 234, Laws of 1959 as amended by section 1, chapter 237, Laws of 1963 and RCW 34.04.150; amending section 51.52.050, chapter 23, Laws of 1961 and RCW 51.52.050; amending section 6, chapter 148, Laws of 1963 and RCW 51.52.104; amending section 51.52.110, chapter 23, Laws of 1961 and RCW 51.52.110; repealing sections 51.52.115 and 51.52.140, chapter 23, Laws of 1961 and RCW 51.52.115 and 51.52.140,

and repealing section 51.52.106, chapter 23, Laws of 1961 as amended by section 7, chapter 148, Laws of 1963 and RCW 51.52.106."

On page 1, strike everything after the enacting clause and insert:

"Section 1. Section 51.32.080, chapter 23, Laws of 1961 as amended by section 3, chapter 274, Laws of 1961 and RCW 51.32.080 are each amended to read as follows:

(1) For the permanent partial disabilities here specifically described, the injured workman shall receive compensation as follows:

#### LOSS BY AMPUTATION

[Of one leg at the hip or the upper half of the thigh.....	\$9,750.00
Of one leg at the knee or the lower half of the thigh.....	8,250.00
Of one leg below the knee.....	5,200.00
Of great toe with metatarsal bone thereof.....	1,450.00
Of great toe at the proximal joint.....	975.00
Of great toe at the second joint.....	350.00
Of one other toe other than the great toe with the metatarsal bone thereof	975.00
Of second toe at proximal joint.....	350.00
Of third toe at proximal joint.....	350.00
Of fourth toe at proximal joint.....	350.00
Of fifth toe at proximal joint.....	225.00
Of one metatarsal bone on toe other than great toe.....	475.00
Of one arm so near the shoulder that an artificial arm cannot be worn...	9,750.00
Of the major arm at or above the elbow.....	8,250.00
Of the forearm at upper third.....	6,825.00
Of the major hand at wrist.....	6,350.00
Of thumb with metacarpal bone thereof.....	2,425.00
Of thumb with proximal joint.....	1,950.00
Of thumb at second joint.....	510.00
Of index finger or first finger at proximal joint.....	1,400.00
Of index or first finger at second joint.....	975.00
Of index or first finger at distal joint.....	450.00
Of middle or second finger at proximal joint.....	810.00
Of middle or second finger at second joint.....	720.00
Of middle or second finger at distal joint.....	360.00
Of ring or third finger at proximal joint.....	720.00
Of ring or third finger at second joint.....	540.00
Of ring or third finger at distal joint.....	360.00
Of little or fourth finger at proximal joint.....	450.00
Of little or fourth finger at second joint.....	270.00
Of little or fourth finger at distal joint.....	180.00
Of metacarpal bone in finger except thumb.....	270.00

#### MISCELLANEOUS

Loss of one eye by enucleation.....	4,875.00
Loss of sight of one eye.....	3,900.00
Complete loss of hearing in both ears.....	6,825.00
Complete loss of hearing in one ear.....	1,950.00
Complete broken arch in foot.....	1,950.00]
<i>Of leg above the knee joint with short thigh stump (3" or less below tuberosity of ischium).....</i>	<i>\$15,000</i>
<i>Of leg at or above knee joint with functional stump.....</i>	<i>13,500</i>
<i>Of leg below knee joint.....</i>	<i>12,000</i>
<i>Of leg at ankle (Syme).....</i>	<i>10,500</i>
<i>Of foot at mid-metatarsals.....</i>	<i>5,250</i>
<i>Of great toe with resection of metatarsal bone.....</i>	<i>3,150</i>
<i>Of great toe at metatarsophalangeal joint.....</i>	<i>1,890</i>
<i>Of great toe at interphalangeal joint.....</i>	<i>1,470</i>
<i>Of lesser toe (2nd to 5th) with resection of metatarsal bone.....</i>	<i>525</i>
<i>Of lesser toe at metatarsophalangeal joint.....</i>	<i>315</i>
<i>Of lesser toe at proximal interphalangeal joint.....</i>	<i>210</i>
<i>Of lesser toe at distal interphalangeal joint.....</i>	<i>105</i>
<i>Of arm at or above the deltoid insertion or by disarticulation at the shoulder</i>	<i>15,000</i>

Of arm at any point from below the deltoid insertion to below the elbow joint at the insertion of the biceps tendon.....	14,250
Of arm at any point from below the elbow joint distal to the insertion of the biceps tendon to and including midmetacarpal amputation of the hand .....	13,500
Of all fingers except the thumb at metacarpophalangeal joints.....	8,100
Of thumb at metacarpophalangeal joint or with resection of carpo-metacarpal bone .....	5,400
Of thumb at interphalangeal joint.....	4,050
Of index finger at metacarpophalangeal joint or with resection of metacarpal bone .....	3,375
Of index finger at proximal interphalangeal joint.....	2,700
Of index finger at distal interphalangeal joint.....	1,485
Of middle finger at metacarpophalangeal joint or with resection of metacarpal bone.....	2,700
Of middle finger at proximal interphalangeal joint.....	2,160
Of middle finger at distal interphalangeal joint.....	1,215
Of ring finger at metacarpophalangeal joint or with resection of metacarpal bone .....	1,350
Of ring finger at proximal interphalangeal joint.....	1,080
Of ring finger at distal interphalangeal joint.....	675
Of little finger at metacarpophalangeal joint or with resection of metacarpal bone .....	675
Of little finger at proximal interphalangeal joint.....	540
Of little finger at distal interphalangeal joint.....	270

## MISCELLANEOUS

Loss of one eye by enucleation.....	6,000
Loss of central visual acuity in one eye.....	5,000
Complete loss of hearing in both ears.....	10,000
Complete loss of hearing in one ear.....	1,667

(2) Compensation for amputation of a member or part thereof at a site other than those above specified, and for loss of central visual acuity and loss of hearing other than complete, shall be in proportion to that which such other amputation or partial loss of visual acuity or hearing most closely resembles and approximates. Compensation for any other permanent partial disability not involving amputation shall be in an amount equal to two-thirds of the proportion which the extent of such other disability, called unspecified disability, shall bear to that above specified, which most closely resembles and approximates in degree of disability such other disability, but not in any case to exceed the sum of [eight thousand seven hundred and fifty] ten thousand dollars: *Provided*, That the total compensation for all unspecified permanent partial disabilities resulting from the same injury shall not exceed the sum of [eight thousand seven hundred and fifty] ten thousand dollars [For disability to a member not involving amputation, not more than nine-tenths of the foregoing respective specified sums shall be paid: *Provided further*, That payment for any injury to minor hand or arm or any part thereof, shall not exceed ninety-five percent of the amounts hereinbefore enumerated]: *Provided further*, That in case permanent partial disability compensation is followed by permanent total disability compensation, any portion of the permanent partial disability compensation which exceeds the amount that would have been paid the injured workman if permanent total disability compensation had been paid in the first instance, shall be deducted from the pension reserve of such injured workman and his monthly compensation payments shall be reduced accordingly.

(3) [If the injured workman is under the age of twenty-one years and unmarried, the parents or parent shall also receive a lump sum payment equal to the ten percent of the amount awarded to the minor workman.

(4) Should a workman receive an injury to a member or part of his body already, from whatever cause, permanently partially disabled, resulting in the amputation thereof or in an aggravation or increase in such permanent partial disability but not resulting in the permanent total disability of such workman, his compensation for such partial disability shall be adjudged with regard to the previous disability of the injured member or part and the degree or extent of the aggravation or increase of disability thereof.

[(5)] (4) When the compensation provided for in subsections (1) and (2) exceeds one thousand dollars, payment shall be made in monthly payments in accordance with the schedule of temporary total disability payments set forth in RCW 51.32.090 until such compensation is paid to the injured workman in full, except that the first monthly payment shall be in the amount of one thousand dollars and interest shall be paid at the rate of five percent on the unpaid balance of such compensation commencing with the second monthly payment: *Provided*, That interest so paid shall not be charged to the cost experience of any employer but shall be borne wholly by the applicable class account: *Provided further*, That upon application of the injured workman the monthly payment may be converted, in whole or in part, into a lump sum payment, in which event the monthly payment shall cease in whole or in part. Such conversion may be made only upon written application of the injured workman to the department and shall rest in the discretion of the department depending upon the merits of each individual application: *Provided further*, That upon death of a workman all unpaid installments accrued, less interest, shall be paid in a lump sum amount to the widow or widower, or if there is no widow or widower surviving, to the dependent children of such claimant, and if there are no such dependent children, then to such other dependents as defined by this title.

Sec. 2. Section 51.32.090, chapter 23, Laws of 1961 as amended by section 4, chapter 274, Laws of 1961, and RCW 51.32.090 are each amended to read as follows:

[(1)] When the total disability is only temporary, the schedule of payments contained in subdivisions (1), (2), (3) and (4) of RCW 51.32.060 shall apply, so long as the total disability continues.] *When the supervisor of industrial insurance shall determine that a condition temporarily incapacitating the workman from performing any work at any gainful occupation results from the injury, the workman's disability shall be classified as temporary total disability and he shall receive monthly during the period of such disability so long as the total disability continues:*

(1) *If unmarried at the time of the injury, the sum of one hundred eighty dollars.*

(2) *If the workman has a wife or invalid husband, but no child, the sum of two hundred ten dollars.*

(3) *If the workman has an able-bodied husband, but no child, the sum of one hundred seventy dollars.*

[(2) But] (4) If the injured workman has a wife or husband and has no child or, being a widow or widower, with one or more children, the compensation for the case during such period of time as the total temporary disability continues, shall be per month as follows, to wit: (a) Injured workman with wife or invalid husband and no child, [one] two hundred [ninety] *ten* dollars; injured workman with able-bodied husband, but no child, one hundred [fifty-five] *seventy* dollars; injured workman with wife or invalid husband and one child, or being a widow or widower and having one child, two hundred [twenty-three] *forty-five* dollars; (b) injured workman with able-bodied husband and one child, [one] two hundred [eighty-eight] *five* dollars; (c) injured workman with wife or invalid husband and two children, or being a widow or widower and having two children, two hundred [fifty] *seventy-five* dollars; (d) injured workman with able-bodied husband and two children, two hundred [fifteen] *thirty-five* dollars; and twenty-two dollars for each additional child, but the total monthly payments shall not exceed three hundred [ten] *sixty-three* dollars to an injured workman with a wife or invalid husband, or being a widow or widower, and having children, and shall not exceed [two] three hundred [seventy-five] *twenty-three* dollars to an injured workman with children and having an able-bodied husband and any deficit shall be deducted proportionately among the beneficiaries.

Any compensation payable under this section for children not in the custody of the injured workman as of the date of injury shall be payable only to such person as actually is providing the support for such child or children pursuant to the order of a court of record providing for support of such child or children.

[(3)] (5) As soon as recovery is so complete that the present earning power of the workman, at any kind of work, is restored to that existing at the time of the occurrence of the injury, the payments shall cease. If and so long as the present earning power is only partially restored, the payments shall continue in the proportion which the new earning power shall bear to the old. No compensation shall be payable out of the accident fund unless the loss of earning power shall exceed five percent.

[(4)] (6) No workman shall receive compensation out of the accident fund for or during the day on which injury was received or the three days following the same, unless his disability shall continue for a period of [thirty] *fourteen* consecutive calendar days from date of injury.

[ (5) (7) Should a workman suffer a temporary total disability and should his employer at the time of the injury continue to pay him the wages which he was earning at the time of such injury, such injured workman shall not receive any payment provided in [subsection (1) of] this section from the accident fund during the period his employer shall so pay such wages.

Sec. 3. Section 15, chapter 234, Laws of 1959 as amended by section 1, chapter 237, Laws of 1963 and RCW 34.04.150 are each amended to read as follows:

This chapter shall not apply to the state militia, or the board of prison terms and paroles. The provisions of RCW 34.04.090 through 34.04.130 shall not apply to [the board of industrial insurance appeals,] the state board of equalization or the insurance commissioner or the state tax commission. The provisions of RCW 34.04.060, 34.04.070 and 34.04.080 shall not apply to the department of public assistance.

Sec. 4. Section 51.52.050, chapter 23, Laws of 1961 and RCW 51.52.050 are each amended to read as follows:

Whenever the department has made any order, decision, or award, it shall promptly serve the workman, beneficiary, employer, or other person affected thereby, with a copy thereof by mail, which shall be addressed to such person at his 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 has taken any action or made any decision relating to any phase of the administration of this title the workman, beneficiary, employer, or other person aggrieved thereby may appeal to the board and any [such] party or person aggrieved by the decision and order of the board may thereafter [appeal to] petition the superior court for judicial review as prescribed in this chapter.

Sec. 5. Section 51.52.100, chapter 23, Laws of 1961 as amended by section 4, chapter 148, Laws of 1963 and RCW 51.52.100 are each amended to read as follows:

*Any appeal to the board from an order, decision, or award of the department shall be considered as a contested case as defined by subparagraph (3) of RCW 34.04.010 as now enacted and as hereinafter amended from time to time. Hearings and proceedings upon appeals before the board shall be informal and de novo, but they shall be subject to the provisions of this chapter and to the provisions of the Administrative Procedure Act, RCW 34.04, as now enacted and as hereafter amended from time to time.* Hearings shall be held in the county of the residence of the workman or beneficiary, or in the county where the injury occurred, at a place designated by the board. [Such hearing shall be de novo and summary, but no witness' testimony shall be received unless he shall first have been sworn to testify the truth, the whole truth and nothing but the truth in the matter being heard, or unless his testimony shall have been taken by deposition according to the statutes and rules relating to superior courts of this state.] The department shall [be entitled to] appear in all proceedings before the board as a party and shall be entitled to introduce [testimony] evidence in support of its order. The board shall cause all oral testimony to be [stenographically] reported and [thereafter] promptly transcribed [, and when transcribed, the same, with all depositions shall be filed in, and remain a part of, the record on the appeal] after each hearing. A copy shall be furnished to any party upon request and without cost. Such hearings on appeal to the board may be conducted by one or more of its members, or a duly authorized hearing examiner, and depositions may be taken by a person duly commissioned for the purpose by the board.

Members of the board, its duly authorized hearing examiners, and all persons duly commissioned by it for the purpose of taking depositions, shall have power to administer oaths; to preserve and enforce order during such hearings; to issue subpoenas for, and to compel the attendance and testimony of, witnesses, or the production of books, papers, documents, and other evidence, or the taking of depositions before any designated individual competent to administer oaths, and it shall be their duty so to do; to examine witnesses; and to do all things conformable to law which may be necessary to enable them, or any of them, effectively to discharge the duties of his office. If any person in proceedings before the board disobeys or resists any lawful order or process, or misbehaves during a hearing or so near the place thereof as to obstruct the same, or neglects to produce, after having been ordered so to do, any pertinent book, paper or document, or refuses to appear after having been subpoenaed, or upon appearing refuses to take oath as a witness, or after having the



oath refuses to be examined according to law, the board or any member or duly authorized hearing examiner may certify the facts to the superior court having jurisdiction in the place in which said board or member or hearing examiner is sitting; the court shall thereupon, in a summary manner, hear the evidence as to the acts complained of, and, if the evidence so warrants, punish such person in the same manner and to the same extent as for a contempt committed before the court, or commit such person upon the same conditions as if the doing of the forbidden act had occurred with reference to the proceedings, or in the presence, of the court.

Sec. 6. Section 6, chapter 148, Laws of 1963 and RCW 51.52.104 are each amended to read as follows:

After all evidence has been presented at hearings conducted by a hearing examiner, who shall be an active member of the Washington state bar association, the hearing examiner shall prepare a proposed or recommended decision and order which shall be in writing and shall contain findings and conclusions as to each contested issue of fact and law, as well as the order based thereon. The hearing examiner shall file the original of the proposed decision and order, signed by him, with the board, and copies thereof shall be mailed by the board to each party to the appeal and to his attorney of record. Within twenty days, or such further period as the board may allow on application of a party, from the date of communication of the proposed decision and order to the parties or their attorneys of record, any party may file with the board a written statement of exceptions to the same. Such statement of exceptions shall set forth in detail the grounds therefor and the party or parties filing the same shall be deemed to have waived all objections or irregularities not specifically set forth therein.

In the event no statement of exceptions is filed as provided herein by any party, the proposed decision and order of the hearing examiner shall be adopted by the board and become the decision and order of the board, and [no appeal may be taken therefrom to the courts] *the same shall not be subject to judicial review.*

Sec. 7. Section 51.52.110, chapter 23, Laws of 1961 and RCW 51.52.110 are each amended to read as follows:

[Within thirty days after the final decision and order of the board upon such appeal has been communicated to such workman, beneficiary, employer or other person, or within thirty days after the appeal is deemed denied as herein provided, such workman, beneficiary, employer or other person aggrieved by the decision and order of the board may appeal to the superior court.] *Any party or person aggrieved by a final decision of the board shall be entitled to judicial review thereof as provided in the Administrative Procedure Act, chapter 34.04 RCW, as now enacted and as hereafter amended from time to time.*

In cases involving injured workmen [such appeal] *the petition for judicial review* shall be [to] filed in the superior court of the county of residence of the workman or beneficiary, as shown by the department's records, the superior court for Thurston county, or [to] in the superior court of the county wherein the injury occurred. In all other cases the [appeal] *petition* shall be to the superior court of Thurston county. [Such appeal shall be perfected by filing with the clerk of the court a notice of appeal and by serving a copy thereof by mail, or personally, on the director and on the board. The department shall, within twenty days after the receipt of such notice of appeal, serve and file its notice of appearance and such appeal shall thereupon be deemed at issue. The board shall serve upon the appealing party, the director and any other party appearing at the board's proceedings, and file with the clerk of the court before trial, a certified copy of the board's official record which shall include the notice of appeal and other pleadings, testimony and exhibits and the board's decision and order, which shall become the record in such case.] No bond shall be required on [appeals to] *judicial reviews* in the superior court or on appeals to the supreme court, except that [an appeal] *a judicial review initiated* by the employer from a decision and order of the board under RCW 51.48.070, shall be ineffectual unless, within five days following the service of [notice thereof] *the petition for judicial review*, a bond, with surety satisfactory to the court, shall be filed, conditioned to perform the judgment of the court. Except in the case last named [an appeal] *a petition for judicial review* shall not be a stay [: *Provided, however,* That whenever the board has made any decision and order reversing an order of the supervisor of industrial insurance on questions of law or mandatory administrative actions of the director, the department shall have the right of appeal to the superior court].

*NEW SECTION.* Sec. 8. Section 51.52.115, chapter 23, Laws of 1961 and RCW 51.52.115, section 51.52.140, chapter 23, Laws of 1961 and RCW 51.52.140, and section 51.52.106, chapter 23, Laws of 1961 as amended by section 7, chapter 148, Laws of 1963, and RCW 51.52.106 are each hereby repealed: *Provided, however,* That such repeal shall not affect the proceedings pending in the superior courts or the supreme court on the effective date of this amendatory act., and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

It was moved by Senator Greive that the Senate adhere to its position on Senate Bill No. 39 and ask the House to recede from its amendments thereto. Debate ensued.

The motion was carried.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

On motion of Senator Greive, Senator Durkan was excused.

There being no objection, the Senate advanced to the seventh order of business.

#### SECOND READING OF BILLS

The Senate resumed consideration of Engrossed House Bill No. 234 on second reading.

On motion of Senator Washington, the following amendment was adopted:

On page 32, section 66, line 12 of the printed and engrossed bills, after "or" and before "strip" strike "parking" and insert "street planting"

On motion of Senator Moriarty, Jr., Senators Williams and Atwood were excused.

It was moved by Senator Freise that the following amendment be adopted:

On page 37, line 30 of the printed bill, being line 24 of the engrossed bill, after section 85 add a new section to read as follows:

"Sec. 86. Section 46.48.023, chapter 12, Laws of 1961 as amended by section 5, chapter 16, Laws of 1963 and RCW 46.48.023 are each amended to read as follows:

Subject to RCW 46.48.011 (1), and except in those instances where a lower maximum lawful speed is provided the operator of any vehicle to operate the same at a speed in excess of twenty miles per hour when operating any vehicle upon a public highway either inside or outside an incorporated city or town *between the hours of eight o'clock a.m. and five o'clock p.m. on regular school days* when passing any marked public school or playground crosswalk when such marked crosswalk is fully posted with standard [portable] school [or speed control] signs. The speed zone at the crosswalk shall extend three hundred feet in either direction from the marked crosswalk."

Renumber the remaining sections consecutively.

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Washington, the following amendment was adopted:

On page 40, section 92, line 6 of the printed and engrossed bills, before "of this" strike "85" and insert "86".

It was moved by Senator Gallagher that the following amendment be adopted:

On page 40, line 4, before the words "hereby repealed" insert "RCW 66.16.080".

Debate ensued.

The motion was lost and the amendment was not adopted.

On motion of Senator Freise, the following amendment to the title was adopted:

On line 7 of the title of the printed and engrossed bills, after "46.48.013;" and before "and" insert "amending section 46.48.023, chapter 12, Laws of 1961 as amended by section 5, chapter 16, Laws of 1963 and RCW 46.48.023;".

On motion of Senator Washington, the rules were suspended, Engrossed House Bill No. 234, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 234, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 39; nays, 6; excused, 4.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Talley, Washington—39.

Those voting nay were: Senators Cooney, Greive, Herrmann, McCutcheon, Thompson, Jr., Woodall—6.

Excused: Senators Atwood, Durkan, Ryder, Williams—4.

Engrossed House Bill No. 234, as amended by the Senate, having received the constitutional majority, was declared passed.

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

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### Engrossed Substitute House Bill No. 37:

Senate Chamber,  
Olympia, Wash., March 24, 1965.

Providing for a commission on Indian affairs and setting out its powers and duties (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass and be referred to Committee on Ways and Means.

AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Charles P. Moriarty, Jr.

On motion of Senator Petrich, the committee report was adopted and Engrossed Substitute House Bill No. 37 was referred to the Committee on Ways and Means.

##### House Bill No. 178:

Senate Chamber,  
Olympia, Wash., March 24, 1965.

Providing for acquisition by irrigation district of water systems (reported by Committee on Public Utilities):

MAJORITY recommends that it do pass.

AUGUST P. MARDESICH, *Chairman*.

We concur in this report: Robert C. Bailey, Robert L. Charette, H. B. Hanna, Karl Herrmann, Harry B. Lewis, Mike McCormack, A. L. Rasmussen, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 384:**

Senate Chamber,  
Olympia, Wash., March 24, 1965.

Changing trust fund investment sales (reported by Committee on Banks, Financial Institutions and Insurance):

Recommends that it do pass.

KARL HERRMANN, *Chairman*,  
AUGUST P. MARDESICH, *Vice Chairman*.

We concur in this report: Robert L. Charette, Fred H. Dore, Frank W. Foley, George W. Kupka, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Fred G. Redmon, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 448:**

Senate Chamber,  
Olympia, Wash., March 25, 1965.

Requiring registration of marriages, and decrees of divorce, annulment and separate maintenance with state registrar of vital statistics (reported by Judiciary Committee): MAJORITY recommends that it do pass as amended and be referred to Committee on Ways and Means.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, H. B. Hanna, Charles P. Moriarty, Jr., Nat Washington, Walter B. Williams.

On motion of Senator Petrich, the committee report was adopted and Engrossed House Bill No. 448 was referred to the Committee on Ways and Means.

**MOTION**

At 6:20 p. m., on motion of Senator Greive, the Senate adjourned until 11:00 a. m., Friday, March 26, 1965.

JOHN A. CHERBERG, *President of the Senate*.

WARD BOWDEN, *Secretary of the Senate*.

**TWELFTH DAY****MORNING SESSION**

SENATE CHAMBER,  
OLYMPIA, WASH., Friday, March 26, 1965.

The Senate was called to order at 11:00 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Louise Haskell, Color Bearer, and Nancy Bergh, presented the Colors.

Reverend Charles Howard Perry, pastor of St. John's Episcopal Church of Olympia, offered prayer as follows:

"Almighty God, by whom the meek are guided in judgment, and from whom light comes in times of darkness and perplexity to those who seek it, have mercy upon the members of this Senate. Guide them, we pray, in all their decisions concerning the common good for the people of this State. Help them to remember that they are servants and not rulers; and that they are accountable to Thee and the people of this state for their stewardship. Motivate them always, O Lord, by the power of Thy

Spirit, to put justice above self-interest, integrity above personal gain, and honor above expediency. Grant, O God, that as they seek the truth as it is found in Thee so may they know that peace which passes all human understanding and by Thy grace be upheld in all good works, through Jesus Christ, Our Lord. Amen."

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

The Secretary read:

**REPORT OF STANDING COMMITTEE**

Senate Chamber,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 101, have inspected same, and find it correctly engrossed.

....., *Chairman.*

We concur in this report: Fred H Dore, Marshall A. Neill, Perry B. Woodall.

**MOTION**

It was moved by Senator Greive that all legislation where there is a difference between the two Houses be referred automatically to the Committee on Rules and Joint Rules and reported out on a daily calendar.

Debate ensued.

**POINT OF INQUIRY**

Senator Washington:

"Would Senator Greive yield to a question?

"Senator Greive, for instance one bill that I have in mind is House Bill No. 234 with Senate amendments, which will go back to the House for concurrence or refusal to accept. Now, when that comes back, will that have to go to the Committee on Rules and Joint Rules?"

Senator Greive:

"Yes, and it is only fair to warn you that it may be in the mind of the Rules Committee that some of these bills may have trouble getting out, but the thing is, we looked over some of the bills in Rules Committee this morning and we find that they are so far removed from the original bill in some instances, that they are not the same bill at all. We felt it is one thing to consider these concurrences when we are in the last days of session and pressed for time, but we are in no hurry. I imagine we are going to be here a couple of weeks working on tax measures and there is a lot of time for daily calendars."

Debate ensued.

Senator Washington:

"One further question: Is it the idea then that some of the bills, such as the House bills might come back here for concurrence and could be held in the Rules Committee and never get back on the floor again?"

Senator Greive:

"Conceivably. However, in the Committee on Rules and Joint Rules there was no intention to do so. It was our discussion to report all of the bills out of Rules. We didn't know what we were into when we started looking some of them over this morning."

Debate ensued.

**POINT OF INQUIRY**

Senator Bailey:

"Would Senator Greive yield to a question?

"Senator, I am a member of the Committee on Rules and Joint Rules, too. I didn't understand that we would necessarily take these bills and make them go through

Rules Committee and kill some of the bills. Couldn't we put instructions on the motion that eventually all bills would be reported out of the Committee on Rules and Joint Rules?"

Senator Greive:

"I presume so. That was never discussed. I didn't want somebody to say I was putting something over when I didn't know. The motion was simply discussed in Rules that we would consider all bills, because we didn't know what is in all of them and we felt it would be best this way."

Debate ensued.

#### PARLIAMENTARY INQUIRY

Senator Hallauer:

"Mr. President, point of parliamentary inquiry:

"Under Rule 4 of the joint rules, the following appears: 'In every case of difference between the two houses, upon any subject of legislation, the house refusing to recede shall request a conference and appoint a committee of three for that purpose, and the other house shall grant the request for a conference and appoint a like committee to confer.'

"The question I wish to raise in connection with Rule 4 is if it is possible that a subject of difference as contained in the bills that we are discussing, whether such a subject of difference can properly be referred to a standing committee. It is my belief that it must be referred to a conference committee, and not to the Rules Committee."

Senator Woodall:

"Speaking on the point of order, Mr. President:

"It is a very simple matter. See what it says. After a message has gone back saying that we refuse to recede, then that particular house grants a conference. That's all it says. It doesn't say what hour or what day you read the message in. It has nothing to do with that. What we are talking about now is how we proceed to consider these matters after one house has refused to recede, which means after we send a message back requesting them to recede, then if they don't, they grant a conference. That's all it says. We are talking about when do we read the message in and in what order. The motion of Senator Greive simply said instead of reading them all in at this moment and attempting to act blindly on the floor, with no knowledge of them and no chance for analysis, they simply go into Rules Committee and they come out in an orderly fashion after people have seen them. There is no parliamentary question involved at all."

#### REPLY BY THE PRESIDENT

The President:

"Senator Hallauer, the President believes that those remarks made by Senator Woodall pertaining to your inquiry explain the situation."

Senator Hallauer:

"Mr. President:

"Pursuing the point of parliamentary inquiry further, I realize that it might be proper to make a motion to send such bills to Rules for the purpose of composing the proper order of discussion here, but would it be proper for bills to be referred to other committees than the Rules Committee under these circumstances?"

#### REPLY BY THE PRESIDENT

The President:

"Senator Hallauer, the President would like to study your particular inquiry further, but does believe that in essence Senator Greive's motion provides a new rule which states that these shall automatically be eligible to be referred to committee."

Debate ensued.

It was moved by Senator Mardesich that the motion by Senator Greive be amended and that the Rules Committee be instructed to report all bills out within seventy-two hours.

Further debate ensued.

#### PARLIAMENTARY INQUIRY

Senator Moriarty, Jr.:

"Mr. President:

"I believe this could be resolved by the President's ruling upon a point of parliamentary inquiry which I now direct to the Chair. My point is whether or not, under the joint rules and the rules that we have been operating under and adopted, the Rules Committee can fail to bring any of these bills back to the floor for action after they have been passed by both houses of the legislature?"

Senator Greive:

"Mr. President:

"I believe this is all a tempest in a teapot. Under Rule 46, the body can always exercise the power to take something away from Rules Committee if they feel they are that arbitrary. What ruling can the President make? He's bound by the rules the same as we are."

Senator Moriarty, Jr.:

"Mr. President, speaking on the point just raised, this is a situation which is not specifically covered in our rules. We have an unusual situation where a bill has been passed by both houses of the legislature. I think what is in every member's mind and what every member is concerned about is the fact that the bills, once in Rules, may never appear again. Now, if the President rules on my point of inquiry that the Rules Committee cannot fail to bring back to the floor these House amendments to Senate bills, then I think a lot of the concern will be resolved. However, if the President rules that the committee can fail to bring the bill back to the floor, then I think Senator Mardesich's motion probably is going to carry."

Senator Rasmussen:

"Mr. President, speaking to the point of parliamentary inquiry and also to the motion by Senator Mardesich, from time immemorial, in all of the rules that you concede even come close to governing this, including the joint rules that Senator Hallauer has spoken of, once a bill has passed both houses, it is in the possession of the houses, and not in the possession of a Rules Committee or any other committee. We do have a Senate rule that says if the scope is changed, it can be re-referred, but we have no knowledge of the scope being changed on these bills. If you accept the new concept that we are going to send them to Rules, this is defeating all of the work that both houses have done. We are supposed to either confer or adhere to our position and see if the other house will change, rather than sending them into Rules. I think that Senator Mardesich's motion that we instruct them to return the bills in seventy-two hours or ninety-six hours is beside the point. The point is that once these bills are in the possession of the House and the Senate, working in between them, they do not belong to any committee. I urge you to vote down all of those motions and there is no reason why we cannot operate as we have in the past where they lay on the table and they can be taken up at any time. They can be delayed. The two caucuses can discuss them. But they are still out here in the open and in the possession of the House and Senate."

#### MOTION

On motion of Senator Greive, the motion to refer all matters of difference between the two houses to the Rules Committee was made a special order of business for 1:30 p. m.

#### PRESIDENT'S PRIVILEGE

The President:

"Senator Moriarty, the President will have a ruling upon your point at that time."

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**POINT OF ORDER**

Senator Dore:

"Further point of order, Mr. President, on the same subject that you might also take under advisement: These joint rules were voted on by both houses and the thing is, in order to change the rule and permit them to be referred to the Rules Committee would also have to be voted on by the House, in other words, by the terms of the current rules, a simple majority of this body is only one-half of the body that voted on the rules."

At 11:20 a. m., on motion of Senator Greive, the Senate recessed until 1:30 p. m.

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**AFTERNOON SESSION**

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The President called the Senate to order at 1:30 p. m.

The President declared the Senate to be at ease.

The President called the Senate to order at 2:10 p.m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Morgan and Thompson, Jr., who were excused.

**MOTION**

It was moved by Senator Greive that the special order of business be put over until Monday, March 29, 1965.

The motion was carried.

**SECOND READING OF BILLS**

**Senate Bill No. 323**, by Senators Morgan and Kupka (by Departmental request):

Continuing program of state aid for county probation services until June 30, 1967.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, Senate Bill No. 323 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 323, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 1; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—46.

Absent or not voting: Senator Lennart—1.

Excused: Senators Morgan, Thompson, Jr.—2.



Senate Bill No. 323, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 101**, by Senators Lewis and McMillan:  
Establishing state employees' suggestion awards.

**REPORT OF STANDING COMMITTEE**

**Senate Bill No. 101:**

Senate Chamber,  
Olympia, Wash., March 24, 1965.

Establishing state employees' suggestion awards (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass with the following amendment:

On page 2, section 4, line 6, strike the period and insert: "*Provided*, That no award or awards in any fiscal year to any one employee shall exceed three hundred dollars."

FRANK W. FOLEY, *Chairman*,  
FRED H. DORE, *Chairman*,  
Committee on Appropriations,  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Frank Conner, Dr. David C. Cowen, Dewey C. Donohue, Jack England, Michael J. Gallagher, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Albert C. Thompson, Jr., Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Foley, the committee amendment was adopted.

It was moved by Senator Stender that the following amendment be adopted:

On page 2, section 4, line 4, strike present section 4 and insert:

"*NEW SECTION*. Sec. 4. Whenever any department of state government saves money from their appropriation, fifty percent of such savings shall be distributed equally among all employees of the department."

Debate ensued.

On motion of Senator Foley, the amendment was laid upon the table.

On motion of Senator Foley, the rules were suspended, Engrossed Senate Bill No. 101 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 101, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 3; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—44.

Absent or not voting: Senators Hallauer, Lennart, Raugust—3.

Excused: Senators Morgan, Thompson, Jr.—2.

Engrossed Senate Bill No. 101, having received the constitutional majority, was declared passed.

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

**House Bill No. 465**, by Representatives O'Brien, O'Donnell and Copeland:

Providing for use of a portion of the state income reserve fund.

The bill was read the second time by sections.

On motion of Senator Foley, the rules were suspended, House Bill No. 465 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 465, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 4; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—43.

Absent or not voting: Senators Hallauer, Henry, Lennart, Raugust—4.

Excused: Senators Morgan, Thompson, Jr.—2.

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.

**Engrossed House Bill No. 203**, by Representatives Olsen, Lux and Wolf:

Raising per diem for state officials and employees.

The bill was read the second time by sections.

On motion of Senator Durkan, the rules were suspended, Engrossed House Bill No. 203 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 203, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 3; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Sandison, Stender, Talley, Washington, Williams, Woodall—43.

Those voting nay were: Senator McMillan—1.

Absent or not voting: Senators Lennart, Raugust, Ryder—3.

Excused: Senators Morgan, Thompson, Jr.—2.

Engrossed House Bill No. 203, having received the constitutional majority, was declared passed.

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

**GUBERNATORIAL APPOINTMENTS  
REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., March 17, 1965.

DONALD E. KUSLER, appointed to the position of member of the Board of Pharmacy February 5, 1965, succeeding Al J. Bailey (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

Recommends that said appointment be confirmed.

DAVID E. McMILLAN, *Chairman.*

We concur in this report: John L. Cooney, David C. Cowen, R. R. Bob Greive, Albert C. Thompson, Jr., Perry B. Woodall.

It was moved by Senator Greive that the rules be suspended and that the appointment of Donald E. Kusler to the Board of Pharmacy be now confirmed.

**PERSONAL PRIVILEGE**

Senator McMillan:

"Mr. President, members of the Senate:

"These appointments were considered by the Committee on Medicine, Dentistry, Public Health, Air and Water Pollution, and the gentlemen were interviewed by the committee. We decided they were fit members to be confirmed and I do now so recommend to the body."

**APPOINTMENT OF DONALD E. KUSLER**

The Secretary called the roll and the appointment of Donald E. Kusler to the Board of Pharmacy was confirmed by the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 4; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Redmon, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—43.

Absent or not voting: Senators Lennart, Petrich, Raugust, Riley—4.

Excused: Senators Morgan, Thompson, Jr.—2.

Having received the approval of the Senate, the appointment of Donald E. Kusler to the Board of Pharmacy was confirmed.

Senate Chamber,  
Olympia, Wash., March 17, 1965.

CLAUDE EDGREN, appointed to the position of member of the Board of Pharmacy February 5, 1965, succeeding Roy H. Tufts (reported by Committee on Medicine, Dentistry, Public Health, Air and Water Pollution):

Recommends that said appointment be confirmed.

DAVID E. McMILLAN, *Chairman.*

We concur in this report: John L. Cooney, David C. Cowen, R. R. Bob Greive, Albert C. Thompson, Jr., Perry B. Woodall.

It was moved by Senator McMillan that the rules be suspended and that the appointment of Claude Edgren to the Board of Pharmacy be now confirmed.

**APPOINTMENT OF CLAUDE EDGREN**

The Secretary called the roll and the appointment of Claude Edgren to the Board of Pharmacy was confirmed by the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 6; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Petrich, Rasmussen, Redmon, Ryder, Sandison, Stender, Washington, Williams, Woodall—41.

Absent or not voting: Senators Durkan, Lennart, Peterson (Ted), Raugust, Riley, Talley—6.

Excused: Senators Morgan, Thompson, Jr.—2.

Having received the approval of the Senate, the appointment of Claude Edgren to the Board of Pharmacy was confirmed.

Senate Chamber,  
Olympia, Wash., March 17, 1965.

WILLIAM E. SCHNEIDER, appointed to the position of Director of the Department of General Administration, January 14, 1965, succeeding Fred Martin (reported by Committee on State Government and Veterans' Affairs):

Recommends that said appointment be confirmed. AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., A. L. Rasmussen, Perry B. Woodall.

It was moved by Senator Henry that the rules be suspended and that the appointment of William E. Schneider to the position of Director of the Department of General Administration be now confirmed.

#### APPOINTMENT OF WILLIAM E. SCHNEIDER

The Secretary called the roll and the appointment of William E. Schneider to the position of Director of the Department of General Administration was confirmed by the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 3; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Washington, Williams, Woodall—44.

Absent or not voting: Senators Durkan, Lennart, Talley—3.

Excused: Senators Morgan, Thompson, Jr.—2.

Having received the approval of the Senate, the appointment of William E. Schneider to the position of Director of the Department of General Administration was confirmed.

Senate Chamber,  
Olympia, Wash., March 17, 1965.

SIDNEY E. SMITH, appointed to the position of Commissioner of the Department of Employment Security, February 15, 1965, succeeding Jack F. Gordon (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that said appointment be confirmed.

AL HENRY, *Chairman*.

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty Jr., Perry B. Woodall.

It was moved by Senator Henry that the rules be suspended and that the appointment of Sidney E. Smith to the position of Commissioner of the Department of Employment Security be now confirmed.

**PERSONAL PRIVILEGE**

Senator Henry:

"Mr. President and members of the Senate:

"A word of explanation. Mr. Schneider who was just voted on and Mr. Smith appeared before our committee. We had a chance to go into their backgrounds. We quizzed them and found them very excellent choices for the positions, and I thought I would make this report covering both of them at this time."

**APPOINTMENT OF SIDNEY E. SMITH**

The Secretary called the roll and the appointment of Sidney E. Smith to the position of Commissioner of the Department of Employment Security was confirmed by the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 5; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—42.

Absent or not voting: Senators Connor, Durkan, Gissberg, Lennart, Rasmussen—5.

Excused: Senators Morgan, Thompson, Jr.—2.

**MOTION**

At 3:15 p. m., on motion of Senator Greive, the Senate adjourned until 11:00 a. m., Monday, March 29, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

**FIFTEENTH DAY****MORNING SESSION**

SENATE CHAMBER,

OLYMPIA, WASH., Monday, March 29, 1965.

The Senate was called to order at 11:00 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Petrich and Mardesich.

On motion of Senator Greive, Senator Petrich was excused.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Sheila Holt, presented the Colors.

Reverend Charles A. Loyer, pastor of the Westminster United Presbyterian Church of Olympia, offered prayer as follows:

"Eternal God and Father who dost bring Thy will to pass through the decisions of men: grant unto the legislators Thy grace during the closing weeks of this session. They are tired; spare them the bootless journeys of dead-end streets and the frustration of stalemates. In their weariness, emotions will easily be stirred; give them patience with one another and self-control. They have decisions yet to make; help them to

rise above their fatigue, to grasp the heart of each matter, and to act with unison and dispatch, blending with a sound fiscal policy courageous and prophetic action. Amen."

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

**MESSAGE FROM THE HOUSE  
HOUSE AMENDMENT TO SENATE BILL**

House of Representatives,  
Olympia, Wash., March 25, 1965.

**MR. PRESIDENT:**

The House has passed Engrossed Substitute Senate Bill No. 1 with the following amendments:

On page 2, line 24 of the printed bill, being page 2, line 22 of the engrossed bill, after "compensation" and before "in" insert "or expenses"

On page 3, line 7, in section 10 of the printed bill being renumbered section 8 of the engrossed bill, after the period insert the following:

"Criminal actions for violations of this chapter shall be commenced within five years from the date on which the violation occurred."

On page 1 of the Senate amendment by Senator Hanna, in line 3 of said amendment, being page 3, line 10 of the engrossed bill, after "primary" and before "election" insert "or for"

In line 5 of the Senate amendment by Senator Hanna being line 11 of the engrossed bill, after "primary" and before "election" insert "or"

On page 2, line 3 of the amendment by Senator Hanna being page 3, line 23 of the engrossed bill after the "." insert the following: "The names of persons, corporations, associations or labor unions purchasing tickets to political fund-raising dinners shall also be disclosed in such statements, together with the dollar amount of each purchase: *Provided*, That no such purchase that, in the aggregate, is not over \$11.00 need be reported."

On page 2 of the Senate amendment by Senator Hanna, line 6, being page 3, line 25 of the engrossed bill, after "records" add the following: "*Provided*, That no person campaigning for any elective office in the state of Washington shall expend for campaign purposes any more than the office provides as compensation during the term of the office being sought: *Provided, however*, That a candidate for a nonsalaried position may expend not to exceed one thousand dollars in his campaign."

On page 3 of the engrossed bill add a new section

"**NEW SECTION.** Sec. 10. Every organization or group that contributes financially to political candidates, or in any way supports or recommends any political candidate or candidates, shall file with the secretary of state on the first of each month, a report in which is enumerated all expenditures and income for the immediately preceding month. Such report shall be available for public inspection. Failure to comply with the requirements of this section shall constitute a gross misdemeanor.",  
and the same is herewith transmitted. S. R. HOLCOMB, Chief Clerk.

**MOTION**

It was moved by Senator Greive that Engrossed Substitute Senate Bill No. 1 and the House amendments thereto be referred to the Committee on Rules and Joint Rules.

Debate ensued.

Senators Gallagher, Keefe and Cooney demanded the previous question and the demand was sustained.

Senator Moriarty, Jr., demanded a roll call and the demand was sustained by Senators Neill, Chytil, Freise, Ryder, Peterson (Ted), Stender, Guess, Dore and Foley.

**ROLL CALL**

The Secretary called the roll and the motion was carried by the following vote: Yeas, 26; nays, 16; absent or not voting, 6; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Donohue, Foley, Gallagher, Greive, Hanna, Henry, Herr, Herrmann, Knoblauch, Kupka, Lewis, McCutcheon, McMillan, Morgan, Peterson (Lowell), Redmon, Riley, Sandison, Stender, Talley, Woodall—26.

Those voting nay were: Senators Chytil, Dore, England, Freise, Gissberg, Guess, Hallauer, Lennart, McCormack, Moriarty, Jr., Neill, Peterson (Ted), Rasmussen, Raugust, Ryder, Washington—16.

Absent or not voting: Senators Cowen, Durkan, Keefe, Mardesich, Thompson, Jr., Williams—6.

Excused: Senator Petrich—1.

Engrossed Substitute Senate Bill No. 1 was referred to the Committee on Rules and Joint Rules.

#### PARLIAMENTARY INQUIRY

Senator Moriarty, Jr.:

"Mr. President, point of parliamentary inquiry:

"You recall a parliamentary inquiry which I directed to the Chair last Friday night as to whether or not the Rules Committee could fail to return a bill which had been passed by the House and returned to the Senate with amendments for Senate action. I wonder if the President is prepared to rule on the inquiry at the present time."

#### REPLY BY THE PRESIDENT

The President:

"The President would rather defer that until a later time this morning or this afternoon, Senator Moriarty. The President believes that the Senate Rules Committee could fail to do so, but he doesn't think that is exactly what you meant this morning."

#### MOTION

Senator Greive:

"Mr. President:

"I move that Senate Bill No. 8 hold its place and that we proceed to Senate Bill No. 47."

#### POINT OF ORDER

Senator Woodall:

"Point of order, Mr. President:

"Have we reached the order of business where we are receiving messages from the House? I believe that this properly comes under the fifth order of business."

#### RULING BY THE PRESIDENT

The President:

"Your point of order is well taken. The President was just going to request that we consider the matter in the proper order of business."

The Secretary read:

#### SENATE RESOLUTION

No. 1965 EX -7

By Senators Atwood, Mardesich, Gissberg, Henry, Lennart, Peterson (Lowell), Gallagher and Redmon:

WHEREAS, There exist broad, valid reasons for an extension of the Alaska Marine Highway as a part of the United States Interstate Highway System to a southern terminus connecting with United States Interstate Highway Number Five, in the state of Washington among which are the following:

An Alaska Marine Highway System gateway oriented toward the Western United States is required if Alaska is to realize maximum benefits from that system.

Such a gateway would create significant economic gains for the entire northern area of British Columbia, as well as the states of Alaska and Washington.

As the present Marine Highway System grows in popularity and usage, there will be created a demand for its services by travelers and shippers located farther away from Prince Rupert, resulting in an inevitable linking with the present United States Interstate Highway System.

The extension of the Marine Highway System to a southern terminus is economically sound from every standpoint.

The Alaska Marine Highway System is considered by the Alaska International Rail and Highway Commission and recognized by the Battelle Institute as a vital part of a coordinated highway system to encourage the development of tourism in the northwest part of North America. The commission recognizes the establishment of a marine highway as the most efficient and least expensive way to provide transportation for people and things to and from the coastal cities, whether or not the coordinated highway system is constructed; and

WHEREAS, The state of Washington is actively engaged in a program of industrial development, and few industries offer greater opportunities for expansion and benefit to our economy than tourism; and

WHEREAS, Studies have revealed that many advantages would accompany an extension of the Marine Highway System, accruing not only to Alaska and Washington but also to the Province of British Columbia, Canada, and the other western states through which Alaska-bound tourists and freight would flow;

Now, Therefore, Be It Resolved, By the Senate, that the Congress of the United States is hereby respectfully requested to devise and approve legislation for the extension of the Alaska Marine Highway as a part of the United States Interstate Highway System to a southern terminus connecting with United States Interstate Highway Number Five, in the state of Washington;

Be It Further Resolved, that copies of this resolution be transmitted by the Secretary of the Senate to the President of the United States, the Senators and Representatives of the state of Washington in the Congress of the United States, the Vice President, the Speaker of the House of Representatives, the Chairman of the Public Works Committees of the House of Representatives and the United States Senate, the Secretary of the Department of Commerce and the Chairman of the Alaska Rail and Highway Commission.

It was moved by Senator Atwood that the resolution be adopted.

Debate ensued.

#### POINT OF INQUIRY

Senator Riley:

"Mr. President, would Senator Atwood yield?"

"Senator Atwood, will this resolution have any effect, if adopted, or could it benefit any areas in Puget Sound other than the general area around the territory of Bellingham and its surroundings?"

Senator Atwood:

"It certainly could. This resolution does not specify any particular area, and I would think that probably Seattle would be the front runner and become the terminus on highway No. 5 for this Alaska Marine Highway. I also believe that we would have a chance in the Bellingham area, but I think your chances in Seattle are better than ours."

Senator Woodall:

"Senator Atwood, would you say that this is somewhat comparable to giving some certain benefits for the port of Seattle, regardless of where it comes into the state, as Senator Riley said when he spoke on the port benefits, it would be spread around the state?"

Senator Atwood:

"Yes, Senator, you realize your far-sighted Senator Redmon from Yakima sees the benefits to the Yakima area."

Debate ensued.

The motion was carried and the resolution was adopted.



The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred: Senate Bill No. 148; also

Senate Bill No. 177; also  
Senate Bill No. 199; also  
Senate Bill No. 205; also  
Senate Bill No. 222; also  
Senate Bill No. 229; also  
Senate Bill No. 252; also  
Senate Bill No. 264; also  
Senate Bill No. 265; also  
Senate Bill No. 292; also  
Senate Bill No. 294; also  
Senate Bill No. 327; also  
Senate Bill No. 337; also  
Substitute Senate Bill No. 358;  
Senate Bill No. 377; also  
Senate Bill No. 476; also

Senate Bill No. 477, have inspected same, and find them correctly enrolled and certified.

FRANK W. FOLEY, *Chairman*.

We concur in this report: John A. Petrich, Perry B. Woodall.

Senate Chamber,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Substitute Senate Bill No. 479; also

Senate Bill No. 518; also

Senate Bill No. 520, have inspected same, and find them correctly enrolled and certified.

FRANK W. FOLEY, *Chairman*.

We concur in this report: John A. Petrich, Perry B. Woodall.

**Engrossed House Bill No. 14:**

Senate Chamber,  
Olympia, Wash., March 26, 1965.

Creating and setting forth powers and duties of the higher education facilities commission (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass.

FRANK W. FOLEY, *Chairman*.

FRED H. DORE, *Chairman*,

Committee on Appropriations.

....., *Chairman*,

Committee on Revenue and Regulatory.

We concur in this report: Robert C. Bailey, Joe Chytil, John L. Cooney, David C. Cowen, Michael J. Gallagher, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, Ernest W. Lennart, Charles P. Moriarity, Jr., Marshall A. Neill, John A. Petrich, Edward F. Riley, John N. Ryder, Gordon Sandison, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE GOVERNOR**

Executive Department,  
Olympia, March 26, 1965.

To the Honorable, the Senate of the State of Washington.

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bill, entitled:

**Senate Bill No. 546:**

Prescribing qualifications of members of the state highway commission.

Very truly yours,

RAYMOND W. HAMAN,

*Legal Counsel to the Governor.*

**GUBERNATORIAL APPOINTMENTS**

The following appointments by the Governor were acted upon as indicated:

**BOARD OF REGENTS, WASHINGTON STATE UNIVERSITY**

H. H. (DUTCH) HAHNER, appointed March 19, 1965, for the term ending March 9, 1971, succeeding Thomas P. Gose.

MICHAEL DEDERER, appointed March 19, 1965, for the term ending March 9, 1971, succeeding Leo Weisfield.

Referred to the Committee on Higher Education and Libraries.

The President declared the Senate to be at ease.

The President called the Senate to order at noon.

The Secretary called the roll and announced to the President that all Senators were present except Senator Petrich, who was excused.

The Secretary read:

**MESSAGES FROM THE HOUSE****AMENDMENTS TO SENATE BILL**

House of Representatives,  
Olympia, Wash., March 24, 1965.

**MR. PRESIDENT:**

The House has passed Engrossed Senate Bill No. 47 with the following amendments:

In line 8 of the title, after "RCW 43.03.010 and before the period insert "; and amending section 1, chapter 173, Laws of 1941 as last amended by section 1, chapter 3, Laws of 1965, and RCW 44.04.080"

On page 3 of the Senate Committee Amendment by the Committee on Judiciary, being page 2 of the engrossed bill, following section 5, add a new section as follows:

"Sec. 6. Section 1, chapter 173, Laws of 1941 as last amended by section 1, chapter 3, Laws of 1965, and RCW 44.04.080 are each amended to read as follows:

Members of the legislature including the president of the Senate shall be paid not to exceed [forty] *twenty-five* dollars per day in lieu of subsistence and lodging during and while attending any legislative session. The effective date of this section shall be January 1, 1967."

and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Gallagher, the Senate concurred in the House amendments to Engrossed Senate Bill No. 47.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 47, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 30; nays, 16; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Connor, Cooney, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Hallauer, Hanna, Herrmann, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Raugust, Sandison, Stender, Talley, Washington, Williams, Woodall—30.

Those voting nay were: Senators Charette, Chytil, Cowen, Donohue, Greive, Guess, Henry, Herr, Keefe, Lennart, McMillan, Peterson (Ted), Rasmussen, Redmon, Riley, Ryder—16.

Absent or not voting: Senators Mardesich, Thompson, Jr.—2.

Excused: Senator Petrich—1.

Engrossed Senate Bill No. 47, as amended by the House, having received the constitutional majority, was declared passed.

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

On motion of Senator Woodall, the message to the House pertaining to the concurrence of the Senate was ordered immediately transmitted to the House.

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 25, 1965.

MR. PRESIDENT:

The House has passed Senate Bill No. 8 with the following amendments:

On page 1, section 1, lines 20 and 21, strike all of subsection (8) and insert "[ (8) Person who wanders about the streets at late or unusual hours of the night without any visible or lawful business; or,]"

On page 1, line 22, strike "(9)" and insert "[ (9) ] (8)"

On page 1, line 26, strike "(10)" and insert "[ (10) ] (9)"

On page 2, line 1, strike "(11)" and insert "[ (11) ] (10)"

On page 2, line 3, strike "(12)" and insert "[ (12) ] (11)"

On page 2, lines 6 and 7 strike all of subsection (13) and insert "[ (13) Person having no visible means of support who does not seek employment, nor work when employment is offered to him; or,]"

On page 2, line 8, strike "(14)" and insert "[ (14) ] (12)"

On page 2, section 1, line 19, after "student in" and before "or" insert "or parents or guardians of such students"

On page 2 add a new section as follows:

"NEW SECTION. Sec. 2. SEVERABILITY. If any provision or clause of this act or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.,

and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

On motion of Senator Washington, the Senate concurred in the House amendments to Senate Bill No. 8.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 8, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Keefe, McCutcheon, Mardesich—3.

Excused: Senator Petrich—1.

Senate Bill No. 8, as amended by the House, having received the constitutional majority, was declared passed.

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

## HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 24, 1965.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 78 with the following amendment: On page 2, section 1, beginning on line 28 of the printed bill, being line 27 of the engrossed bill, after "election of" strike all of the matter down to and including "taxing district" on line 30 of the printed bill, being line 29 of the engrossed bill and insert "[any school district] *such districts* or of any city or town must constitute not less than forty percent of the voters in [said] *such* taxing [district] *districts*", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

## MOTION

On motion of Senator Greive, consideration of Engrossed Senate Bill No. 78 was deferred until after consideration of the message from the House concerning Engrossed Senate Bill No. 451.

## HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 25, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 117 with the following amendment: On page 2, section 1, beginning on line 24 of the printed bill, being line 23 of the engrossed bill, strike the Senate amendment by Senator Bailey, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Hanna, the Senate concurred in the House amendments to Engrossed Senate Bill No. 117.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 117, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Those voting nay were: Senator Rasmussen—1.

Absent or not voting: Senators Dore, Mardesich, Neill—3.

Engrossed Senate Bill No. 117, as amended by the House, having received the constitutional majority, was declared passed.

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

## MOTION

On motion of Senator Gallagher, the Senate resumed consideration of the message from the House and the House amendments to Engrossed Senate Bill No. 78.

On motion of Senator Herrmann, the Senate concurred in the House amendments to Engrossed Senate Bill No. 78.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 78, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Absent or not voting: Senator Mardesich—1.

Engrossed Senate Bill No. 78, as amended by the House, having received the constitutional majority, was declared passed.

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

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives.  
Olympia, Wash., March 24, 1965.

MR. PRESIDENT:

The House has passed Engrossed Substitute Senate Bill No. 167 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**NEW SECTION.** Section 1. We, the legislature find that an increasing number of municipally owned, or leased, and operated transportation systems in the cities of the state of Washington, as in the nation, are finding it impossible, from the revenues derived from tolls, tariffs and fares, to maintain the financial solvency of such systems, and as a result thereof such municipalities have been forced to subsidize such systems to the detriment of other essential public services.

All persons in a community benefit from a solvent and adequate public transportation system, either directly or indirectly, and the responsibility of financing the operation, maintenance, and capital needs of such systems is a community obligation and responsibility which should be shared by all.

We further find and declare that the maintenance and operation of an adequate public transportation system is an absolute necessity and is essential to the economic, industrial and cultural growth, development and prosperity of a municipality and of the state and nation, and to protect the health and welfare of the residents of such municipalities and the public in general.

We further find and declare that the appropriation of general funds and levying and collection of taxes by such municipalities as authorized in the succeeding sections of this act is necessary, and any funds so derived and expended are for a public purpose for which public funds may properly be used.

**NEW SECTION.** Sec. 2. The following terms, however used or referred to in this chapter, shall have the following meanings, unless a different meaning is required by the context:

(1) "Corporate authority" shall mean the council or other legislative body of a municipality.

(2) "Municipality" shall mean any incorporated city of the first class in the state.

(3) "Person" shall mean any individual, firm, partnership, corporation, company, association, joint stock association, school district or political subdivision of the state, fraternal, benevolent, religious or charitable society, club or organization, and shall include any trustee, receiver, assignee, or other person acting in a similar representative capacity. The term "person" shall not be construed to include the United States nor the state of Washington.

**NEW SECTION.** Sec. 3. The corporate authorities of any municipality are authorized to appropriate general funds for the operation, maintenance, and capital needs of municipally owned or leased and municipally operated public transportation systems subject to the right of referendum as provided by statute or charter.

**NEW SECTION.** Sec. 4. The corporate authorities of a municipality are authorized to adopt ordinances for the levy and collection of excise taxes and/or for the imposition of an additional tax for the act or privilege of engaging in business activities. Such business and occupation tax shall be imposed in such amounts as fixed and determined

by the corporate authorities of the municipality and shall be measured by the application of rates against value of products, gross proceeds of sales, or gross income of the business, as the case may be. The terms "business", "engaging in business", "gross proceeds of sales", and "gross income of the business" shall for the purpose of this act have the same meanings as defined and set forth in chapter 82.04 RCW or as said chapter may hereafter be amended.

The excise taxes other than the business and occupation tax above provided for shall be levied and collected from all persons within the municipality who are served and billed for any one or more public utility services owned and operated by such municipality in such amounts as shall be fixed and determined by the corporate authorities of the municipality: *Provided*, That such excise tax shall not exceed one dollar per month for each housing unit. For the purposes of this section, the term "housing unit" shall mean a building or portion thereof designed for or used as the residence or living quarters of one or more persons living together, or of one family.

All taxes herein authorized shall be taxes other than a retail sales tax defined in chapter 82.08 RCW and a use tax defined in chapter 82.12 RCW, and the municipality shall appropriate and use the proceeds derived from all taxes authorized herein only for the operation, maintenance and capital needs of its municipally owned or leased and municipally operated public transportation system.

**NEW SECTION.** Sec. 5. The tax levied under the provisions of section 4 of this act shall be billed and collected at such times and in the manner fixed and determined by the corporate authorities in an ordinance levying the tax: *Provided*, That the tax shall be designated and identified as a tax to be used solely for the operation, maintenance, and capital needs of the municipally owned or leased and municipally operated public transit system.

**NEW SECTION.** Sec. 6. No funds derived from any tax levied under the provisions of this act shall, for any purpose whatsoever, be classified as or constitute income, earnings, or revenue of the public transportation system for which the tax is levied nor of any other public utility owned or leased and operated by such municipality; nor shall such funds constitute or be classified as any part of the rate structure or rate charged for the public utility.

**NEW SECTION.** Sec. 7. In the event the corporate authorities of any municipality during the term of a lease or any renewal thereof of a public transportation system desire to purchase the said system, the purchase price shall be no greater than the fair market value of the said system at the commencement of the lease.

**NEW SECTION.** Sec. 8. Nothing contained in this act nor the provisions of any city charter shall prevent a referendum on any ordinance or action adopted or taken by any municipality under the provisions of this act.

**NEW SECTION.** Sec. 9. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Gallagher, the Senate concurred in the House amendments to Engrossed Substitute Senate Bill No. 167.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 167, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 44; nays, 4; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Those voting nay were: Senators Charette, Cowen, Knoblauch, Rasmussen—4.

Absent or not voting: Senator Mardesich—1.

Engrossed Substitute Senate Bill No. 167, as amended by the House, having received the constitutional majority, was declared passed.

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

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 25, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 301 with the following amendments:

In line 1 of the title after "elections;" strike the remainder of the title and insert "amending section 29.10.110, chapter 9, Laws of 1965 and RCW 29.10.110; amending section 29.51.060, chapter 9, Laws of 1965 and RCW 29.51.060; and adding new sections to chapter 9, Laws of 1965 and to chapters 29.04 and 29.10 RCW."

On page 3 of the printed and engrossed bill, following section 4 insert:

"Sec. 5. Section 29.51.060, chapter 9, Laws of 1965 and RCW 29.51.060 are each amended to read as follows:

If any person appears and offers or demands the right to vote at any primary or election, as a registered voter in the precinct where the primary or election is held, the election officers shall require him to sign his name and *current address subject to penalties of perjury* in one of the official poll books, which shall be designated the [voter's signature] *county auditor's copy*, and shall compare such signature with the signature upon the registration card of the person registered under the same name. If the election officers, or a majority of them, upon comparing the signatures are satisfied that the person offering to vote is the identical person registered, they shall permit him to vote: *Provided*, That if the person registered signed his registration card with a cross or mark, identified by the signature of some other person, the election officers must require the person offering to vote to be identified by the person who signed the registration card, or by a registered voter of the precinct. Unless the identifying witness is personally known to the election officers, or to some of them, they may require the identifying witness to sign his name in the presence of the election officers for the purpose of identification.

*As soon as it is determined that the person is qualified to vote, one of the precinct election officers shall copy the voter's name and address on the corresponding line in a second poll book which shall be identified as the inspector's copy. Such second poll book shall contain two extra copies of each page and so designed that two carbon copies can be easily made and readily detached.*

*It shall not be necessary to use such redesigned poll books for any primary or election until on and after the 1966 state primary election.*

**NEW SECTION.** Sec. 6. There is added to chapter 9, Laws of 1965 and to chapter 29.04 RCW a new section to read as follows:

All poll books shall be public records and be made available for inspection under such reasonable rules and regulations as the county auditor may prescribe. The county auditor shall promptly furnish copies of any poll books in his possession, at cost, to any person requesting such copies.

On the day of any primary or election, general or special, the precinct election officer in charge of the inspector's copy of the poll book shall detach the two carbon copies as each page is filled, and shall make one copy available to the official representative of each major political party as shall have been designated in writing by the respective county chairmen.

**NEW SECTION.** Sec. 7. There is added to chapter 9, Laws of 1965 and to chapter 29.10 RCW two new sections to read as set forth in sections 8 and 9 of this amendatory act.

**NEW SECTION.** Sec. 8. At the time any registration officer inspects the permanent registration records in his possession, to determine whether or not any voter's record should be canceled for failure to vote as provided in section RCW 29.10.080 as it now exists or hereafter amended, he shall also compare the voter registration record with the signature and address of each voter as it appears in the poll book used at the most recent preceding state general election. If the address of any voter, as written by the voter, in the poll book does not agree with the address of the voter as stated on his permanent registration records, the registration officer shall:

(1) Send a notice, by certified mail to addressee only, with return receipt requested, showing address where delivered, to the voter, using the address as given in the poll book and advising him that he must either have his registration transferred or register anew, as the case may be. Such notice shall also contain a prepaid postcard form addressed to the registration officer for the convenience of the voter to indicate what action the voter intends to take.

(2) If the voter believes that his registration record should not be changed, he shall so notify his registration officer who, in turn, shall promptly arrange for a hearing unless it is manifestly apparent that the voter's reasons are valid for keeping his record unchanged. If a hearing is necessary, any ruling issued by the registration officer shall be final, subject only to an appeal to the superior court under the provisions of chapter 34.04 RCW.

(3) If the notice mailed by the registration officer is either returned as undeliverable or the voter does not respond within thirty days from the date of mailing, the registration officer shall cancel the registration record concerned and notify the secretary of state of such cancellation. If the voter received the notice, as evidenced by the return receipt, the registration officer shall further notify such voter by first class mail that his registration has been canceled.

**NEW SECTION.** Sec. 9. The secretary of state shall cause appropriate forms to be designed to carry out the provisions of section 8 of this amendatory act, and shall furnish such forms to the various county auditors and city and town clerks.", and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

It was moved by Senator Gallagher that the Senate do concur in the House amendments to Engrossed Senate Bill No. 301.

Debate ensued.

#### POINT OF INQUIRY

Senator Riley:

"Mr. President, would Senator Gallagher yield to a question?"

"Senator Gallagher, in the lists that are going to be compiled and available to political parties, does this mean just two political parties?"

Senator Gallagher:

"That is my understanding, the two major political parties."

The motion was carried.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 301, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Absent or not voting: Senator Mardesich—1.

Engrossed Senate Bill No. 301, as amended by the House, having received the constitutional majority, was declared passed.

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

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 25, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 320 with the following amendment: Strike the Senate amendment by Senator Hallauer, on page 1, section 1, of the printed and engrossed bills and insert:



"Notwithstanding any other provision of law, every public utility district acquiring privately owned lands, real estate or property for reservoir purposes of a hydroelectric power project dam on the Columbia river, upon acquisition of title to said lands, whether acquired by purchase or condemnation, shall grant back to the former owners of the lands acquired upon their request therefor, whether prior to conveyance of title to the district or within sixty days thereafter, a perpetual easement appurtenant to the adjoining property for such occupancy and use and improvement of the acquired lands as will not be detrimental to the operation of the hydroelectric project and not be in violation of the required conditions of the district's Federal Power Commission license for the project: *Provided*, That said former owners shall not thereafter erect any structure or make any extensive physical change thereon except under a permit issued by the public utility district: *Provided further*, That said easement shall include a provision that any shorelands thereunder shall be open to the public, and shall be subject to cancellation upon sixty days notice to the owners by the district that such lands are to be conveyed to another public agency for game or game fish purposes or public recreational use, in which event the owners shall remove any structures they may have erected thereon within a reasonable time without cost to the district. The provisions of this section shall not be applicable with respect to: (1) lands acquired from an owner who does not desire an easement for such occupancy and use; (2) lands acquired from an owner where the entire estate has been acquired; (3) lands acquired for, and reasonably necessary for, project structures (including borrow areas) or for relocation of roads, highways, railroads, other utilities or railroad industrial sites; and (4) lands heretofore acquired or disposed of by sale or lease by a public utility district for whatsoever purpose.",

and the same is herewith transmitted. S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Hallauer, the Senate concurred in the House amendments to Engrossed Senate Bill No. 320.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 320, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 43; nays, 4; absent or not voting, 2.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Williams, Woodall—43.

Those voting nay were: Senators Atwood, Lewis, Redmon, Washington—4.  
Absent or not voting: Senators Mardesich, Raugust—2.

Engrossed Senate Bill No. 320, as amended by the House, having received the constitutional majority, was declared passed.

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

#### MOTION

At 1:00 p. m., on motion of Senator Greive, the Senate recessed until 2:00 p. m.

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#### AFTERNOON SESSION

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

The Secretary called the roll and announced to the President that all Senators were present except Senator Mardesich.

**MESSAGES FROM THE HOUSE**  
**HOUSE AMENDMENTS TO SENATE BILL**

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 24, 1965.

The House has passed: Engrossed Senate Bill No. 334 with the following amendments:

On page 1, lines 17 and 18 of the title of the printed bill, being line 17 of the engrossed bill, strike "46.20.100" and insert "46.20.090"

On page 1, line 19 of the title of the printed bill, being line 18 of the engrossed bill, strike "46.20.100" and insert "46.20.090"

On page 3, section 4, line 32, of the printed and engrossed bills, strike "30" and insert "27"

On page 7 of the printed and engrossed bills, strike all of Sections 9, 10, and 11. Renumber the remaining sections consecutively.

On page 17, line 15, of the printed and engrossed bills, strike "44" and insert "41"

On page 18, line 2, of the printed and engrossed bills, strike "46" and insert "43"

On page 18, line 4, of the printed and engrossed bills, strike "28" and insert "25"

On page 19, line 1, of the printed and engrossed bills, strike "34 and 35" and insert "31 and 32"

On page 19, line 15, of the printed and engrossed bills, strike "29" and insert "26"

On page 19, line 18, of the printed and engrossed bills, strike "32 and 33" and insert "29 and 30"

On page 20, line 2, of the printed and engrossed bills, strike "32 and 33" and insert "29 and 30"

On page 20, line 3, of the printed and engrossed bills, strike "35" and insert "33"

On page 21, line 3, of the printed and engrossed bills, strike "38" and insert "35"

Beginning on line 14 of the mimeographed Senate Amendment by Committee on Highways on page 23, inserting a "Sec. 45.", being page 23, beginning on line 16 of the engrossed bill, strike "The appeal shall not supersede the suspension, revocation, cancellation or refusal of the license or certificate by the director" and insert "[The appeal shall not supersede the suspension, revocation, cancellation or refusal of the license or certificate by the director]"

On page 24, renumbered section 46, line 15 of the printed bill, being line 14 of the engrossed bill, strike "46.20.100" and insert "46.20.090"

On page 24, renumbered section 46, lines 15 and 16 of the printed bill, being line 15 of the engrossed bill, strike "46.20.100" and insert "46.20.090", and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

On motion of Senator Washington, the Senate concurred in the House amendments to Engrossed Senate Bill No. 334.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 334, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—42.

Absent or not voting: Senators Donohue, Foley, Hanna, Keefe, Mardesich, Raugust, Sandison—7.

Engrossed Senate Bill No. 334, as amended by the House, having received the constitutional majority, was declared passed.

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

Senators Greive, McCutcheon and Cooney demanded a Call of the Senate.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all memebtrs being present except Senator Mardesich.

On motion of Senator Greive, the rules were suspended and Senator Mardesich was excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

**RULING BY THE PRESIDENT**

The President:

"In response to the point of parliamentary inquiry directed to the President by Senator Moriarty, Jr. . . .

"The President would like to direct the attention of the Senate to Senate Rule No. 46, the first paragraph of which reads as follows:

**'DUTIES OF COMMITTEES**

Rule 46. The several committees shall fully consider all measures referred to them.

The committees shall acquaint themselves with the interest of the state specially represented by the committee, and from time to time present such bills and reports as in their judgment will advance the interests and promote the welfare of the people of the state.'

"Therefore, the President answers that the Senate Committee on Rules and Joint Rules may decline to place on the floor for action any measure over which the committee has jurisdiction."

**HOUSE AMENDMENTS TO SENATE BILL**

House of Representatives,  
Olympia, Wash., March 25, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 389 with the following amendments:

On line 5 of the title, in the amendment by the Senate Judiciary Committee to the title being line 6 of the engrossed bill, following "certain procedures" and before the period, insert "; and amending section 174, page 260, Laws of 1854, as last amended by section 2, chapter 11, Laws of 1891 and RCW 10.04.100"

On page 3, add a new section following section 5, as follows:

"Sec. 6. Section 174, page 260, Laws of 1854, as last amended by section 2, chapter 11, Laws of 1891 and RCW 10.04.100 are each amended to read as follows:

Such justice [or jury], if [they find] the [prisoner] *defendant is found* guilty, shall assess his punishment; or if, in [their] *his* opinion, the punishment [they are] *he* is authorized to assess is not adequate to the offense, [they] *he* may so find, and in such case the justice shall order such defendant to enter recognizance to appear in the superior court of the county, and shall also recognize the witnesses, and proceed as in proceedings by a committing magistrate.", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

It was moved by Senator Woodall that the Senate do not concur in the House amendments to Engrossed Senate Bill No. 389 and ask the House to recede therefrom.

Debate ensued.

The motion was carried.

**HOUSE AMENDMENT TO SENATE BILL**

House of Representatives,  
Olympia, Wash., March 24, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 399 with the following amendment:

On page 1, section 1, line 21 of the printed bill being line 20 of the engrossed bill, after the word "of" strike "licenses" and insert "motor vehicles", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Washington, the Senate concurred in the House amendments to Engrossed Senate Bill No. 399.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 399, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senator Talley—1.

Excused: Senator Mardesich—1.

Engrossed Senate Bill No. 399, as amended by the House, having received the constitutional majority, was declared passed.

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

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 24, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 414 with the following amendments:

On page 1, section 4, line 26 of the printed bill, being line 24 of the engrossed bill, after the period following "4" and before "members" strike "Five" and insert "Six"

On page 1, section 4, line 27 of the printed bill, being line 25 of the engrossed bill, after "and" and before "members" strike "four" and insert "three", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Washington, the Senate concurred in the House amendments to Engrossed Senate Bill No. 414.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 414, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 39; nays, 6; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Washington, Williams, Woodall—39.

Those voting nay were: Senators Chytil, Freise, Neill, Ryder, Stender, Thompson, Jr.—6.

Absent or not voting: Senators Hallauer, Kupka, Talley—3.

Excused: Senator Mardesich—1.

Engrossed Senate Bill No. 414, as amended by the House, having received the constitutional majority, was declared passed.

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

Senators Greive, Cooney and Kupka demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate.

During the roll call, the following proceedings were had:

The Sergeant at Arms was directed to bring Senator Talley to the bar of the Senate.

#### MOTION

It was moved by Senator Greive that the rules be suspended and that the Secretary complete the roll call.

#### POINT OF ORDER

Senator Rasmussen:

"Mr. President, I object.

"Under Rule 32, that takes a unanimous vote, Mr. President."

#### RULING BY THE PRESIDENT

The President:

"Senator Rasmussen, if the motion carries to suspend the rules, then Rule 32 also is suspended."

The motion was carried.

#### PARLIAMENTARY INQUIRY

Senator Stender:

"Parliamentary inquiry, Mr. President:

"How does the President determine a two-thirds vote by voice vote?"

#### REPLY BY THE PRESIDENT

The President:

"The President has an innate ability to make such decisions, Senator."

#### PARLIAMENTARY INQUIRY

Senator McCormack:

"Mr. President, parliamentary inquiry:

"How is it that a two-thirds majority vote to suspend the rules can suspend a rule requiring unanimous agreement?"

#### REPLY BY THE PRESIDENT

The President:

"Because the rule requiring unanimous agreement is merely one rule embodied within the Senate rules and the President really believes, Senator, that a majority of the members may decide a course of action of this particular body at any time. They can even abrogate the two-thirds majority required to suspend the rules."

Senator McCormack:

"Would it be the opinion of the President, then, that the rule requiring unanimity has no meaning?"

**REPLY BY THE PRESIDENT**

The President:

"The President believes that the rule does have considerable meaning, Senator McCormack. The President believes that the majority may enforce any rule as it sees fit at any time the Senate is in session. Quite often, the rule requiring unanimity has been enforced."

**POINT OF ORDER**

Senator Rasmussen:

"Mr. President, point of order:

"I respectfully refer you to Rule 32. Once begun, a roll call may not be interrupted for any purpose other than for a Call of the Senate. This is in the rule that says a roll call may not be interrupted for any purpose."

**RULING BY THE PRESIDENT**

The President:

"The President, in his judgment, Senator, felt that it was his responsibility to expedite the business of the Senate and the state as much as possible. The President, on occasion, will recognize the full value of Senate Rule 32 and decline to put any motion presented during the roll call. The President believes that for the past several minutes there was really no necessity to delay proceedings, and for that reason put the motion to suspend the rules."

Senator Rasmussen:

"Mr. President, not wishing to belabor the point of order, but if it is within the power of anybody to suspend the rules at any time, we might as well do away with the rules."

The President:

"The President respectfully disagrees, Senator. The President tried to make it clear that he was merely trying to expedite the business of the Senate. The President believes that no Senator present should desire to delay proceedings for any unnecessary cause."

The Secretary completed the roll call and all Senators were present except Senator Mardesich, who was excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

**HOUSE AMENDMENT TO SENATE BILL**

House of Representatives,  
Olympia, Wash., March 24, 1965.

MR. PRESIDENT:

The House has passed Senate Bill No. 417 with the following amendment:

On page 6, following section 14, insert new section as follows:

"**NEW SECTION.** Sec. 15. None of the powers granted by this act shall be exercised by any public body for the purpose of refunding bonds issued in connection with development of any electric power and energy project or facility except with the prior approval of all public utilities or other persons obligated by contract to purchase five percent or more of the electric power and energy produced at such project or facility."

Renumber the remaining sections consecutively,  
and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

It was moved by Senator Ryder that the Senate do not concur in the House amendment to Senate Bill No. 417, and ask the House to recede therefrom.

Debate ensued.

The motion was carried.

## HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 25, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 379 with the following amendments:

In line 1 of the title, strike everything following the semicolon after "state government" and insert "establishing within the department of institutions a division of probation and parole and providing for the transfer of certain powers and duties of the state board of prison terms and paroles, thereto; providing for the transfer of certain personnel, books, documents and other writings, office equipment and motor vehicles, and other tangible property; and amending section 72.01.030, chapter 28, Laws of 1959 and RCW 72.01.030; and amending section 3, chapter 114, Laws of 1935 and RCW 9.95.170; and amending section 7, chapter 114, Laws of 1935 and RCW 9.95.260; and amending section 3, chapter 227, Laws of 1957 and RCW 9.95.200; and amending section 4, chapter 227, Laws of 1957 and RCW 9.95.210; and amending section 8, chapter 227, Laws of 1957 and RCW 9.95.250; and adding a new chapter to Title 72 RCW; and providing an effective date; and transferring funds."

On page 1, strike all of the matter after the enacting clause on line 10 and insert the following:

"Section 1. Section 72.01.030, chapter 28, Laws of 1959 and RCW 72.01.030 are each amended to read as follows:

There is established within the department of institutions four divisions to be known as, (1) the division of adult corrections, (2) the division of [alcoholism] *probation and parole*, (3) the division of children and youth services, and (4) the division of mental health.

**NEW SECTION.** Sec. 2. There is added to Title 72 RCW a new chapter to read as set forth in sections 3 through 6 of this amendatory act.

**NEW SECTION.** Sec. 3. There is established within the department of institutions a division to be known as the division of probation and parole.

**NEW SECTION.** Sec. 4. The director of institutions shall appoint and deputize an assistant director to be designated the supervisor of probation and parole and such person shall have had five years successful administrative experience in the probation and parole field, at the budget, policy and administrative level.

**NEW SECTION.** Sec. 5. The chief parole and probation officer under the board of prison terms and paroles shall, upon the effective date of this act, become the supervisor of probation and parole.

**NEW SECTION.** Sec. 6. The supervisor of probation and parole, through the division of probation and parole, and with the approval of the director of institutions, shall exercise all powers and perform all duties prescribed by law with respect to the administration of the probation and parole program by the department.

**NEW SECTION.** Sec. 7. The powers and duties of the state board of prison terms and paroles relating to (1) the supervision of parolees of any of the state penal institutions, (2) the supervision of persons placed on probation by the courts, and (3) duties with respect to persons conditionally pardoned by the governor, are transferred to the director of institutions who shall hereafter exercise such powers and perform such duties through the division of probation and parole of the department of institutions.

This section shall not be construed as affecting any of the remaining powers and duties of the board of prison terms and paroles including, but not limited to, the following:

(1) The fixing of minimum terms of confinement of convicted persons, or the reconsideration of its determination of minimum terms of confinement;

(2) Determining when, and under what conditions a convicted person may be released from custody on parole, and the revocation or suspension of parole or the modification or revision of the conditions of the parole of any convicted person.

**NEW SECTION.** Sec. 8. All employees of the board of prison terms and paroles who are employed in connection with the exercise of the powers and performance of the duties herein transferred to the director of institutions shall, upon the effective date of this amendatory act, be transferred to the department of institutions.

All such employees on permanent status shall be certified as employees of the department of institutions on permanent status and all such employees on probationary status shall be certified as employees of the department of institutions on probationary

status. All such employees transferred herein shall continue to be governed by the personnel provisions set forth in RCW 72.01.061 through 72.01.067.

The board of prison terms and paroles shall retain in its employ and under its jurisdiction those employees necessary to the performance of its remaining powers and duties and any doubts in this respect shall be resolved by the state personnel board. The board of prison terms and paroles may hire additional employees on a temporary basis or may borrow such employees from other state departments or enter into agreements with other state departments for the pro rata remuneration of employees of other departments whose services are temporarily required by the board.

**NEW SECTION.** Sec. 9. The director of institutions through the supervisor of the division of probation and parole of the department of institutions shall cause to be prepared plans and recommendations for the conditions of supervision under which each inmate of any of the state penal institutions who is eligible for parole may be released from custody. Such plans and recommendations shall be submitted to the board of prison terms and paroles, which may, at its discretion, approve, reject, revise or amend such plans and recommendations for the conditions of supervision of release of inmates on parole, and in addition, the board may stipulate any special conditions of supervision to be carried out by a probation and parole officer.

**NEW SECTION.** Sec. 10. Each inmate hereafter released on parole shall be subject to the supervision of the division of probation and parole of the department of institutions, and the probation and parole officers of the division shall be charged with the preparation of progress reports of parolees and to give guidance and supervision to such parolees within the conditions of a parolee's release from custody. Copies of all progress reports prepared by the probation and parole officers shall be supplied to the board of prison terms and paroles for their files and records.

**NEW SECTION.** Sec. 11. Whenever a parolee breaches a condition or conditions under which he was granted parole or violates any law of the state or rules and regulations of the board of prison terms and paroles, a probation and parole officer may arrest such parolee without a warrant for the person's arrest, pending a determination by the board. The facts and circumstances of such conduct of the parolee shall be reported by the probation and parole officer, with recommendations, to the board of prison terms and paroles, who may order the revocation or suspension of parole, revise or modify the conditions of parole or take such other action as may be deemed appropriate in accordance with RCW 9.95.120.

The probation and parole officers shall have like authority and power regarding the arrest and detention of a probationer who has breached a condition or conditions under which he was granted probation by the superior court, or violates any law of the state, pending a determination by the superior court.

In the event a probation and parole officer shall arrest a parolee or probationer in accordance with the provisions of this section, such parolee or probationer shall be confined and detained in the county jail of the county in which the parolee or probationer was taken into custody, and the sheriff of such county shall receive and keep in the county jail, where room is available, all prisoners delivered thereto by the probation and parole officer until discharged according to law.

**NEW SECTION.** Sec. 12. Upon the effective date of this amendatory act, the board of prison terms and paroles shall deliver to the director of institutions all books, documents, records, papers and other writings which have been made, and all cabinets, files, furniture, office equipment, motor vehicles, and other tangible property used or held in the exercise of the powers and performance of the duties which, by this amendatory act, are transferred to the director of institutions. If, however, such books, documents, records, papers and other writings are essential as determined by the board of prison terms and paroles to the performance of duties retained by the board, it may deliver copies of such books, documents, records, papers and other writings to the director of institutions.

The board of prison terms and paroles shall retain all books, documents, records, papers and other writings, and all cabinets, files, furniture, office equipment, motor vehicles, and other tangible property used or held in the exercise of the powers and performance of the duties which are not, by this amendatory act, transferred to the director of institutions.

**NEW SECTION.** Sec. 13. Except as otherwise provided by law, all records and files pertaining to inmates of any of the state penal institutions and all records and files of the department of institutions pertaining to inmates of such institutions released on parole or placed on probation by the superior court, shall be deemed privileged and confidential communications, and all officers and employees of the department



of institutions and of any of the state penal institutions are prohibited from disclosing the contents of such records and files, except in the administration of the duties and functions of such institutions and of the department of institutions. Such records and files shall only be available upon the issuance of a subpoena by the superior court, directed to and served upon the superintendent of the state penal institution, or the director of institutions, as the case may be, a copy of which shall be served upon the attorney general. The use of the contents of such records and files as documentary evidence as are material and pertinent in any judicial proceeding shall be by copies made and duly certified by the custodian of the records and files.

Sec. 14. Section 3, chapter 114, Laws of 1935 and RCW 9.95.170 are each amended to read as follows:

To assist it in fixing the duration of a convicted person's term of confinement, [prescribing treatment for such person while in confinement and supervising and regulating his or her activities while] *and in fixing the condition for release from custody on parole*, it shall not only be the duty of the board of prison terms and paroles to thoroughly inform itself as to the facts of such convicted person's crime but also to inform itself as thoroughly as possible as to such convict as a personality. [The board of prison terms and paroles must, therefore, adopt and apply an effective technique of investigation to develop information for that purpose] *The department of institutions and the institutions under its control shall make available to the board of prison terms and paroles on request its case investigations, any file or other record, in order to assist the board in developing information for carrying out the purpose of this section.*

Sec. 15. Section 7, chapter 114, Laws of 1935 and RCW 9.95.260 are each amended to read as follows:

It shall be the duty of the board of prison terms and paroles, when requested by the governor, to pass on the representations made in support of applications for pardons [or the restoration of civil rights] for convicted persons and to make recommendations thereon to the governor.

It will [also] be the duty of the [board of prison terms and paroles] *director of institutions through the division of probation and parole* to exercise supervision over such convicted persons as have been conditionally pardoned by the governor, to the end that such persons shall faithfully comply with the conditions of such pardons. *The board of prison terms and paroles shall also pass on the representations made in support of applications for restoration of civil rights of convicted persons and make recommendations to the governor. The department of institutions and the division of probation and parole and the officers and employees thereof shall prepare materials and make investigations requested by the board of prison terms and paroles in order to assist the board in passing on the representations made in support of applications for pardon or for the restoration of civil rights.*

Sec. 16. Section 3, chapter 227, Laws of 1957 and RCW 9.95.200 are each amended to read as follows:

After conviction by plea or verdict of guilty of any crime, the court upon application or its own motion, may summarily grant or deny probation, or at a subsequent time fixed may hear and determine, in the presence of the defendant, the matter of probation of the defendant, and the conditions of such probation, if granted: *PROVIDED, That probation shall not be granted to any person who is not eligible under the provisions of RCW 9.92.060 to receive a suspended sentence.* The court may, in its discretion, prior to the hearing on the granting of probation refer the matter to the [board of prison terms and paroles] *director of institutions* or such officers as the [board] *director* may designate for investigation and report to the court at a specified time, upon the circumstances surrounding the crime and concerning the defendant, his prior record, and his family surroundings and environment. [In case there are no regularly employed parole officers working under the supervision of the board of prison terms and paroles in the county or counties wherein the defendant is convicted by plea or verdict of guilty, the court may, in its discretion, refer the matter to the prosecuting attorney or sheriff of the county for investigation and report.]

Sec. 17. Section 4, chapter 227, Laws of 1957 and RCW 9.95.210 are each amended to read as follows:

The court in granting probation, may suspend the imposing or the execution of the sentence and may direct that such suspension may continue for such period of time, not exceeding the maximum term of sentence, except as hereinafter set forth and upon such terms and conditions as it shall determine.

The court in the order granting probation and as a condition thereof, may in its discretion, imprison the defendant in the county jail for a period not exceeding one year or may fine the defendant any sum not exceeding one thousand dollars plus the costs of the action, and may in connection with such probation impose both imprisonment in the county jail and fine and court costs. The court may also require the defendant to make such monetary payments, on such terms as it deems appropriate under the circumstances, as are necessary (1) to comply with any order of the court for the payment of family support, (2) to make restitution to any person or persons who may have suffered loss or damage by reason of the commission of the crime in question, and (3) to pay such fine as may be imposed and court costs, including reimbursement of the state for costs of extradition if return to this state by extradition was required, and may require bonds for the faithful observance of any and all conditions imposed in the probation. The court shall order the probationer to report to the [board of prison terms and paroles] *supervisor of the division of probation and parole of the department of institutions* or such officer as the [board] *supervisor* may designate and as a condition of said probation to follow implicitly the instructions of the [board of prison terms and paroles] *supervisor of probation and parole*. The [board of prison terms and paroles] *supervisor of probation and parole with the approval of the director of institutions* will promulgate rules and regulations for the conduct of such person during the term of his probation.

Sec. 18. Section 8, chapter 227, Laws of 1957 and RCW 9.95.250 are each amended to read as follows:

In order to carry out the provisions of [this] chapter 9.95 RCW the [state] parole officers working under the supervision of the [board of prison terms and paroles] *director of institutions* shall be known as [state] *probation and parole* [and probation] officers.

**NEW SECTION.** Sec. 19. Any appropriation made to the board of prison terms and paroles for the purpose of carrying out the powers and duties transferred by this amendatory act to the director of institutions shall be transferred and credited to the department of institutions for the purpose of carrying out such transferred powers and duties.

**NEW SECTION.** Sec. 20. This act shall take effect on July 1, 1965." and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### POINT OF ORDER

Senator Gallagher:

"Mr. President:

"At this time I would like to ask the Chair's ruling as to whether or not the amendment proposed by the House comes within the scope of Senate Bill No. 379. If you will open your books to Senate Bill No. 379, you will find that the only thing left to that bill is the number and the enacting clause. Everything else has been scalped including the balance of the title; and, in lieu thereof, Senate Bill No. 75 has been inserted in its stead. I respectfully call the Chair's attention to Senate Rule 62, where the scope and object of a bill has been changed, that bill should take its regular course and be referred to the proper standing committee and it shall be acted upon as all other bills."

The President:

"The President, in replying to your point of order, wishes to respectfully advise that the title is rather lengthy, as is the amendment, and the President believes that this will take considerable study and time. With the indulgence of the members of the Senate, I would appreciate it if the Senate would proceed in order and the President be privileged to rule upon your point of order at the earliest opportunity."

Senator Woodall:

"Mr. President, I would like to make one observation as to the point of order."

The President:

"The President did not wish to preclude discussion on the point of order, Senator Woodall."

Senator Woodall:

"Speaking on the point of order, Mr. President:

"When a measure comes to the Senate from the other house, it has been examined,

It comes to us as a new measure. It is not the purpose of one body to check whether or not the other body's amendment was or was not within the scope. It comes to us in the form that it comes from the opposite house for us to concur or not concur. Any amendments or any objections as to what was being done by the bill would have to be done by the amending house. It would not be for us to rule that the opposite house exceeded its authority or enlarged the scope and object of the bill, because that would make the presiding officer of one body able to overrule the ruling, the parliamentary ruling of the other body. It seems to me that this particular objection cannot be made at this stage of the proceedings, and I will suggest that the President consider that, along with the other matter, when he is making his ruling."

The President:

"Thank you, Senator."

Senator Charette:

"Mr. President, speaking on the point of order, the second part of Rule 62 says just the opposite of what Senator Woodall has just said."

The President:

"Thank you, Senator Charette."

Senator Moriarty, Jr.:

"Mr. President, speaking also on the point of order:

"May I point out that the House amendment relates to state government; that the original bill also relates to state government; that both the House amendment and the original Senate bill related to the Board of Prison Terms and Paroles. I do not think it enlarges the scope and object of the bill. It changes the direction of the bill."

On motion of Senator Riley, further consideration of Engrossed Senate Bill No. 379 and the House amendments thereto was deferred until tomorrow.

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 24, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 451 with the following amendment:

Strike the Senate amendment by the Committee on Labor and Social Security, on line 13 of the printed bill, being line 12 of the engrossed bill, after "employment." insert "Such payments agreed to by the public utility district shall be considered as deferred compensation. Such payments shall not be retroactive but shall only be available for those employees employed on or after the effective date of this act provided that such payments for retired employees shall not exceed those being paid for regular employees.",

and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Durkan, the Senate concurred in the House amendments to Engrossed Senate Bill No. 451.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 451, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 0; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Excused: Senator Mardesich—1.

Engrossed Senate Bill No. 451, as amended by the House, having received the constitutional majority, was declared passed.

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

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 13, except the following amendments:

On page 3, section 5, line 15 of the printed and engrossed bills, after "gift" strike the comma and insert "or" and after "purchase," strike "or condemnation"

Beginning on line 20, after "system." strike the remainder of the paragraph down to and including "commission." in line 24

and asks the Senate to recede therefrom, and said bill, together with the Senate amendments thereto, are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

It was moved by Senator Bailey that the Senate recede from the amendments described in the House message on Engrossed House Bill No. 13.

Debate ensued.

The motion was carried.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 13, as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; absent or not voting, 0, excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams—47.

Those voting nay were: Senator Woodall—1.

Excused: Senator Mardesich—1.

Engrossed House Bill No. 13, as amended by the Senate, having received the constitutional majority, was declared passed.

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

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 25, 1965.

MR. PRESIDENT:

The House has passed: Reengrossed Senate Bill No. 122 with the following amendments:

On page 211, section 9-312, line 12 of the Reengrossed bill being line 13 of the printed bill, after subsection 1 insert the following "(2) A perfected security interest in crops for new value given to enable the debtor to produce the crops during the production season and given not more than three months before the crops become growing crops by planting or otherwise takes priority over an earlier perfected security interest to the extent that such earlier interest secures obligations due more than six months before the crops become growing crops by planting or otherwise, even though the person giving new value had knowledge of the earlier security interest."

Renumber the remaining subsections consecutively.

On page 233, Article 11, Section 11.101 strike all of Article 11, Section 11.101, of the Reengrossed bill being the Senate amendment by Senator Herrmann., and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

It was moved by Senator Ryder that the Senate do concur in the House amendments to Reengrossed Senate Bill No. 122.

It was moved by Senator Herrmann that Reengrossed Senate Bill No. 122 be referred to the Judiciary Committee.

Debate ensued.

#### POINT OF ORDER

Senator Moriarty, Jr.:

"I rise to a point of order, Mr. President:

"First, this being a motion to refer, I believe it is not debatable.

"Second, I would like to know whether or not the motion to concur is a motion of higher precedence than the motion to refer to committee for the reason it relates to matters between the two houses and tends to bring the two houses together as provided in Reed's Rules."

#### RULING BY THE PRESIDENT

The President:

"The President, in ruling upon the points of order presented by Senator Moriarty, rules that the motion to refer by Senator Herrmann is in order; further, that the motion to concur and the motion to refer are of equal rank. Since Senator Ryder placed his motion first, the President believes that the Senate should act upon the motion as presented by Senator Ryder.

"The motion to commit or refer to committee is debatable, but the main question is not opened up unless the motion to refer or commit to committee is with instructions.

"The question before the Senate is the motion by Senator Ryder that the Senate do concur in the House amendments to Reengrossed Senate Bill No. 122."

Debate ensued.

#### MOTION

It was moved by Senator Woodall that consideration of the motion by Senator Ryder, that the Senate concur in the House amendments to Reengrossed Senate Bill No. 122, be deferred until the fifth order of business tomorrow.

Debate ensued.

Senator Petrich demanded a roll call and the demand was sustained by Senators Dore, Lewis, Stender, Ryder, Knoblauch, Hallauer, Peterson (Ted), Charette and Rasmussen.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Woodall was carried by the following vote: Yeas, 24; nays, 24; excused, 1; President voting yea.

Those voting yea were: Senators Cooney, Cowen, Donohue, Durkan, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herrmann, Keefe, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Rasmussen, Raugust, Redmon, Sandison, Woodall—24.

Those voting nay were: Senators Atwood, Bailey, Charette, Chytil, Connor, Dore, England, Foley, Hallauer, Herr, Knoblauch, Lewis, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Riley, Ryder, Stender, Talley, Thompson, Jr., Washington, Williams—24.

The President voted yea—1.

## HOUSE AMENDMENT TO SENATE BILL

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 24, 1965.

The House has passed: Senate Bill No. 235 with the following amendment:

On page 2, section 2, line 13, after "towns" and before the period insert ", which shall include a form of statutory home rule", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

It was moved by Senator Moriarty, Jr. that the Senate do concur in the House amendment to Senate Bill No. 235.

Debate ensued.

## POINT OF INQUIRY

Senator Gissberg:

"Mr. President, will Senator Moriarty yield to a question?"

"Senator, I have been somewhat concerned about the language of this amendment, as you know. Maybe this would clarify and relieve some of my apprehension in connection with it. Do you believe that by our acquiescing or agreeing with the House amendment that we are in any way agreeing in advance as to the type of home rule amendment or legislation that would be proposed by this committee?"

Senator Moriarty, Jr.:

"No, I don't believe so."

Senator Gissberg:

"Then, one further question:

"If we vote to concur, we are not necessarily expressing ourselves and this legislature is not necessarily expressing itself in favor of home rule for cities, is that correct?"

Senator Moriarty, Jr.:

"That is correct, Senator Gissberg."

Further debate ensued.

The motion was carried and the Senate concurred in the House amendment to Senate Bill No. 235.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 235, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 0; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Conner, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Excused: Senator Mardesich—1.

Senate Bill No. 235, as amended by the House, having received the constitutional majority, was declared passed.

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

## HOUSE AMENDMENTS TO SENATE BILL

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 25, 1965.

The House has passed: Engrossed Senate Bill No. 236 with the following amendments:

On line 3 of the title after "35.23.600" and before "35.24.020" strike "35.23.660,"

On line 5 of the title after "(Senate Bill No. 3)" insert "as amended by chapter ....., Laws of 1965 (Engrossed Senate Bill No. 94) and by chapter ....., Laws of 1965 (Senate Bill No. 350)"

On line 7 of the title after "35.23.600" and before "35.24.020" strike "35.23.660,"

On pages 19 and 20 of the printed bill, being pages 19 and 20 of the engrossed bill, strike all of section 9 and renumber the remaining sections consecutively.

On pages 24 and 25 of the printed bill, being pages 24 and 25 of the engrossed bill, strike all of Section 12 and insert the following:

"Sec. 12. Section 35.24.450, chapter 7, Laws of 1965 as amended by chapter ....., Laws of 1965 (Engrossed Senate Bill No. 94), and RCW 35.24.450, are each amended to read as follows:

*At the time he makes his other appointments, the mayor of any city of the third class [having a population of five thousand or more, which has not elected to establish a municipal court under chapter 3.50 RCW, shall, at the time he makes his other appointments,] shall appoint a police judge [from the practicing attorneys residing or maintaining an office in said city] who shall be the regular elected justice of the peace or an attorney duly admitted to practice law in this state: PROVIDED, That in cities of the third class having a population under five thousand, the legislative authority of the city may provide that the mayor may appoint any person, without regard to whether he is a justice of the peace or attorney, to the office of police judge. [Said] The police judge shall, before entering upon the duties of his office, give such bond or additional bond to the city for faithful performance of his duties as the [city council] legislative authority of the city may by ordinance direct, and shall receive such salary as the council shall by ordinance direct. The term of the police judge shall be for a period of four years from and after the date of his appointment and he shall be removed only upon conviction of misconduct or malfeasance in office, or because of physical or mental disability rendering him incapable of performing the duties of his office."*

On page 25, section 13, line 6 of the printed bill, being page 25, section 13, line 8, of the engrossed bill, after "chapter" strike "....., Laws of 1965 (Senate Bill No. 3)" and insert: "7, Laws of 1965, as amended by section 2, chapter ....., Laws of 1965 (Engrossed Senate Bill No. 94),"

On page 26, section 16, line 15 of the printed bill, being page 26, section 16, line 15, of the engrossed bill, after "chapter" strike "....., Laws of 1965 (Senate Bill No. 3)" and insert "7, Laws of 1965, as amended by section 1, chapter ....., Laws of 1965 (Senate Bill No. 350)."

On page 26, section 16, line 29 of the printed bill (being page 26, section 16, line 28 of the engrossed bill) after "water front" and before ";]" insert ", except water front created by the impounding of waters by a dam or other artificial structure on any navigable river or stream", and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

On motion of Senator Petrich, the Senate concurred in the House amendments to Engrossed Senate Bill No. 236.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 236, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 0; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowan, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Excused: Senator Mardesich—1.

Engrossed Senate Bill No. 236, as amended by the House, having received the constitutional majority, was declared passed.

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

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 24, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 281 with the following amendment:  
On page 8, section 5, beginning on line 3 of the printed and engrossed bill, after "dollars." strike all of the matter (including the Senate Amendment to line 4 by the Committee on Labor and Social Security) down to and including "fabrication, the" on line 5 of the printed bill, being line 5 of the engrossed bill and insert "The" before the Senate amendment to page 8, section 5, line 5, which inserts "inspection fee shall be one dollar which inspection by the electrical inspection division shall consist of an examination of electrical plans and periodic inspection in the field to ascertain compliance with minimum electrical standards" ,  
and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

On motion of Senator Rasmussen, the Senate concurred in the House amendments to Engrossed Senate Bill No. 281.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 281, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Those voting nay were: Senator Chytil—1.

Excused: Senator Mardesich—1.

Engrossed Senate Bill No. 281, as amended by the House, having received the constitutional majority, was declared passed.

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

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 29, 1965.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to Engrossed House Bill No. 184 and asks the Senate to recede therefrom and the same is herewith transmitted.  
S. R. HOLCOMB, Chief Clerk.

On motion of Senator Henry, the Senate refused to recede from its amendment to Engrossed House Bill No. 184 and asked the House for a conference thereon.

House of Representatives,  
Olympia, Wash., March 29, 1965.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to House Bill No. 303 and asks the Senate to recede therefrom and the same is herewith transmitted.  
S. R. HOLCOMB, Chief Clerk.



On motion of Senator McCormack, the Senate refused to recede from its amendments to House Bill No. 303 and asked the House for a conference thereon.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The President appointed as members of the Conference Committee on House Bill No. 303, Senators McCormack, Lewis and Bailey.

On motion of Senator McCormack, the Conference Committee appointments were confirmed.

House of Representatives,  
Olympia, Wash., March 25, 1965.

MR. PRESIDENT:

The House has passed: Senate Bill No. 222; also  
Engrossed Senate Bill No. 292; also  
Substitute Senate Bill No. 358; also  
Engrossed Senate Bill No. 377; also  
Engrossed Senate Bill No. 476; also  
Engrossed Senate Bill No. 477; also  
Senate Bill No. 518 and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 25, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 148; also  
Engrossed Senate Bill No. 177; also  
Senate Bill No. 199; also  
Senate Bill No. 205; also  
Engrossed Senate Bill No. 229; also  
Senate Bill No. 252; also  
Senate Bill No. 294; also  
Senate Bill No. 337; also  
Engrossed Senate Bill No. 264; also  
Senate Bill No. 265; also  
Engrossed Senate Bill No. 327; also  
Substitute Senate Bill No. 479; also  
Senate Bill No. 520 and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 68; also  
Senate Bill No. 76; also  
Senate Bill No. 97; also  
Senate Bill No. 119; also  
Senate Bill No. 148; also  
Senate Bill No. 177; also  
Substitute Senate Bill No. 183; also  
Senate Bill No. 199; also  
Senate Bill No. 205; also  
Senate Bill No. 222; also  
Senate Bill No. 229; also  
Substitute Senate Bill No. 233; also  
Senate Bill No. 252; also  
Senate Bill No. 264; also  
Senate Bill No. 265; also  
Senate Bill No. 292; also  
Senate Bill No. 294; also  
Senate Bill No. 324; also  
Senate Bill No. 327; also

Senate Bill No. 337; also  
 Senate Bill No. 346; also  
 Substitute Senate Bill No. 358; also  
 Senate Bill No. 366; also  
 Senate Bill No. 377; also  
 Senate Bill No. 421; also  
 Senate Bill No. 423 and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 148; also**  
**Senate Bill No. 177; also**  
**Senate Bill No. 199; also**  
**Senate Bill No. 205; also**  
**Senate Bill No. 222; also**  
**Senate Bill No. 229; also**  
**Senate Bill No. 252; also**  
**Senate Bill No. 264; also**  
**Senate Bill No. 265; also**  
**Senate Bill No. 292; also**  
**Senate Bill No. 294; also**  
**Senate Bill No. 327; also**  
**Senate Bill No. 337; also**  
**Substitute Senate Bill No. 358; also**  
**Senate Bill No. 377; also**  
**Senate Bill No. 476; also**  
**Senate Bill No. 477; also**  
**Substitute Senate Bill No. 479; also**  
**Senate Bill No. 518; also**  
**Senate Bill No. 520.**

House of Representatives,  
 Olympia, Wash., March 26, 1965.

**MR. PRESIDENT:**

The Speaker has signed: Senate Bill No. 464; also  
 Senate Bill No. 476; also  
 Senate Bill No. 477; also  
 Substitute Senate Bill No. 479; also  
 Senate Bill No. 502; also  
 Senate Bill No. 518; also  
 Senate Bill No. 520; also  
 Senate Joint Memorial No. 17; also  
 Substitute Senate Joint Resolution No. 6 and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., March 29, 1965.

**MR. PRESIDENT:**

The Speaker has signed: House Bill No. 76; also  
 House Bill No. 86; also  
 House Bill No. 103; also  
 House Bill No. 113; also  
 House Bill No. 134; also  
 House Bill No. 142; also  
 House Bill No. 152; also  
 House Bill No. 156; also  
 House Bill No. 161; also  
 House Bill No. 163; also

House Bill No. 192; also  
 House Bill No. 216; also  
 House Bill No. 218; also  
 House Bill No. 219, also  
 House Bill No. 220; also  
 House Bill No. 240; also  
 House Bill No. 243; also  
 House Bill No. 245; also  
 House Bill No. 247; also  
 House Bill No. 264; also  
 House Bill No. 271; also  
 House Bill No. 274; also  
 House Bill No. 276; also  
 House Bill No. 289; also  
 House Bill No. 298; also  
 House Bill No. 299 and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., March 29, 1965.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 319; also  
 House Bill No. 347; also  
 House Bill No. 348; also  
 House Bill No. 362; also  
 House Bill No. 382; also  
 Substitute House Bill No. 391; also  
 House Bill No. 392; also  
 House Bill No. 402; also  
 House Bill No. 430; also  
 House Bill No. 444; also  
 House Bill No. 456; also  
 House Bill No. 491; also  
 House Bill No. 515; also  
 House Bill No. 660; also  
 House Bill No. 665; also  
 House Bill No. 676; also  
 House Concurrent Resolution No. 23, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., March 29, 1965.

MR. PRESIDENT:

The Speaker has signed House Bill No. 105; also  
 House Bill No. 122; also  
 House Bill No. 191; also  
 House Bill No. 206; also  
 House Bill No. 273; also  
 House Bill No. 275; also  
 House Bill No. 279; also  
 House Bill No. 295; also  
 House Bill No. 451; also  
 House Bill No. 470; also  
 House Bill No. 473, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 520 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 378 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 377 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 364 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendment to House Bill No. 277 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 265 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 318 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 249 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 132 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 125 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Reengrossed Substitute House Bill No. 104 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 173 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 164 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 77 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 590 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 621 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 679 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 26, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 592 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 29, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 409 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

#### INTRODUCTION AND FIRST READING OF RESOLUTION

The following was introduced, read first time by title and acted upon as indicated:

**Senator Joint Resolution No. 30**, by Senators Durkan, Gissberg and Riley: Authorizing legislation to grant property tax exemptions for elderly persons who are heads of households.

Referred to Committee on Constitution, Elections and Legislative Processes.

On motion of Senator Riley, the Senate dispensed with the Call of the Senate.

## SIGNED BY THE PRESIDENT

The President signed: House Bill No. 105; also

House Bill No. 122; also

House Bill No. 191; also

House Bill No. 206; also

House Bill No. 273; also

House Bill No. 275; also

House Bill No. 279; also

House Bill No. 295; also

House Bill No. 451; also

House Bill No. 470; also

House Bill No. 473; also

House Bill No. 76; also

House Bill No. 86; also

House Bill No. 103; also

House Bill No. 113; also

House Bill No. 134; also

House Bill No. 142; also

House Bill No. 152; also

House Bill No. 156; also

House Bill No. 161; also

House Bill No. 163; also

House Bill No. 192; also

House Bill No. 216; also

House Bill No. 218; also

House Bill No. 219; also

House Bill No. 220; also

House Bill No. 240; also

House Bill No. 243; also

House Bill No. 245; also

House Bill No. 247; also

House Bill No. 264; also

House Bill No. 271; also

House Bill No. 274; also

House Bill No. 276; also

House Bill No. 289; also

House Bill No. 298; also

House Bill No. 299; also

House Bill No. 319; also

House Bill No. 347; also

House Bill No. 348; also

House Bill No. 362; also

House Bill No. 382; also

Substitute House Bill No. 391; also

House Bill No. 392; also

House Bill No. 402; also

House Bill No. 430; also

House Bill No. 444; also

House Bill No. 456; also  
 House Bill No. 491; also  
 House Bill No. 515; also  
 House Bill No. 660; also  
 House Bill No. 665; also  
 House Bill No. 676; also  
 House Concurrent Resolution No. 23.

**MOTION**

At 4:05 p.m., on motion of Senator Greive, the Senate adjourned until 11:30 a.m., Tuesday, March 30, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**SIXTEENTH DAY**

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**MORNING SESSION**

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SENATE CHAMBER,

OLYMPIA, WASH., Tuesday, March 30, 1965.

The Senate was called to order at 11:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Kim Rotchford, Color Bearer, and Jennifer Parker, presented the Colors.

Reverend Charles A. Loyer, pastor of the Westminster United Presbyterian Church of Olympia, offered prayer as follows:

"Almighty God who hast used the legislatures of other years to realize Thy will among men, we thank Thee for our state's rich endowment in natural and social resources. Now bless the legislators with a sense of responsible stewardship. Guide them in striking a happy balance between what we feel we need and what we know we can afford. Help them our Father, to keep Washington both green and sane with a minimum of red ink and bouncing checks. Amen."

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,

Olympia, Wash., March 30, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Engrossed Senate Bill No. 47; also

Engrossed Senate Bill No. 78; also

Engrossed Senate Bill No. 117; also

Engrossed Substitute Senate Bill No. 167; also

Engrossed Senate Bill No. 236; also

Engrossed Senate Bill No. 281; also

Engrossed Senate Bill No. 301; also  
 Engrossed Senate Bill No. 320; also  
 Engrossed Senate Bill No. 399; also  
 Engrossed Senate Bill No. 414 have inspected same, and find them correctly reengrossed.

....., *Chairman.*

We concur in this report: Martin J. Durkan, Michael J. Gallagher, Marshall A. Neill.

Senate Chamber,

Olympia, Wash., March 30, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 8; also

Senate Bill No. 47; also

Senate Bill No. 78; also

Senate Bill No. 117; also

Substitute Senate Bill No. 167; also

Senate Bill No. 235; also

Senate Bill No. 236; also

Senate Bill No. 281; also

Senate Bill No. 301; also

Senate Bill No. 320; also

Senate Bill No. 399; also

Senate Bill No. 414; also

Senate Joint Resolution No. 25 have inspected same, and find them correctly enrolled and certified.

....., *Chairman.*

We concur in this report: Martin J. Durkan, Michael J. Gallagher, Marshall A. Neill.

The Secretary read:

#### MESSAGE FROM THE GOVERNOR

State of Washington, Executive Department,  
 Olympia, March 30, 1965,

*To the Honorable, the Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bill, entitled:

Senate Bill No. 520:

Appropriating funds for state projects undertaken under Higher Education Facilities Act of 1964.

Very truly yours,

RAYMOND W. HAMAN,

*Legal Counsel to the Governor.*

#### GUBERNATORIAL APPOINTMENTS

The following appointments by the Governor were acted upon as indicated:

##### STATE HIGHWAY COMMISSION

Harold Walsh, appointed March 29, 1965, for the term ending July 1, 1968, succeeding Irving M. Clark Jr.

Elmer C. Huntley, appointed March 29, 1965, for the term ending July 1, 1969, succeeding Ernest A. Cowell.

Referred to Committee on Highways.

#### HOUSE AMENDMENTS TO SENATE BILL

The Senate resumed consideration of Reengrossed Senate Bill No. 122 and the House amendments thereto.

The President declared the question before the Senate is: It has been moved by Senator Ryder that the Senate do concur in the House amendments to Reengrossed Senate Bill No. 122.



Senators Ryder, Petrich and Dore demanded the previous question.

Senator McCutcheon demanded a roll call and the demand was sustained by Senators Rasmussen, Herrmann, Gallagher, Kupka, Greive, Cooney, McCormack, Henry and Mardesich.

#### ROLL CALL

The Secretary called the roll and the demand for the previous question was sustained by the following vote: Yeas, 25; nays, 23; absent or not voting, 1.

Those voting yea were: Senators Atwood, Charette, Chytil, Connor, Cowen, Dore, England, Hallauer, Herr, Knoblauch, Lewis, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Williams—25.

Those voting nay were: Senators Bailey, Cooney, Donohue, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herrmann, Keefe, Kupka, Lennart, McCormack, McCutcheon, Mardesich, Rasmussen, Raugust, Talley, Washington, Woodall—23.

Absent or not voting: Senator Durkan—1.

#### POINT OF INQUIRY

Senator Greive:

"Would Senator Ryder yield to a question, Mr. President:

"Senator Ryder, regardless of how you feel on this bill, don't you think in light of the fact that we have consistently extended the courtesy across the aisle of permitting debate, and we have consistently withdrawn demands for the previous question to permit debate, that we should suspend the rules and permit debate on this very important bill? Senator Herrmann wants to say something on this bill, and I think you ought to prevail upon your side to change enough votes to permit him to debate this."

Senator Ryder:

"Senator Greive, I am not wanting to cut off debate on the bill. This is the motion to concur in the amendments. The bill will come up for final passage, and so far as I am concerned, I am perfectly willing to give anyone as much time as they want. I think we did talk about the amendments yesterday, Senator. There were two amendments on the bill, one of which struck Senator Herrmann's amendment, and one of which struck Senator Freise's amendment."

Senator Dore demanded a roll call on the motion by Senator Ryder to concur in the House amendments, and the demand was sustained by Senators Petrich, Stender, Atwood, Moriarty, Jr., Rasmussen, Charette, Greive and McCutcheon.

Senators Greive, Rasmussen and Bailey demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

#### ROLL CALL

The Secretary called the roll and the motion to concur in the House amendments to Reengrossed Senate Bill No. 122 was carried by the following vote: Yeas, 28; nays, 21.

Those voting yea were: Senators Atwood, Charette, Chytil, Connor, Dore, Durkan, England, Foley, Guess, Hallauer, Herr, Knoblauch, Lewis, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Riley, Ryder, Stender, Talley, Thompson, Jr., Washington, Williams—28.

Those voting nay were: Senators Bailey, Cooney, Cowen, Donohue, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Keefe, Kupka, Lennart, McCutcheon, Mardesich, Rasmussen, Raugust, Redmon, Sandison, Woodall—21.

The President declared the question before the Senate is: Reengrossed Senate Bill No. 122, as amended by the House, is now on final passage.

#### PERSONAL PRIVILEGE

Senator Woodall:

"Mr. President, I don't know if my remarks are on the bill or upon personal privilege."

The President:

"The Senator will speak upon point of personal privilege."

Senator Woodall:

"Mr. President and members of the Senate:

"I had planned to vote for concurring in the amendments of the House until such time as the gag rule was put on. We have approximately six matters of difference between the two bodies to consider. Everyone knows we are going to be here for several days. All during the session, we have been extremely liberal to grant suspensions to allow people to debate every matter they desired. I saw no reason to impose the gag rule at this time. I hope it shall not be imposed on any other item during the rest of this session."

Debate ensued.

#### POINT OF INQUIRY

Senator Herrmann:

"Mr. President, will Senator Woodall yield to a question?"

"Senator Woodall, I understand that you had a written statement from one of the lobbyists that they would not oppose this bill being amended with reasonable amendments, is that right?"

Senator Woodall:

"The letter I have relates to two areas which I raised the question on, namely, the dropping to fourteen days of the sixty days a man now has the right to discover a forgery in his bank account; and, the second feature was the changing of the law of sales where a thief can now give good title. They assured me they would not oppose changes in those two categories. My letter was restricted to those two inquiries."

Senator Herrmann:

"That is signed by Mr. Joel Gould?"

Senator Woodall:

"Yes."

Senator Herrmann:

"And is it your understanding, Senator, that Mr. Gould is retiring this year or next year?"

Senator Woodall:

"I know nothing about Mr. Gould's lobbying plans one way or the other."

Senator Herrmann:

"Members of the Senate, I don't see how Mr. Gould could be signing anything

that would be binding on his successors in interest. I have it from very good sources, including Mr. Gould, himself, that he is retiring and will not be with the Seattle First National Bank next session."

Further debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Reengrossed Senate Bill No. 122, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 30; nays, 19.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Dore, England, Foley, Hallauer, Herr, Knoblauch, Lewis, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—30.

Those voting nay were: Senators Cooney, Cowen, Donohue, Durkan, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herrmann, Keefe, Kupka, Lennart, McCutcheon, Mardesich, Rasmussen, Sandison—19.

Reengrossed Senate Bill No. 122, as amended by the House, having received the constitutional majority, was declared passed.

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

#### NOTICE OF RECONSIDERATION

Senator Raugust, having voted on the prevailing side, gave notice that he would at the proper time move that the Senate reconsider the vote by which Reengrossed Senate Bill No. 122, as amended by the House, passed the Senate.

#### MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 1:15 p. m., on motion of Senator Greive, the Senate recessed until 2:30 p. m.

#### AFTERNOON SESSION

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

The Secretary called the roll and announced to the President that all Senators were present.

The President declared the Senate to be at ease.

The President called the Senate to order at 3:00 p. m.

The Secretary called the roll and announced to the President that all Senators were present.

The Secretary read:

#### MESSAGES FROM THE HOUSE

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 30, 1965.

The Speaker has signed: House Bill No. 77; also  
Substitute House Bill No. 104; also

House Bill No. 125; also

House Bill No. 132; also

House Bill No. 164; also

House Bill No. 173; also

House Bill No. 203; also

House Bill No. 249; also

House Bill No. 265; also

House Bill No. 277; also

House Bill No. 318; also

House Bill No. 364; also

House Bill No. 377; also

House Bill No. 378; also

House Bill No. 465; also

House Bill No. 520; also

House Bill No. 590; also

House Bill No. 592; also

House Bill No. 621; also

House Bill No. 679 and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 30, 1965.

The Speaker has signed: House Bill No. 409 and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 30, 1965.

The House has concurred in the Senate amendments to Engrossed Substitute House Bill No. 96 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 30, 1965.

The House has granted the request of the Senate for a conference on House Bill No. 303 and the Senate amendments thereto and the Speaker has appointed as members of the conference committee thereon:

Representatives Brachtenbach, Brouillet and Uhlman.

S. R. HOLCOMB, *Chief Clerk.*

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 29, 1965.

The House has passed: House Joint Memorial No. 9; also

House Joint Memorial No. 10;

House Joint Memorial No. 18; also

House Joint Memorial No. 25 and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 29, 1965.

The House has passed: Senate Joint Resolution No. 25 and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 8; also**

**Senate Bill No. 47; also**

**Senate Bill No. 78; also**

**Senate Bill No. 117; also**

**Substitute Senate Bill No. 167; also**

**Senate Bill No. 235; also**

**Senate Bill No. 236; also**

**Senate Bill No. 281; also**

**Senate Bill No. 301; also**

**Senate Bill No. 320; also**

**Senate Bill No. 334; also**

**Senate Bill No. 399; also**

**Senate Bill No. 414; also**

**Senate Joint Resolution No. 25; also**

**House Bill No. 77; also**  
**Substitute House Bill No. 104; also**  
**House Bill No. 125; also**  
**House Bill No. 132; also**  
**House Bill No. 164; also**  
**House Bill No. 173; also**  
**House Bill No. 203; also**  
**House Bill No. 249; also**  
**House Bill No. 265; also**  
**House Bill No. 277; also**  
**House Bill No. 318; also**  
**House Bill No. 364; also**  
**House Bill No. 377; also**  
**House Bill No. 378; also**  
**House Bill No. 409; also**  
**House Bill No. 465; also**  
**House Bill No. 520; also**  
**House Bill No. 590; also**  
**House Bill No. 592; also**  
**House Bill No. 621; also**  
**House Bill No. 679.**

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as Senate members of the Conference Committee on Engrossed House Bill No. 184, Senators Henry, Sandison and Redmon.

On motion of Senator Charette, the appointments were confirmed.

House of Representatives,  
Olympia, Wash., March 30, 1965.

MR. PRESIDENT:

The House refuses to recede from its amendments to Engrossed Senate Bill No. 389 and asks the Senate for a conference thereon, and has named as the House conferees on Engrossed Senate Bill No. 389, and the House amendments thereto: Representatives Bottiger, Johnston (Elmer E.) and Klein.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Petrich, the request of the House for a conference on Engrossed Senate Bill No. 389 and the House amendments thereto was granted.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 389 and the House amendments thereto Senators Hallauer, Petrich and Woodall.

On motion of Senator Hallauer, the Conference Committee appointments were confirmed.

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT:

Olympia, Wash., March 30, 1965.

MR. SPEAKER:

We, of your Conference Committee, to whom was referred House Bill No. 303, relating to changing dates for the preparation and consideration of school district budgets, have had the same under consideration, and we report that we are unable to agree and request the powers of free conference.

*Senate Members:*

MIKE McCORMACK  
ROBERT C. BAILEY  
HARRY B. LEWIS

*House Members:*

FRANK BROUILLET  
WES C. UHLMAN

On motion of Senator McCormack, the committee report was adopted and the committee was granted the powers of free conference.

#### FIRST READING OF HOUSE MEMORIALS

The following were read first time by title and acted upon as indicated:

**House Joint Memorial No. 9**, by Representatives Conner and Traylor: Memorializing Secretary of Interior to preserve Dungeness Spit. Referred to Committee on Natural Resources.

**House Joint Memorial No. 10**, by Representatives Kink and Hood: Requesting a Peace Arch commemorative postage stamp. Referred to Committee on Commerce, Manufacturing and Licenses.

**House Joint Memorial No. 18**, by Representatives Backstrom, Moon, Taylor and King (Richard "Dick"): Memorializing Congress to take action to alleviate Snohomish River flooding.

Referred to Committee on Natural Resources.

**House Joint Memorial No. 25**, by Representatives Conner, Savage and Traylor:

Thanking the President and secretary of interior for action respecting Fort Worden.

Referred to Committee on Parks, Capitol Grounds and Public Buildings.

#### SECOND READING OF BILLS

**Senate Bill No. 519**, by Senators Foley, Ryder and Dore:

Providing for disposition of funds received by the University of Washington.

The bill was read the second time by sections.

On motion of Senator Foley, the following amendment was adopted:

On page 2, section 3, line 19, after "fund" and before "are in" insert "and permanent fund"

On motion of Senator Greive, the rules were suspended, Engrossed Senate Bill No. 519 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator McCutcheon:

"Mr. President, would Senator Ryder yield to a question?

"Are these funds to be used to service bonds, or what are you going to do with them?"

Senator Ryder:

"The income from the lands which are being managed by the Department of Natural Resources will go into the bond fund and can be used for servicing bonds. Also, investments from the permanent fund may go into this. However, income from the sale of land will go into the permanent fund and will remain there and not be used to service the bonds."

Senator McCutcheon:

"Is there a distinction between this program and other proposed programs of taking permanent school land and appraising it at a hundred million dollars and using the overage to service the bonds for construction of schools?"

Senator Ryder:

"This is a parallel proposal, yes."

Senator McCutcheon:

"What is happening to the money now?"

Senator Ryder:

"The money now is going into the permanent fund and is not being used for anything except investments in very limited fields. The income from that is now going into the general fund."

Debate ensued.

#### POINT OF INQUIRY

Senator Riley:

"Would Senator Ryder yield to a question, Mr. President?"

"Senator, has it ever been determined what the total value of the land and trees and so forth in dollars is, against which we are changing this particular policy?"

Senator Ryder:

"This is a very difficult thing, Mr. President and members of the Senate, to determine. There are some 84,000 acres, as I understand it, which the University now owns. We have asked the Department of Natural Resources to give us a value and they have not been able to come up with it because of the difficulties in appraising and segregation. However, it has been rather conservatively estimated, in my opinion, as worth some thirty to forty million dollars."

Further debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 519, and the bill passed the Senate by the following vote: Yeas, 34; nays, 13; absent or not voting, 2.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, England, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Riley, Ryder, Sandison, Stender, Washington, Williams—34.

Those voting nay were: Senators Atwood, Cowen, Freise, Guess, Lennart, McCutcheon, McMillan, Neill, Rasmussen, Raugust, Redmon, Thompson, Jr., Woodall—13.

Absent or not voting: Senators Durkan, Talley—2.

Engrossed Senate Bill No. 519, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 521**, by Senators Foley, Neill and Dore:

Providing for use of portion of income reserve fund.

On motion of Senator Greive, Senate Bill No. 521 was referred to the Committee on Rules and Joint Rules.

#### MOTION

On motion of Senator Greive, Senator Talley was excused.

**Senate Bill No. 531**, by Senators Foley, Moriarty, Jr., Dore and Ryder:

Authorizing expenditure of certain outdoor recreation account funds for administrative and coordinative purposes.

The bill was read the second time by sections.

On motion of Senator Foley, the rules were suspended, Senate Bill No. 531 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 531, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; absent or not voting, 0; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Washington, Williams, Woodall—47.

Those voting nay were: Senator Thompson, Jr.—1.

Excused: Senator Talley—1.

Senate Bill No. 531, having received the constitutional majority, was declared passed.

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

#### THIRD READING OF BILLS

**Senate Concurrent Resolution No. 12**, by Senators Greive, Hanna and McCormack:

Creating a legislative oversight committee.

#### POINT OF INQUIRY

Senator Moriarty, Jr.:

"Mr. President, would Senator Greive yield to a question?"

"Senator, I notice this bill carries an appropriation. I wonder if it has ever been considered by the Committee on Ways and Means."

Senator Greive:

"The resolution is on third reading now. We didn't take it off of second reading during the regular session."

It was moved by Senator Moriarty, Jr., that Senate Concurrent Resolution No. 12 be referred to the Committee on Ways and Means.

The motion was lost on a rising vote.

On motion of Senator Greive, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 12 was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator McCutcheon:

"Mr. President, would Senator Hanna yield to a question?"

"Senator Hanna, it is also very helpful to find out how federal appropriations might be coordinated with our own tax problems. Would this be part of this same problem?"



Senator Hanna:

"Senator McCutcheon, I can see no reason why this wouldn't be part of this problem and a very important part of this committee's activities."

Debate ensued.

Senators Greive, McMillan and Gallagher demanded the previous question and the demand was sustained.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Concurrent Resolution No. 12, and the resolution passed the Senate by the following vote: Yeas, 30; nays, 16; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Peterson (Lowell), Petrich, Rasmussen, Sandison, Washington, Woodall—30.

Those voting nay were: Senators Atwood, Chytil, Cowen, Freise, Guess, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams—16.

Absent or not voting: Senators Hallauer, Mardesich—2.

Excused: Senator Talley—1.

Senate Concurrent Resolution No. 12, having received the constitutional majority, was declared passed.

Senators Greive, Gallagher and Herrmann demanded a Call of the Senate. A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present, except Senator Talley, who was excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Raugust moved that the rules be suspended and the Senate do now reconsider the vote by which Reengrossed Senate Bill No. 122 passed the Senate.

Debate ensued.

Senators Charette, Dore and Petrich demanded the previous question and the demand was sustained.

Senator Moriarty, Jr., demanded a roll call and the demand was sustained by Senators Neill, Raugust, Ryder, Freise, Kupka, Herrmann, Charette, Washington, Dore and Petrich.

#### ROLL CALL

The Secretary called the roll and the motion for reconsideration was lost by the following vote: Yeas, 23; nays, 25; excused, 1.

Those voting yea were: Senators Cooney, Cowen, Donohue, Durkan, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herrmann, Keefe, Kupka, Lennart, McCormack, McCutcheon, Mardesich, Rasmussen, Raugust, Redmon, Sandison, Stender—23.

Those voting nay were: Senators Atwood, Bailey, Charette, Chytil, Connor,

Dore, England, Foley, Hallauer, Herr, Knoblauch, Lewis, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Riley, Ryder, Thompson, Jr., Washington, Williams, Woodall—25.

Excused: Senator Talley—1.

#### MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 4:15 p. m., on motion of Senator Greive, the Senate adjourned until 11:00 a. m., Wednesday, March 31, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## SEVENTEENTH DAY

### MORNING SESSION

#### SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, March 31, 1965.

The Senate was called to order at 11:00 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Kim Rotchford, Color Bearer, and Jennifer Parker, presented the Colors.

Reverend Charles A. Loyer, pastor of the Westminster United Presbyterian Church of Olympia, offered prayer as follows:

"Eternal God and Father: We thank Thee for the rest of the night and the promise of a new day. Grant to each of us that inner serenity which makes for orderliness of mind and objectivity of decision. Help us so to employ our talents that we shall merit the commendation of those we seek to serve. Guide the legislators at their work. May the closing weeks of this special session be notably outstanding for their bipartisanship, their great insights and their wise decisions. Amen."

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

#### PRESIDENT'S PRIVILEGE

The President announced the presence in the south gallery of the Washington State University choir.

With the leave of the Senate, business was suspended to permit the Washington State University choir to sing a selection of songs for the Senate.

The Secretary read:

#### SENATE RESOLUTION

No. 1965 EX -8

By Senators Redmon and Woodall:

WHEREAS, January 21, 1965 is the 100th anniversary of the creation of Yakima County by territorial act; and

WHEREAS, In January 1865, the county encompassed an area from the snow-capped peaks of the Cascade Mountains to the majestic waters of the Columbia River, including Yakima, Benton, Kittitas and part of present day Chelan County; and

WHEREAS, During the ensuing 100 years, even though the counties of Benton, Kittitas and a part of Chelan were separated, Yakima County remained and is today the epicenter of this progressive and growing area, and

WHEREAS, It is fitting and proper that we here recognize the celebration of this significant milestone in the young history of this county;

Now, Therefore, The Senate, in legislative session assembled, does hereby resolve that we acknowledge the progressive leadership of the citizens of Yakima County in making this fertile valley the fruit bowl of the nation, the trading center of central Washington, a growing commercial-industrial complex, a vital part of this great and growing state, noting with pride, the progress of the past and the promise of the future; and

The Senate pledges support to the citizens of Yakima County in their centennial celebration and urges all citizens of the state to join with Yakima County in celebrating this event during the first week of June of this year at Union Gap and at the Central Washington Fair at Yakima, at the fairgrounds in September of 1965; and

Be It Further Resolved, That the Secretary of the Senate transmit copies of this resolution to the people of Yakima County through their elected representatives, the County Commissioners, Lee Crossen, Chairman, Angus MacDonald and Jim H. Nichols.

On motion of Senator Redmon, the resolution was adopted.

The Secretary read:

**SENATE RESOLUTION**  
No. 1965 EX -9

By Senator Freise:

WHEREAS, The Walla Walla College concert band, under the baton of H. Lloyd Leno, conductor, performed with great artistic skill and feeling in the rotunda of the state capitol in Olympia, Washington at noon on March 25, 1965 in honor of Governor Daniel J. Evans and to the pleasure of the legislature, staff and guests;

Now, Therefore, The Senate, in legislative session assembled, does hereby resolve that we acknowledge with thanks the concert given by Walla Walla College; that we congratulate the College, its music department, conductor and instrumentalists on their musicianships; that we express the hope that we may again and again have the opportunity to hear like concerts by this fine aggregation of musicians; and

Be It Further Resolved, That the Secretary of the Senate transmit a copy of this resolution to the president of Walla Walla College, to the head of the music department and to H. Lloyd Leno, the conductor of the Walla Walla College concert band.

On motion of Senator Freise, the resolution was adopted.

The Secretary read:

**SENATE RESOLUTION**  
No. 1965 EX -10

By Senators Talley and Chytil:

WHEREAS, Representative Alan C. Thompson has sustained serious injuries in an automobile accident; and

WHEREAS, Representative Thompson is an able and popular legislator, who, during his freshman term, has already won the respect and affection of his fellow legislators in the House of Representatives and Senate; and

WHEREAS, His presence in the House during the final days of the special session will be greatly missed;

Now, Therefore, Be It Resolved, That the members of the Senate express their deepest sympathy for Representative Thompson, and extend to him heartfelt wishes for a speedy and complete recovery.

On motion of Senator Talley, the resolution was adopted.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., March 31, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Engrossed Senate Bill No. 122, have inspected same, and find it correctly reengrossed.

FRANK W. FOLEY, *Chairman*.

We concur in this report: Michael J. Gallagher, Marshall A. Neill.

Senate Chamber,  
Olympia, Wash., March 31, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 122; also

Senate Joint Memorial No. 18, have inspected same, and find them correctly enrolled and certified.

FRANK W. FOLEY, *Chairman*.

We concur in this report: Michael J. Gallagher, Marshall A. Neill.

**Senate Bill No. 489:**

Senate Chamber,  
Olympia, Wash., March 30, 1965.

Creating a temporary advisory council on public higher education and setting forth its powers and duties (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass as amended.

FRANK W. FOLEY, *Chairman*.

FRED H. DORE, *Chairman*,

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*.

Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, William A. Gissberg, Wilbur G. Hallauer, Ernest W. Lennart, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, A. L. Rasmussen, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Resolution No. 22:**

Senate Chamber,  
Olympia, Wash., March 30, 1965.

Providing for common school construction fund (reported by Committee on Education):

MAJORITY recommends that it do pass as amended.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert L. Charette, Joe Chytil, Fred H. Dore, Herbert H. Freise, Karl Herrmann, Reuben A. Knoblauch, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, John H. Stender, Albert C. Thompson, Jr., Nat Washington.

It was moved by Senator Moriarty, Jr., that Senate Joint Resolution No. 22 be referred to the Committee on Ways and Means.

Debate ensued.

The motion was carried.

**Senate Joint Resolution No. 30:**

Senate Chamber,  
Olympia, Wash., March 29, 1965.

Authorizing legislation to grant property tax exemptions for elderly persons who are heads of households (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass. JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, R. R. Bob Greive, Al Henry, Gordon Herr, Karl Herrmann, James Keefe, Frances Haddon Morgan, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, March 30, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bills, entitled:

**Senate Bill No. 148:**

Authorizing the University of Washington to sell lands in Benton County.

**Senate Bill No. 177:**

Authorizing payment or cancellation of unpaid, nonguaranteed bonds or warrants delinquent for more than fifteen years.

**Senate Bill No. 199:**

Allowing delivery of tax roll directly from the county assessor to the county treasurer.

Very truly yours,

RAYMOND W. HAMAN,

*Legal Counsel to the Governor.*

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 30, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 8; also

Senate Bill No. 47; also

Senate Bill No. 78; also

Senate Bill No. 117; also

Substitute Senate Bill No. 167; also

Senate Bill No. 235; also

Senate Bill No. 236; also

Senate Bill No. 281; also

Senate Bill No. 301; also

Senate Bill No. 320; also

Senate Bill No. 334; also

Senate Bill No. 399; also

Senate Bill No. 414; also

Senate Joint Resolution No. 25, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 30, 1965.

MR. PRESIDENT:

The House has passed: House Joint Memorial No. 21, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 30, 1965.

MR. PRESIDENT:

The House has passed: Senate Joint Memorial No. 18, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 30, 1965.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on House Bill No. 303 and has granted said committee the powers of Free Conference.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 30, 1965.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Engrossed Senate Bill No. 389, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., March 30, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Engrossed Senate Bill No. 389, establishing transitional procedures for counties electing to operate under the justice court districting act of 1961, have had the same under consideration, and we report that we are unable to agree and request the powers of free conference.

##### *Senate Members*

WILBUR G. HALLAUER  
JOHN A. PETRICH  
PERRY B. WOODALL

##### *House Members*

R. TED BOTTTGER  
ELMER E. JOHNSTON  
WILLIAM C. KLEIN

On motion of Senator Greive, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

#### SIGNED BY THE PRESIDENT

**The President signed: Senate Bill No. 122; also  
Senate Joint Memorial No. 18.**

#### INTRODUCTION AND FIRST READING OF BILL, MEMORIAL AND RESOLUTION

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 551**, by Senators Greive and Gallagher:

An Act relating to county jails in class AA counties; providing for chaplains; and making an appropriation.

Referred to Committee on Cities, Towns and Counties.

**Senate Joint Memorial No. 19**, by Senator Riley:

Memorializing Congress to investigate construction costs of federal house office building.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Concurrent Resolution No. 20**, by Senators Freise and Neill:

Expressing admiration of deeds of Captain Albert Harold Rooks from Walla Walla, Washington.

On motion of Senator Freise, the rules were suspended, Senate Concurrent Resolution No. 20 was advanced to second reading and read the second time in full.

On motion of Senator Freise, the rules were suspended, Senate Concurrent Resolution No. 20 was advanced to third reading, the second reading considered the third, the resolution placed on final passage and adopted.

**FIRST READING OF HOUSE MEMORIAL**

The following was read first time and acted upon as indicated:

**House Joint Memorial No. 21**, by Representatives O'Donnell, Marsh, Sheridan, Grant and Johnson (Doris):

Repealing Taft-Hartley act, section 14-b.

Referred to Committee on Labor and Social Security.

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

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 31, 1965.

MR. PRESIDENT:

The House has granted the request of the Senate for a conference on Engrossed House Bill No. 184 and the Senate amendments thereto and the Speaker has appointed as members of the conference committee thereon:

Representatives John L. O'Brien, Thomas L. Copeland and Paul H. Conner.

S. R. HOLCOMB, *Chief Clerk.*

**HOUSE AMENDMENTS TO SENATE BILL**

The Senate resumed consideration of Engrossed Senate Bill No. 379 and the House amendments thereto.

**PARLIAMENTARY INQUIRY**

Senator Greive:

"Mr. President:

"May I ask the status of Engrossed Senate Bill No. 379?"

**REPLY BY THE PRESIDENT**

The President:

"The bill is on the Secretary's desk with a message from the House."

Senator Gallagher:

"Mr. President, further point of parliamentary inquiry:

"I believe that when the measure was read in the other day, there was a question as to whether or not the bill which had been scalped was germane to the title of the act."

The President:

"Yes, the President is prepared to rule upon that point at this time."

**RULING BY THE PRESIDENT**

The President:

"The President's ruling on the point of order as raised by Senator Gallagher:

"Engrossed Senate Bill No. 379 provides that the chairman of the Board of Prison Terms and Paroles shall be responsible for the supervision of the employees of the board and that this supervision shall be through the director appointed by the board whose duties are prescribed. Also, the bill places the employees, except the director, under the Civil Service Act and prescribes their duties.

"The amendment as adopted by the House creates an entire new division within the Department of Institutions and transfers to the Department of Institutions powers and duties of the Board of Prison Terms and Paroles, as well as personnel, records, equipment and vehicles of the Board of Prison Terms and Paroles. Also, this amendment enacts new regulations governing the supervision of parolees.

"Therefore, this amendment does substantially change the scope and object of the bill and the point of order as raised by Senator Gallagher is well taken."

**MOTION**

Senator Gallagher:

"Mr. President:

"Based upon the ruling of the Chair, I move the bill as amended be referred to the proper committee. I think the committee was the Committee on Public Institutions."

**RULING BY THE PRESIDENT**

The President:

"Senate Rule No. 62 makes it the duty of the President to refer any Senate bill which has passed the House with amendments changing the scope and object of the bill to an appropriate committee to take the course of original bills.

"Therefore, the President refers Engrossed Senate Bill No. 379 to the Senate Committee on Public Institutions."

**MOTION**

It was moved by Senator Freise that the rules be suspended and that the Senate do not concur in the House amendments to Engrossed Senate Bill No. 379.

**PARLIAMENTARY INQUIRY**

Senator Kupka:

"Mr. President:

"If I understand the rules, I think the bill is in the Committee on Public Institutions at this time by the ruling of the Chair, and I don't believe it is any longer before this body. I think you would have to relieve the committee of the bill now."

**REPLY BY THE PRESIDENT**

The President:

"The President believes that Senator Kupka's remarks are correct, that the Senate would have to relieve the Committee on Public Institutions of further consideration of the bill, Senator Freise."

**MOTION**

Senator Freise:

"Mr. President:

"I then move that the rules be suspended and that the Committee on Public Institutions be relieved of further consideration of Engrossed Senate Bill No. 379."

Senators Kupka, Gallagher and Greive demanded a Call of the Senate.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 11:50 a. m., on motion of Senator Greive, the Senate recessed until 1:30 p. m.

**AFTERNOON SESSION**

The President called the Senate to order at 1:30 p. m.

Senators Greive, Raugust and Bailey demanded a Call of the Senate.

A Call of the Senate was ordered.



**CALL OF THE SENATE**

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

The President stated the question before the Senate is: It has been moved by Senator Freise that the Committee on Public Institutions be relieved of further consideration of Engrossed Senate Bill No. 379 and the House amendments thereto.

It was moved by Senator Gallagher that the motion by Senator Freise be laid upon the table.

**POINT OF ORDER**

Senator Moriarty, Jr.:

"Mr. President, point of order:

"It is my understanding that the motion to not concur with the House amendments was placed before the body before the President's ruling and before the motion by Senator Freise to relieve the committee and before the motion by Senator Gallagher to lay Senator Freise's motion on the table. It seems to me that the orderly process requires that the motion not to concur be put first."

Senator Greive:

"Mr. President:

"To refresh Senator Moriarty's mind, this matter was raised and the President ruled that this embodied two subjects within one act and that the amendments were beyond the scope and object of the bill. The President then ruled in accordance with Rule 62 that it had to go to committee, and then Senator Freise made his motion."

Senator Freise:

"Mr. President:

"That is not a correct statement of events. I made my motion not to concur before the question was raised. The bill and the message from the House had been read in and the President affirmed that I had made my motion timely."

Senator Gallagher:

"Mr. President, speaking to the point:

"As I recall, Senator Freise perhaps is right. He did raise the question that it be referred and at that time I rose to the point of order asking for the ruling. The Chair then ruled, I think, that Senator Freise's motion was out of order at that time. The President then ruled that the bill should go to the proper committee."

Senator Freise:

"I believe, Mr. President, that the President stated at that time that my motion was in order because it had been made timely."

Senator Moriarty, Jr.:

"Mr. President:

"You recall the ruling the other day on the question of concurring and a question to recommit. The President at that time ruled that the motion to commit and the motion to concur were of equal rank and the motion that was put first, should be acted upon first."

**RULING BY THE PRESIDENT**

The President:

"In perusing the minutes, the President finds that it is true that Senator Freise made the motion to not concur in the House amendments to Engrossed Senate Bill No. 379. At this point, Senator Gallagher called for a ruling on the point of order presented at a prior session. The ruling was made at this stage and in compliance with Senate Rules, the President referred the bill to the proper committee. Senator

Freise then renewed his motion not to concur. This motion, at this point, was ruled out of order. Then Senator Freise moved that the Committee on Public Institutions be relieved of further consideration of the bill. Senator Gallagher then rose and made the motion that the motion by Senator Freise be laid upon the table, and that is the question before the Senate at this time."

On motion of Senator Greive, the rules were suspended to permit Senators Freise and Gallagher to give brief explanations of their motions.

Debate ensued.

Senator Moriarty, Jr., demanded a roll call and the demand was sustained by Senators Neill, Chytil, Thompson, Jr., Freise, Peterson (Ted), Greive, Herrmann, Kupka, Gallagher and Hallauer.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Gallagher to lay the motion by Senator Freise upon the table was carried by the following vote: Yeas, 27; nays, 22.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Sandison, Talley, Washington—27.

Those voting nay were: Senators Atwood, Chytil, Donohue, Dore, England, Freise, Guess, Hallauer, Lennart, Lewis, McCormack, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams, Woodall—22.

#### MOTION

It was moved by Senator Washington that the Committee on Public Institutions be instructed to report Engrossed Senate Bill No. 379 back to the Senate within seventy-two hours, together with reasons for its recommendations.

Debate ensued.

#### POINT OF INQUIRY

Senator Durkan:

"Would Senator Washington yield to a question?  
"You are for or against what, now?"

Senator Washington.

"I am opposed to a bill possibly going to a committee at this stage and very likely not returning from that committee."

Further debate ensued.

#### POINT OF INQUIRY

Senator Moriarty, Jr.:

"Senator Washington, your motion was, as I understand it, that the committee report directly back to the Senate within seventy-two hours, is that correct?"

Senator Washington:

"That is correct."

#### POINT OF ORDER

Senator Gallagher:

"Mr. President, if I may again raise a point of order:

"I believe that Senator Washington's motion was to direct the committee to report back in seventy-two hours, but again quoting the rule, without a suspension of that rule, that bill shall take its regular course, which means, if it would take its

regular course, would go through the normal procedure. If he wants to suspend that rule, that's a different question, but as I understand it, he has instructed the committee to report back to the Senate. It still must take the course of regular bills reported back."

Senator Moriarty, Jr.:

"Speaking to the point of order, Mr. President:

"I call the President's attention to Rule 46 which states: 'Recalling Bills from Committees: Any standing committee of the Senate may be relieved of further consideration of any bill by a majority vote of the members of the Senate. The Senate may then make such orderly disposition of the bill as they may direct by a majority vote of the members of the Senate.'

"It seems to me Senator Washington's motion is simply a motion that the bill come back directly from the Committee on Public Institutions, and this can be carried by a majority vote. It does not require a suspension of the rules, inasmuch as a majority vote is sufficient to relieve the Rules Committee of the bill."

#### PARLIAMENTARY INQUIRY

Senator Woodall:

"Mr. President:

"As I understand it, the bill is now in the Committee on Public Institutions, the committee of Senator Morgan, due to the failure of the motion by Senator Freise, or due to the motion to lay his motion on the table, is that correct?"

#### REPLY BY THE PRESIDENT

The President:

"That is correct, Senator Woodall."

#### POINT OF ORDER

Senator Woodall:

"Then, Mr. President, it would seem to me that these other motions would be out of order. If, after seventy-two hours, the committee has done nothing, then a motion to discharge at that time would be the proper one. It is presently in the committee, and it seems to me that the other motions are out of order until the committee has had a chance to act."

Senator Washington:

"Mr. President, speaking on the point of order:

"I believe we do have the right as a body to make directions as far as committee action is concerned, and particularly where we do have this inhibition that we don't want to vote directly to discharge a committee from its responsibilities on a particular bill. Many times the unwritten rules of this Senate are much more binding than the written rules, and what I'm trying to do here is be practical and avoid a head-on collision with the unwritten rule that we don't discharge a committee of its responsibility. This avoids that in a very polite way by saying we do ask the committee to report back within seventy-two hours with reasons for their recommendations."

#### RULINGS BY THE PRESIDENT

The President:

"The President, ruling upon the point raised by Senator Woodall:

"The President believes that the motion by Senator Washington is in order.

"The President, ruling upon the point of order raised by Senator Gallagher:

"The President respectfully directs the attention of the Senators to that portion of Rule 61 which states: 'Upon being reported back by committee, all bills shall be referred to the Committee on Rules and Joint Rules for second reading,' unless otherwise directed by the Senate."

Senator Rasmussen:

"Mr. President, speaking to the point of order just raised and the matter raised by the President that all bills shall go to the Rules Committee for second reading,

or after second reading, this particular bill has no chance of being on second reading at any time because it has already had action by both houses; and, recalling what Si Holcomb, Chief Clerk of the House at the time that Mr. Bowden was over there as his Assistant, said, his opinion was, and it was sustained at that time, and I would have to look it up in the record: Once a bill is in circulation between the two houses, having passed both houses, that it could not go to committee, that it had to be decided by motions either to adhere or recede and so forth, but it was in circulation between the two houses and did not belong to any committee. I just brought that to the attention of Mr. Bowden, because he was there at the time."

#### REPLY BY PRESIDENT

The President:

"Senator Rasmussen, with the indulgence of the members of the Senate, the President recalls visiting New York City in 1936 and, upon visiting the city, asking one of New York's finest for directions to the Bronx. He said, 'It's straight down this street fifteen miles,' and I said, 'Fifteen miles!' He said, "Yes, Bud, you're in the city now."

Senator Rasmussen:

"You should have said, 'in the Senate.' I accept that, Mr. President."

Senator Freise:

"Mr. President:

"I concur in the arguments of Senator Washington. I think that Mrs. Morgan's committee will act on this probably within the seventy-two hour time limit and it will come back to the Senate so that the forty-nine Senators will have an opportunity to vote upon it."

#### PARLIAMENTARY INQUIRY

Senator Moriarty, Jr.:

"I just want to be certain, Mr. President, and I direct this question to the Chair as a parliamentary inquiry:

"It is my understanding that the bill will be back before us on third reading and final passage, is that correct?"

#### REPLY BY THE PRESIDENT

The President:

"The President finds it very difficult to answer your question, Senator Moriarty. The President believes that when the bill is reported back, providing the motion by Senator Washington carries, that it will be up to the will of the body as to their determination."

Senator Moriarty, Jr.:

"Mr. President:

"I don't want to compound the felony, but I would like to refer the President to the first sentence of Rule 61 which provides this rule may be suspended by a majority vote; and I believe we amended that to provide that after the tenth day of the extraordinary session the rules could be suspended by majority vote. I want to be clear in my understanding on this. Senator Washington's motion is that the bill be reported back from the Committee on Public Institutions to the Senate for concurrence or non-concurrence within seventy-two hours."

Senator Henry:

"Mr. President and members of the Senate:

"If I recall the President's ruling correctly that it was beyond the scope and object of the bill, then this cannot come back in its present form for concurrence or non-concurrence. It would have to be amended by the committee, or at least changed in some respect so it would fall within the scope and object of the title."

Senator Ryder:

"Mr. President:

"Rule 61, which you quoted a few minutes ago, refers to bills which are being reported out of committee, and then into Rules Committee for second reading. Now

this bill has already been through second reading in both houses. It cannot be amended by any committee or cannot be amended by the Senate. The only thing we can do is concur or not concur in the House amendments, and it is not in any way on second or third reading. It is here for concurrence. It would have to be reported out of the Committee on Public Institutions with recommendation either that we do concur or do not concur, and then Senator Washington's motion would provide that they include written reasons for their recommendations."

**RULING BY THE PRESIDENT**

The President:

"Gentlemen of the Senate and Mrs. Morgan:

"The distinctive feature of Engrossed Senate Bill No. 379 is that it bears a ruling, to wit: That the present bill changes the scope and object of Engrossed Senate Bill No. 379, and the President believes Rule 62 covers the situation adequately, and Rule 62 in essence states that any such bill shall take the course taken by an original bill. Therefore, when the committee reports back, if it takes the same course as an original bill, it would be referred to the Committee on Rules and Joint Rules, unless the body otherwise dictates."

Debate ensued.

Senators Greive, Washington and Herrmann demanded the previous question and the demand was sustained.

**PARLIAMENTARY INQUIRY**

Senator Moriarty, Jr.:

"Mr. President, parliamentary inquiry:

"Should this motion carry and the bill be reported back, will it be before us for concurrence or non-concurrence?"

**REPLY BY THE PRESIDENT**

The President:

"The bill will be before the Senate in the same form as an original bill, to wit: It will be directed to the Senate Committee on Rules and Joint Rules, unless otherwise decided by the members of the Senate."

**PARLIAMENTARY INQUIRY**

Senator Herrmann:

"Parliamentary inquiry, Mr. President:

"If it comes back as an original bill, would the question then be whether it is proper matter for the special session?"

The President:

"For what purpose does Senator Moriarty rise?"

**PARLIAMENTARY INQUIRY**

Senator Moriarty, Jr.:

"To ask whether or not the response to the parliamentary inquiry does violence to the joint rules adopted by the House and Senate."

**REPLY BY THE PRESIDENT**

The President:

"The President believes from memory that this particular situation is not covered in the joint rules, but historically speaking, this has been done before."

**PARLIAMENTARY INQUIRY**

Senator Washington:

"Parliamentary inquiry, Mr. President:

"The intent of this motion is that it direct the committee to report back to the Senate, and that would mean that it would not go to the Rules Committee."

**REPLY BY THE PRESIDENT**

The President:

"Perhaps that is your intention, Senator, but the way the President understands this particular motion, the Committee on Public Institutions is directed to report the bill back with recommendations. I'm sure that the chairman and the members of that group can recommend to the Senate what they desire, but it would still be the decision of the Senate as to what happens to the bill when the bill is before the Senate. The Senate may take any action it may so desire."

**PARLIAMENTARY INQUIRY**

Senator Riley:

"Mr. President:

"To get it clear in my own mind, the President is ruling that when and if the committee follows the instructions of the motion by Senator Washington, to wit: 'That it shall report the bill back, and it shall report back within seventy-two hours, and it shall set forth recommendations', and the bill shall be a property then of the full Senate on the floor?"

Senator Gissberg:

"Mr. President and Senators:

"I think the President has stated several times, and if I could assist, that in the absence of a motion being made, as the bill came through here, that it would go into Rules Committee; that the President would treat this as a new bill, which it is. It would take its regular course, namely; be passed to second reading, because it is a new bill. But, if you want to catch it as it goes through here and make some appropriate motion at that time to preclude it from going into the Rules Committee then you may do so. The Senate may do so, as they can with any bills, but we must consider this as an entirely new bill. It is for that reason that it has to go through the committee system again."

**PARLIAMENTARY INQUIRY**

Senator Lewis:

"Mr. President, parliamentary inquiry:

"In the Chair's opinion, may the Committee on Public Institutions amend the bill from its present form?"

**REPLY BY THE PRESIDENT**

The President:

"Senator Lewis, the Committee on Public Institutions has full power and authority to suggest amendments, but the committee cannot amend the bill."

**PARLIAMENTARY INQUIRY**

Senator Gallagher:

"Mr. President, may I make one further inquiry to your answer to Senator Lewis:

"Was it my understanding that you said the committee was prohibited from amending the bill?"

**REPLY BY THE PRESIDENT**

The President:

"The President indicated that the Committee on Public Institutions could suggest or propose amendments, but the committee, in itself, could not amend the bill."

Senator Washington demanded a roll call and the demand was sustained by Senators Greive, Bailey, Gallagher, Kupka, Connor, Cooney, Freise, Woodall and Neill.

**ROLL CALL**

The Secretary called the roll and the motion by Senator Washington was carried by the following vote: Yeas, 28; nays, 21.

Those voting yea were: Senators Atwood, Chytil, Cowen, Donohue, Dore, England, Freise, Guess, Hallauer, Hanna, Lennart, Lewis, McCormack, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Talley, Thompson, Jr., Washington, Williams, Woodall—28.

Those voting nay were: Senators Bailey, Charette, Connor, Cooney, Durkan, Foley, Gallagher, Gissberg, Greive, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Mardesich, Peterson (Lowell), Sandison, Stender—21.

Engrossed Senate Bill No. 379, as amended by the House, was referred to the Committee on Public Institutions, with instructions to report back to the Senate within seventy-two hours with its recommendations.

#### MOTION

It was moved by Senator Greive that vetoed Senate Bill No. 360, together with the veto message of the Governor, be placed before the Senate for immediate action.

The motion was carried.

The Secretary read:

#### MESSAGE FROM THE SECRETARY OF STATE

Department of State, Office of the Secretary,  
Olympia, Wash., March 24, 1965.

*To the Honorable, the President of the Senate,  
The Legislature of the State of Washington,  
Olympia, Washington.*

Sir:

I have the honor to transmit herewith pursuant to Section 12, Article 3 of the Constitution of the State of Washington, for the consideration of the Senate, Enrolled Senate Bill No. 360 which has been vetoed by the Governor, together with his veto message attached thereto.

Respectfully,

A. LUDLOW KRAMER, *Secretary of State.*

#### MESSAGE FROM THE GOVERNOR

State of Washington, Executive Department,  
Olympia, March 23, 1965.

*To the Honorable, the Senate of the State of Washington.*  
(Through the Secretary of State)

LADY AND GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval, Senate Bill No. 360 entitled:

"AN Act relating to labor relations; authorizing collective bargaining by and between agencies of the state and its political subdivisions and the employees thereof; and prohibiting certain practices."

This bill purports to grant to employees of the state and certain political subdivisions the right to bargain collectively with their employers through labor organizations. I am satisfied that this statute is not necessary to confer this right upon public employees, and that, as written, the bill would contravene the merit systems now established at many levels of government.

Collective bargaining is not new to state or local government. At least nine collective bargaining agreements are in operation between organizations of public employees and state agencies; and more than thirty such collective bargaining agreements have been entered into with local units of government.

The state supreme court and the attorney general have ruled time and time again that such agreements are permissible under our laws as they now exist, without the need for Senate Bill No. 360. The supreme court ruled as early as 1947 that local government employees could organize and bargain collectively. This position was reaffirmed in 1958. The attorney general has issued similar opinions regarding city employees in 1951, county employees in 1957, and employees of municipal corporations

generally in 1961. Therefore, no new law is needed to authorize the governing bodies of local units of government to enter into collective bargaining agreements, so long as those agreements do not transfer from the public officials elected by the people, the powers and duties which they alone were elected to perform, and so long as ultimate control over the public purse-strings is retained by those elected officials.

Nor is Senate Bill No. 360 needed in order to authorize collective bargaining at the state level of government. In 1960 the people enacted by initiative a system of personnel administration based on merit. Section 15 of this law requires the adoption of rules by the State Personnel Board to authorize collective bargaining agreements. These rules have been adopted, and agreements have been entered into by state agencies.

But it is the effect of Senate Bill No. 360 upon this merit system, and the merit systems established at countless local units of government, which concerns me most. I have noted from my examination of the laws of other states that invariably the authorization to bargain collectively has been made subject to the paramount principle of civil service. For example, the California law provides:

"Nothing contained herein shall be deemed to supersede the provisions of existing state law and the charters, ordinances and rules of local public agencies which establish and regulate a merit or civil service system or which provide for other methods of administering employer-employee relations. This chapter is intended, instead, to strengthen merit, civil service and other methods of administering employer-employee relations through the establishment of uniform and orderly methods of communication between employees and the public agencies by which they are employed."

Also, the federal government has exempted its employees from labor legislation to avoid any conflict with the federal civil service system. No state or federal law which I have examined conflicts so directly with the civil service system as Senate Bill No. 360.

Under state merit system rules, collective bargaining agreements are subject to certain limitations. For example, these agreements may not contravene any merit system rule or Central Budget Agency regulation promulgated under statutory authority. And the attorney general has similarly ruled that under existing law collective bargaining agreements at the local level may not conflict with any charter or ordinance (which would include a merit system provision). Merit system laws and rules often provide methods for resolving disputes through personnel boards or civil service commissions. Without the limitations contained in the laws of other states, Senate Bill No. 360 would undermine these procedures and ultimately the entire civil service system.

Section 15 of the state merit system initiative also limits the scope of bargaining to matters "which may be peculiar to an agency." This recognizes that many of the terms and conditions of public employment are fixed by the legislature and therefore cannot be bargained away. Senate Bill No. 360 without such restrictions conflicts with the merit system and derogates from the duties conferred by the people upon their elected representatives.

For the foregoing reasons I have vetoed Senate Bill No. 360; but I have not done away with the right of public employees to collectively bargain. This right still exists, but without Senate Bill No. 360 the people will be assured that collective bargaining agreements will continue to be subject to merit systems wherever they exist, and that statutory and constitutional duties of elected officials will not be transferred at the bargaining table to some other person or group not responsible to the will of the people.

Respectfully submitted,

DANIEL J. EVANS, Governor.

It was moved by Senator Greive that Senate Bill No. 360 be passed by the Senate, notwithstanding the veto of the Governor.

Debate ensued.

#### POINT OF INQUIRY

Senator Moriarty, Jr.:

"Would Senator Greive yield to a question?"

"Senator, you said, if I understand your remarks correctly, that Governor Evans voted for 'precisely' the same bill and 'exactly' the same bill, is that correct?"

Senator Greive:

"If I said it in that way, I don't know exactly what the bill said. I haven't read it.



I have been informed it was a bill that did the same things this one does. It was a bill to permit state employees to organize and bargain collectively. Maybe I should change my remarks. I asked you to do substantially what Governor Evans did in 1961."

Further debate ensued.

Senators Gallagher, Bailey and Moriarty, Jr. demanded the previous question and the demand was sustained.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Woodall, Neill, Atwood, Bailey, Guess, Greive, McCutcheon, and Rasmussen.

#### ROLL CALL

The Secretary called the roll and the motion was lost by the following vote: Yeas, 32; nays, 17.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Stender, Talley, Washington—32.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Thompson, Jr., Williams, Woodall—17.

Having failed to receive the constitutional two-thirds majority, the motion by Senator Greive was lost and the Governor's veto was sustained.

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

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 31, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 13 as amended by the Senate.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 31, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 122; also  
Senate Joint Memorial No. 18, and the same are herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

#### MOTION

On motion of Senator Riley, the Senate dispensed with the Call of the Senate.

At 3:00 p. m., on motion of Senator Greive, the Senate adjourned until 11:00 a. m., Thursday, April 1, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## EIGHTEENTH DAY

### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Thursday, April 1, 1965.

The Senate was called to order at 11:00 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Jennifer Parker, presented the Colors.

Reverend Arthur I. Anderson, pastor of the Gloria Dei Lutheran Church of Olympia, offered prayer as follows:

"The fool hath said in his heart, there is no God.

"On the first day of April, may we be still and know that Thou art God; that Thou art near; that Thou art able to do exceedingly abundantly above all that we ask or think, according to the power that worketh in us.

"Thou hast promised, O Father of lights, that if any lack wisdom they should ask of Thee who giveth to all liberally. We need Thy wisdom and guidance every hour but especially at such a time as this.

"Thou knowest the many baffling and vexing problems that confront the members of this legislative assembly—the political pressures and the carping criticisms. Give them understanding hearts to discern between the good and the bad, between the good and the best; and then grant them firmness in the right as Thou givest them to see the right, through Jesus Christ our Lord. Amen."

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

The Secretary read:

#### SENATE RESOLUTION

No. 1965 EX -11

By Senators Greive, Keefe, Ryder, Kupka, Riley and Durkan:

WHEREAS, The economy of this state and the well-being of our citizens depends in great measure on the proper and successful growth of our industrial potential; and

WHEREAS, The use and consumption of materials produced in the United States by citizens of the United States contributes greatly to the health and strength of the economy of this country and particularly to the health and strength of the economy of the state of Washington; and

WHEREAS, The Legislature of the state of Washington has recognized that the use and consumption of materials produced in the state of Washington by citizens of the state of Washington contributes to the health and strength of the economy of this state; and

WHEREAS, The use and consumption by the state of Washington of materials manufactured outside of the United States tends to reduce manufacturing activity, profits, employment, and wages in the United States and thereby to reduce the taxes paid by both industry and individual citizens to the government of the United States and more particularly to the government of the state of Washington; and

WHEREAS, Apparent differences in selling prices between materials produced outside the United States and those produced in the United States and particularly in the state of Washington do not reflect the real cost to the state of Washington or the overall economies and advantages of the use and consumption of domestically produced materials and particularly those produced in the state of Washington; and

WHEREAS, It has been suggested that the Legislature enact legislation requiring the state of Washington, its political subdivisions and public agencies thereof to purchase

only domestically produced material or require that public contracts utilize only domestically produced material if such materials are reasonably available in commercial quantities;

*Now, Therefore, Be It Resolved*, By the Senate that the Legislative Council through an appropriate subcommittee be directed to undertake a full and comprehensive study of the economic impact of the purchase of foreign produced materials which are purchased by the state of Washington and its political subdivisions and public agencies and to determine the desirability and feasibility of enacting legislation which would require public authority to purchase domestically produced material and which requires public contracts to utilize such material when such materials are reasonably available in commercial quantities.

*Be It Further Resolved*, That the results of the study and recommendations relating thereto be presented to the next Regular Session of the Legislature for its consideration.

On motion of Senator Keefe, the resolution was adopted.

#### SENATE RESOLUTION

No. 1965 EX -12

By Senators Dore, Greive, Gallagher, Connor, Moriarty, Jr., Riley, Keefe, Kupka and Cooney:

WHEREAS, The Very Reverend A. A. Lemieux, S.J., will, on April 1, 1965, retire as President of Seattle University; and

WHEREAS, Father Lemieux has served as President of Seattle University longer than any other man has ever served as president of a Jesuit college; and

WHEREAS, Father Lemieux has presided over and effectively led the expansion of Seattle University in buildings, faculty, and students; an expansion that has taken place without the sacrifice of the high educational standards identified with Seattle University; and

WHEREAS, Father Lemieux has found time from his pressing educational duties to be a civic leader, moral force, and cultural exponent for the entire state of Washington; and

WHEREAS, Father Lemieux, in addition, still found time to be an outstanding President of the Association of Independent Colleges of Washington;

*Now, Therefore, Be It Resolved*, That the Senate of the state of Washington does hereby commend Father Lemieux for his outstanding years of service to Seattle University and the entire state of Washington; and

*Be It Further Resolved*, That we express our regrets at the loss of this outstanding man to the state of Washington and wish him well in all of his future endeavors; and

*Be It Further Resolved*, That a copy of this resolution be suitably inscribed by the Secretary of State and transmitted to Father Lemieux as a small token of our abiding esteem for him.

On motion of Senator Dore, the resolution was adopted.

#### SENATE RESOLUTION

No. 1965 EX -13

By Senator Rasmussen:

WHEREAS, There has been an increase in the population of the state of Washington since the last state and federal censuses; and

WHEREAS, Article II, section 3 of the state Constitution requires a state census to be made every ten years after the year one thousand eight hundred and ninety-five; and

WHEREAS, The legislature has not made provision for a statewide census to be taken this year;

*Now, Therefore, Be It Resolved*, By the Senate that the legislature do enact legislation, pursuant to the mandate of Article II, section 3 of the state Constitution, for a state census, to be taken during September, 1965.

It was moved by Senator Rasmussen that the resolution be adopted.

Debate ensued.

The motion was lost and the resolution was not adopted.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., March 30, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 334, have inspected same, and find it correctly enrolled and certified.

Respectfully submitted,  
....., *Chairman.*

We concur in this report: Martin J. Durkan, Marshall A. Neill, Perry B. Woodall.

**REPORT OF CONFERENCE COMMITTEE**

Olympia, Wash., March 31, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Engrossed House Bill No. 184, requiring the state patrol to protect the governor and his family, have had the same under consideration, and we report that we are unable to agree and request the powers of free conference.

*Senate Members*

AL HENRY  
GORDON SANDISON  
FRED G. REDMON

*House Members*

JOHN L. O'BRIEN  
THOMAS L. COPELAND  
PAUL H. CONNER

On motion of Senator Henry, the committee report was adopted and the Conference Committee was granted the powers of free conference.

**REPORT OF FREE CONFERENCE COMMITTEE**

Olympia, Wash., March 31, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred House Bill No. 303, relating to changing dates for the preparation and consideration of school district budgets, have had the same under consideration, and we recommend that House Bill No. 303 be amended as follows:

In line 4 of the mimeographed amendment to the title by Senator Lewis, after "RCW 28.35.010;" add "and declaring an emergency."

On page 2, section 6, line 27 after "act," and before "prepare" on lines 28 and 29, strike "districts of the second and third class shall, and districts of the first class may," and insert "school districts shall"

On page 2, section 6, line 32 after "such" and before "forms" insert "budget and other"

On page 4, section 10, line 15 after "directors" and before "shall" insert "of districts of the second and third class, and on or before the first Monday in October following, the board of directors of districts of the first class"

On page 4, section 12, line 30, after "and" and before the period on line 33 strike "three citizens who are taxpayers, registered voters, property owners and residents of the county and who hold no public office and who are not in public employment with or without salary" and insert "the members of the county board of education"

That the Senate and House concur in the amendment by Senator Lewis to page 7, adding a new section following section 18, line 31, to be known as "Sec. 19." and renumbering the remaining section as "Sec. 20."

Beginning on page 8, line 13, add a new section to read as follows:

"NEW SECTION. Sec. 21. 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."

That the bill, as amended, be passed.

*Senate Members*

MIKE McCORMACK  
ROBERT C. BAILEY  
HARRY B. LEWIS

*House Members*

FRANK BROUILLET  
ROBERT F. BRACHTENBACH  
WES C. UHLMAN

It was moved by Senator Lewis that the report of the Free Conference Committee be adopted.

Debate ensued.

The motion was carried.

Further debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 303, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—42.

Absent or not voting: Senators Donohue, Dore, Foley, Hallauer, Hanna, Mardesich, Stender—7.

House Bill No. 303, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

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

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

#### MOTIONS

On motion of Senator McCormack, the Committee on Education was relieved of further consideration of Senate Bill No. 40.

On motion of Senator McCormack, Senate Bill No. 40 was referred to Committee on Ways and Means.

At 11:50 a. m., on motion of Senator Greive, the Senate adjourned until 11:00 a. m., Friday, April 2, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## NINETEENTH DAY

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#### MORNING SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Friday, April 2, 1965.

The Senate was called to order at 11:00 a. m. by President Cherberg.

The President declared the Senate to be at ease.

The President called the Senate to order at 11:40 a. m.

#### MOTION

At 11:40 a. m., on motion of Senator Greive, the Senate recessed until 2:00 p. m.

### AFTERNOON SESSION

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

The Secretary called the roll and announced to the President that all Senators were present except Senator Woodall, who was excused.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Teresa Hallauer, presented the Colors.

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

The Secretary read:

#### SENATE RESOLUTION No. 1965 EX -14

By Senators Gallagher, Gissberg, Greive, Cooney and Kupka:

WHEREAS, During November, 1960, the electorate of the state of Washington caused to be enacted into law, with an overwhelming affirmative vote, Initiative Measure No. 207, now codified as chapter 41.06 RCW, the state civil service law; and

WHEREAS, The principles incorporated in the state civil service law have found ready and favorable acceptance by the state administration, the state employees affected, and by the general public; and

WHEREAS, The recent change in the executive department will bring about the first real test of our civil service system as it may be affected by political change; and

WHEREAS, The Legislature of the state of Washington is vitally concerned that our civil service system continue to be operated within the letter and spirit of the law; and

WHEREAS, The Legislative Council, during the interim between legislative sessions, performs some of the functions of the Legislature;

Now, Therefore, *Be It Resolved*, By the Senate, that during the interim between this special session of the Thirty-ninth Legislature and the Fortieth regular legislative session, a subcommittee of the Legislative Council be authorized and directed to study the continued operation and progress of the civil service system and prepare a report by December 1, 1966, to be submitted to the Fortieth regular legislative session.

And, *Be It Further Resolved*, That the Secretary of the Senate present a copy of this Senate Resolution to the Executive Secretary of the Legislative Council.

It was moved by Senator Gallagher that the resolution be adopted.

#### POINT OF INQUIRY

Senator Moriarty, Jr.:

"Mr. President, would Senator Gallagher yield?"

"Senator Gallagher, I wonder if you would be willing to amend this resolution to include some provisions about taking care of the first two days of a session after an administration is defeated and a new one is on the way?"

Senator Gallagher:

"Mr. President and members of the Senate:

"I do believe there is a bill pending in regard to that matter and it would have no particular part in this resolution, or should have no part in this resolution."

#### MOTION

It was moved by Senator Moriarty, Jr. that the resolution be made a special order of business for the first order of business tomorrow.

Debate ensued.

On motion of Senator Hanna, the motion by Senator Moriarty, Jr. was laid upon the table.

Senator Gallagher demanded a roll call and the demand was sustained by Senators Greive, Bailey, Connor, Kupka, Knoblauch, Hallauer, Hanna and Cooney.

**ROLL CALL**

The Secretary called the roll and the resolution was adopted by the following vote: Yeas, 35; nays, 7; absent or not voting, 6; excused, 1.

Those voting yea were: Senators Bailey, Charette, Connor, Cowen, Donohue, Durkan, England, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Peterson (Ted), Rasmussen, Redmon, Sandison, Stender, Talley, Washington, Williams—35.

Those voting nay were: Senators Freise, Guess, Moriarty, Jr., Neill, Raugust, Ryder, Thompson, Jr.—7.

Absent or not voting: Senators Atwood, Chytil, Cooney, Dore, Petrich, Riley—6.

Excused: Senator Woodall—1.

**POINT OF INQUIRY**

Senator Moriarty, Jr.:

"Mr. President, would Senator Gallagher yield to a question?"

Senator Gallagher:

"Yes."

Senator Moriarty, Jr.:

"Senator Gallagher, when did you stop beating your wife?"

Senator Gallagher:

"I can admit this: It's been at least ten days because I haven't been home for ten days, but beyond that—"

**PRESIDENT'S PRIVILEGE**

The President:

"The President respectfully believes at this time that perhaps, Senator Gallagher, you should be advised that you probably won't be home for twelve more days. The Rules Committee has recommended that the Senate be in session Saturday and Sunday, with the Sunday session to convene some time in the afternoon."

Senator Henry:

"Mr. President:

"I was about to suggest a recall of the Rules Committee."

The Secretary read:

**REPORTS OF STANDING COMMITTEES****Senate Joint Resolution No. 5:**

Senate Chamber,  
Olympia, Wash., March 31, 1965.

Providing for constitutional amendment for annual legislative sessions (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass. JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, Gordon Herr, James Keefe, Ernest W. Lennart, David E. McMillan, Frances Haddon Morgan, W. C. Raugust, Fred G. Redmon, John H. Stender, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Memorial No. 10:**

Senate Chamber,  
Olympia, Wash., April 1, 1965.

Requesting a Peace Arch commemorative postage stamp (reported by Committee on Commerce, Manufacturing and Licenses):

MAJORITY recommends that it do pass.

GEORGE W. KUPKA, *Chairman.*

We concur in this report: Frank Connor, John L. Cooney, David C. Cowen, Jack England, Michael J. Gallagher, R. R. Bob Greive, Sam C. Guess, James Keefe, Reuben A. Knoblauch, Harry B. Lewis, August P. Mardesich.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., April 1, 1965.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Engrossed House Bill No. 184, and has granted said committee the powers of free conference.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF FREE CONFERENCE COMMITTEE**

Olympia, Wash., April 2, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Engrossed House Bill No. 184, requiring the state patrol to protect the governor and his family, have had the same under consideration, and we recommend that it do pass with the following amendment:

"Strike everything after the enactment clause and insert in lieu thereof the following:

**NEW SECTION.** Section 1. There is added to chapter ....., Laws of 1965 (Senate Bill No. 4) and to chapter 43.43 RCW a new section to read as follows:

The chief of the Washington state patrol is directed to provide security and protection for the governor and the governor's family to the extent and in the manner the governor and the chief of the Washington state patrol deem adequate and appropriate.

In the same manner the chief of the Washington state patrol is directed to provide security and protection for the governor elect from the time of the November election.

**NEW SECTION.** Section 2. The chief of the Washington state patrol is directed to provide such security and protection for both houses of the legislative building while in session as in the opinion of the speaker of the house and the president of the senate may be necessary therefor upon the advice of the respective sergeant at arms of each legislative body.

**NEW SECTION.** Section 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."

"Amend the title by striking the whole thereof and inserting:

**AN ACT** Relating to protection and security of the life and person of the governor, the legislature, and adding three new sections to chapter ....., Laws of 1965 (Senate Bill No. 4) and to chapter 43 RCW and declaring an emergency."

*Senate Members*

AL HENRY  
FRED G. REDMON  
GORDON SANDISON

*House Members*

JOHN L. O'BRIEN  
THOMAS L. COPELAND  
PAUL H. CONNER

On motion of Senator Henry, the report of the Free Conference Committee was adopted.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed House Bill No. 184, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; excused, 1.



Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams—48.

Excused: Senator Woodall—1.

Engrossed House Bill No. 184, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

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

The Secretary read:

#### MESSAGE FROM THE GOVERNOR

State of Washington, Executive Department,  
Olympia, April 1, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bills, entitled:

**Senate Bill No. 68:**

Providing inheritance tax exemptions for firemen's pensions.

**Senate Bill No. 76:**

Providing criminally insane be committed to jurisdiction of director of institutions and in such institutions as director determines.

**Senate Bill No. 97:**

Authorizing purchase of equipment and supplies for Echo Lake juvenile institution.

**Senate Bill No. 119:**

Relating to condominiums.

**Substitute Senate Bill No. 183:**

Prescribing quantity and types of fire fighting equipment required in forest operations.

**Senate Bill No. 205:**

Increasing maximum allowable unused vacation accrual time for state employees.

**Senate Bill No. 222:**

Extending municipal appropriations for services.

**Senate Bill No. 423:**

Reducing the period of separation necessary as grounds for divorce.

Very truly yours,

RAYMOND W. HAMAN,

*Legal Counsel to the Governor.*

#### MESSAGES FROM THE HOUSE

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on House Bill No. 303 and has passed the bill as amended by the Free Conference Committee.

S. R. HOLCOMB, *Chief Clerk.*

MR. PRESIDENT:

The Speaker has signed: House Bill No. 303, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

MR. PRESIDENT:

The House has passed: House Joint Memorial No. 31; also Reengrossed House Joint Resolution No. 25; also

House Concurrent Resolution No. 21, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 1, 1965.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 13; also  
Substitute House Bill No. 96, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 1, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Substitute House Joint Resolution No. 4, and  
the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE RESOLUTION

House of Representatives,  
Olympia, Wash., April 1, 1965.

MR. PRESIDENT:

The House has passed: Senate Concurrent Resolution No. 20 with the following  
amendment:

On line 10, after "brave" and before "exemplified" strike "soldier" and insert  
"naval officer", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Freise, the Senate concurred in the House amend-  
ment to Senate Concurrent Resolution No. 20.

Senate Concurrent Resolution No. 20, as amended by the House, was  
adopted.

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 31, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 241 with the following amend-  
ments:

On page 1, beginning on line 7 of the title of the printed bill, after "RCW" strike  
the Senate amendment down to and including "18.18.280" on line 9, thereby reinstating  
"; and repealing section 15, chapter 101, Laws of 1957 and RCW 18.15.170 and section 5,  
chapter 168, Laws of 1953 and RCW 18.18.280" to the engrossed bill

On page 1, section 1, line 18 of the printed bill, being page 1, section 1, line 15  
of the engrossed bill, before "to notify" strike "director of licenses" and insert "[director  
of licenses] *administrator of the division of professional licensing*"

On page 8, section 4, beginning on line 26 of the printed bill, strike the Senate  
amendment thereby reinstating section 4 to the engrossed bill as follows:

"NEW SECTION. Sec. 4. The following acts or parts of acts are hereby repealed:

- (1) Section 15, chapter 101, Laws of 1957 and RCW 18.15.170;
- (2) Section 5, chapter 168, Laws of 1953 and RCW 18.18.280."

and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Henry, the Senate concurred in the House amend-  
ments to Engrossed Senate Bill No. 241.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill  
No. 241, as amended by the House, and the bill passed the Senate by the  
following vote: Yeas, 45; nays, 0; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor,  
Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher,  
Gissberg, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch,  
Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Mori-  
arty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen. Raugust,

Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams—45.

Absent or not voting: Senators Hanna, Mardesich, Petrich—3.

Excused: Senator Woodall—1.

Engrossed Senate Bill No. 241, as amended by the House, having received the constitutional majority, was declared passed.

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

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 31, 1965.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to Engrossed House Bill No. 428 and asks the Senate to recede therefrom, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Chytil, the Senate refused to recede from its position on Engrossed House Bill No. 428 and asked the House for a conference thereon.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed Senators Chytil, Washington and Henry as members of the Conference Committee on Engrossed House Bill No. 428.

On motion of Senator Chytil, the Conference Committee appointments were confirmed.

#### INTRODUCTION AND FIRST READING OF BILLS AND RESOLUTION

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 552**, by Senators Foley, Sandison and Ryder:

An Act relating to education; and amending section 3, chapter 13, Laws of 1961 extraordinary session as amended by section 1, chapter 143, Laws of 1963, and RCW 28.81.080.

Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 553**, by Senators Bailey, Gissberg and McCormack:

Providing for a study of state's water resources and changing name of department of conservation.

Referred to Committee on Natural Resources.

**Senate Bill No. 554**, by Senators Gissberg and Rasmussen:

An Act relating to revenue and taxation; providing an excise tax on cigarettes; adding new sections to chapter 15, Laws of 1961 and to chapter 82.24 RCW; and declaring an effective date.

Referred to Committee on Ways and Means.

**Senate Concurrent Resolution No. 21**, by Senators Durkan, Williams and Gissberg:

Providing for study of property tax exemptions.

Referred to Committee on Ways and Means.

#### FIRST READING OF HOUSE MEMORIAL AND RESOLUTIONS

The following were read first time by title and acted upon as indicated:

**House Joint Memorial No. 31**, by Representatives Radcliffe, Hood and Kink: Memorializing Congress to include ferry operation within Interstate Highway System.

Referred to Committee on Highways.

**Engrossed Substitute House Joint Resolution No. 4**, by Committee on Constitution, Elections and Reapportionment:

Proposing constitutional amendment reducing resident qualifications for voting within state.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Reengrossed House Joint Resolution No. 25**, by Representatives Burtch, Dootson, Rogers, Gorton and Wolf:

Establishing constitutional reapportionment procedure.

It was moved by Senator Washington that the rules be suspended and Reengrossed House Joint Resolution No. 25 be referred to a Committee of the Whole, and that the Senate do now resolve itself into a Committee of the Whole for the purpose of consideration of Reengrossed House Joint Resolution No. 25, and that the Committee of the Whole make a report within seventy-two hours.

**PARLIAMENTARY INQUIRY**

Senator Gallagher:

"Mr. President, parliamentary inquiry or point of order:

"As I read this motion, it sounds as though it is one which was drafted within the Highway Department. I think there are about four different motions within it. I hope that the sponsors of the motion would at least divide them so we could take them up one at a time."

Debate ensued.

**PARLIAMENTARY INQUIRY**

Senator McCutcheon:

"Mr. President:

"What is before the Senate at this time?"

**REPLY BY THE PRESIDENT**

The President:

"The question before the Senate is the motion by Senator Washington."

Senator McCutcheon:

"I assume that the motion to refer to committee with instructions allows debate upon the merits?"

The President:

"That is true, Senator. It opens up the main question."

Debate ensued.

**PARLIAMENTARY INQUIRY**

Senator Gissberg:

"Mr. President:

"Would you kindly advise what is before the Senate?"

**REPLY BY THE PRESIDENT**

The President:

"The question before the Senate is the motion by Senator Washington."

Senator Gissberg:

"Have you ruled upon the point of order raised by Senator Gallagher?"

The President:

"Senator Gallagher did not raise a point of order, Senator. He merely raised the parliamentary question. The President believes that the question can be put in its entirety."

Further debate ensued.

It was moved by Senator Gallagher that the motion by Senator Washington be laid upon the table.

Senator McCormack demanded a roll call and the demand was sustained by Senators Hallauer, Gissberg, Cowen, Herrmann, Charette, Thompson, Jr., Peterson (Ted), Williams and Stender.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Gallagher was carried by the following vote: Yeas, 24; nays, 21; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Chytil, Connor, Cooney, Cowen, Donohue, Dore, Gallagher, Greive, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Morgan, Peterson (Lowell), Raugust, Redmon, Sandison, Stender, Talley—24.

Those voting nay were: Senators Atwood, Bailey, Charette, Foley, Freise, Gissberg, Guess, Hallauer, Hanna, Lewis, McCormack, Mardesich, Moriarty, Jr., Peterson (Ted), Petrich, Rasmussen, Riley, Ryder, Thompson, Jr., Washington, Williams—21.

Absent or not voting: Senators Durkan, England, Neill—3.

Excused: Senator Woodall—1.

Reengrossed House Joint Resolution No. 25 was referred to the Committee on Constitution, Elections and Legislative Processes.

It was moved by Senator McCormack that the Committee on Constitutions, Elections and Legislative Processes be instructed to report Reengrossed House Joint Resolution No. 25 back to the Senate within seventy-two hours, together with recommendations.

Debate ensued.

Senators Keefe, Mardesich and Cooney demanded the previous question and the demand was sustained.

Senator Washington demanded a roll call and the demand was sustained by Senators Riley, Rasmussen, Charette, Herrmann, Hallauer, Freise, Williams, Guess and Atwood.

#### ROLL CALL

The Secretary called the roll and the motion by Senator McCormack was carried by the following vote: Yeas, 26; nays, 20; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Cowen, Dore, Foley, Freise, Gissberg, Guess, Hallauer, Hanna, Henry, Knoblauch, Lewis, McCormack, Mardesich, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Rasmussen, Riley, Ryder, Thompson, Jr., Washington, Williams—26.

Those voting nay were: Senators Chytil, Connor, Cooney, Donohue, Gallagher, Greive, Herr, Herrmann, Keefe, Kupka, Lennart, McCutcheon, McMillan, Morgan, Peterson (Lowell), Raugust, Redmon, Sandison, Stender, Talley—20.

Absent or not voting: Senators Durkan, England—2.

Excused: Senator Woodall—1.

#### PERSONAL PRIVILEGES

Senator Morgan:

"Mr. President and members of the Senate:

"I wish to speak on point of personal privilege. I was instructed a day or two

ago to do just this very thing. We had a committee meeting slated for 2:00 p. m., today. We have now cancelled it to 9:30 in the morning because we have a Ways and Means Committee meeting with cities waiting. Senator McCutcheon has scheduled this meeting on this measure, which I cannot attend. It is almost impossible to get a committee together, so I wanted this in the record that that is why I voted against this motion."

Senator Freise:

"Mr. President:

"I would like to call to Mrs. Morgan's attention now this was two days ago and if she had been as prompt in calling a committee meeting as Senator McCutcheon, we would have had the meeting long ago. The seventy-two hours is just about up and now, at the eleventh hour, we are notified that this committee meeting is being cancelled until tomorrow morning."

Senator Lennart:

"Mr. President, personal privilege:

"I don't know how far we can go in mandating committee members to do what they feel they shouldn't do. Supposing we mandate the Rules Committee to bring out a bill within a certain number of hours. This is tantamount to voting to take the bill away from the committee. I absolutely feel this is irresponsibility on the part of legislators. I personally wanted to get the bill out, but just in spite of everybody, I am not going to vote to get this damn thing out."

Senator Morgan:

"Mr. President, point of personal privilege again:

"I was given this bill day before yesterday in the middle of the afternoon. Yesterday we got out the notices and gave you time to put it on the bulletin board. Every bill of yours, Senator Freise, has come out of this committee except this one which you amended on in the House. I have been more than fair. I dislike your remarks very much."

**House Concurrent Resolution No. 26**, by Representatives Taplin, Traylor and Haussler:

Providing for study of feasibility of tourist information centers.

Referred to Committee on Commerce, Manufacturing and Licenses.

#### SIGNED BY THE PRESIDENT

**The President signed: House Bill No. 13; also**

**Substitute House Bill No. 96; also**

**House Bill No. 303.**

#### MOTION

On motion of Senator Neill, Senators Neill, Bailey and Hallauer were excused.

#### SECOND READING OF BILLS

**Engrossed House Bill No. 442**, by Representatives Brouillet, Litchman and Saling:

Creating legislative committee on education.

The bill was read the second time by sections.

It was moved by Senator Dore that the following amendment be adopted:

On page 2, section 7, line 21, after the period add the following sentence: "That the chairmanship of the committee shall rotate each biennium between members of the Senate and House."

Debate ensued.

On motion of Senator Riley, Engrossed House Bill No. 442 was ordered to retain its place on the second reading calendar for tomorrow.

**House Concurrent Resolution No. 19**, by Representatives Litchman, Gallagher and Johnston (Elmer E.):

Reactivating Joint Committee on Governmental Cooperation.

The resolution was read the second time in full.

On motion of Senator Henry, the rules were suspended, House Concurrent Resolution No. 19 was advanced to third reading, the second reading considered the third, the resolution placed on final passage and adopted.

**Senate Bill No. 489**, by Senators Sandison, Neill, Ryder and Hallauer:

Creating a temporary advisory council on public higher education and setting forth its powers and duties.

On motion of Senator Gissberg, Senate Bill No. 489 was ordered to retain its place on the second reading calendar for tomorrow.

#### PARLIAMENTARY INQUIRY

Senator Rasmussen:

"Point of parliamentary inquiry, Mr. President:

"House Concurrent Resolution No. 19 provides for the expenditure of a fund. Shouldn't that be adopted by a roll call vote?"

#### REPLY BY THE PRESIDENT

The President:

"If an appropriation is provided for, it should be, Senator."

Senator Rasmussen:

"Then House Concurrent Resolution No. 19 should have a roll call vote."

Senator Gissberg:

"Mr. President:

"Actually that language in the last paragraph is redundant. Whoever drew this in the House copied the language I had used when this committee was reactivated two years ago, and the reason that that language was used at that time, in the previous biennium, was because at the last session there was, in fact, an unexpended fund to be spent of \$5,000, which has since been exhausted and I do not believe this bill carries any appropriation and it would not be necessary to have a roll call vote."

#### RULING BY THE PRESIDENT

The President:

"Senator Rasmussen, the President believes that the resolution does not carry an appropriation and does not require a roll call."

#### PERSONAL PRIVILEGE

Senator Freise:

"Mr. President and members of the Senate:

"I was mistaken before when I thought that the seventy-two hours was up today in connection with the referral or the reporting back of the Committee on Public Institutions, and in conferring with Mrs. Morgan, I realize we do have another day, so it wasn't the fifty-ninth minute of the seventy-second hours. I am sorry if I aggravated Mrs. Morgan, but I really did think this was the third day."

#### MOTION

At 3:55 p. m., on motion of Senator Greive, the Senate adjourned until 10:00 a. m., Saturday, April 3, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**TWENTIETH DAY**

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**MORNING SESSION**

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SENATE CHAMBER,  
OLYMPIA, WASH., Saturday, April 3, 1965.

The Senate was called to order at 10:00 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Cowen, Herrmann and Woodall.

On motion of Senator Greive, Senators Cowen and Herrmann were excused.

On motion of Senator Atwood, Senator Woodall was excused.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Sheila Holt, presented the Colors.

Reverend Arthur I. Anderson, pastor of the Gloria Dei Lutheran Church of Olympia, offered prayer as follows:

"O Thou who givest songs in the night, put a song of praise in our hearts for Thy steadfast love which endures forever.

"O Thou who dost bring forth streams in the desert, bring forth just and good laws out of the legislative processes in this Chamber this day.

"Breathe on us, Breath of God, fill us with life anew, that we may love what Thou dost love, and do what Thou wouldst do.

"And now may Thy peace, which passeth all understanding, keep our hearts and minds through Christ Jesus. Amen."

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

The Secretary read:

**SENATE RESOLUTION**  
**No. 1965 EX -15**

By Senators Thompson, Jr., Dore and Petrich:

WHEREAS, The further promotion and development of post high school enrichment and vocational-technical educational opportunities is important in properly developing the skills necessary to meet the challenges of this electronic age; and

WHEREAS, The state, through its contributions to such local programs, and the federal government, through the Manpower Training Program, and other federal programs, has a vital interest in the advancement of this post high school portion of our educational system; and

WHEREAS, More detailed information is necessary, in order to achieve the maximum utilization of state and other funds available; to evaluate and appraise the current position of the program; and, to give the legislature the data it will need to provide guidelines for its implementation;

Now, Therefore, The Senate, in legislative session assembled, does hereby resolve, that the Interim Committee on Higher Education or other appropriate interim committee, be instructed to study the field of post high school enrichment and vocational-technical programs in relation to curricula, equipment, financing and in relation to need and availability of such programs; and, further, to report its findings and recommendations to the fortieth regular session of the legislature.

On motion of Senator Thompson, Jr., the resolution was adopted.



The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., April 2, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Engrossed Senate Bill No. 241, have inspected same, and find it correctly reengrossed.

Respectfully submitted,  
FRANK W. FOLEY, *Chairman*.

We concur in this report: Martin J. Durkan, Michael J. Gallagher.

Senate Chamber,  
Olympia, Wash., April 2, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Concurrent Resolution No. 20, have inspected same, and find it correctly engrossed.

Respectfully submitted,  
FRANK W. FOLEY, *Chairman*.

We concur in this report: Martin J. Durkan, Michael J. Gallagher.

Senate Chamber,  
Olympia, Wash., April 3, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 39; also

Senate Bill No. 241; also

Senate Concurrent Resolution No. 20, have inspected same, and find them correctly enrolled and certified.

Respectfully submitted,  
FRANK W. FOLEY, *Chairman*.

We concur in this report: Martin J. Durkan, Michael J. Gallagher.

**Senate Bill No. 42:**

Senate Chamber,  
Olympia, Wash., April 2, 1965.

Adopting the capital budget (reported by Committee on Ways and Means):

MAJORITY recommends that Substitute Senate Bill No. 42 be substituted therefor and that the substitute bill do pass.

FRANK W. FOLEY, *Chairman*.  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, Jack England, Michael J. Gallagher, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, Ernest W. Lennart, Mike McCormack, David E. McMillan, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams.

**Senate Bill No. 552:**

Senate Chamber,  
Olympia, Wash., April 1, 1965.

Relating to student fees at state colleges (reported by Committee on Higher Education and Libraries):

MAJORITY recommends that it do pass.

GORDON SANDISON, *Chairman*.

We concur in this report: R. Frank Atwood, Frank W. Foley, Wilbur G. Hallauer, Harry B. Lewis, Marshall A. Neill, John N. Ryder, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Memorial No. 9:**

Senate Chamber,  
Olympia, Wash., April 2, 1965.

Memorializing Secretary of Interior to preserve Dungeness Spit (reported by Committee on Natural Resources):

Recommends that it do pass.

LOWELL PETERSON, *Chairman*.

We concur in this report: Joe Chytil, William A. Gissberg, Wilbur G. Hallauer, Gordon Herr, Harry B. Lewis, Mike McCormack, August P. Mardesich, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Memorial No. 18:**

Senate Chamber,  
Olympia, Wash., April 2, 1965.

Memorializing Congress to take action to alleviate Snohomish River flooding (reported by Committee on Natural Resources):

Recommends that it do pass.

LOWELL PETERSON, *Chairman*.

We concur in this report: Joe Chytil, William A. Gissberg, Wilbur G. Hallauer, Gordon Herr, Harry B. Lewis, Mike McCormack, August P. Mardesich, Fred G. Redmon, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Memorial No. 21:**

Senate Chamber,  
Olympia, Wash., April 2, 1965.

Repealing Taft-Hartley act, section 14-b (reported by Committee on Labor and Social Security):

MAJORITY recommends that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, John T. McCutcheon, George W. Kupka, John H. Stender.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, April 2, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I am pleased to advise you that I have approved **Senate Bill No. 477** entitled:

"AN Acr relating to crimes and punishment; and amending sections 907 and 908, Code of 1881 as amended by section 18, chapter 69, Laws of 1891 and RCW 66.44.260."

This is an "agricultural exemption" bill. It allows the sale of booze on the day of any taxing district's election at which the ownership of property is a pre-requisite to voting. The election must be held on an "isolated date", which I assume means a date when no other election is held.

The rationale of this bill must be one of the following:

- (a) Why stop the serfs from drinking just because the landed gentry are voting;
- (b) People in agricultural areas can hold their liquor better than city folk, so why not let them go ahead and drink while voting; or
- (c) The elections in question only affect the voter's own property, so if he votes wrong while drunk, it will serve him right.

I concur with the legislature and subscribe to the foregoing propositions.

Respectfully submitted,

DANIEL J. EVANS, *Governor*.

State of Washington, Executive Department,  
Olympia, April 2, 1965.

To the Honorable, The Senate of the State of Washington.

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bills, entitled:

**Substitute Senate Bill No. 233:**

Providing rules for issuance of general obligation bonds by political subdivisions.

**Senate Bill No. 252:**

Repealing the personal commercial fishing license and increasing gear license fees.

**Senate Bill No. 264:**

Authorizing the director of fisheries to sell food fish or shellfish caught or taken during test fishing operation.

**Senate Bill No. 265:**

Defining primary market value.

**Senate Bill No. 292:**

Supplementing and changing insurance law.

**Senate Bill No. 294:**

Providing for reports on and examination of employee welfare trust funds.

**Senate Bill No. 324:**

Authorizing purchase of property near Fort Worden school from federal government.

**Senate Bill No. 327:**

Authorizing departments of state government to procure life insurance for certain employees while passengers on nonscheduled flights.

**Senate Bill No. 337:**

Extending gift tax provisions to gifts to minors.

**Senate Bill No. 346:**

Defining procedures for electrical construction.

**Substitute Senate Bill No. 358:**

Establishing a procedure for the creation and adoption of a plan for the construction of a highway limited access facility.

**Senate Bill No. 366:**

Requiring payment of fee and deposit by bidders on highway projects for maps, plans, etc.

**Senate Bill No. 377:**

Expanding the powers and duties of the state capitol historical association and the duties of its director.

**Senate Bill No. 421:**

Revising schedule of attorneys' fees in industrial insurance actions.

**Senate Bill No. 464:**

Providing administrative procedure on loss of warrant or other instrument of indebtedness of the state and certain political subdivisions.

**Senate Bill No. 476:**

Transferring authority over teletypewriter communications network to chief of Washington state patrol.

**Substitute Senate Bill No. 479:**

Prohibiting certain practices related to practitioners of the healing professions.

**Senate Bill No. 502:**

Changing commercial fishing license application date.

**Senate Bill No. 518:**

Authorizing application for federal assistance in acquisition of ferry vessels and providing state financing to implement grant.

Very truly yours,

RAYMOND W. HAMAN,

Legal Counsel to the Governor.

State of Washington, Executive Department,  
Olympia, April 2, 1965.

To the Honorable, The Senate of the State of Washington.

LADY AND GENTLEMEN:

I am returning herewith, without my approval, Senate Bill No. 229 entitled:

"AN ACT relating to county commissioners; canceling notice requirement for purchases under five hundred dollars; and amending section 36.32.250, chapter 4, Laws of 1963 and RCW 36.32.250."

This bill would eliminate the requirement that counties post a notice of intention to let contracts or make purchases involving amounts of \$500.00 or less. Existing law requires posting of notice where the amount exceeds \$100.00. I have no objection to this proposed change in the law.

However, Senate Bill No. 229 amends RCW 36.32.250 which also was amended in the 1965 Regular Session of the Legislature by Senate Bill No. 213, chapter 113, Laws of 1965. Senate Bill No. 229 does not refer to the earlier enactment in its title and does not include the changes in RCW 36.32.250 which were made by Senate Bill No. 213.

I am of the opinion that under Article 2, Section 37 of the State Constitution as interpreted by the Supreme Court in *State ex rel. Gebhart v. Superior Court*, 15 Wn. (2d) 673, Senate Bill No. 229 would have the effect of superseding Senate Bill No. 213.

Members of my staff have discussed this problem with Senator Gissberg who sponsored Senate Bill No. 229, and he agrees that it would be undesirable to permit this bill to become law under these circumstances.

I trust that legislation similar to Senate Bill No. 229 can be introduced at the next session of the Legislature in order to effect the amendment of the law contemplated by the Legislature.

Respectfully submitted,  
DANIEL J. EVANS, Governor.

Referred to Committee on Rules and Joint Rules.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., April 2, 1965.

MR. PRESIDENT:

The House refuses to recede from its amendments to Senate Bill No. 422 and asks the Senate for a conference thereon, and has named as the House conferees on Senate Bill No. 422, and the House amendments thereto:

Representatives John L. O'Brien, Thomas L. Copeland, Ann T. O'Donnell.  
S. R. HOLCOMB, Chief Clerk.

On motion of Senator Greive, the Senate granted the request of the House for a conference on Senate Bill No. 422.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Senate Bill No. 422, Senators Rasmussen, Charette and Guess.

On motion of Senator Charette, the Conference Committee appointments were confirmed.

#### MOTION

At 10:20 a. m., on motion of Senator Greive, the Senate recessed until 11:00 a. m.

#### SECOND MORNING SESSION

The President called the Senate to order at 11:00 a. m.

The President declared the Senate to be at ease.

The President called the Senate to order at 11:30 a. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Cowen, Herrmann and Woodall, who were excused.

The President called upon Senator Gissberg to preside.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., April 2, 1965.

MR. PRESIDENT:

The House has granted the request of the Senate for a conference on Engrossed House Bill No. 428 and the Senate amendments thereto and the Speaker has appointed as members of the conference committee thereon:

Representatives Hugh "Bud" Kalich, R. Ted Bottiger and Elmer E. Johnston.  
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., April 2, 1965.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed House Bill No. 184 and has passed the bill as amended by the Free Conference Committee.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., April 2, 1965.

MR. PRESIDENT:

The House has receded from its amendments to Senate Bill No. 39 and has passed the bill without the House amendments, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., April 2, 1965.

MR. PRESIDENT:

The House refuses to recede from its amendment to Senate Bill No. 417 and asks the Senate for a conference thereon, and has named as the House conferees on Senate Bill No. 417, and the House amendment thereto:

Representatives Jack L. Burtch, Bob McDougall, George P. Sheridan.  
S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Hanna, the Senate granted the request of the House for a conference on Senate Bill No. 417.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President Pro Tempore appointed as members of the Conference Committee on Senate Bill No. 417 and the House amendment thereto, Senators Ryder, Hanna and Cooney.

On motion of Senator Hanna, the committee appointments were confirmed.

House of Representatives,  
Olympia, Wash., April 3, 1965.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 184; also House Concurrent Resolution No. 19, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., April 3, 1965.

MR. PRESIDENT:

The House has passed: House Concurrent Resolution No. 16; also House Concurrent Resolution No. 18, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., April 3, 1965.

MR. PRESIDENT:

The House has adopted: House Concurrent Resolution No. 13; also  
House Concurrent Resolution No. 14, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President Pro Tempore signed: House Concurrent Resolution No. 19;**  
also

**House Bill No. 184.**

**INTRODUCTION AND FIRST READING OF BILL AND MEMORIAL**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 555**, by Senators Thompson, Jr. and Dore:

An Act relating to education; amending section 5, chapter 198, Laws of 1961 as last amended by section 1, chapter ..... (House Bill No. 125), Laws of 1965, and RCW 28.84.210; and amending section 2, chapter 20, Laws of 1961 extraordinary session as amended by section 6, chapter 2, Laws of 1963 extraordinary session, and RCW 28.84.270.

Referred to Committee on Higher Education and Libraries.

**Senate Joint Memorial No. 20**, by Senators Guess, Lewis, Mardesich, Doré, Talley, Donohue, McMillan, Peterson (Lowell), Cooney, Herrmann and Keefe:

Prohibiting restrictions on interstate sale of firearms.

Referred to Judiciary Committee.

**FIRST READING OF HOUSE RESOLUTIONS**

The following were read first time by title and acted upon as indicated:

**House Concurrent Resolution No. 13**, by Representatives Goldsworthy, Jolly and Bozarth:

Directing legislative council study to make current use of certain lands the basis of taxation.

Referred to Committee on Ways and Means.

**House Concurrent Resolution No. 14**, by Representatives Lynch, Kirk and Garrett:

Recommending study of bipartisan council of family support of persons living in state rehabilitation institutions.

Referred to Committee on Public Institutions.

**House Concurrent Resolution No. 16**, by Representatives King (Chet), Kink, Bergh, Conner, Berentson, Hood, Wang, Hawley, Taylor, Mahaffey and Thompson:

Creating interim fisheries committee.

Referred to Committee on Ways and Means.

**House Concurrent Resolution No. 18**, by Representatives Beck, Mast, Burtch, Traylor, Wolf and Kalich:

Creating interim legislative committee on game and game fish and setting out its powers and duties.

Referred to Committee on Ways and Means.

**MOTIONS**

On motion of Senator Greive, all bills on the second reading calendar for today were ordered to retain their places on the second reading calendar for tomorrow.

At 11:45 a. m., on motion of Senator Greive, the Senate adjourned until 3:00 p. m., Sunday, April 4, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**TWENTY-FIRST DAY**

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**AFTERNOON SESSION**

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SENATE CHAMBER,

OLYMPIA, WASH., Sunday, April 4, 1965.

The Senate was called to order at 3:00 p. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Durkan, Herrmann and Cowen.

On motion of Senator Greive, Senators Durkan, Herrmann and Cowen were excused.

The Color Guard, consisting of Pages Bruce Norton, Color Bearer, and Mary Yantis, presented the Colors.

Reverend Arthur I. Anderson, pastor of the Gloria Dei Lutheran Church of Olympia, offered prayer as follows:

"O send out Thy light and Thy truth; let them lead us; let them bring us unto Thy holy hill. Thrice Holy God, on this Lord's Day we thank Thee that Thy Kingdom is yet in our midst, and that Thou dost still speak to us: In Thy Word, in our churches, in our daily associations and in our work.

"O Divine Redeemer, on this Passion Sunday, as we survey Thy wondrous Cross, challenge us to so give ourselves back to Thee that Thou canst give Thyself again through us.

"O Holy Spirit, may we sense Thy presence to equip us for every task, to grant wisdom for every decision, and to bless us with that peace which the world cannot give. O God, help us now to be masters of ourselves, that we may become the servants of others and thus follow in the steps of Thy blessed Son, Jesus Christ our Lord. Amen."

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**Senate Bill No. 535:**

Senate Chamber,

Olympia, Wash., April 3, 1965.

Making appropriations, reappropriations for operations, capital improvements of highway commission and toll bridge authority (reported by Committee on Highways):

MAJORITY recommends that it do pass as amended.

NAT WASHINGTON, *Chairman,*  
AL HENRY, *Vice Chairman.*

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, H. B. Hanna, Gordon Herr, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., April 3, 1965.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 389 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted. S. R. HOLCOMB, Chief Clerk.

#### REPORT OF FREE CONFERENCE COMMITTEE

Olympia, Wash., March 30, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Engrossed Senate Bill No. 389, establishing transitional procedures for counties electing to operate under the justice court districting act of 1961, have had the same under consideration, and we recommend that Engrossed Senate Bill No. 389 be amended as follows:

On page 3, strike the Senate amendment by the Judiciary Committee adding a new section 5, being page 3, line 20, of the engrossed bill, and insert the following:

"Sec. 5. Section 10, chapter 299, Laws of 1961 and RCW 3.34.010 are each amended to read as follows:

The number of justices of the peace to be elected in each county shall be: Adams, three; Asotin, one; Benton, four; Chelan, four; Clallam, one; Clark, four; Columbia, one; Cowlitz, [five] two; Douglas, [three] two; Ferry, two; Franklin, one; Garfield, one; Grant, [five] three; Grays Harbor, four; Island, three; Jefferson, one; King, twenty; Kitsap, [four] two; Kittitas [three] two; Klickitat, two; Lewis, four; Lincoln, four; Mason, one; Okanogan, two; Pacific, three; Pend Oreille, two; Pierce, eight; San Juan, one; Skagit, three; Skamania, two; Snohomish, six; Spokane, seven; Stevens, two; Thurston, one; Wahkiakum, one; Walla Walla, three; Whatcom, two; Whitman, [three] two; Yakima, [seven] six."

"Sec. 6. Section 4, chapter 156, Laws of 1951 and RCW 3.16.004 are each amended to read as follows: *Effective the second Monday in January, 1967*, in cities having a population of more than twenty thousand, the justices of the peace shall devote their full time to the duties of the office *and shall not engage in the practice of law*; [and receive a salary of five thousand four hundred dollars per annum: *Provided*, That in cities of the first class the county commissioners shall have the power to raise the salaries of justices of the peace to an amount not to exceed six thousand five hundred dollars per annum] *the annual salary shall be two-thirds of the amount provided by statute as the salary for the position of superior court judge or twelve thousand five hundred dollars, whichever is greater: Provided further*, That where justices of the peace in cities over the population of twenty thousand are also acting as police judges, [their salaries shall be fixed by the legislative body of the city, three] *five thousand dollars of [which]their salaries as hereinabove provided shall be charged against the counties and the remainder shall be paid by the municipality."*

"*NEW SECTION.* Sec. 7. There is added to chapter 299, Laws of 1961, and to chapter 3.66 RCW, a new section to read as follows: If a defendant is found guilty, a justice holding office pursuant to chapters 3.30 through 3.74, and not the jury, shall assess his punishment, notwithstanding the provisions of RCW 10.04.100. If such justice determines that the punishment he is authorized to assess is inadequate to the gravity of the offence he may order such defendant to enter recognisance to appear in the superior court of the county and may also recognise the witnesses and shall proceed as a committing magistrate."



"NEW SECTION. Sec. 8. If any provision or clause of this act or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable."

Amend the title as follows: In line 2, after "amending sections", strike the remainder of the title and insert: "10, 26 and 27, chapter 299, Laws of 1961 and RCW 3.34.010, 3.38.020 and 3.38.030; amending section 4, chapter 156, Laws of 1951 and RCW 3.16.004; and adding new sections to chapter 299, Laws of 1961 and to chapters 3.38 and 3.66 RCW, and validating certain procedures."

*Senate Members*

JOHN A. PETRICH  
WILBUR G. HALLAUER  
PERRY B. WOODALL

*House Members*

R. TED BOTTIGER  
ELMER E. JOHNSTON  
WILLIAM C. KLEIN

On motion of Senator Atwood, the report of the Free Conference Committee was adopted.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 389, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 42; nays, 1; absent or not voting, 3; excused, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—42.

Those voting nay were: Senator Gissberg—1.

Absent or not voting: Senators Dore, Petrich, Raugust—3.

Excused: Senator Cowen, Durkan, Herrmann—3.

Engrossed Senate Bill No. 389, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

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

**SECOND READING OF BILLS**

**Engrossed House Bill No. 14**, by Representatives Lux, Thompson, Bergh, Litchman, Beck and Angevine (by Executive request of Governor Rosellini):

Creating and setting forth powers and duties of the higher education facilities commission.

The bill was read the second time by sections.

It was moved by Senator Gissberg that the following amendment by Senators Dore, Foley and Gissberg be adopted:

On page 1, section 3, line 16 of the printed and engrossed bills, after "colleges" and before "and" insert ", public and private colleges and universities"

**POINT OF INQUIRY**

Senator Lennart:

"Mr. President, would Senator Foley yield to a question?"

"Do you know, Senator, if this last amendment would comply with federal law where you have added private institutions?"

Senator Foley:

"Yes, it is our understanding it will comply with the federal law because there are already members from private colleges on this board or commission."

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Riley, the rules were suspended, Engrossed House Bill No. 14, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 14, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 1; excused, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Those voting nay were: Senator Stender—1.

Absent or not voting: Senator Dore—1.

Excused: Senators Cowen, Durkan, Herrmann—3.

Engrossed House Bill No. 14, as amended by the Senate, having received the constitutional 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. 36**, by Committee on Education and Libraries:

Creating a state education television commission and defining its powers and duties.

The bill was read the second time by sections.

On motion of Senator Riley, the following amendment was adopted:

On page 2, section 6, line 7, after "recommendations" and before "as" insert "to the superintendent of public instruction and to the legislature during the month of November of each even numbered year,"

#### POINT OF INQUIRY

Senator Riley:

"Mr. President, would Senator Foley yield to a question?"

Senator Foley:

"I certainly will if I can answer."

Senator Riley:

"My question is: Who will administer this act?"

Senator Foley:

"Do you mind if I take five minutes to read the bill?"

On motion of Senator Riley, Engrossed Substitute House Bill No. 36 was ordered to retain its place at the end of the second reading calendar for today.

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 39; also**

**Senate Bill No. 241; also**

**Senate Concurrent Resolution No. 20.**

**Engrossed House Bill No. 442**, by Representatives Brouillet, Litchman and Saling:

Creating legislative committee on education.

On motion of Senator Greive, Engrossed House Bill No. 442 was ordered to retain its place at the end of the second reading calendar for today.

**Senate Bill No. 489**, by Senators Sandison, Neill, Ryder and Hallauer:

Creating a temporary advisory council on public higher education and setting forth its powers and duties.

**REPORT OF STANDING COMMITTEES**

**Senate Bill No. 489:**

Senate Chamber,  
Olympia, Wash., February 25, 1965.

Creating a temporary advisory council on public higher education and setting forth its powers and duties (reported by Committee on Higher Education and Libraries):

MAJORITY recommends that it do pass with the following amendments and be referred to the Committee on Ways and Means.

On page 1, section 2, line 15, after "Washington" strike all the matter down to "." on line 17.

GORDON SANDISON, *Chairman*.

We concur in this report: R. Frank Atwood, Wilbur G. Hallauer, Karl Herrmann, Mike McCormack, Marshall A. Neill, John N. Ryder, Don L. Talley.

**Senate Bill No. 489:**

Senate Chamber,  
Olympia, Wash., March 30, 1965.

Creating a temporary advisory council on public higher education and setting forth its powers and duties (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 3, line 24, after "(3)" strike "Three" and insert "Four"

On page 1, section 3, line 25, after "and" strike "three" and insert "four"

On page 2, section 3, line 2, after "state" and before the period insert "no more than four of whom shall be members of the same political party"

On page 3, section 10, line 31, after "congress" strike "for" and insert "or"

FRANK W. FOLEY, *Chairman*.

FRED H. DORE, *Chairman*,

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,

Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, Michael J. Gallagher, William A. Gissberg, Wilbur G. Hallauer, Ernest W. Lennart, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, A. L. Rasmussen, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Sandison, the committee amendment by the Committee on Higher Education and Libraries was adopted.

It was moved by Senator Greive that the amendments presented by him to Senate Bill No. 489 be considered prior to consideration of the committee amendments by the Committee on Ways and Means.

Debate ensued.

It was moved by Senator Washington that the amendments relating to the composition of the committee be considered after the amendment of Senator Gissberg or others which may enlarge the scope of the bill.

Further debate ensued.

#### RULING BY THE PRESIDENT

The President:

"Senator Washington, the President believes that your motion and the motion by Senator Greive are of equal rank and that he should put the motion of Senator Greive first.

Debate ensued.

The motion by Senator Greive was lost on a rising vote.

It was moved by Senator Morgan that Senate Bill No. 489 hold its place on the second reading calendar for tomorrow and that all amendments be printed.

Debate ensued.

The motion was lost on a rising vote.

It was moved by Senator Greive that the Senate do now consider the amendment by Senator Gissberg.

The motion was carried.

The Secretary read the following amendment by Senator Gissberg:

On page 3, section 8, line 18 strike all of subsection (3) and insert the following:

"(3) To locate a specific site for a new four-year state college and so inform the governor before March, 1966. The governor shall thereupon appoint a permanent board of trustees consisting of five members to hold office for terms of two, three, four, five and six years respectively from the second Monday in March, 1966, and thereafter until their successors are appointed and qualified: *Provided*, That the members of the first board of trustees may be appointed before the second Monday in March, 1966: *Provided further*, That upon expiration of the term of office of the original appointees, trustees shall be appointed in the manner prescribed in RCW 28.81.020.

The board of trustees shall elect a president for the college who together with the board shall develop construction plans, acquire an administrative staff and plan and organize the curriculum of the new four-year state college.

Further development shall be authorized by the fortieth legislature."

It was moved by Senator Gissberg that the amendment be adopted.

Debate ensued.

It was moved by Senator Talley that the following amendment to the amendment be adopted:

On line 4 of the amendment to page 3, section 8, after "college" insert "in southwest Washington"

Debate ensued.

#### POINT OF INQUIRY

Senator Riley:

"Mr. President, would Senator Talley yield to a question?"

Senator Talley:

"Yes."

Senator Riley:

"Would you consider Vancouver, Washington, to be in Southwest Washington?"

Senator Talley:

"Yes."

Senator Charette:

"Senator Talley, would you consider Grays Harbor and Pacific counties to be a part of Southwest Washington?"

Senator Talley:

"It always has been."

Further debate ensued.

Senators McCutcheon, Sandison and Knoblauch demanded the previous question and the demand was sustained.

The motion was lost and the amendment to the amendment by Senator Talley was not adopted.

On motion of Senator Moriarty, Jr. the following amendment to the amendment was adopted:

On the last line of the amendment to page 3, section 8, line 22, strike "Further development shall be authorized by the fortieth legislature."

It was moved by Senator England that the following amendment to the amendment be adopted:

In line 2 of the amendment after "finding" and before "of" insert "by at least three-fourths of the members"

#### POINT OF INQUIRY

Senator Petrich:

"Would Senator England yield to a question? Senator, is it your intention in proposing this particular amendment to require a three-fourths vote on the decision as to whether or not a college is to be initiated, and then, also, a three-fourths vote as to the specific location?"

Senator England:

"That is correct and there is an amendment being prepared to that effect."

Debate ensued.

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

On motion of Senator Williams, the following amendment to the amendment was adopted:

In line 4 of the amendment after "is authorized" insert "by at least three-fourths vote of the membership of the council"

It was moved by Senator Stender that the following amendment to the amendment be adopted:

On line 5 of the amendment, after "1966." strike the balance of the entire amendment.

Debate ensued.

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

On motion of Senator Bailey, the following amendment to the amendment was adopted:

In line 5 of the committee amendment, after "1966" strike the period and insert ", said location and the implementation of such development to be presented to the fortieth regular session of the Washington State Legislature for its approval or disapproval."

It was moved by Senator Chytil that the following amendment to the amendment be adopted:

On line 5 of the amendment, strike "March" and insert "October"

Debate ensued.

#### POINT OF INQUIRY

Senator Bailey:

"Would Senator Chytil yield to a question?"

"The only thing that bothers me about this amendment, if there is a need for an institution, what would be a proper date for the Governor to be notified so that he could start work on the budget to present it to the next session of the legislature? Would October be too late?"

Senator Chytil:

"Well, I'm not too sure, but I believe the legislators could certainly take care of that matter. It is going to take additional moneys in any case if an institution of this type is to be put upon the statutes. I'm not particularly bleeding for the October date but I think March is too early."

Debate ensued.

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

It was moved by Senator Hanna that the following amendment to the amendment be adopted:

On line 4 of the amendment to page 3, section 8, after "college" and before "and" insert "from one of the existing community colleges"

With the consent of the Senate, Senator Hanna was permitted to withdraw the amendment to the amendment.

It was moved by Senator Hanna that the following amendment to the amendment be adopted:

On line 4 of the amendment to page 3, section 8, after "college" and before "and" insert "and shall consider in determining such site, existing community college facilities"

Debate ensued.

On motion of Senator Hallauer, the amendment to the amendment was laid upon the table.

The President declared the question before the Senate to be the adoption of the amendment by Senator Gissberg, as amended.

The motion was carried on a rising vote and the amendment as amended was adopted.

It was moved by Senator Gissberg that the rules be suspended and that the record show that the amendment adopted was by the Committee of the Whole.

The motion was carried.

It was moved by Senator Greive that the Ways and Means Committee amendments to page 1, section 3, lines 24 and 25 be laid upon the table.

On motion of Senator Freise, the rules were suspended to permit debate.

Debate ensued.

Senators Keefe, Knoblauch and Greive demanded the previous question and the demand was sustained.

Senator Dore demanded a roll call and the demand was sustained by Senators Morgan, McMillan, McCutcheon, Greive, Bailey, Peterson (Ted), Stender and Donohue.

#### ROLL CALL

The Secretary called the roll and the motion to lay the committee amendments to page 1, section 3, lines 24 and 25 upon the table was carried by the following vote: Yeas, 28; nays, 18; excused, 3.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Foley, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Marde-sich, Morgan, Peterson (Lowell), Petrich, Sandison, Talley, Washington—28.

Those voting nay were: Senators Atwood, Chytil, England, Freise, Hallauer, Lennart, Moriarty, Jr., Neill, Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams, Woodall—18.

Excused: Senators Cowen, Durkan, Herrmann—3.

It was moved by Senator Greive that further consideration of the remain-

ing committee amendments be postponed until after consideration of the amendments proposed by Senator Greive.

The motion was carried.

It was moved by Senator Greive that the following amendment be adopted:

On page 2, section 5, line 10, after "chairman," and before "and" insert "who shall be a legislator"

Debate ensued.

The motion was carried on a rising vote and the amendment was adopted.

On motion of Senator Greive, the following amendments were adopted:

On page 1, section 3, line 24, after "(3)" and before "senators" strike "Three" and insert "Five"

On page 1, section 3, line 25, after "and" strike "three" and insert "five"

On page 1, section 3, line 25, after "than" and before "from" strike "two" and insert "three"

On page 1, section 3, line 27 after "than" and before "from" strike "two" and insert "three"

On motion of Senator Moriarty, Jr. the Committee on Ways and Means amendments to pages 2 and 3 were adopted.

It was moved by Senator McCutcheon that the following amendment be adopted:

On page 1, section 3, line 22, subsection (2), strike "two" and insert "five"

Debate ensued.

On motion of Senator McCormack, the amendment was laid upon the table by a rising vote.

It was moved by Senator McCutcheon that the following amendment be adopted:

On page 3, line 1, after "to" and before "submit" insert "coordinate their budget requests to the legislature in order to avoid duplication of services and effect economies and"

Debate ensued.

On motion of Senator Riley, the amendment was laid upon the table.

It was moved by Senator McCormack that the following amendment be adopted:

On page 2, subsection (3), strike all of lines one and two.

Debate ensued.

On motion of Senator Atwood, the amendment was laid upon the table.

On motion of Senator Riley, the rules were suspended, Engrossed Senate Bill No. 489 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 489, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 1; excused, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, England, Foley, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Those voting nay were: Senator McMillan—1.

Absent or not voting: Senator Freise—1.

Excused: Senators Cowen, Durkan, Herrmann—3.

Engrossed Senate Bill No. 489, having received the constitutional 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. 36**, by Committee on Education and Libraries:

Creating a state education television commission and defining its powers and duties.

The Senate resumed consideration of Engrossed Substitute House Bill No. 36 on second reading.

#### POINT OF INQUIRY

Senator Foley:

"Mr. President, I believe there was a question by Senator Riley on this bill. I believe Senator Thompson, having served on that committee, can give you a direct answer to your question."

Senator Riley:

"That's why I arose, Mr. President, to ask if Senator Thompson would yield.

"Senator Thompson, directing your attention to Engrossed Substitute House Bill No. 36, my question is, who will administer the act when and if Engrossed Substitute House Bill No. 36 is passed?"

Senator Thompson, Jr.:

"The administration of this act will be by this commission. The only purpose of this commission is to comply with federal regulations. You may recall back in the mid 'fifties' we started a state-wide educational television program system. We started Channel 9 and we reserved certain high frequency ranges in the state for educational television. It now appears that in order to assure the retention of these educational channels for future public use, that the Federal Communications Commission requires the state of Washington to have such a commission. It was in operation by the Governor. It would now be made a statutory body. It represents private and public colleges, common schools and so forth. The administration of the act would result primarily by meeting the requirements of the federal government in educational television in the funds that might be allocated or the channels that might be allocated. This public body would merely make a recommendation to the Federal Communications Commission through the Department of Health, Education and Welfare, so there really is no true administration other than to be in existence to meet the problems as they are indicated either by a petitioner for a channel or by the Federal Communications Commission itself."

Senator Riley:

"May I ask one more question of Senator Thompson?"

"Senator, directing your attention to section 3 where it states the length of the terms of such members shall be decided by lot, I'm curious to know, Senator, to your knowledge has there ever been a bill passed by the legislature wherein the terms are decided in such a manner?"

Senator Thompson, Jr.:

"Not to my knowledge, but this is for the original term only. I suppose the sponsors felt because all of the people who are serving are the very highest type of public servants, this is the only way they could determine the length of service."

On motion of Senator Foley, the rules were suspended, Engrossed Substitute House Bill No. 36, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.



**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 36, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 1; excused, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, England, Foley, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senator Freise—1.

Excused: Senators Cowen, Durkan, Herrmann—3.

Engrossed Substitute House Bill No. 36, as amended by the Senate, having received the constitutional 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. 442**, by Representatives Brouillet, Litchman and Saling:

Creating legislative committee on education.

The Senate resumed consideration of Engrossed House Bill No. 442 on second reading.

The bill was read the second time by sections.

It was moved by Senator Dore that the following amendment be adopted:

On page 2, section 7, line 21, after the period add "That the chairmanship of the committee shall rotate each biennium between members of the Senate and the House."

Debate ensued.

With the consent of the Senate, Senator Dore was permitted to withdraw the amendment.

On motion of Senator McCormack, the following amendment was adopted:

In line 5 of the title of the printed bill, being line 4 of the engrossed bill, after "44.33.180" and before the period, insert "and declaring an emergency"

On motion of Senator McCormack, the rules were suspended, Engrossed House Bill No. 442, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed House Bill No. 442, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 34; nays, 10; absent or not voting, 2; excused, 3.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, England, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—34.

Those voting nay were: Senators Atwood, Guess, Hallauer, Lennart, Neill, Peterson, Raugust, Redmon, Riley, Ryder—10.

Absent or not voting: Senators Freise, Herr—2.

Excused: Senators Cowen, Durkan, Herrmann—3.

Engrossed House Bill No. 442, as amended by the Senate, having received the constitutional majority, was declared passed.

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

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### Senate Bill No. 40:

Senate Chamber,  
Olympia, Wash., April 3, 1965.

Providing for sale of bonds to provide school plant facilities (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass as amended.

FRANK W. FOLEY, *Chairman.*

FRED H. DORE, *Chairman,*

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*

Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, Ernest W. Lennart, David E. McMillan, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 353:

Senator Chamber,  
Olympia, Wash., April 3, 1965.

Raising rate of business and occupation tax on certain business or service activities and providing collection thereof in part from customers, etc. (reported by Committee on Ways and Means):

MAJORITY reports said bill without recommendation.

....., *Chairman.*

FRED H. DORE, *Chairman,*

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*

Committee on Revenue and Regulatory.

We concur in this report: Robert C. Bailey, Frank Connor, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, William A. Gissberg, R. R. Bob Greive, Wilbur G. Hallauer, Mike McCormack, David E. McMillan, Frances Haddon Morgan, John A. Petrich, A. L. Rasmussen, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 522:

Senate Chamber,  
Olympia, Wash., April 3, 1965.

Pertaining to apportionment of school funds (reported by Committee on Ways and Means):

MAJORITY reports said bill without recommendation.

FRANK W. FOLEY, *Chairman.*

FRED H. DORE, *Chairman,*

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*

Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, R. R. Bob Greive, Wilbur G. Hallauer, Mike

McCormack, David E. McMillan, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, John N. Ryder, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 523:**

Senate Chamber,  
Olympia, Wash., April 3, 1965.

Permitting ten mill state levy for schools for a two year period (reported by Committee on Ways and Means):

MAJORITY reports said bill without recommendation.

FRANK W. FOLEY, *Chairman*.  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, John L. Cooney, Michael J. Gallagher, R. R. Bob Greive, Wilbur G. Hallauer, Mike McCormack, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 524:**

Senate Chamber,  
Olympia, Wash., April 3, 1965.

Providing for distribution of forest reserve funds (reported by Committee on Ways and Means):

MAJORITY reports said bill without recommendation.

FRANK W. FOLEY, *Chairman*.  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, R. R. Bob Greive, Wilbur G. Hallauer, Mike McCormack, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, John N. Ryder, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 525:**

Senate Chamber,  
Olympia, Wash., April 3, 1965.

Providing for an increase in assessment levels and providing limitations on tax levies (reported by Committee on Ways and Means):

MAJORITY reports said bill without recommendation.

FRANK W. FOLEY, *Chairman*.  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue and Regulatory.

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, R. R. Bob Greive, Wilbur G. Hallauer, Mike McCormack, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Resolution No. 22:**

Senate Chamber,  
Olympia, Wash., April 3, 1965.

Providing for common school construction fund (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass as amended.

FRANK W. FOLEY, *Chairman*.  
....., *Chairman*,  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue and Regulatory.  
Committee on Appropriations.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, Wilbur G. Hallauer, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, A. L. Rasmussen, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Resolution No. 24:**

Senate Chamber,  
Olympia, Wash., April 3, 1965.

Lowering the assessed valuation to thirty percent of true value and providing for enforcement thereof (reported by Committee on Ways and Means):

MAJORITY reports said bill without recommendation.

FRANK W. FOLEY, *Chairman*.

FRED H. DORE, *Chairman*,

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,

Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, John L. Cooney, Michael J. Gallagher, R. R. Bob Greive, Wilbur G. Hallauer, Mike McCormack, David E. McMillan, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 137:**

Senate Chamber,  
Olympia, Wash., April 3, 1965.

Authorizing the establishment of five additional community colleges (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass as amended.

FRANK W. FOLEY, *Chairman*.

FRED H. DORE, *Chairman*,

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,

Committee on Revenue and Regulatory.

We concur in this report: Robert C. Bailey, Frank Connor, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, William A. Gissberg, R. R. Bob Greive, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, Marshall A. Neill, John A. Petrich, A. L. Rasmussen, Edward F. Riley, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**House Concurrent Resolution No. 26:**

Senate Chamber,  
Olympia, Wash., April 4, 1965.

Providing for study of feasibility of tourist information centers (reported by Committee on Commerce, Manufacturing and Licenses):

MAJORITY recommends that it do pass.

GEORGE W. KUPKA, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, Fred H. Dore, Jack England, Michael J. Gallagher, R. R. Bob Greive, Sam C. Guess, James Keefe, Reuben A. Knoblauch, August P. Mardesich, Ted G. Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTION**

At 6:15 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Monday, April 5, 1965.

JOHN A. CHERBERG, *President of the Senate*.

WARD BOWDEN, *Secretary of the Senate*.

## TWENTY-SECOND DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Monday, April 5, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Howard Volland, Color Bearer, and Janise Ebert, presented the Colors.

Reverend Dave Carlson, pastor of the Assembly of God Church of Olympia, offered prayer as follows:

"Eternal God and Heavenly Father, Creator of heaven and earth, giver and sustainer of life, and object of our worship and love; we come to the throne of grace this day in prayer. We thank Thee for every gift of life, for health and strength, with which we can serve Thee and our fellow man.

"Grant us, O God, a clear understanding of the work which must be done, and the wisdom in which to approach it. Give us courage and a full sense of moral rightness that will make our decisions as right in the future as they seem today.

"We pray, Lord, bless our national government in its leadership today, as Thou hast guided the ship of state in times past as men have asked Thine aid, grant that guidance this day in all of our world contacts and needs. This we pray in Christ's name. Amen."

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

#### SIGNED BY THE PRESIDENT

**The President signed: Senate Bill No. 389:**

#### GUBERNATORIAL APPOINTMENT

The following appointment by the Governor was acted upon as indicated:

##### DIRECTOR, DEPARTMENT OF LICENSES

DOUGLAS TOMS, appointed March 18, 1965, succeeding Michael T. Gray.

Referred to Committee on Highways.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 31, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 234, except the following amendments:

In new section 60 of the amendment by Senator Freise to page 28, add a new subsection to be known as subsection (4) as follows:

"(4) Evidence of the chemical analysis or scientific breath test of any kind of such person's blood shall not be admissible unless such person shall have been advised by the person giving the test before giving the test that such person has the constitutional right not to submit to such test. Evidence taken in violation of this act shall not be admitted in evidence in any criminal or civil proceeding."

On page 30, section 62, line 6 of the printed bill, being line 7 of the engrossed bill, after "more than" strike "one year" and insert "thirty days"

On line 7 of the printed bill, being lines 8 and 9 of the engrossed bill, after "more than" strike "five hundred dollars" and insert "one hundred dollars. The penalty so imposed may be suspended."

On page 30, section 62, line 10 of the printed bill, being line 11 of the engrossed bill, after "than" strike "thirty" and insert "five"

On page 30, section 62, line 10 of the printed bill, being line 12 of the engrossed bill, after "more than" strike "one year" and insert "six months"

On page 30, section 62, line 11 of the printed bill, being line 12 of the engrossed bill, after "more than" strike "one thousand" and insert "five hundred"

On page 30, section 62, line 16 of the printed bill, being line 18 of the engrossed bill, after "suspended." insert "A forfeiture of bail shall not be considered a conviction for the purposes of this section."

On page 37, line 30 of the printed bill, being line 24 of the engrossed bill, after section 85 add a new section to read as follows:

"Sec. 86. Section 46.48.023, chapter 12, Laws of 1961 as amended by section 5, chapter 16, Laws of 1963 and RCW 46.48.023 are each amended to read as follows:

Subject to RCW 46.48.011 (1), and except in those instances where a lower maximum lawful speed is provided the operator of any vehicle to operate the same at a speed in excess of twenty miles per hour when operating any vehicle upon a public highway either inside or outside an incorporated city or town *between the hours of eight o'clock a. m. and five o'clock p. m. on regular school days* when passing any marked public school or playground crosswalk when such marked crosswalk is fully posted with standard [portable] school [or speed control] signs. The speed zone at the crosswalk shall extend three hundred feet in either direction from the marked crosswalk.

Renumber the remaining sections consecutively.

On line 7 of the title of the printed and engrossed bills, after "46.48.013;" and before "and" insert "amending section 46.48.023, chapter 12, Laws of 1961 as amended by section 5, chapter 16, Laws of 1963 and RCW 46.48.023;"

and asks the Senate to recede therefrom, and said bill, together with the Senate amendments thereto, are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

It was moved by Senator Washington that the Senate recede from its amendments to Engrossed House Bill No. 234 in which the House did not concur.

Debate ensued.

#### POINT OF INQUIRY

Senator McCutcheon:

"Would Senator Washington yield?"

"Senator Washington, do I understand that the action by the House struck the amendment about the test, and that you have to be advised before you can take the breathing test? Is this in the law at the present time?"

Senator Washington:

"This is in the law at the present time. The bill, as drafted, was with the Uniform Code and did not contain such a provision."

Senator Woodall:

"Point of law, Mr. President:

"The present law does not provide that you have to be advised you don't have to take a test and I defy counsel to show me one section that says it."

The President:

"For what purpose does Senator Hallauer rise?"

Senator Hallauer:

"Responding to what Senator Washington said earlier, I want to make it clear that my understanding of the action on the floor was such that I have presumed we were going to get into a conference situation on this bill. I hesitate to see it handled otherwise."

Senator Greive:

"I want to agree with Senator Hallauer. I'm not sure what words were said, but the thought that was transmitted to me, as a Senator, was that I thought we were going to go to conference."

Senator Washington:

"Senator Greive, of course, did vote to indefinitely postpone."

Senator McCutcheon:

"Will Senator Washington yield?"

"I haven't got this straight in my own mind yet. The House sent the bill back and I heard that they had made several changes and it is now before us to concur with the House, and I understand you don't want to concur?"

Senator Washington:

"This is a House bill. It came over here. We placed amendments on it."

Senator McCutcheon:

"It went back to the House and they refused to concur?"

Senator Washington:

"They are asking us to recede."

Senator McCutcheon:

"They will not accept the Woodall amendments?"

Senator Washington:

"They will not accept the Woodall amendments, and I am asking that we do recede."

Debate ensued.

#### POINT OF INQUIRY

Senator Woodall:

"Mr. President, I'd like to ask Senator Washington if he would yield?"

"As I understand this message, the Freise amendment which is in the bill book which put the law back as it was on percent of alcoholic content in the bloodstream and put back the law saying that you could have other evidence. Did the House concur in that amendment or was it stricken?"

Senator Washington:

"The House concurred in that amendment."

#### POINT OF INQUIRY

Senator McCutcheon:

"I would like to ask Senator Washington to yield to one more question:

"Senator Washington, did you, in the final analysis when this bill was passed by the Senate and sent to the House with the Woodall amendments, did you accept the Woodall amendments at that time?"

Senator Washington:

"No, I did not."

Senator McCutcheon:

"You didn't accept them and said that?"

Senator Washington:

"Yes, on the motion to indefinitely postpone, I stated I was opposed to the Woodall amendments."

Senator McCutcheon:

"One more question:

"Did you vote for the bill after the Woodall amendments were attached?"

Senator Washington:

"Yes, I did."

**POINT OF INQUIRY**

Senator Raugust:

"Mr. President, would you permit me to ask Senator Freise a question?"

"In your opinion, would the drunken driver be in a better position with the Woodall amendments or without the Woodall amendments?"

Senator Woodall:

"I object to that as a contemptuous question."

Senator Greive:

"Number one, Senator Freise doesn't have the floor so he can't yield to anyone. I think it would be proper to let Senator Washington finish his remarks and hear other debate on this bill and let us make up our minds."

Senator Raugust:

"Could I be permitted to ask the question of Senator Washington?"

"Senator Washington, you heard the question I asked Senator Freise. Would you care to answer? Would the drunken driver, with the Woodall amendments added, have more leeway and be extended a better deal, or would it be better to have the law back as it was without the Woodall amendments?"

Senator Washington:

"Of course in my opinion this is a more lenient law than if the law went back to where it is at the present time."

**RULING BY THE PRESIDENT**

The President:

"The President believes that the suggestion made by Senator Greive is a good one and that Senator Washington should conclude his remarks and then others could speak upon the motion."

Debate ensued.

It was moved by Senator Hallauer that the motion by Senator Washington be laid upon the table.

On motion of Senator Greive, the rules were suspended to permit Senator Washington to close debate.

Further debate ensued.

During the debate by Senator Washington, the following proceedings were had:

The President:

"For what purpose does Senator Woodall rise?"

Senator Woodall:

"To request, tough as it is, to have Senator Washington stay on the subject and keep off of me."

Senator Washington:

"Well, Senator Woodall, you have been certainly noted for your charity towards me."

Senator Woodall:

"Charity, even to those who err."

Senator Washington:

"Now there are many times I wish I did have the courtroom presentation of Senator Woodall, the master of trying the prosecutor rather than the criminal—"

The President:

"Senator Washington will please confine his remarks."



Senator Woodall:

"Mr. President:

"He knows better than this. He has a weak case. He is now trying me, instead of the issue. If he had a strong case, he would talk about the issues."

The President:

"For what purpose does Senator Charette rise?"

Senator Charette:

"Mr. President:

"I think, as a former prosecutor, this is quite enjoyable. Senator Washington should be permitted to continue to tell us about Senator Woodall."

Senator Woodall:

"If he's going to lobby, I want him to put it in writing and I can use it in my office for clients."

Senator Washington:

"I'll be very happy to give Senator Woodall a testimonial on his persuasive ability and I wish I had the same persuasive abilities."

Debate ensued.

Senator Washington demanded a roll call and the demand was sustained by Senators Connor, Morgan, Charette, Kupka, Knoblauch, Riley, Henry, Talley and Hanna

#### PARLIAMENTARY INQUIRY

Senator Kupka:

"Mr. President, point of inquiry:

"If we table this motion, does that mean that the subject matter will go to conference?"

#### REPLY BY THE PRESIDENT

The President:

"In all likelihood it does, Senator. It depends upon future action to be taken by the Senate."

#### ROLL CALL

The Secretary called the roll on the motion by Senator Hallauer that the motion by Senator Washington be laid upon the table, and the motion was lost by the following vote: Yeas, 19; nays, 23; absent or not voting, 7.

Those voting yea were: Senators Atwood, Chytil, Cooney, Cowen, Gallagher, Gissberg, Greive, Guess, Hallauer, Herrmann, Keefe, Kupka, McCutcheon, Mardesich, Neill, Peterson (Lowell), Stender, Thompson, Jr., Woodall—19.

Those voting nay were: Senators Charette, Connor, Donohue, Dore, Freise, Hanna, Henry, Herr, Knoblauch, Lennart, Lewis, McMillan, Morgan, Moriarty, Jr., Peterson (Ted), Petrich, Raugust, Redmon, Riley, Sandison, Talley, Washington, Williams—23.

Absent or not voting: Senators Bailey, Durkan, England, Foley, McCormack, Rasmussen, Ryder—7.

Debate ensued.

The President declared the question before the Senate is: It has been moved by Senator Washington that the Senate recede from its amendments to Engrossed House Bill No. 234 in which the House did not concur.

Senator Gissberg demanded a roll call and the demand was sustained by Senators Hanna, Gallagher, Kupka, Cowen, Herrmann, Moriarty, Jr., Greive and McCutcheon.

**ROLL CALL**

The Secretary called the roll and the motion was lost by the following vote: Yeas, 16; nays, 28; absent or not voting, 5.

Those voting yea were: Senators Charette, Connor, Donohue, Dore, Freise, Hanna, Henry, Knoblauch, McMillan, Morgan, Peterson (Ted), Raugust, Redmon, Riley, Talley, Washington—16.

Those voting nay were: Senators Atwood, Chytil, Cooney, Cowen, England, Gallagher, Gissberg, Greive, Guess, Hallauer, Herr, Herrmann, Keefe, Kupka, Lennart, Lewis, McCutcheon, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Petrich, Ryder, Sandison, Stender, Thompson, Jr., Williams, Woodall—28.

Absent or not voting: Senators Bailey, Durkan, Foley, McCormack, Rasmussen—5.

On motion of Senator Gissberg, the Senate refused to recede from its amendments to Engrossed House Bill No. 234 and asked the House for a conference thereon.

**MOTION**

At 12:15 p. m., on motion of Senator Gissberg, the Senate recessed until 3:30 p. m.

**AFTERNOON SESSION**

The President called the Senate to order at 3:30 p. m.

The President declared the Senate to be at ease.

The President called the Senate to order at 4:30 p. m.

The Secretary called the roll and announced to the President that all Senators were present.

There being no objection, the Senate advanced to the fifth order of business.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., April 5, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 39; also

Senate Bill No. 241; also

Senate Concurrent Resolution No. 20, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., April 5, 1965.

MR. PRESIDENT:

The House has adopted the report of the Conference on Senate Bill No. 422 and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

**REPORT OF CONFERENCE COMMITTEE**

Olympia, Wash., April 3, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Senate Bill No. 422, increasing industrial insurance permanent partial disability benefits, have had the

same under consideration, and we report that we are unable to agree and request the powers of free conference.

*Senate Members*

ROBERT L. CHARETTE  
A. L. RASMUSSEN  
SAM C. GUESS

*House Members*

JOHN L. O'BRIEN  
THOMAS L. COPELAND  
ANN T. O'DONNELL

On motion of Senator Charette, the report of the Conference Committee was adopted and the committee was granted the powers of free conference.

**REPORT OF CONFERENCE COMMITTEE**

Olympia, Wash., April 5, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Engrossed House Bill No. 428, providing for the transfer of a motor freight carirer's permit upon the death of the holder, have had the same under consideration, and we report that we are unable to agree and request the powers of free conference.

*Senate Members*

JOE CHYTIL  
NAT WASHINGTON  
AL HENRY

*House Members*

HUGH "BUD" KALICH  
R. TED BOTTIGER  
ELMER E. JOHNSTON

On motion of Senator Chytil, the report of the Conference Committee was adopted and the committee was granted the powers of free conference.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The President appointed as members of the Conference Committee on Engrossed House Bill No. 234 and the Senate amendments thereto, Senators Washington, Woodall and Gissberg.

On motion of Senator Riley, the committee appointments were confirmed.

**PERSONAL PRIVILEGE**

Senator Talley:

"Mr. President, personal privilege:

"I think after appointing this committee, you should appoint a referee."

The President:

"Senator Talley, with your experience, you are hereby appointed referee."

**SECOND READING OF BILLS**

**House Concurrent Resolution No. 6**, by Representative Olsen:

Congratulating Boeing Company on its fiftieth anniversary.

The resolution was read the second time by sections.

On motion of Senator Gallagher, the rules were suspended, House Concurrent Resolution No. 6 was advanced to third reading, the second reading considered the third, the resolution placed on final passage and adopted.

**Senate Bill No. 40**, by Senators Foley, Durkan, Dore and Talley (by Executive request of Governor Rosellini):

Providing for sale of bonds to provide school plant facilities.

**REPORT OF STANDING COMMITTEE**

**Senate Bill No. 40:**

Senate Chamber,  
Olympia, Wash., April 3, 1965.

Providing for sale of bonds to provide school plant facilities (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 1, line 11, strike "twenty-nine million two hundred eighty-seven" and insert "sixteen million five hundred"

On page 2, section 3, line 20, after the period after "this act" and before "state" strike "The" and insert "On July 1st of each year the"

On page 2, section 3, line 21, after "shall" and before "deposit" strike "thereupon"

On page 3, after section 6, insert a new section to read as follows:

**"NEW SECTION.** Sec. 7. The following sums, or so much thereof as may be necessary, are hereby appropriated from the public school building construction account of the general fund, from the proceeds of the bonds herein authorized, to carry out the purposes of this act: To the state finance committee, sixteen thousand five hundred dollars; to the state board of education, sixteen million four hundred eighty-three thousand five hundred dollars."

Renumber the present section 7 to read section 8.

In line 4 of the title after the semicolon, after "said bonds" and before "and providing" insert "making appropriations;"

FRANK W. FOLEY, *Chairman.*

FRED H. DORE, *Chairman,*

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*

Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, Ernest W. Lennart, David E. McMillan, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Dore, the committee amendments were adopted.

On motion of Senator Dore, the rules were suspended, Engrossed Senate Bill No. 40 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

On motion of Senator Greive, Senator Foley was excused.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 40, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senator Raugust—1.

Excused: Senator Foley—1.

Engrossed Senate Bill No. 40, having received the constitutional 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. 42**, by Senators Foley, Durkan and Dore (by Executive request of Governor Rosellini):

Adopting capital budget and making appropriations for capital improvements.

On motion of Senator Riley, Substitute Senate Bill No. 42 was substituted for Senate Bill No. 42 and Substitute Senate Bill No. 42 was placed on second reading and read the second time by sections.

It was moved by Senator Neill that the rules be suspended and that the Senate do not resolve itself into a Committee of the Whole for consideration of Substitute Senate Bill No. 42.

The motion was carried.

On motion of Senator Dore, the following amendment was adopted:

On page 1, section 1, line 24, after "Remodel" and before "offices" insert "and repair buildings,"

It was moved by Senator Chytil that the following amendment be adopted:

On page 14, line 28, strike "(100,200)" and "49,500"

Debate ensued.

#### POINT OF INQUIRY

Senator Stender:

"Mr. President, would Senator Chytil yield?"

"What is the function of this garage we're talking about?"

Senator Chytil:

"This garage repairs Park Department automobiles. They do repairing for automobiles that the Park Department feels the auto shop should repair. They also contract work out that they do not find economically feasible to bring to this particular garage."

Senator Stender:

"Could they take these vehicles to private vehicle shops instead?"

Senator Chytil:

"In some instances they do."

Senator Stender:

"Couldn't they take all of the vehicles to a private garage?"

Senator Chytil:

"Apparently they find it economically feasible to do some of their own work."

The motion was lost on a rising vote and the amendment was not adopted.

On motion of Senator Dore, the rules were suspended, Engrossed Substitute Senate Bill No. 42 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 42, and the bill passed the Senate by the following vote: Yeas, 43; nays, 4; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, England, Freise, Gallagher, Gissberg, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—43.

Those voting nay were: Senators Chytil, Durkan, Greive, Lewis—4.

Absent or not voting: Senator Raugust—1.

Excused: Senator Foley—1.

Engrossed Substitute Senate Bill No. 42, having received the constitutional 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. 22**, by Senators Petrich, Dore, Durkan, Foley, McCormack, Bailey, Greive, Sandison, Hanna and Herr (by Interim Committee on Education request) (by Departmental request):

Providing for common school construction fund.

#### REPORT OF STANDING COMMITTEE

##### Senate Joint Resolution No. 22:

Senate Chamber,  
Olympia, Wash., March 30, 1965.

Providing for common school construction fund (reported by Committee on Education):

MAJORITY recommends that it do pass with the following amendments:

On page 1, line 3, after "At the" and before "general" insert "next" and on line 3 after "state" strike "on the Tuesday next succeeding the first Monday in November, 1966,"

On page 2, line 12, before "bonds" insert "school construction"

On page 2, beginning on line 30, add the following:

"Article XVI, section 5. [None of the permanent school fund of this state shall ever be loaned to private persons or corporations, but it may be invested in national, state, county, municipal or school district bonds.] *The permanent school fund of this state may be invested as directed by a two-thirds vote of both houses of the legislature.*

*And Be It Further Resolved*, That the secretary of state shall cause notice of the foregoing constitutional amendments to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert L. Charette, Joe Chytil, Fred H. Dore, Herbert H. Freise, Karl Herrmann, Reuben A. Knoblauch, David E. McMillan, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, John H. Stender, Albert C. Thompson, Jr., Nat Washington.

#### REPORT OF STANDING COMMITTEE

##### Senate Joint Resolution No. 22:

Senate Chamber,  
Olympia, Wash., April 3, 1965.

Providing for common school construction fund (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass with the following amendments:

On page 1, strike everything including all proposed amendments by the Committee on Education after the colon following "Assembled" in line 2 and insert the following:

"THAT, At the next general election to be held in this state, there shall be submitted to the qualified electors of the state, for their approval and ratification, or rejection, an amendment to Article IX, section 3, and an amendment to Article XVI, section 5 of the Constitution of the state of Washington, to read as follows:

Article IX, section 3. The principal of the common school fund *as the same existed on June 30, 1965*, shall remain permanent and irreducible. The said fund shall consist of the principal amount thereof existing on June 30, 1965, and such additions thereto as may be derived after June 30, 1965, from the following named sources, to wit: Appropriations and donations by the state to this fund; donations and bequests by individuals to the state or public for common schools; the proceeds of lands and other property which revert to the state by escheat and forfeiture; the proceeds of all property granted to the state when the purpose of the grant is not specified, or is uncertain; funds accumulated in the treasury of the state for the disbursement of which provision has not been made by law; the proceeds of the sale of [timber,] stone, minerals, or [other] property *other than timber and other crops* from school and state lands, other than those granted for specific purposes; all

moneys received from persons appropriating [timber,] stone, minerals or [other] property *other than timber and other crops* from school and state lands other than those granted for specific purposes, and all moneys other than rental recovered from persons trespassing on said lands; five per centum of the proceeds of the sale of public lands lying within the state, which shall be sold by the United States subsequent to the admission of the state into the Union as approved by section 13 of the act of congress enabling the admission of the state into the Union; the principal of all funds arising from the sale of lands and other property which have been, and hereafter may be granted to the state for the support of common schools. The legislature may make further provisions for enlarging said fund.

*There is hereby established the common school construction fund to be used exclusively for the purpose of financing the construction of facilities for the common schools. The sources of said fund shall be: (1) Those proceeds derived from the sale or appropriation of timber and other crops from school and state lands subsequent to June 30, 1965, other than those granted for specific purposes; (2) the interest accruing on said permanent common school fund from and after July 1, 1967, together with all rentals and other revenues derived therefrom and from lands and other property devoted to the permanent common school fund [shall be exclusively applied to the current use of the common schools] from and after July 1, 1967; and (3) such other sources as the legislature may direct. That portion of the common school construction fund derived from interest on the permanent common school fund may be used to retire such bonds as may be authorized by law for the purpose of financing the construction of facilities for the common schools.*

*The interest accruing on the permanent common school fund together with all rentals and other revenues accruing thereto pursuant to subsection (2) of this section during the period after the effective date of this amendment and prior to July 1, 1967, shall be exclusively applied to the current use of the common schools.*

*To the extent that the moneys in the common school construction fund are in excess of the amount necessary to allow fulfillment of the purpose of said fund, the excess shall be available for deposit to the credit of the permanent common school fund or available for the current use of the common schools, as the legislature may direct.*

Article XVI, section 5. [None of the permanent school fund of this state shall ever be loaned to private persons or corporations, but it may be invested in national, state, county, municipal or school district bonds.] *The permanent common school fund of this state may be invested as authorized by law.*

*Be It Further Resolved*, That the foregoing amendments shall each be construed as separate amendments within the meaning of Article XXIII, section 1, (Amendment 37) of this Constitution.

*And Be It Further Resolved*, That the secretary of state shall cause notice of the foregoing constitutional amendments to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state."

FRANK W. FOLEY, *Chairman*,

....., *Chairman*,

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,

Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytill, Frank Connor, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, Wilbur G. Hallauer, Charles P. Moriarity, Jr. Marshall A. Neill, John A. Petrich, A. L. Rasmussen, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams.

The resolution was read the second time in full.

On motion of Senator McCormack, the committee amendments by the Committee on Education were laid upon the table.

It was moved by Senator Dore than the committee amendments by the Committee on Ways and Means be adopted.

Debate ensued.

**POINT OF INQUIRY**

Senator McCutcheon:

"Mr. President, would Senator Dore yield to a question?"

"Senator. on page 1 of the committee amendment, you underline two-thirds

of the way down the page the words 'other than timber and other crops.' Why do you underline that?"

Senator Dore:

"That's new matter, otherwise it wouldn't be underlined. This was prepared by the attorneys. It is probably the original language of the constitution. They left the stone and minerals the same and merely apply it to timber and other crops. In other words, at the present time none of those moneys can be used for school construction purposes, so now proceeds from the sale of timber, can be used for this purpose. That's the purpose of the constitutional amendment, to limit it to \$200 million, approximately that amount, by means of a date cutoff and then it provides that proceeds from the sale of the timber and other crops, can be used for school construction purposes. That's the whole purpose of the constitutional amendment, which I have described."

Senator McCutcheon:

"In regard to the bonds with what do you service the bonds?"

Senator Dore:

"The bonds are limited to the interest on the permanent school fund. Only the interest from the fund can be used to service the bonds. Originally, Mr. Bruno's office wanted the proceeds from timber and crops, plus the interest, to be available to be used for all costs, construction and the servicing of the bonds. The executive wanted a pay-as-you-go basis. This was a compromise which was achieved so that the proceeds of the crops and timber could only be used for actual school construction. However, the interest could be used for either purpose, and the interest was then free to service these bonds. As Senator Moriarty has already pointed out, this would amount to, I think, about two and a half to four million dollars a biennium accumulated by the investment of these funds in the permanent school fund, and that money probably would sustain the bond issue. Senator Moriarty said about twenty million dollars, and that is probably about right. That is the purpose of the joint resolution, Senator."

Further debate ensued.

Senators Gallagher, Gissberg and Atwood demanded the previous question and the demand was sustained.

The motion was carried and the committee amendments by the Committee on Ways and Means were adopted.

On motion of Senator Dore, the rules were suspended, Engrossed Senate Joint Resolution No. 22 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Joint Resolution No. 22, and the resolution passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Those voting nay were: Senator McCutcheon—1.

Absent or not voting: Senators Cowen, Henry, Lennart—3.

Excused: Senator Foley—1.

Engrossed Senate Joint Resolution No. 22, having received the constitutional majority, was declared passed.



**MOTION**

On motion of Senator McCormack, the Senate returned to the first order of business.

It was moved by Senator McCormack that Reengrossed House Joint Resolution No. 25 be made a special order of business for 11:30 a. m., Wednesday, April 7, 1965.

**POINT OF ORDER**

Senator Greive:

"Point of order, Mr. President. This motion is not in order. This is actually a sly move to discharge the committee of the bill."

**RULING BY THE PRESIDENT**

The President:

"The President ruling upon the point of order as presented by Senator Greive:  
"The point of order is well taken."

Senator McCormack:

"Mr. President, speaking upon the point of order:

"Seventy-five hours ago this Senate referred that resolution to the Committee on Constitution, Elections and Legislative Processes with instructions to report that resolution back to this body within seventy-two hours. We are not discharging the committee of this bill. The instructions were to bring the bill back to the Senate and my motion is to extend the time until they have a chance to meet and set a specific time to report the bill back and it can be acted on by the body. It is not discharging the committee of the bill. The Senate ordered that the bill be reported back to this floor."

**MOTIONS**

It was moved by Senator Greive that the Senate adjourn until 10:30 a. m., Tuesday, April 6, 1965.

The motion was lost.

On motion of Senator Riley, all bills passed today were ordered immediately transmitted to the House.

It was moved by Senator Hallauer that Reengrossed House Joint Resolution No. 25 be made a special order of business for 11:00 a. m., tomorrow.

Debate ensued.

It was moved by Senator Greive that the Senate adjourn until 10:30 a. m., Tuesday, April 6, 1965.

**POINT OF ORDER**

Senator Gissberg:

"Point of order, Mr. President:  
"That motion was just put."

**RULING BY THE PRESIDENT**

The President:

"There has been intervening business."

Senator Greive:

"A motion to adjourn is always in order. It does not need intervening business."

The motion to adjourn was lost on a rising vote.

**RULING BY THE PRESIDENT**

The President:

"The President respectfully reminds the members of the Senate that the President earlier ruled upon a point of order raised to the same motion presented by Senator McCormack. The President did so in the interest of orderly procedure. The

President respectfully reminds the members that the bill is still in the possession of the Committee on Constitution, Elections and Legislative Processes and believes that the most appropriate motion would be a motion to relieve the committee of this bill."

**PARLIAMENTARY INQUIRY**

Senator Bailey:

"Point of parliamentary inquiry, Mr. President:

"If the Senate orders a bill into committee with instructions to report out at a certain time, how much more does the Senate have to do to keep control over the bill? Is this just an empty gesture by the Senators?"

**REPLY BY THE PRESIDENT**

The President:

"The President does not believe it is an empty gesture, Senator Bailey. The Senate has, within its powers and prerogatives, the right to censure the committee and, if the Senate wishes to relieve the committee of further consideration of the bill, certainly it has the power to do so."

**PARLIAMENTARY INQUIRY**

Senator McCormack:

"Mr. President, parliamentary inquiry:

"Are you saying that the instructions that the Senate gave to this committee seventy-two hours ago or seventy-five hours ago are not valid?"

**REPLY BY THE PRESIDENT**

The President:

"The President definitely said no such thing."

Senator McCormack:

"But we did instruct the committee clearly to report the bill back."

The President:

"The bill, as the President has already said, is in the possession of Senator McCutcheon's committee."

**PARLIAMENTARY INQUIRY**

Senator Gissberg:

"Point of parliamentary inquiry, Mr. President:

"If the motion, as first put by Senator McCormack, prevails, will that then result in the bill being before the Senate tomorrow at the time appointed?"

**REPLY BY THE PRESIDENT**

The President:

"The President does not necessarily believe so, Senator Gissberg. At that time the Senate could possibly censure the committee and then move for the committee to be discharged of further consideration of the measure."

**PERSONAL PRIVILEGE**

Senator McCutcheon:

"Mr. President, personal privilege:

"There is nothing that my committee has done that requires any censure from anybody. I called the meeting and we had the meeting. There were amendments proposed. They were not prepared, but we had our meeting. The instructions were that we meet and report back in seventy-two hours. I don't recall the date. I believe that was Friday. But we did meet. What can you censure a Chairman about? How can you censure a committee that does exactly what they were told to do. We met. Now how can I report back? I have no authority to report anything back for that

committee. If you want to vote to take it away from my committee, that's fine, but don't start censuring around. I can't control the thinking of my committee, nor do I ever try to. You gentlemen have just as much right to think the way you think as I do the way I think, but when this word 'censure' is bandied about here, I don't intend to take that lying down."

The President:

"The President, Senator McCutcheon and members of the Senate, did not suggest that your committee is deserving of being censured. The President was only speaking in the interest of orderly procedure."

Debate ensued.

With the consent of the Senate, Senator Hallauer was permitted to withdraw his motion.

#### MOTION

At 6:10 p. m., on motion of Senator Gallagher, the Senate adjourned until 10:30 a. m., Tuesday, April 6, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## TWENTY-THIRD DAY

### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Tuesday, April 6, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Foley.

On motion of Senator Greive, Senator Foley was excused.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Janise Ebert, presented the Colors.

Reverend Dave Carlson, pastor of the Assembly of God Church of Olympia, offered prayer as follows:

"Almighty God, in Whom dwelleth all power, righteousness, holiness, and love; we come humbly before Thy throne of grace this day in prayer. Reach forth Thy scepter and touch us for we have petitions to make; but first accept our thanks to Thee, our Creator, and help us to recognize Thy claims upon us.

"We thank Thee for men in places of authority who have had the power of far-away vision, who could see things in their right meaning and true proportion; and we petition Thee, grant unto us this Divine blessing. Our God, we thank Thee for Thy loving duress, and we pray, may we feel its impelling force upon our course of action. Enable us to so read the story of the past as to know somewhat of Thy government, and amend our ways before Thee.

"Lord, Thy appraisal of our work must differ greatly from ours—so we pray, guide us and aid us in this session so that those who read our history will not curse us, but will bless us as good and faithful men. Forgive us our errors and our faults, and in the words of Thy servant, David: 'Let the words of my mouth, and meditation of my heart, be acceptable in Thy sight, O Lord, my strength, and my redeemer.' In Christ's name we pray. Amen."

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

**PRESIDENT'S PRIVILEGE**

The President announced the presence of Pete O'Malley, a member of the Los Angeles Dodgers Baseball Organization.

With leave of the Senate, business was suspended to permit Mr. O'Malley to address the Senate from the rostrum.

**PRESENTATION OF GIFT**

The President invited former State Senator Frank Jackson to the rostrum.

With leave of the Senate, business was suspended to permit Senator Jackson to present a gift of an inscribed gavel to Sergeant at Arms Charles Johnson on behalf of the Senate hostesses.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., April 4, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 389; also

Senate Bill No. 489, have inspected same, and find them correctly engrossed.

....., *Chairman.*

We concur in this report: Michael J. Gallagher, R. R. Bob Greive, John A. Petrich.

Senate Chamber,  
Olympia, Wash., April 4, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 389, have inspected same, and find it correctly enrolled and certified.

....., *Chairman.*

We concur in this report: Michael J. Gallagher, R. R. Bob Greive, John A. Petrich.

Senate Chamber,  
Olympia, Wash., April 5, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 40; also

Substitute Senate Bill No. 42; also

Senate Joint Resolution No. 22, have inspected same, and find them correctly engrossed.

....., *Chairman.*

We concur in this report: Martin J. Durkan, Michael J. Gallagher, Perry B. Woodall.

**Senate Bill No. 555:**

Senate Chamber,  
Olympia, Wash., April 3, 1965.

Increasing community college fees (reported by Committee on Higher Education and Libraries):

MAJORITY recommends that it do pass.

GORDON SANDISON, *Chairman.*

We concur in this report: R. Frank Atwood, Frank W. Foley, Wilbur G. Hallauer, Karl Herrmann, Harry B. Lewis, Marshall A. Neill, John N. Ryder, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Joint Resolution No. 4:**

Senate Chamber,  
Olympia, Wash., April 6, 1965.

Proposing constitutional amendment reducing resident qualifications for voting within state (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass.

JOHN T. MCCUTCHEON, *Chairman.*

We concur in this report: Robert C. Bailey, John L. Cooney, Dewey C. Donohue,

Michael J. Gallagher, R. R. Bob Greive, Wilbur G. Hallauer, Gordon Herr, Karl Herrmann, James Keefe, Frances Haddon Morgan, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

#### INTRODUCTION AND FIRST READING OF BILL

The following was introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 556**, by Senator Talley:

An Act relating to state government; appropriating funds for the support of the Applied Industries Center at Kelso; and declaring an emergency.

Referred to Committee on Ways and Means.

#### SECOND READING OF BILLS

**Senate Bill No. 353**, by Senator Moriarty, Jr. (by Executive request):

Raising rate of business and occupation tax on certain business or service activities and providing collection thereof in part from customers, etc.

It was moved by Senator Greive that Senate Bill No. 353 be indefinitely postponed.

Debate ensued.

#### POINT OF INQUIRY

Senator Dore:

"Mr. President, would Senator Moriarty yield to a question?"

Senator Moriarty, Jr.:

"Yes, I yield, Senator."

Senator Dore:

"I am quite confused over the position of the Republican Party, you having joined in this motion. It is my understanding that last Saturday at the Ways and Means Committee meeting Mr. Kinnear stated he would offer amendments. He wanted to change the business and occupation tax and the extension of the sales tax to take out certain categories which Senator Greive enumerated, that would reduce the bill from seventy-five or eighty million down to sixty million dollars. Is it the Governor's position that he wants an extension of the sales tax to services except for these exceptions at the present time, and what is his position and the Republican Party's position on this tax measure at this time?"

Senator Moriarty, Jr.:

"Senator Dore, I appreciate your confusion. It probably isn't the first time this session. You and I were both in the Ways and Means Committee meeting last Saturday. You know and I know we were not even given an opportunity to discuss this and offer an amendment to the bill. We were both there. You know and I know that it was the determination of the Majority Party to bring this bill out on the floor to make this motion so that we could have some political speeches. The Governor abandoned the business and occupation tax approach and also the sales tax on services. The Governor has recommended a pure sales tax approach, extending the sales tax, which will solve a number of the problems raised by this bill. We were not given an opportunity to discuss this in the committee. The bill sailed out of Ways and Means Committee with only Democratic support. It came out of the Democratic controlled Rules Committee and onto the floor purely and simply for the purpose of making a few political speeches."

Senator Dore:

"Mr. President, could I ask the question further:

"I'm not quite clear on this because as I understand it, the bill is an executive request bill of the Governor regardless of the mechanics of last Saturday. He now favors an extension of the sales tax to services, except for the exceptions enumerated

by Senator Greive. Is that the position of the Republican Party? Are you still asking for a sixty million dollar extension of the sales tax to services?"

Senator Moriarty, Jr.:

"Senator Dore, reading from the Governor's press conference of March 19, some eighteen days ago:

"'On the basis of limited information available at the time Senate Bill No. 353 was drafted, it appeared that the best mechanical means of raising the \$75 million was to amend the business and occupation tax and include a permissive tax on general services, a field not now subject to sales tax, which could be passed on to the ultimate consumer. I have just conferred with George Kinnear, chairman of the State Tax Commission, and have learned that information accumulated by his department since the drafting of Senate Bill No. 353, as well as advice received in my office, now shows clearly that the mechanical means of amending the business and occupation tax would create serious and unnecessary problems for many businesses, even though it would raise the needed tax revenues. These mechanical problems were not intended and should not occur. In many instances, it appears it would be impossible to pass along the tax either because of competitive factors in the business or because of the permissive status now written into Senate Bill No. 353. This is obviously contrary to my declared purpose to make an effective extension of the sales tax to be collected from the consumer. I am, therefore, instructing my counsel and the Tax Commission to prepare such amendments to Senate Bill No. 353 as may be necessary to correct these problems in the light of information presently available to my office and the Tax Commission.'

"These amendments were the ones which we were not given the courtesy of discussing fully in the meetings of the Ways and Means Committee."

Senator Dore:

"Mr. President:

"I'm not very quick, Charlie, so it's hard for me to break through here, but as I understand it, the executive tax proposal of today is Senate Bill No. 353, with the Governor's amendments as submitted by George Kinnear, the head of the Tax Commission, to the Ways and Means Committee the other day, is that correct?"

Senator Moriarty, Jr.:

"That matter is not before us at the present time, Senator Dore. If you want to go back in Ways and Means Committee and discuss it intelligently and completely, I will be glad to go back there with you."

Senator Dore:

"Mr. President:

"I am not trying to belabor the point. I'm trying to get the viewpoint of the Republican Party. Is the executive tax proposal of the Governor today the extension of the sales tax to services, with these six exceptions and as outlined by George Kinnear, or is the Republican Party and the Governor abandoning that particular tax approach and will it submit another tax proposal soon in order to raise the budget balance of \$75 million?"

Senator Moriarty, Jr.:

"Senator Dore, I suspect this afternoon at four o'clock, several of these matters will be discussed."

Senator Dore:

"Mr. President, I think we are entitled to an answer. Senator Moriarty has joined in the motion to indefinitely postpone the bill. In other words, he is destroying the vehicle not only of the business and occupation tax approach to the problem, but also the extension of the sales tax to services. I think, as representing the Governor on the floor of this Senate, that his party has an obligation to the people of the state to tell us what he has in mind, because that will affect my vote on this question."

#### POINT OF INQUIRY

Senator McCutcheon:

"Would Senator Moriarty yield?"

"I see your name is on this bill. It looks rather lonely. You say the Governor,

in his press conference, had another vehicle. What is the number of the other vehicle? What is the number of the sales tax approach?"

Senator Moriarty, Jr.:

"The vehicle was to be Senate Bill No. 353, the matter which is before you and which we were not able to discuss in Ways and Means, and which was voted out of the Ways and Means Committee and out of the Rules Committee by Democrats to bring it to the floor to make some political hay."

Senator McCutcheon:

"Well, where is the vehicle you want? You want to help kill this? You want to kill your own vehicle?"

Senator Moriarty, Jr.:

"Yes."

Senator McCutcheon:

"Have you another one?"

Senator Moriarty, Jr.:

"No."

Senator McCutcheon:

"Could you produce another one by tomorrow?"

Senator Moriarty, Jr.:

"That's quite possible."

Further debate ensued.

#### POINT OF INQUIRY

Senator Dore:

"Would Senator Moriarty yield to a question?"

"Senator, let's attack this problem from the other side of the ledger. If the Governor is going to abandon his \$75 million tax proposal and has no substitute for it, is it his intent then to go back to the budget and take \$75 million off the budget?"

Senator Moriarty, Jr.:

"Of course it isn't. You know that's a silly question."

Senator Dore:

"If that's a silly question, then where is the \$75 million coming from?"

Senator Moriarty, Jr.:

"I suspect you would have found out last Saturday had we been given the courtesy of discussing this matter completely, intelligently and fully in the Ways and Means Committee meeting."

Senator Riley demanded the previous question, but the demand was not sustained on a rising vote.

Debate ensued.

Senators Keefe, McMillan and Riley demanded the previous question and the demand was sustained.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Raugust, Neill, England, Ryder, Guess, Washington, Greive, McMillan, Talley and Gallagher.

#### ROLL CALL

The Secretary called the roll and the motion to indefinitely postpone was carried by the following vote: Yeas, 40; nays, 6; absent or not voting, 1; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Stender, Talley, Thompson, Jr., Williams, Woodall—40.

Those voting nay were: Senators Hanna, Herrmann, McCutcheon, Marde-sich, Sandison, Washington—6.

Absent or not voting: Senator Petrich—1.

Excused: Senators Foley, Herr—2.

#### EXPLANATIONS OF VOTE

As I stated in open debate on the floor of the Senate, I am unalterably opposed to the extension of the business and occupation tax or the four percent sales tax to services. I opposed the motion to indefinitely postpone Senate Bill No. 353 for the purpose of allowing the proponents of Governor Evans' tax package to have full opportunity to amend this bill. This opportunity, according to the remarks of minority floor leader, Senator Moriarty, was denied.

I wanted to give the proponents the opportunity to amend this bill by referring it back to the Committee on Ways and Means.

SENATOR KARL V. HERRMANN.

We were and are opposed to the provisions of Senate Bill No. 353. It was, however, a part of Governor Evans' tax package and we felt the Executive and the Republican Party should have had a fair chance to debate and explain the doubtful merits of a bill placing a tax on misery and to possibly delete this and other objectionable provisions by amendment.

SENATOR H. B. HANNA

SENATOR NAT WASHINGTON

**Senate Bill No. 523**, by Senators Ryder, Moriarty, Jr. and Williams (by Executive request):

Permitting ten mill state levy for schools for a two year period.

The bill was read the second time by sections.

On motion of Senator Ryder, the rules were suspended, Senate Bill No. 523 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### MOTION

At 12:02 p. m., on motion of Senator Greive, the Senate recessed until 1:30 p. m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:30 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senator Foley, who was excused.

The Secretary read:

#### SENATE RESOLUTION

No. 1965 EX -16

By Senators Gissberg, Neill, Dore and Durkan:

WHEREAS, Senator Frank W. Foley is ill and has been hospitalized; and

WHEREAS, Especially in the face of difficult problems concerning revenue and appro-



priations needed for the next biennium, his fellow Senators sorely miss his guidance; and

WHEREAS, The Senate is aware of the long, tedious hours of hard work put in by Senator Foley during the last eighty-three days in an effort to resolve these matters; and

WHEREAS, The Senate recognizes that Senator Foley's abilities in this field have made an important contribution to the welfare and well-being of the people of the state of Washington;

Now, Therefore, Be It Resolved, That the Senate wishes Senator Foley a speedy and complete recovery.

Be It Further Resolved, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to Senator Foley.

On motion of Senator Gissberg, the resolution was adopted.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., April 6, 1965.

MR. PRESIDENT:

The House has passed: House Concurrent Resolution No. 30, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 6, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 14 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 6, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed Substitute House Bill No. 36 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 6, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 442 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 6, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 389, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 6, 1965.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Engrossed House Bill No. 428 and has granted said committee the powers of free conference.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 6, 1965.

MR. PRESIDENT:

The Speaker has signed: House Concurrent Resolution No. 6, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 6, 1965.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Senate Bill No. 417, and has granted said committee the powers of free conference, and the report of the Conference Committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

## REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., April 6, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Senate Bill No. 417, establishing refunding bond procedures, have had the same under consideration, and we report that we are unable to agree and request the powers of free conference.

*Senate Members*

JOHN N. RYDER  
H. B. HANNA  
JOHN L. COONEY

*House Members*

JACK L. BURTCHE  
BOB MCDUGALL  
GEORGE P. SHERIDAN

## MOTION

On motion of Senator Ryder, the report of the Conference Committee on Senate Bill No. 417 was adopted and the committee was granted the powers of free conference.

## SIGNED BY THE PRESIDENT

**The President signed: House Concurrent Resolution No. 6.**

## PERSONAL PRIVILEGE

Senator Lennart:

"Mr. President, point of personal privilege:"

The President:

"The Senator will speak on personal privilege."

Senator Lennart:

"Mr. President and members of the Senate:

"During the noon hour, members of the press talked to me regarding a recent editorial of April 4 edition of the Sunday Olympian. I shall read you that editorial:

"Governor Evans wants more of your money. Louie Bruno wants more of your money. Nat Washington wants more of your money. Most of the legislators seem to want more of your money for special projects dear to their hearts.

"They intend to get this money by upping your taxes, one place or another. The only disagreements seem to be where, and how much.

"This is a serious problem. Not only do they want to up your taxes, but they're after us, too. All of us.

"We don't want more taxes. We can't afford to pay more taxes. We don't get \$40 a day (tax free) to cover our living expenses. One day's pay each week already is going to Uncle Sam for income taxes. Sales taxes, excise taxes, amusement taxes, gasoline taxes and hidden taxes are taking such a bite out of what's left of our paycheck we are hard pressed to feed and clothe the family and have enough left to pay property taxes to keep a roof over our heads. . . .

"They say we are demanding more services. Nuts. We're not getting much now and can't afford any more. Not at their prices.

"There is one thing we want. We want more for our money already being shelled out for taxes. We want more efficiency and less foolishness. We want the fat trimmed off and we don't want anyone to try and boil it down and soft-soap us.

"We want to see fewer of our neighbors driving to work every morning in state-owned cars we payed for, burning gas we've bled to buy. We want to get more for that big pile of money already being plowed into our school system, welfare department and state highways system. And, we don't mean more talk.' . . ."

"Governor Evans didn't get a nickel, Louis Bruno didn't get a nickel, Nat Washington nor any other legislator got a nickel out of the so-called special projects mentioned in this editorial.

"It's vicious to say the least. The few of the press, by and large downgraded us. Among the few who have, in fact, there has seemed almost an organized effort to do so. They seem to forget that we are all sent here by the people. It doesn't seem to occur to this editor that if his reasoning is correct, the people are corrupt and hence are incapable of sending honorable men down here.

"Why do some editors incline to foster odious characters to their appraisals actually defaming legislators to please themselves. Is it needed, to cast dirt in the faces of legislators and bespatter them with foul imputations?"

"Is not this editor usurping the freedom of the press, tearing to pieces the legislator's good name, as if it did not amount to much? Well, sir, my reputation is not much but I would not trade mine for all of the premises of the Daily Olympian.

"The people are wiser than some editors assume, and the people in mass have much more sense than many of those who deem themselves their superiors.

"Vicious slander has always been the engine whereby ill-natured and vain persons have striven to gain favor with the people.

"Alongside constructive criticism the press undoubtedly ought to show that it is responsible and has forbearance.

"Thus this editorial perverts the judgment of men. It thinks ill of the worthiest actions.

"We do not often see the press marred with the fiercest intolerance and grossest viciousness as in this editorial. It is well, however, that during the passing of the years, very few have dishonored the precept of freedom of the press, yet who can doubt or mistake its power, when rightly, or wrongly used.

"Sir, I have a better opinion of the people. Let us as legislators, first, second and last trust the people of whom we are and for whom we serve.

"This is a vicious editorial."

#### INTRODUCTION AND FIRST READING OF BILL

The following was introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 557**, by Senators Washington, Mardesich and Guess:

An Act relating to public highways and making an appropriation.

Referred to Committee on Highways.

#### FIRST READING OF HOUSE RESOLUTION

The following was read first time by title and acted upon as indicated:

**House Concurrent Resolution No. 30**, by Representatives Bottiger, Burtch, Brachtenbach, Gorton, Cunningham and Olsen:

Providing for a study of contributions for charitable purposes.

Referred to Committee on Commerce, Manufacturing and Licenses.

#### MOTION

At 1:45 p. m., on motion of Senator Greive, the Senate recessed until 2:55 p. m.

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#### SECOND AFTERNOON SESSION

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The President called the Senate to order at 2:55 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senator Foley, who was excused.

Senators Greive, Moriarty, Jr. and Bailey demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Foley, who was excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

**THIRD READING OF BILLS**

**Senate Bill No. 523**, by Senators Ryder, Moriarty, Jr. and Williams (by Executive request):

Permitting ten mill state levy for schools for a two-year period.

The Senate resumed consideration of Senate Bill No. 523 on final passage.

On motion of Senator Mardesich, the rules were suspended and Senate Bill No. 523 was returned to second reading.

The bill was read the second time by sections.

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

On page 1, section 1, line 10, after "equalization" and before the period insert "*Provided*, That such levy shall not apply to ships and vessels taxable under RCW 84.36.080, and only twenty percent of such levy shall apply to ships and vessels taxable under RCW 84.36.090"

On motion of Senator Ryder, the rules were suspended, Engrossed Senate Bill No. 523 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**POINT OF INQUIRY**

Senator Washington:

"Would Senator Moriarty yield to a question?"

"Senator, in a discussion today with one of my Republican colleagues from my district, I was informed when questioning whether or not this is a temporary tax—and we know that taxes have a bad habit of becoming permanent—I was informed that the Governor has taken the position that if the legislature attempts to, let's say take the easy way out two years from now and pass legislation re-enacting this ten mill shift, that the Governor would veto such a bill. Has that ever been communicated to you?"

Senator Moriarty, Jr.:

"Yes, it has. Yes, it has."

Senator Washington:

"That is the position of the Governor?"

Senator Moriarty, Jr.:

"That is his present position, yes, sir."

Debate ensued.

Senators Riley, Peterson (Ted) and Gallagher demanded the previous question and the demand was sustained.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 523, and the bill passed the Senate by the following vote: Yeas, 25; nays, 23; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Durkan, England, Freise, Hanna, Henry, Herrmann, Knoblauch, Kupka, Lennart, Lewis, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Raugust, Ryder, Stender, Thompson, Jr., Washington, Williams—25.

Those voting nay were: Senators Connor, Cooney, Cowen, Donohue, Dore, Gallagher, Gissberg, Greive, Guess, Hallauer, Herr, Keefe, McCormack, McCutcheon, McMillan, Mardesich, Peterson (Lowell), Rasmussen, Redmon, Riley, Sandison, Talley, Woodall—23.

Excused: Senator Foley—1.

Engrossed Senate Bill No. 523, having received the constitutional majority, was declared passed.

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

#### MOTIONS

On motion of Senator Riley, the Senate dispensed with the Call of the Senate.

At 3:55 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Wednesday, April 7, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## TWENTY-FOURTH DAY

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### MORNING SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, April 7, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Foley.

On motion of Senator Greive, Senator Foley was excused.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Janise Ebert, presented the Colors.

Reverend Dave Carlson, pastor of the Assembly of God Church of Olympia, offered prayer as follows:

"Almighty God, and gracious heavenly Father, we thank Thee that Thou hast provided us a medium of communication with Thy throne of grace—the privilege of prayer. We come to Thee through the sacrifice and in the righteousness of Christ our Saviour.

"Thou hast given us a new day in which to serve Thee, and we pray, may Thy will be done in and through us this day. Deliver us from our own notions of life and honor, and help us to live in joyful obedience to Thy will; let us not punish ourselves and our people by going our own way. Lord, go before us and make the path plain; indwell us and overrule our selfish desires; see for us and hear for us, and teach us what we shall do.

"Grant unto us the proper concepts in setting up standards of justice and morals, finance and social leadership. May we not only declare the way, but may we by our own conduct and life show the way. Grant unto us the great mind, the penetrating judgment, the responsive heart, which Thou hast promised to those who will come to Thee in confidence and love.

"Hear us O Lord, and answer our prayer, for we petition Thee in the name of our Lord Jesus Christ. Amen."

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

Senators Greive, Charette and Kupka, demanded a Call of the Senate.

A Call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Foley, who was excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

The Secretary read:

GUBERNATORIAL APPOINTMENTS

REPORTS OF STANDING COMMITTEE

Senate Chamber,  
Olympia, Wash., April 5, 1965.

ELMER C. HUNTLEY, of Thornton, to the State Highway Commission, appointed by the Governor March 29, 1965, for the term ending July 1, 1969, succeeding Ernest A. Cowell (reported by Committee on Highways):

MAJORITY recommends that said appointment be confirmed.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Herbert H. Freise, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, H. B. Hanna, Gordon Herr, Karl Herrmann, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Walter B. Williams.

Passed to Committee on Rules and Joint Rules.

Senate Chamber,  
Olympia, Wash., April 5, 1965.

HAROLD WALSH, of Everett, to the State Highway Commission, appointed by the Governor March 29, 1965, for the term ending July 1, 1968, succeeding Irving M. Clark Jr. (reported by Committee on Highways):

MAJORITY recommends that said appointment be confirmed.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Herbert H. Freise, Sam C. Guess, H. B. Hanna, Gordon Herr, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Walter B. Williams.

Passed to Committee on Rules and Joint Rules.

Senate Chamber,  
Olympia, Wash., April 6, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 389, have inspected same, and find it correctly enrolled and certified.

....., *Chairman*.

We concur in this report: Martin J. Durkan, R. R. Bob Greive, Marshall A. Neill.

Senate Chamber,  
Olympia, Wash., April 6, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 523, have inspected same, and find it correctly engrossed.

....., *Chairman*.

We concur in this report: Martin J. Durkan, R. R. Bob Greive, Marshall A. Neill.

Senate Bill No. 63:

Senate Chamber,  
Olympia, Wash., April 6, 1965.

Authorizing cities and towns to combine their garbage and refuse disposal systems

with water systems and/or sewerage systems (reported by Committee on Cities, Towns and Counties):

MAJORITY reports without recommendation. DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Al Henry, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., April 7, 1965.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 14; also  
Substitute House Bill No. 36; also  
House Bill No. 442, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

#### INTRODUCTION AND FIRST READING OF BILLS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 558**, by Senator Hallauer:

An Act relating to the interstate compact commission; and amending section 43.57.020, chapter 8, Laws of 1965 and RCW 43.57.020.

Referred to Committee on Public Utilities.

**Senate Bill No. 559**, by Senator Moriarty, Jr. (by Executive request):

An Act relating to taxation; amending section 1, chapter 7, Laws of 1963, and RCW 82.04.050; amending section 82.08.010, chapter 15, Laws of 1961, as amended by section 1, chapter 244, Laws of 1963, and RCW 82.08.010; amending section 82.08.030, chapter 15, Laws of 1961, as last amended by section 3, chapter 28, Laws of 1963 extraordinary session, and RCW 82.08.030; amending section 82.08.040, chapter 15, Laws of 1961, and RCW 82.08.040; adding a new section to chapter 15, Laws of 1961 and to chapter 82.12 RCW; and declaring an emergency.

Referred to Committee on Ways and Means.

At 10:55 a. m., on motion of Senator Greive, the Senate recessed until 11:30 a. m.

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#### SECOND MORNING SESSION

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The President called the Senate to order at 11:30 a. m.

The President declared the Senate to be at ease.

The President called the Senate to order at 12:35 p. m.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

On motion of Senator Greive, the Senate recessed until 1:30 p. m.

### AFTERNOON SESSION

The President called the Senate to order at 1:30 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senator Foley, who was excused.

Senators Greive, Kupka and McCutcheon demanded a Call of the Senate. A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Foley, who was excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

#### SIGNED BY THE PRESIDENT

**The President signed: House Bill No. 14; also  
Substitute House Bill No. 36; also  
House Bill No. 442.**

The Secretary read:

#### SENATE RESOLUTION No. 1965 EX -17

By Senator Riley:

WHEREAS, The development of sites for commerce and manufacturing is essential to industrial development and expansion and full employment in this state; and

WHEREAS, Cooperation between public agencies, such as public ports, and private enterprise in the selection and development of such sites especially in the Duwamish River Valley is highly desirable to promote such development and expansion;

Now, Therefore, *Be It Resolved*, By the Senate that the legislative council, or one of its subcommittees, is directed to conduct an interim study of the feasibility of such cooperation in developing sites and areas for industrial development and expansion, with special attention to be given to the Duwamish River Valley.

*Be It Further Resolved*, That the legislative council is directed to report its recommendations to the fortieth legislature.

On motion of Senator Riley, the resolution was adopted.

The President declared the Senate to be at ease.

The President called the Senate to order at 3:00 p. m.

#### SECOND READING OF BILLS

**Senate Bill No. 522**, by Senators Ryder, Dore, Atwood, Moriarty, Jr. and Williams (by Executive request):

Pertaining to apportionment of school funds.

The bill was read the second time by sections.

It was moved by Senator Gissberg that the following amendment be adopted:

On page 6, section 3, line 6 after "effect." add the following: "The enrollment of any district, before weighting, shall be the average number of full time students enrolled on the first day of each month. Part time students shall be computed at the percentage of a full time student that their attendance has to that of a full time student. Attendance in any classes other than grades one through twelve shall not be considered enrollment for purposes of apportionment."

Debate ensued.

It was moved by Senator McCormack that the amendment be laid upon the table.



Senator Gissberg demanded a roll call and the demand was sustained by Senators Henry, Hallauer, Peterson (Lowell), Kupka, Durkan, Donohue, Stender, Charette, Rasmussen and Talley.

It was moved by Senator Greive that the rules be suspended and that further debate be permitted.

The motion was lost.

#### ROLL CALL

The Secretary called the roll and the motion by Senator McCormack to lay the amendment by Senator Gissberg on the table was carried by the following vote: Yeas, 33; nays, 15; excused, 1.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, England, Freise, Gallagher, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Riley, Sandison, Talley, Thompson, Jr., Washington, Williams—33.

Those voting nay were: Senators Atwood, Chytil, Cowen, Gissberg, Guess, Hallauer, Lewis, McMillan, Mardesich, Neill, Raugust, Redmon, Ryder, Stender, Woodall—15.

Excused: Senator Foley—1.

It was moved by Senator Gissberg that the following amendment be adopted:

On page 6, section 3, line 6, after "effect." insert "The enrollment of any district, before weighting, shall be the average number of full time students enrolled on the first day of each month. Part time students shall be computed at the percentage of a full time student that their attendance has to that of a full time student. Each kindergarten enrolled shall be counted as one-half. Attendance in any classes other than kindergarten and grades one through twelve shall not be considered enrollment for purposes of apportionment."

#### POINT OF INQUIRY

Senator Ryder:

"Mr. President, would Senator Gissberg yield to a question?"

"Senator, does this definition tie in with the basic enrollment that the Superintendent's office has been using for these various analyses that they have been giving us over the past couple of weeks? Does this tie in with the basic enrollment that they have been using as far as the figures are concerned in each one of these school districts?"

Senator Gissberg:

"I can't say, actually, because I didn't ask him that question, Senator. I showed him what had been proposed originally as an amendment, and he suggested various changes in it. Now whether the Superintendent's office has used, for instance, kindergarten students in their computation, I do not know because I did not specifically ask whether this was a definition used in making these computations."

Senator Ryder:

"Mr. President, I would assume that they used kindergartens in this. Now, my only question was whether or not they had some other area also added into the basic enrollment before they started weighting."

Senator Gissberg:

"Mr. President, I can't answer that either, but my concern was that in the future there would not be any other programs that were provided that are not now being provided, except when the legislature determines what programs those shall be."

**POINT OF INQUIRY**

Senator Sandison:

"Mr. President, would Senator Gissberg yield?"

"Senator, under your amendment, how will part time students be handled?"

Senator Gissberg:

"They would be handled the same way they are now, namely; the school district would be reimbursed on the same percentage that a full time student is reimbursed, that is, the district is reimbursed on the same percentage the attendance of a part time student bears to the full time student. There would be no change."

**POINT OF INQUIRY**

Senator Thompson, Jr.:

"Mr. President, would Senator Gissberg yield to a question?"

"Senator Gissberg, do I understand the purport of your amendment is to eliminate the credit for adult education? Is that what your amendment attempts to do?"

Senator Gissberg:

"Yes, that is correct."

Senator Thompson, Jr.:

"Are there any other areas that you are particularly identifying by omission?"

Senator Gissberg:

"No, none that I know of, except the thought occurred to me that as I read this bill and considered it, in giving the rather vast authority to the Superintendent's office, that they could, if they wanted to, engage in rather extensive programs and could extend our traditional educational concepts to encompass something other than the community college, post graduate studies, after age twenty-one; things of this type that are not now permitted under the existing law. But we are repealing all that existing law, you see, in all these repealers, and I am not specifically shooting at anything, Senator Thompson, other than the adult education factor and the kindergarten factor, which I failed to achieve. I am concerned that we identify this problem with the legislature, rather than the Superintendent of Public Instruction's office, and I assure you that there are no objections to this amendment as the same is now written and has been proposed."

Debate ensued.

The motion was carried and the amendment was adopted.

It was moved by Senator Hallauer that the following amendment be adopted:

On page 5, section 3, line 21, after "Costs" insert "to state and local funds"

Debate ensued.

The motion was carried and the amendment by Senator Hallauer was adopted.

It was moved by Senator Washington that the following amendment be adopted:

On page 5, section 2, line 10, after "support" and before the period, insert "Provided, The apportionment to any district for the school years beginning in September, 1965 and September, 1966 shall be an amount no less than the amount necessary to provide such school district with an amount from all sources equal to that expended in the school year 1964-1965"

Debate ensued.

**POINT OF INQUIRY**

Senator Woodall:

"Mr. President, would Senator Washington yield?"

"Senator, I take it under this amendment that if a school district lost pupils and had fewer pupils than they had last year, you still would give them the same amount of money anyway, is that what your amendment does?"

Senator Washington:

"As I understand the amendment, and it was discussed with Mr. Milligan, it would be on the basis of the pupils that they have. Now this is tied in with the provision as to weighting, in other words, taking with them at least other factors. If you have other factors other than this particular law coming into effect, of course they wouldn't be guaranteed that particular amount."

Senator Ryder:

"Would Senator Washington yield to a question?"

"Senator Washington, in those school districts which have a fairly high excess levy at the moment, then the ten mills of course in some cases would make this up, but in many cases, or most cases, it will not make up the full excess levy, so that even under this formula, the next year and probably the following year in most cases, it will still be necessary to have a portion of that excess levy imposed in order to bring them up. Would this eliminate the necessity in those school districts for levying any part of that excess levy?"

Senator Washington:

"My understanding is that it would not. They might have to have the excess millage that they had in the past."

Debate ensued.

There being no objection, Senator Washington was permitted to withdraw the amendment.

The Secretary read the following amendment by Senator McCormack:

On page 5, section 2, line 10, after "support" and before the period, insert "Provided, The apportionment to any district for the school year beginning in September, 1965 shall be an amount no less than the amount necessary to provide such school district with an amount from all sources equal to that expended in the school year 1964-1965"

Debate ensued.

With the consent of the Senate, Senator McCormack was permitted to withdraw the amendment.

On motion of Senator McCormack, the following amendment was adopted:

On page 6, section 5, line 25, after "mile" and before "as determined" insert "for the class of vehicle approved for operation"

On motion of Senator Riley, the following amendment was adopted:

On page 8, section 13, following line 33, add a new paragraph as follows:  
"This act shall expire on June 30, 1965."

It was moved by Senator Hallauer that the following amendment be adopted:

On page 5, section 2, line 7, add a new subsection following subsection (6) as follows: "(7) An amount equal to the maximum levy allowed by law to a school district over and in excess of the amount that would be produced by a levy of two mills against the assessed value of taxable property as determined by the county assessor."

Renumber subsection (7) to subsection (8).

Debate ensued.

The President called upon Senator Gissberg to preside.

Further debate ensued.

It was moved by Senator Gallagher that the amendment be laid upon the table.

Senator Hallauer demanded a roll call and the demand was sustained by Senators Hanna, Knoblauch, McCutcheon, McCormack, Rasmussen, Charette, Talley, Freise and Dore.

## ROLL CALL

The Secretary called the roll and the motion to lay the amendment by Senator Hallauer on the table was carried by the following vote: Yeas, 32; nays, 16; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Cowen, Dore, Durkan, England, Gallagher, Greive, Guess, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams—32.

Those voting nay were: Senators Chytil, Donohue, Freise, Gissberg, Hallauer, Hanna, Henry, McCormack, McMillan, Mardesich, Peterson (Lowell), Rasmussen, Sandison, Talley, Washington, Woodall—16.

Excused: Senator Foley—1.

On motion of Senator Moriarty, Jr. the following amendment was adopted:

On page 8, section 11, line 3, after "This act" insert "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"

It was moved by Senator Hallauer that the following amendment be adopted:

On page 5, section 2, line 10, strike the period after the word "support" and insert: "Provided, That the revenues arising from the levy of the property tax by any school district without a vote of the people shall be considered in computing state equalization support in the following specified percentages:

School year 1965-66.....	40%
School year 1966-67.....	55%
School year 1967-68.....	70%
School year 1968-69 and thereafter.....	85%"

## POINT OF INQUIRY

Senator Dore:

"Would Senator Hallauer yield to a question?

"Senator Hallauer, under these property taxes which we all consider a resource in the high assessed districts, we of course go to equalization of eighty-five percent the first year and a hundred percent the second year, but on the other side of the coin, in the other categories of forest funds and Public Utility Districts, they equalize over four years and then go up to eighty-five percent. If your amendment is adopted, don't you think in fairness we should equalize up to a hundred percent in other categories? If, in connection with the approach on four mills, you want to go to a hundred percent on four mills, I think we would be willing to go to a hundred percent on the same basis you did."

Senator Hallauer:

"You made reference to the highly assessed districts. I presume you had your own district in mind, which is not a high assessed district in terms of the state ratio. This is one of the reasons the ten mill shift is going to hit you rather hard. In a local area that does have a high assessed value, the pain is even greater in this sort of thing because you are taking our local revenues into account on a certain basis and not doing the same for yourselves on the remaining four mills."

Senator Dore:

"Mr. President, to put it another way, if I would support this amendment, would you accept an amendment providing we could go to a hundred percent equalization on the other three resources in two years on the same basis as we have gone to the hundred percent in two years? If you want equalization, I assume you want equalization on all funds. All funds should be treated alike. If your amendment is adopted, would you then accept my amendment?"

Senator Hallauer:

"Senator, we are talking about two different things, ten mills and four mills. Which one do you want me to answer?"

Senator Dore:

"No, they are the same thing, I thought you were talking about having all funds equalized at one hundred percent. But, if you are already in the ten mills, you are equalizing eighty-five percent of those the first year and a hundred percent on the second year. On the other side of the coin, in the other three categories, you are doing it over four years and then you are only going up to eighty-five percent. Now, it is our position that there is fifteen percent you are not equalizing. Also, there is the four loose mills you spoke of. Now, if we adopt your amendment, my question is, in fairness, then shouldn't we also equalize these other three sources in two years at one hundred percent?"

Senator Hallauer:

"Senator Dore, I wanted exact equity. Now we have, through the adoption of a bill yesterday, if it passes and is signed by the Governor, made a state levy of ten mills. It is no longer a local resource. The four mills still remains as one and proportionately it is a greater part of the total property resources going to the school, so if you figure one-sixth of your fourteen mills, this is about 2.4 mills. Under the approach we have in the bill before us, there is even more than that free through fifteen percent, plus the whole four mills. It comes to somewhere near 16.4 mills, instead of 2.4 mills, so that's a step away from equalization. We want equitable treatment. We want forty percent, fifty-five percent, seventy-five percent or eighty percent for you just as you are giving it to us."

#### PARLIAMENTARY INQUIRY

Senator Stender:

"Parliamentary inquiry, Mr. President:

"Do I understand the amendment purports to do something beyond 1967? As I understand it, if we adopt this amendment, this act only will be in effect until 1967. Is that germane, or does it go beyond the life of the act?"

#### REPLY BY THE PRESIDENT

President Pro Tempore Gissberg:

"No, it is perfectly germane, Senator. There are other provisions in the act which extend beyond 1967. The formula is projected for six years in gradual steps."

Debate ensued.

On motion of Senator Riley, the amendment by Senator Hallauer was laid upon the table.

It was moved by Senator Henry that the following amendment be adopted:

On page 5, section 3, line 19, strike subsection (1) and renumber remaining subsections.

Debate ensued.

On motion of Senator Washington, the following amendment by Senators Neill and Washington was adopted:

On page 5, section 2, line 10, after "support" and before the period insert "": *Provided*, That the apportionment per weighted student under this section 2 to any district for the school years 1965-66 or 1966-67 shall be an amount no less than the state apportionment per weighted student to the district during the 1964-65 school year."

Debate ensued.

The motion was lost on a rising vote and the amendment was not adopted.

On motion of Senator Riley, the following amendment by Senators Moriarty, Jr. and Riley was adopted:

In line 23 of the title, after "1941" strike "and" and insert a comma, and before

the period insert "; declaring an emergency; and fixing the expiration date of this act"

On motion of Senator Petrich, the following amendment by Senators Petrich and Charette was adopted:

On page 8, section 12, lines 23 and 24, after "RCW 28.24.010," strike all the material down to and including "RCW 28.24.060," on line 24.

On motion of Senator Charette, the following amendment by Senators Charette and Petrich was adopted:

In line 20 of the title, after "RCW 28.24.010;" strike all the material down to and including "RCW 28.24.060;"

#### POINT OF INQUIRY

Senator Ryder:

"I had one question, Mr. President:

"Does this apply only to the state allotment, or to the total funds?"

Senator Neill:

"Mr. President, the amendment says it applies only to section 2 moneys and not to the moneys that come under section 1."

Debate ensued.

Senator McCutcheon:

"Would you explain the implication, Senator Neill, of the answer you just gave to Senator Ryder? I didn't quite follow that."

Senator Neill:

"Yes, section 1 of this act relates to the property tax part of the apportionment formula and section 2 has to do with all these local funds, forest funds and all of these things you have been debating. All we have tried to do by our amendment is make sure there is a floor under these section 2 moneys and that the state is not depriving the section 2 moneys in total. It does not apply to section 1 moneys, which is our ten mills with which we have just dealt. The floor is the amount per weighted pupil that the state puts into a local school district. We want to provide by this amendment that any school district will receive at least from the state per weighted pupil the amount which it is now receiving, disregarding the changes in property taxes, because that's the section 1 provision."

Debate ensued

#### POINT OF INQUIRY

Senator Henry:

"Would Senator Ryder yield to a question?"

"As I said earlier, Senator, there are a lot of ramifications to this bill. Do I understand from Senator McCormack's remarks it is possible to force consolidation under the terms of this apportionment, even though we have a law on the books that I helped write a few sessions ago saying there had to be a majority vote in each of the districts concerned?"

Senator Ryder:

"No, not under the formula as it is before us. There could be no forcing of consolidation under this formula. Now, where the forcing of consolidation could come in is under section 3 where the Superintendent presents to the Ways and Means Committee his schedule of his weighting schedule. Now, I understand that in this present weighting schedule, and Senator Bailey raised the weighting schedule in Ways and Means Committee the other day, he has given no preference to small non-high school districts in remote areas. This could of course by the staffing of them force some consolidation. I also feel that the Ways and Means Committee probably will not approve this particular approach and may wish to change that, which they can change. The formula as submitted by the Superintendent in section 3 must be approved by the legislature and put into the budget, and that would be the place where you could force some consolidation if you wanted. Under this particular bill, it would not force consolidation."

Senator Henry:

"When you say the superintendent, you mean the superintendent of public instruction?"

Senator Ryder:

"Yes."

Debate ensued.

#### POINT OF INQUIRY

Senator McCormack:

"Mr. President, would Senator Neill yield to a question?"

"Senator Neill, isn't it true that this amendment would permit, no matter what weighting is put on, any sort of forced consolidation?"

Senator Neill:

"I don't know. I don't believe so."

#### POINT OF INQUIRY

Senator Woodall:

"Would Senator McCormack yield?"

Senator McCormack:

"If it is a question, not a speech."

Senator Woodall:

"You would prosper either way I go, Senator.

"Do I understand that you want to starve some of these small districts into submission and you say if we vote for the amendment by Senator Neill, it is a vote against starvation, and if we vote your way, you want to starve the small districts into consolidating?"

Senator McCormack:

"Senator Woodall, I did not take a position. I am trying to get it clarified, but I did not take a position. I think it is a policy point and I thought the whole idea of the formula or one of the ideas of this formula has been that the small non-high school districts would not receive, under this formula, an allotment that they could stand up to the pressure and they would be forced to consolidate. Now, I did not take a stand on the point when I asked the question. I would like to have this point clarified. In my opinion, the amendment completely negates the whole idea of the formula. If it does, it should be understood."

Debate ensued.

On motion of Senator Ryder, the rules were suspended, Engrossed Senate Bill No. 522 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Further debate ensued.

Senators Gallagher, Greive and Kupka demanded the previous question and the demand was sustained.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 522, and the bill passed the Senate by the following vote: Yeas, 33; nays, 15; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Cowen, Dore, Durkan, England, Freise, Gallagher, Greive, Guess, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Riley, Ryder, Stender, Thompson, Jr., Washington—33.

Those voting nay were: Senators Chytil, Donohue, Gissberg, Hallauer, Henry, Lewis, McCormack, McMillan, Petrich, Raugust, Redmon, Sandison, Talley, Williams, Woodall—15.

Excused: Senator Foley—1.

Engrossed Senate Bill No. 522 having received the constitutional majority, was declared passed.

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

**Senate Bill No. 524**, by Senators Ryder, Atwood, Moriarty, Jr. and Williams (by Executive request):

Providing for distribution of forest reserve funds.

The bill was read the second time by sections.

On motion of Senator Atwood, the rules were suspended, Senate Bill No. 524 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 524, and the bill passed the Senate by the following vote: Yeas, 33; nays, 15; excused, 1.

Those voting yea were: Senators Atwood, Connor, Cooney, Cowen, Dore, Durkan, England, Gallagher, Gissberg, Greive, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Rasmussen, Raugust, Riley, Ryder, Stender, Thompson, Jr., Washington, Williams—33.

Those voting nay were: Senators Bailey, Charette, Chytil, Donohue, Freise, Guess, Hallauer, Hanna, Henry, McMillan, Peterson (Lowell), Redmon, Sandison, Talley, Woodall—15.

Excused: Senator Foley—1.

Senate Bill No. 524, having received the constitutional majority, was declared passed.

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

#### MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 5:25 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Thursday, April 8, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*



## TWENTY-FIFTH DAY

### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Thursday, April 8, 1965.

The Senate was called to order at 10:30 a. m.

Senators Greive, Bailey and Connor demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all Senators being present except Senator Foley, who was excused.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Teresa Hallauer, presented the Colors.

Reverend T. Eugene Turner, pastor of the First Christian Church of Olympia, offered prayer as follows:

"Father in Heaven, Whose patience with us is beyond measurement; Whose love not only exposes our obvious badness but indicts our too obvious goodness; Whose will on earth may be thwarted but not finally defeated.

"Assist the members of the Senate to exercise patience and love like Thine. Grant to them insight and perspective that they may increasingly align themselves with Thy Will which is to be done on earth, right now, in this time and in this place.

"Renew in us the realization that every man, in whatever station of life he may stand, is not only his brother's keeper but in no small measure, his brother's maker as well. Amen."

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

The Secretary read:

#### SENATE RESOLUTION

No. 1965 EX -18

By Senators McCormack, Gissberg and Freise:

WHEREAS, Increased population throughout the state tends to make more difficult the tabulation of election returns; and

WHEREAS, This thirty-ninth session of the legislature had before it for consideration two pieces of legislation dealing with improving the speed by which election returns are tabulated through the use of electronic voting systems whereby votes may be counted by data processing machines; and

WHEREAS, Other pressing business of this legislature has prevented these bills, Senate Bill No. 328 and House Bill No. 553, from receiving such attention and consideration as might ordinarily have been possible;

Now, Therefore, Be It Resolved, By the Senate, That the legislative council be and is hereby instructed to study during the interim between this thirty-ninth special session of the legislature and the fortieth regular session of the legislature the need for and the expected benefits of an electronic voting system as set forth in the aforementioned legislation and report thereon to the fortieth session of the legislature; and

Be It Further Resolved, That the Secretary of the Senate transmit a copy of this senate resolution to the executive secretary of the legislative council for action thereon.

On motion of Senator McCormack, the resolution was adopted.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., April 7, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 522, have inspected same, and find it correctly engrossed.

Respectfully submitted, ..... *Chairman.*

We concur in this report: Martin J. Durkan, Marshall A. Neill, John A. Petrich.

**GUBERNATORIAL APPOINTMENT**

Senate Chamber,  
Olympia, Wash., April 7, 1965.

DOUGLAS TOMS, to the position of director of the Department of Licenses, appointed by the Governor March 18, 1965, succeeding Michael T. Gray (reported by Committee on Highways):

MAJORITY recommends that said appointment be confirmed.

NAT WASHINGTON, *Chairman,*  
AL HENRY, *Vice Chairman.*

We concur in this report: Dewey C. Donohue, Martin J. Durkan, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, H. B. Hanna, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, Walter B. Williams.

Passed to Committee on Rules and Joint Rules.

**Senate Bill No. 557:**

Senate Chamber,  
Olympia, Wash., April 7, 1965.

Authorizing additional bonding to meet unanticipated costs in completion of interstate highways throughout state (reported by Committee on Highways):

MAJORITY recommends that it do pass as amended.

NAT WASHINGTON, *Chairman,*  
AL HENRY, *Vice Chairman.*

We concur in this report: Dewey C. Donohue, Martin J. Durkan, Herbert H. Freise, Sam C. Guess, H. B. Hanna, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**REPORT OF FREE CONFERENCE COMMITTEE**

Olympia, Wash., April 6, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Engrossed House Bill No. 428, providing for the transfer of a motor freight carrier's permit upon the death of the holder, have had the same under consideration, and we recommend that it do pass with the following amendment:

AN ACT relating to transportation; providing for the transfer or continuation of certain permits; and amending section 81.80.270, chapter 14, Laws of 1961 as amended by section 6, chapter 59, Laws of 1963 and RCW 81.80.270; and adding a new section to chapter 14, Laws of 1961, and to chapter 81.80 RCW.

*Be It Enacted by the Legislature of the State of Washington:*

Section 1. Section 81.80.270, chapter 14, Laws of 1961 as amended by section 6, chapter 59, Laws of 1963 and RCW 81.80.270 are each amended to read as follows:

No permit issued under the authority of this chapter shall be construed to be irrevocable. Nor shall such permit be subject to transfer or assignment except upon a proper showing that property rights might be affected thereby, and then in the discretion of the commission, and upon the payment of a fee of twenty-five dollars.

No person, partnership or corporation, singly or in combination with any other person, partnership or corporation, whether a carrier holding a permit or otherwise, or any combination of such, shall acquire control or enter into any agreement or arrangement to acquire control of a common or contract carrier holding a permit through ownership of its stock or through purchase, lease or contract to manage the business, or otherwise except after and with the approval and authorization of the commission: *Provided, That upon the dissolution of a partnership, which holds a permit, because of the death, bankruptcy, or withdrawal of a partner where such partner's interest is transferred to his spouse or to one or more remaining partners, or in the case of a corporation which holds a permit, in the case of the death of a shareholder where a shareholder's interest upon death is transferred to his spouse or to one or more of the remaining shareholders, the commission shall transfer the permit to the newly organized partnership which is substantially composed of the remaining partners, or continue the corporation's permit without making the proceeding subject to hearing and protest.* In all other cases any such transaction either directly or indirectly entered into without approval of the commission shall be void and of no effect.

Every carrier who shall cease operation and abandon his rights under the permits issued him shall notify the commission within thirty days of such cessation or abandonment, and return to the commission the identification plates issued to him.

**NEW SECTION.** Section 2. There is added to chapter 14, Laws of 1961 and to chapter 81.80 RCW a new section to read as follows:

Except as otherwise provided in RCW 81.80.270 any permit granted to any person under this chapter and held by that person alone or in conjunction with others other than as stockholders in a corporation at the time of his death shall be transferable the same as any other right or interest of the person's estate subject to the following:

(1) Application for transfer shall be made to the commission in such form and contain such information as the commission shall prescribe and shall be accompanied by a fee of twenty-five dollars. The transfer described in any such application shall be approved if it appears from the application or from any hearing held thereon or from any investigation thereof that the proposed transferee is fit, willing and able properly to perform the services authorized by the permit to be transferred and to conform to the provisions of this chapter and the requirements, rules and regulations of the commission thereunder, otherwise the application shall be denied.

(2) Temporary continuance of motor carrier operations without prior compliance with the provisions of this section will be recognized as justified by the public interest in cases in which the personal representatives, heirs or surviving spouses of deceased persons desire to continue the operations of the carriers whom they succeed in interest subject to such reasonable rules and regulations as the commission may prescribe.

In case of temporary continuance under this section the successor shall immediately procure insurance or deposit security as required by RCW 81.80.190.

Immediately upon any such temporary continuance of motor carrier operations and in any event not more than thirty days thereafter the successor shall give notice of the succession by written notice to the commission containing such information as the commission shall prescribe.

*Senate Members*

Joe Chytil  
 Nat Washington  
 Al Henry

*House Members*

Hugh "Bud" Kalich  
 R. Ted Bottiger  
 Elmer E. Johnston

On motion of Senator Chytil, the report of the Free Conference Committee was adopted.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed House Bill No. 428, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich,

Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Excused: Senator Foley—1.

Engrossed House Bill No. 428, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

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

#### INTRODUCTION AND FIRST READING OF BILL AND RESOLUTION

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 560**, by Senators Gallagher and Sandison:

An Act relating to revenue and taxation; amending section 3, chapter 168, Laws of 1961 as amended by section 13, chapter 28, Laws of 1963 extraordinary session and RCW 84.36.171; and repealing sections 14, 15, and 16, chapter 28, Laws of 1963 extraordinary session and RCW 84.36.172, 84.36.173, and 84.36.174.

Referred to Committee on Ways and Means.

#### SECOND READING OF BILLS

**Senate Joint Resolution No. 24**, by Senators Ryder, Moriarty, Jr. and Williams (by Executive request):

Lowering the assessed valuation to thirty percent of true value and providing for enforcement thereof.

The resolution was read the second time in full.

On motion of Senator Greive, the Senate proceeded with consideration of the following amendment by Senator McMillan:

On page 1, line 14, after "[fifty]" and before "per" strike "thirty" and insert "twenty-five"

It was moved by Senator McMillan that the amendment be adopted.

Debate ensued.

#### POINT OF INQUIRY

Senator Kupka:

"Mr. President, would Senator Ryder yield to a question?"

"Senator Ryder, this might be too large of an order for you to answer right away. What I'm thinking about is, what will be the impact between twenty-five percent and thirty percent, especially in the larger industries, such as the new aluminum plant that has moved into the state, and Boeing's? I wonder what effect this is going to have on those people who are heavy taxpayers now?"

Senator Ryder:

"Mr. President and members of the Senate:

"I do not have the breakdown between industrial property and homes and this type of property, but at least in King county, industrial property—and I think this is probably true of all properties—is now assessed at a higher rate, so that the impact would be less on those than on other types of property, really. When you get into high inventory areas such as heavy equipment manufacturing, a great deal of their evaluations are on personal property which is now already at close to thirty percent.

"Senator Rasmussen talked about the ratio of personal property in King County. The assessor at the moment is assessing all new personal property as it comes on the rolls at 33½%. This is by his own statement. The average in King county is about 27.6%, and it is rising. It is going up. In Whatcom county, for instance, inventories are being assessed now at fifty percent on personal property. On machinery, it's right at thirty percent now. In Pierce county, personal property is being assessed at a thirty percent ratio right at the moment. Now this is by the statements of the

assessors, themselves, so this is the sheet that I got from the tax commission this morning which gives those ratios; and, when we again get into the philosophy of taxation, Senator Lennart mentioned it very briefly in his talk, we have to consider what the alternatives are. We can't do every job locally for the school districts. What is the alternative? If we place this at twenty-five percent, what are we faced with at the state level? We are faced with some tremendous increases in state taxation. We are going to have to levy a five percent sales tax within a year or two, or within another biennium, perhaps. There would be no question about it if the twenty-five percent lid were put on; or we are going to have to go into some other form of taxation at the state level in order to support schools. Already schools are getting over seventy percent of the money that it takes to run them from other than local taxation. This is one of the highest ratios in the country, and I don't think we always have to compare ourselves with other states, but most of the states in the Union average around fifty percent for the national average. We are up to seventy percent. We are way out in front now and I think it is imperative if we are going to keep local economy in the school areas, we have to give them the tools with which to finance themselves locally, and the main source of local taxation is property tax. If this were going to be a great burden, an unbearable burden on the property owners, I certainly would not be in favor of it, but in my opinion it is not going to be unbearable and in my opinion it is going to fix a lid that we can live with for many, many years to come, as long as you and I are around these chambers, and we will not have to wrestle with the problem, as we have had to do, in the next ten or twelve years."

Debate ensued.

**POINT OF ORDER**

Senator McCutcheon:

"Mr. President, I have a point of order to raise.

"Senator Greive and Senators Moriarty and Bailey are standing right square between me and the TV cameras!"

**REPLY BY THE PRESIDENT**

The President:

"The point of order is well taken. Senator McCutcheon has the floor."

Further debate ensued.

**APPOINTMENT OF SPECIAL COMMITTEE**

The President observed within the bar of the Senate former State Senator Jess Sapp and appointed a special committee consisting of Senators Lowell Peterson, Greive, Freise and Neill to escort the former Senator to a place of honor upon the rostrum.

With leave of the Senate, business was suspended to permit Senator Sapp to address the Senate.

**MOTIONS**

On motion of Senator Riley, the Senate dispensed with the Call of the Senate.

At 12:40 p. m., on motion of Senator Greive, the Senate recessed until 2:30 p. m.

**AFTERNOON SESSION**

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

The President declared the Senate to be at ease.

The President called the Senate to order at 2:50 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senator Foley, who was excused.

Senators Greive, Sandison and Charette demanded a Call of the Senate. A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Foley, who was excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

On motion of Senator Greive, the Senate recessed subject to the call of the President.

The President called the Senate to order at 3:50 p.m.

The Senate resumed consideration of Senate Joint Resolution No. 24 on second reading, and the amendment proposed by Senator McMillan.

#### POINT OF INQUIRY

Senator Rasmussen:

"Mr. President, would Senator Moriarty yield to a question?"

"Isn't it true that the Tax Commission, on utilities, has been bringing the rates down to force the assessors to bring up their rates in the counties over the past few years? Isn't this a continuing process?"

Senator Moriarty, Jr.:

"I'm sorry. I don't know the answer to that. Would you repeat your question for Senator Ryder? Possibly he can answer the question."

Senator Rasmussen:

"The information we have been receiving is that the Tax Commission has been reducing the rates on these utilities, on the rates that they set on intra-county and so forth, in an effort to bring them down in order to force the assessors' rates up. This has been a continuing process, has it not?"

Senator Ryder:

"Yes, Senator Rasmussen, that is right. Of course, it is a very, very slow process. Now here you would bring it down in one fell swoop if you dropped the twenty-five percent ratio."

Senator Rasmussen:

"One further question, Senator Ryder:

"Isn't it true that if this bill becomes law and is passed by the people, or if it becomes part of the constitution, that then there will be no difference in the rate on utilities than there is on the other types of personal or real property?"

Senator Ryder:

"This is correct."

Senator Rasmussen:

"So it wouldn't make a bit of difference?"

Senator Ryder:

"This is theoretically correct. It would be all twenty-five percent. If this were passed by the people and put into the constitution, then the State Tax Commission would be forced to come down immediately to twenty-five percent on all utilities, that's true."

Debate ensued.

The President declared the question before the Senate to be the adoption of the amendment by Senator McMillan.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Neill, Atwood, Peterson (Ted), Guess, Connor, Bailey, Greive, McMillan and Rasmussen.

**ROLL CALL**

The Secretary called the roll, and the amendment by Senator McMillan was not adopted by the following vote: Yeas, 23; nays, 25; excused, 1.

Those voting yea were: Senators Charette, Connor, Cowen, Donohue, Gallagher, Greive, Guess, Hanna, Henry, Herr, Keefe, Kupka, McCormack, McMillan, Morgan, Peterson (Lowell), Rasmussen, Raugust, Redmon, Riley, Stender, Talley, Woodall—23.

Those voting nay were: Senators Atwood, Bailey, Chytil, Cooney, Dore, Durkan, England, Freise, Gissberg, Hallauer, Herrmann, Knoblauch, Lennart, Lewis, McCutcheon, Mardesich, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Ryder, Sandison, Thompson, Jr., Washington, Williams—25.

Excused: Senator Foley—1.

On motion of Senator Moriarty, Jr., the Senate proceeded with consideration of the following amendment by Senators Bailey, Rasmussen, Durkan and Dore:

On page 1, after "follows:" on line 8, add the following:

"Article VII, section 1. The power of taxation shall never be suspended, surrendered or contracted away. All taxes shall be uniform upon the same class of property within the territorial limits of the authority levying the tax and shall be levied and collected for public purposes only. The word 'property' as used herein shall mean and include everything, whether tangible or intangible, subject to ownership. All real estate shall constitute one class: *Provided*, That the legislature may tax mines and mineral resources and lands devoted to reforestation by either a yield tax or an ad valorem tax at such rate as it may fix, or by both. Such property as the legislature may by general laws provide shall be exempt from taxation. Property of the United States and of the state, counties, school districts and other municipal corporations, and credits secured by property actually taxed in this state, not exceeding in value the value of such property, shall be exempt from taxation. The legislature shall have power, by appropriate legislation, to exempt personal property to the amount of three hundred dollars for each head of a family liable to assessment and taxation under the provisions of the laws of this state of which the individual is the actual bona fide owner. *The legislature shall have the power, by appropriate legislation, to exempt from taxation all or any part of the real property occupied as a home by a person or persons over sixty-five years of age and may place such restrictions and conditions on the granting of the exemption as it shall deem proper including the limiting of the exemption to those below a specified level of annual income.*"

The Secretary read the amendment in full.

It was moved by Senator Bailey that the amendment be adopted.

Debate ensued.

It was moved by Senator McCutcheon that the following amendment to the amendment be adopted:

On line 23 of the amendment to Article VII, section 1, by Senators Bailey, Rasmussen, Durkan and Dore after the word "age" strike all underscored material and insert "up to an actual valuation of \$15,000, over and above all encumbrances."

Debate ensued.

On motion of Senator Gallagher, the amendment to the amendment was laid upon the table.

**POINT OF INQUIRY**

Senator Lewis:

"Mr. President, would Senator Bailey yield to a question?

"Senator Bailey, in reading your amendment, the underlined portion, I'd like to read this to you. It says, 'to exempt from taxation all or any part of the real

property owned and occupied.' It was my understanding that your intent was to make it possible for the legislature to exempt at its discretion some of the taxes on the home that belonged to an old person. As I read this amendment, it appears to me that it could be interpreted in this manner, that an old people's home where thirty or forty old people might live could be included. I'm not an expert, but I wonder if someone else might check me out and see if I am correct or not. If I am right, then I think that we should have an amendment to clarify this. If I'm wrong, then I am willing to be corrected."

Senator Bailey:

"Mr. President and Senator Lewis:

"Certainly this is drawn by a bill drafter and I certainly would not be against changing this to any real property owned and occupied by such a person. I think this would tie it down. This was the intent of the bill and I see your point and I would agree to that."

Senator Durkan:

"Mr. President:

"Speaking to the point raised by Senator Lewis, I joined in this amendment to point up a basic inequity in the law now. At present, these homes for older people are exempt, but private dwellings are not. I think this is a basic inequity which the amendment helps to resolve."

#### POINT OF INQUIRY

Senator Riley:

"Mr. President and Senator Bailey:

"I had the same question Senator Lewis propounded to you. I think we realize that these homes could be where people could be living as their home, or they could rent rooms, and that could be taken care of by legislative act. Specifically, Senator Bailey, this has to go before the voter. Would you think it would be appropriate to have in this resolution the language, 'sixty-five years of age and older who are on public assistance'? I ask the question on the basis that this has to be voted upon and I don't know whether or not people are going to feel that the vice president of the bank and the president of a steel works are going to be eligible since they are over sixty-five. I recognize this would depend upon the legislative act, but it might make it more appealing to the voters."

Senator Bailey:

"Mr. President:

"If you do this, you are missing the main point of the whole thing. As it is now, people on public assistance have their taxes paid by the Public Assistance Department. We don't have to worry about it. It's the people on social security, on fixed pensions, that have no way of paying taxes. These are the people that can't even get on welfare. They are drawing a small pension, seventy-five or eighty dollars a month, and they have to pay their tax out of that. I certainly would not at this time want to include anyone on public assistance rolls."

Debate ensued.

It was moved by Senator Freise that the following amendment to the amendment be adopted:

In line 22 of the amendment to Article VII, section 1, by Senators Bailey, Rasmussen, Durkan and Dore, after "*property*" and before "*occupied*" insert "*owned and*"

Debate ensued.

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

On motion of Senator Freise, the following amendment to the amendment was adopted:

In line 22 of the amendment to Article VII, section 1, by Senators Bailey, Rasmussen, Durkan and Dore, strike "*home*" and insert "*single family dwelling*"



**POINT OF INQUIRY**

Senator Dore:

"Mr. President, would Senator Freise yield to a question?"

"Senator, earlier in the session we passed an amended condominium bill and it was noted that possibly twenty-five percent of all future housing would be condominiums. Now, are they considered a single family dwelling? Would this be excluded under the terms of the amendment?"

Senator Freise:

"Mr. President, it would be my opinion from having worked on it two years ago and also this year that the idea of condominium is that you will have separate single family dwelling units joined with many single family dwellings in one large building, so I would say that a single family dwelling in this particular case would be exempted from the real property taxes if they were over sixty-five."

It was moved by Senator Woodall that the following amendment to the amendment be adopted:

On line 27 of the amendment to Article VII, section 1, by Senators Bailey, Rasmussen, Durkan and Dore as amended by Senator Freise, after "income." add the following: "*The legislature shall have the power, by appropriate legislation, to exempt from taxation all or any part of the real property occupied and owned as a home by a person or persons permanently and totally disabled as a result of an industrial injury, or such an injury received while engaged in the service of the United States Armed Services and may place such restrictions and conditions on the granting of the exemptions as it shall deem proper, including the limiting of the exemption to those below a specified level of annual income.*"

Debate ensued.

**POINT OF INQUIRY**

Senator Lewis:

"Would Senator Woodall yield to a question?"

"Senator Woodall, although I am reluctant sitting way back here in the back rows as a freshman Senator, and with your razorsharp tongue, to ask you questions which might be interpreted in any other way than that of humility; however, I certainly think I see what you are driving at when you include veterans and when you include industrial accident cases, but I wonder if you are not discriminating. Or if you could tell me why you have excluded those who have been severely hurt in hunting accidents, or automobile accidents, housewives who are in wheelchairs because of home accidents, or farmers from your district who have been hurt in tractor accidents or legislators who have been severely disabled by their constituents. In sincere humility, I don't understand, and I am ready to take my licking, but I don't understand how you can include only industrial insurance cases and not all the others to whom I have referred."

Senator Woodall:

"In the first place, I didn't know that we were going to have an amendment before us which suddenly started exempting people over a certain age. It apparently is proposed on the basis of some kind of a hardship and they are saying that at the magic age of sixty-five, if someone finds himself on a certain income, we are going to have to give him specialized treatment just because he is sixty-five and for no other reason. It occurred to me that there are other people who have hardships and who have homes and on whom the taxes are going to be raised. I happen to know a fellow who is in a wheelchair and he is a veteran. He owns a little home and his income is fixed, and it came to my mind while we were sitting here. I also thought of the case of people who are injured in industrial accidents who cannot get any raise. Those two thoughts came to me and I incorporated them in the bill, I did not think of the housewife. I did not think of some of the categories that you have mentioned, and if I had thought of them, some I would not have put in anyway, particularly hunting accidents. No one made him go out there. That's a different category. And if I put in farmers, you would say I had some self interest in it, so I wanted to stay away from that. I picked two categories which I thought were particularly deserving, if you are dealing with hardship cases, and that is what the

purpose of this is. I'll repeat again: I don't believe we should have this amendment at all, but I do believe that if we are going to have it you ought to recognize there are other hardships in life besides being sixty-five, and I can't see the magic of that figure. You are going to be lobbied—and I don't worry about being lobbied personally—but it is going to become an issue as to how much of a grant we give, how much of an exemption do we make, at what level do we give this exemption for people over sixty-five? I think we ought to stay out of that field. But if we are going to go into it, I think we ought to recognize some of the other types of hardship cases."

It was moved by Senator Bailey that the amendment to the amendment be laid upon the table.

The motion was carried on a rising vote and the amendment to the amendment was laid upon the table.

It was moved by Senator Hallauer that the following amendment to the amendment be adopted:

On line 27 of the amendment to Article VII, section 1, by Senators Bailey, Rasmussen, Durkan and Dore as amended by Senator Freise, strike the last word of the amendment "income" and substitute the following: "*net income from all sources including retirement and other benefits*"

Debate ensued.

On motion of Senator Bailey, the amendment to the amendment was laid upon the table.

It was moved by Senator Stender that the amendment by Senators Bailey, Durkan, Rasmussen and Dore be laid upon the table.

Senator Durkan demanded a roll call and the demand was sustained by Senators Charette, Greive, Gallagher, Kupka, Bailey, Cooney, Hanna, Gissberg and Keefe.

#### ROLL CALL

The Secretary called the roll and the motion to table the amendment was lost by the following vote: Yeas, 7; nays, 41; excused, 1.

Those voting yea were: Senators Chytil, Freise, Hallauer, McMillan, Stender, Williams, Woodall—7.

Those voting nay were: Senators Atwood, Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington—41.

Excused: Senator Foley—1.

The President declared the question before the Senate to be the adoption of the amendment as amended.

The motion was carried and the amendment as amended was adopted.

#### MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 5:40 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Friday, April 9, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## TWENTY-SIXTH DAY

### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Friday, April 9, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Foley, who was excused.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Teresa Hallauer, presented the Colors.

Reverend T. Eugene Turner, pastor of the First Christian Church of Olympia, offered prayer as follows:

"Our Divine Father, we would remember that Thy power has brought into being the world in which we live, Thy love has preserved it and us unto this day, Thy wisdom has made of us free and responsible moral agents in the administration of that which is not our own, but Thine. Thy will is that Thy gifts may be received gladly and used wisely for the perfecting of human character in Thy image.

"Assist all in this place, consciously and subconsciously, at this time, to live and act under Thy power, Thy love, Thy wisdom, and unto the furtherance of Thy Divine Will on earth, as in Heaven. Amen."

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

### MOTION

On motion of Senator Greive, each member of the Senate was granted two additional rolls of stamps.

The Secretary read:

### LETTER OF INTEREST

Monday, April 6, 1965.

"Dear Lieutenant Governor Cherberg,  
Members of the Senate and Officials,  
Mr. Bowden and Mr. Johnson:

"Alan and I are so deeply touched and grateful to you, not only for the Resolution passed by the Senate, but also for your sweet kindness in sending the lovely planter.

"Alan seems to know subconsciously your thoughts are with him, as he often in the hallucinatory moments of his illness, thinks you are right there with him.

"Again thank you so much for your kindness.

"MRS. ALAN THOMPSON."

The Secretary read:

### SENATE RESOLUTION

No. 1965 EX -19

By Senators Petrich, Knoblauch, Kupka, Rasmussen and McCutcheon:  
*Be It Resolved By the Senate of the State of Washington in Legislative Session Assembled:*

WHEREAS, It has come to the attention of the Senate of the state of Washington that John P. Heinrick known to his many friends as "Coach" has retired from his position as head football coach at the University of Puget Sound, Tacoma, Washington; and

WHEREAS, Coach Heinrick has devoted forty years of his life to coaching various athletic teams at St. Leo's, Bellarmine High School, Stadium High School, and the University of Puget Sound, all in Tacoma, Washington; and

WHEREAS, Coach Heinrick, who as an individual has always been a man of the highest integrity and honor, has brought credit to the schools attended by him and which awarded him honors, including Stadium, St. Martins, Central Washington, Seattle University and the University of Washington; and

WHEREAS, Coach Heinrick has, at the same time, and as a part of his highly successful coaching career devoted his energies to counselling and influencing thousands of student athletes, and by his example and actions has contributed immeasurably to the formation of character in such students, and to the commonweal of the citizens of the state of Washington; and

WHEREAS, Coach Heinrick's attributes of loyalty and humility have been an inspiring example to students for many years; and

WHEREAS, Coach Heinrick is presently an associate professor, athletic director and head of the physical education department at Puget Sound College; and

WHEREAS, Coach Heinrick will be honored at a testimonial dinner to be held on May 1, 1965 at Tacoma;

Now, *Therefore, Be It Resolved*, That we do hereby respectfully express our appreciation, gratitude, and congratulations to John P. Heinrick for his unselfish devotion to his chosen career.

*Be It Further Resolved*, That copies of this resolution be prepared by the Secretary of the Senate of the state of Washington and mailed to John P. Heinrick and news media of Pierce County, Washington.

On motion of Senator McCutcheon, the resolution was adopted.

The Secretary read:

**SENATE RESOLUTION**

No. 1965 EX -20

By Senators Bailey and Lennart:

WHEREAS, Fire protection districts in the state of Washington serve a vital function in providing protection for life and property; and

WHEREAS, These services also provide the basis for extensive reductions in fire insurance premium rates; and

WHEREAS, Their classification as junior districts substantially limits their financial resources and revenue under the forty-mill law and the competition for available millage; and

WHEREAS, Some of these fire protection districts have paid firemen for whom membership in the regular firemen's pension system is deservedly required with the attendant cost therefor; and

WHEREAS, The organization, powers, boundaries, and related aspects of fire protection districts have an important bearing on the finances;

Now, *Therefore, Be It Resolved*, By the Senate, that the legislative council be and is hereby directed to make a comprehensive review and study of fire protection districts in this state including, but not limited to, the following:

- (1) Allocation of millage to the districts and the pro rating of levies;
- (2) The method provided for capital outlay including general obligation bonds, coupons, warrants, special levies, and local improvement assessment;
- (3) The possibility of authorizing the use of service charges for fire protection provided and potential revenues therefrom;
- (4) The potential for consolidation or other adjustments in boundaries and organization; and
- (5) All other possible legislation which may strengthen and assist fire protection districts in carrying out their responsibilities; and

*Be It Further Resolved*, That the legislative council file a report thereon and its recommendations with the fortieth session of the Washington State Legislature; and

*Be It Further Resolved*, That the Secretary of the Senate shall prepare and submit a copy of this senate resolution to the Executive Secretary of the legislative council.

On motion of Senator Bailey, the resolution was adopted.

The Secretary read:

**SENATE RESOLUTION**

No. 1965 EX -21

By Senator Bailey:

WHEREAS, The numerous statutes relating to the functions of drainage control and diking are conflicting and overlapping; and

WHEREAS, The provisions of these statutes are not comprehensive or adequate in regard to providing for meetings, proceedings, and official actions to be taken; and

WHEREAS, The necessary requirements of providing for due process, and the participation of property owners in the adoption of budgets, the levying of assessments, and the issuance of bonds are lacking or are inadequate;

Now, Therefore, *Be It Resolved*, By the Senate, that the legislative council is hereby directed to engage in a study of the statutes and procedures relating to drainage districts, diking districts, drainage improvement districts, and diking and drainage districts; to hold hearings and consult with representatives of these districts and of counties within which such districts are located, the department of conservation, and other interested parties; and as to those districts or areas where it is found that procedures based upon existing statutes are inadequate or are faulty, to make recommendations to the fortieth session of the legislature as to the statutory changes needed to provide adequate, sound, and orderly procedures for carrying out the functions of such districts and to provide proper safeguards for the owners of property therein; and

*Be It Further Resolved*, That the Secretary of the Senate transmit a copy of this resolution to the legislative council.

On motion of Senator Bailey, the resolution was adopted.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### House Concurrent Resolution No. 14:

Senate Chamber,  
Olympia, Wash., April 8, 1965.

Recommending legislative council study family support, institution residents, report findings and recommendations to the 1967 session of the legislature (reported by Committee on Public Institutions):

MAJORITY recommends that it do pass. FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: James Keefe, Reuben A. Knoblauch, George W. Kupka, Lowell Peterson, Fred G. Redmon, Gordon Sandison.

On motion of Senator Bailey, the rules were suspended, House Concurrent Resolution No. 14 was advanced to second reading and read the second time in full.

On motion of Senator Bailey, the rules were suspended, House Concurrent Resolution No. 14 was advanced to third reading, the second reading considered the third, the resolution placed on final passage and adopted.

##### House Concurrent Resolution No. 30:

Senate Chamber,  
Olympia, Wash., April 8, 1965.

Providing for a study of contributions for charitable purposes (reported by Committee on Commerce, Manufacturing and Licenses):

MAJORITY recommends that it do pass. GEORGE W. KUPKA, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, David C. Cowen, Fred H. Dore, Michael J. Gallagher, R. R. Bob Greive, Sam C. Guess, James Keefe, Reuben A. Knoblauch, Harry B. Lewis, August P. Mardesich, Ted G. Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., April 8, 1965.

MR. PRESIDENT:

The House has adopted: House Concurrent Resolution No. 29, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., April 8, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 190; also  
Engrossed House Bill No. 675; also  
Engrossed Substitute House Bill No. 446; also  
Engrossed House Joint Resolution No. 7, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### FIRST READING OF HOUSE BILLS AND RESOLUTIONS

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 190**, by Representatives Bergh, Uhlman and Smith:

An Act relating to revenue and taxation; adding a new section to chapter 84.36 RCW; providing penalties; and making an effective date.

Referred to Committee on Ways and Means.

**Engrossed Substitute House Bill No. 446**, by Committee on Education and Libraries:

An Act relating to the Washington state teachers' retirement system; providing for payment of an increase in pension for certain former members; amending section 2, chapter 22, Laws of 1961, extraordinary session, and RCW 41.32.493.

Referred to Committee on Labor and Social Security.

**Engrossed House Bill No. 675**, by Representatives Sawyer, Andersen (James A.) and Jolly:

An Act relating to revenue and taxation; amending section 82.04.120, chapter 15, Laws of 1961 and RCW 82.04.120; and amending section 82.16.050, chapter 15, Laws of 1961 and RCW 82.16.050.

Referred to Committee on Ways and Means.

**Engrossed House Joint Resolution No. 7**, by Representatives Anderson (Eric O.), Burtch, May, Moon, Marsh, Olsen, Chatalas, Haussler, Beck, Bozarth, Sheridan, Conner, Marzano, Grant, McDougall, Elder, Warnke, Mahaffey, Gallagher, Jastad, King (Chet), Taplin, Kull, Hawley, Litchman, Smith, Traylor and Backstrom:

Exempting taxation of real property of certain people sixty-five years of age or older.

Referred to Committee on Ways and Means.

**House Concurrent Resolution No. 29**, by Representatives O'Brien, Whetzel, Valle, Gorton, Uhlman, O'Donnell, Pritchard, Cunningham, Sheridan, Elder, Marsh, Epton, Kalich and Humiston:

Proposing legislative council study on open space lands for recreational and other uses.

Referred to Committee on Parks, Capitol Grounds and Public Buildings.

Senators Greive, Gallagher and Kupka demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Foley, who was excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

### SECOND READING OF BILLS

**Senate Joint Resolution No. 24**, by Senators Ryder, Moriarty, Jr. and Williams (by Executive request):

Lowering the assessed valuation to thirty percent of true value and providing for enforcement thereof.

The Senate resumed consideration of Senate Joint Resolution No. 24 on second reading.

It was moved by Senator Moriarty, Jr. that the Senate do now consider the amendment by Senator Bailey to page 1, line 7.

The motion was carried.

The Secretary read the following amendment by Senator Bailey:

On page 1, line 7, after "VII," and before "2", strike "section" and insert "sections 1 and"

On motion of Senator Bailey, the amendment was adopted.

The Secretary read the following amendment by Senator Durkan:

On page 1, section 2, line 15, after the word "*money*:", strike all the underlined material down to the word "*money*" on page 2, line 9, and insert as follows: "*Whenever the governing authority of a taxing district believes that any county assessor has failed to assess at this per centum, the taxing district may petition the superior court of the county in which the county assessor holds office to issue a writ of mandamus directing the county assessor to so assess and if judgment be given for the taxing district, the court may make any orders necessary and proper for the enforcement of the writ*"

With the consent of the Senate, Senator Durkan was permitted to withdraw the amendment.

It was moved by Senator Durkan that the following amendment be adopted:

On page 1, section 2, line 15, after "*money*:" strike all the matter down to and including "*property*:" on line 22.

Debate ensued.

### POINT OF INQUIRY

Senator Rasmussen:

"Mr. President, would Senator Moriarty yield to a question?"

Senator Moriarty, Jr.:

"I yield."

Senator Rasmussen:

"Senator Moriarty, I was for the timber classification bill and I don't know if I am opposed to this exemption on real estate that you are suggesting. However, how would you determine, let us take for example a hundred acre farm as against a five thousand acre farm, and you would determine its use so that the owner would be exempted as far as real estate going up to thirty percent or whatever figure the legislature determines. But you have no other means of determining what this farm might produce. The hundred acre farm or the five thousand acre farm would still be in the same class. Now we still have in the resolution the provision that all lands and personal property shall be classed at the same level. That's in section 1, so if you have no chance to recover on the amount of money that's raised on these farms, but you would exempt them from taxation at the same level the rest of the people are paying, now where or how would you arrive at that?"

Senator Moriarty, Jr.:

"Senator Rasmussen, I'm glad you asked that because it gives me a chance to amplify on my earlier remarks. Notice the legislature may prescribe the conditions of such an exemption. Let me call your attention to the reforestation act that we

passed in 1963 which says that all lands west of the Cascade Mountains shall pay a real property tax of two dollars an acre as long as the timber is not cut, and then when the timber is cut, the owner of the timber pays a yield tax. If I recall correctly, it is around twelve percent. The state does not lose the money. Actually the taxation is deferred until such time as the timber is grown and cut and in that way the timber owner is encouraged to use his land for desirable purposes, raising timber. Turn this analogy into agriculture lands. As an example, a man who, under federal regulation, is required to leave a good part or all of his farm in the soil bank, regardless of the size, or whether it is unproductive for certain reasons for a period of time. Would it not be possible for the legislature to prescribe if, under federal regulations, the farmer could not use the land for a year or two or however long the direction may be, that he must pay only a certain tax and then, at such time as he has an income profit on it, he then pays a tax with the money that he would get from that profit, using the analogy of the timber. This is one suggestion, and this is the way the agriculture exemption could work. In other words, we have in agriculture land the federal government directing all over the state, as I understand it, that certain parts or parcels of acreage must not be used for the growing of a crop, so the farmer who owns this land cannot get any income from it during that period of time, and then at a later time he can use it. Or he may voluntarily leave his land to lie fallow and then a year or two later use it. I am no farmer so I don't really know the time provided, but this is an example of the type of exemption that could be adopted by the legislature, and this is why the agriculture exemption is important.

"Now, the timber land exemption already exists in my opinion and I don't think, under the reclassification or reforestation act of 1963, it is necessary to provide in the constitution for timber land.

"I hope that answers your question."

Senator Rasmussen:

"Mr. President:

"No, Senator, it doesn't. My understanding is when the farmer puts his land in the soil bank, he is being paid for putting land in the soil bank."

Senator Moriarty, Jr.:

"Under federal regulation I assume he might be paid. I don't know. Some of the farming people can answer that perhaps, but how about the man who voluntarily puts his land in fallow? It's my understanding good farming practices would require a man to leave certain ground lie fallow for a certain growing season and then use it again. Isn't this crop rotation, soil rotation? Again, you've got me at a disadvantage because I don't know too much about farming, but it has always been my understanding that good farming practice, whether or not it is required by the federal government for engaging in not growing crops, is to leave the land lie fallow for a certain period of time, so in the future it will be more productive. In other words, you don't try to exhaust land by growing a crop on it every day of every month of every year."

Senator Rasmussen:

"Regardless of that, it is my understanding that the farmer will put poor land in the soil bank and then produce three times as much on the other land. But the question I have in mind is, if you are going to not tax them on the land basis, that you then would be taxing them on the yield basis and you would be moving into the income tax field where they would take you into court and beat you out of the exemption."

Senator Moriarty, Jr.:

"All I have done, Senator Rasmussen, is suggest that this is a way that it could be done, by future legislatures, by analogy to what the past legislature in 1963 did in the case of timber land. I don't know what the future legislature might do. The point I am trying to get across is that we should not tie the hands of future legislatures to correct inequities, particularly in the case of agricultural land. I again come back to the analogy of the timber land which we have already done under our constitution to encourage the use of land for the growth of timber. We all know this is one of the basic and most important crops in the state. We have done it in one fashion for timber. We can do it in a hundred other fashions for agriculture, and under such conditions as the legislature may prescribe. The point I'm trying to get across, we should not take out of the constitutional amendment the right of a future legislature to recognize these situations."



Senator Rasmussen:

"By putting this in article VII, section 2, saying that the legislature may do it, how are you going to get around article II, section 1, which says all taxes shall be uniform upon the same class of property within the territorial limits of the authority levying the tax? Now you have a directly opposite provision in the two sections."

Senator Moriarty, Jr.:

"You have asked me a grammatical construction question, really. If you will look at Senate Joint Resolution No. 24, you will find article VII has two sections, sections one and two, and you have read from section 1. All right, down in article VII, section 2, you will find the proviso, providing nothing in this article—article VII—which would cover both sections 1 and 2."

Debate ensued.

The President stated the question before the Senate to be the adoption of the amendment proposed by Senator Durkan.

Senator Gallagher demanded a roll call and the demand was sustained by Senators Kupka, Durkan, Charette, Hallauer, Hanna, Neill, Moriarty, Jr., Talley and Sandison.

#### ROLL CALL

The Secretary called the roll and the motion was carried and the amendment by Senator Durkan was adopted by the following vote: Yeas, 25; nays, 23; excused, 1.

Those voting yea were: Senators Bailey, Connor, Cooney, Dore, Durkan, Gallagher, Gissberg, Hallauer, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Stender, Washington—25.

Those voting nay were: Senators Atwood, Charette, Chytil, Cowen, Donohue, England, Freise, Greive, Guess, Herr, Lennart, Lewis, McMillan, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Talley, Thompson, Jr., Williams, Woodall—23.

Excused: Senator Foley—1.

#### MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 12:30 p. m., on motion of Senator Greive, the Senate recessed until 1:30 p. m.

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#### AFTERNOON SESSION

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The President called the Senate to order at 1:30 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senator Foley, who was excused.

#### MOTION

At 1:40 p. m., on motion of Senator Greive, the Senate recessed until 3:00 p. m.

**SECOND AFTERNOON SESSION**

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The President called the Senate to order at 3:00 p. m.

The President declared the Senate to be at ease.

The President called the Senate to order at 4:10 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Foley, Mardesich and Stender.

On motion of Senator Greive, Senators Mardesich and Foley were excused.

On motion of Senator Redmon, Senator Stender was excused.

**MOTION**

At 4:15 p. m., on motion of Senator Bailey, the Senate adjourned until 10:30 a. m., Saturday, April 10, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**TWENTY-SEVENTH DAY**

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**MORNING SESSION**

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SENATE CHAMBER,

OLYMPIA, WASH., Saturday, April 10, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Atwood, Bailey, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Gallagher, Gissberg, Greive, Guess, Hallauer, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Petrich, Riley, Ryder, Thompson, Jr. and Williams, who were excused.

The Color Guard, consisting of Pages Ted Roessner, Color Bearer, and Mari Yantis, presented the Colors.

Reverend T. Eugene Turner, pastor of the First Christian Church of Olympia, offered prayer as follows:

"Our Father, Who hast made us to be both personal and social beings, we pray for these gifts of Thy grace for this day; for sight and insight that we may not only see, but understand what we see; for the ability not only to speak, but to listen lest we end up talking to ourselves; for the energy to work for the right as we understand it, always cognizant that we are not infallible and open to further instruction. The Lord with you and with Thy Spirit. Amen."

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

Senator Stender raised the question of a quorum.

**MOTION**

It was moved by Senator Peterson (Ted) that the Senate adjourn until 10:30 a. m., Monday, April 12, 1965.

**POINT OF ORDER**

Senator Washington:

"Point of order, Mr. President:

"There being no quorum present, we cannot do business and the motion to adjourn would not be in order."

Senator Lewis:

"Point of order, Mr. President:

"Would you rule on Senate Rule 10 referring to quorums? I believe Senator Peterson's motion is in order. May we have a ruling from the Chair?"

**RULING BY THE PRESIDENT**

The President:

"Senator Lewis, a motion to adjourn is always in order unless the Senate is under the Call of the Senate."

The motion to adjourn was lost.

The President declared the Senate to be at ease in order that the absent members could continue a meeting of the Committee on Ways and Means.

The President called the Senate to order at 11:10 a. m.

Th Secretary called the roll and announced to the President that all Senators were present except Senators Cowen and Petrich, Senator Cowen having been excused.

On motion of Senator Greive, the Senate recessed subject to the Call of the President.

The President called the Senate to order at 12:10 p. m.

Senators Greive, Gallagher and Freise demanded a Call of the Senate.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant at Arms locked the doors of the Senate Chamber,

The Secretary called the roll on the Call of the Senate, all members being present except Senator Cowen, who was excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

There being no objection, the Senate advanced to the fifth order of business.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., April 6, 1965.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Senate Bill No. 422 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF FREE CONFERENCE COMMITTEE**

Olympia, Wash.  
April 6, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Senate Bill No. 422, increasing industrial insurance permanent partial disability benefits, have had the same

under consideration, and we recommend that it do pass with the following amendments:

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

Section 1. Section 51.32.080, chapter 23, Laws of 1961 as amended by section 3, chapter 274, Laws of 1961 and RCW 51.32.080 are each amended to read as follows:

(1) For the permanent partial disabilities here specifically described, the injured workman shall receive compensation as follows:

#### LOSS BY AMPUTATION

Of one leg at the hip or the upper half of the thigh.....	[\$9,750.00]	\$12,400.00
Of one leg at the knee or the lower half of the thigh.....	[ 8,250.00]	10,540.00
Of one leg below the knee.....	[ 5,200.00]	8,680.00
Of great toe with metatarsal bone thereof.....	[ 1,450.00]	1,860.00
Of great toe at the proximal joint.....	[ 975.00]	1,240.00
Of great toe at the second joint.....	[ 350.00]	370.00
Of one other toe other than the great toe with the metatarsal bone thereof .....	[ 975.00]	1,240.00
Of second toe at proximal joint.....	[ 350.00]	370.00
Of third toe at proximal joint.....	[ 350.00]	370.00
Of fourth toe at proximal joint.....	[ 350.00]	370.00
Of fifth toe at proximal joint.....	[ 225.00]	250.00
Of one metatarsal bone on toe other than great toe.....	[ 475.00]	620.00
Of one arm so near the shoulder that an artificial arm cannot be worn .....	[ 9,750.00]	12,400.00
Of the major arm at or above the elbow.....	[ 8,250.00]	10,540.00
Of forearm at upper third.....	[ 6,825.00]	8,680.00
Of the major hand at wrist.....	[ 6,350.00]	8,160.00
Of thumb with metacarpal bone thereof.....	[ 2,425.00]	3,100.00
Of thumb with proximal joint.....	[ 1,950.00]	2,480.00
Of thumb at second joint.....	[ 510.00]	620.00
Of index or first finger at proximal joint.....	[ 1,400.00]	1,860.00
Of index or first finger at second joint.....	[ 975.00]	1,240.00
Of index or first finger at distal joint.....	[ 450.00]	620.00
Of middle or second finger at proximal joint.....	[ 810.00]	1,115.00
Of middle or second finger at second joint.....	[ 720.00]	990.00
Of middle or second finger at distal joint.....	[ 360.00]	495.00
Of ring or third finger at proximal joint.....	[ 720.00]	990.00
Of ring or third finger at second joint.....	[ 540.00]	745.00
Of ring or third finger at distal joint.....	[ 360.00]	495.00
Of little or fourth finger at proximal joint.....	[ 450.00]	620.00
Of little or fourth finger at second joint.....	[ 270.00]	372.00
Of little or fourth finger at distal joint.....	[ 180.00]	248.00
Of metacarpal bone in finger except thumb.....	[ 270.00]	370.00

#### MISCELLANEOUS

Loss of one eye by enucleation.....	[\$4,875.00]	\$6,200.00
Loss of sight of one eye.....	[ 3,900.00]	4,960.00
Complete loss of hearing in both ears.....	[ 6,825.00]	8,680.00
Complete loss of hearing in one ear.....	[ 1,950.00]	2,480.00
Complete broken arch in foot.....	[ 1,950.00]	2,480.00

(2) Compensation for any other permanent partial disability shall be in the proportion which the extent of such other disability, called unspecified disability, shall bear to that above specified, which most closely resembles and approximates in degree of disability such other disability, but not in any case to exceed the sum of [eight] twelve thousand [seven hundred and fifty] four hundred dollars: *Provided*, That the total compensation for all unspecified permanent partial disabilities resulting from the same injury shall not exceed the sum of [eight] twelve thousand [seven hundred and fifty] four hundred dollars. For disability to a member not involving amputation, not more than nine-tenths of the foregoing respective specified sums shall be paid: *Provided further*, That payment for any injury to minor hand or arm or any part thereof, shall not exceed ninety-five percent of the amounts hereinbefore enumerated: *Provided further*, That in case permanent partial disability compensation is followed by permanent total disability compensation, any portion of the permanent partial disability compensation which exceeds the amount that would have been paid the

injured workman if permanent total disability compensation had been paid in the first instance, shall be deducted from the pension reserve of such injured workman and his monthly compensation payments shall be reduced accordingly.

[(3) If the injured workman is under the age of twenty-one years and unmarried, the parents or parent shall also receive a lump sum payment equal to the ten percent of the amount awarded to the minor workman.]

[(4)] (3) Should a workman receive an injury to a member or part of his body already, from whatever cause, permanently partially disabled, resulting in the amputation thereof or in an aggravation or increase in such permanent partial disability but not resulting in the permanent total disability of such workman, his compensation for such partial disability shall be adjudged with regard to the previous disability of the injured member or part and the degree or extent of the aggravation or increase of disability thereof.

[(5)] (4) When the compensation provided for in subsections (1) and (2) exceeds one thousand dollars, payment shall be made in monthly payments in accordance with the schedule of temporary total disability payments set forth in RCW 51.32.090 until such compensation is paid to the injured workman in full, except that the first monthly payment shall be in the amount of one thousand dollars and interest shall be paid at the rate of five percent on the unpaid balance of such compensation commencing with the second monthly payment: *Provided*, That interest so paid shall not be charged to the cost experience of any employer but shall be borne wholly by the applicable class account: *Provided further*, That upon application of the injured workman the monthly payment may be converted, in whole or in part, into a lump sum payment, in which event the monthly payment shall cease in whole or in part. Such conversion may be made only upon written application of the injured workman to the department and shall rest in the discretion of the department depending upon the merits of each individual application: *Provided further*, That upon death of a workman all unpaid installments accrued, less interest, shall be paid in a lump sum amount to the widow or widower, or if there is no widow or widower surviving, to the dependent children of such claimant, and if there are no such dependent children, then to such other dependents as defined by this title.

Sec. 2. Section 51.32.040, chapter 23, Laws of 1961 and RCW 51.32.040 are each amended to read as follows:

No money paid or payable under this title out of the accident fund or out of the medical aid fund shall, prior to the issuance and delivery of the warrant therefor, be capable of being assigned, charged, or ever be taken in execution or attached or garnished, nor shall the same pass, or be paid, to any other person by operation of law, or by any form of voluntary assignment, or power of attorney. Any such assignment or charge shall be void: *Provided*, That if any workman suffers a permanent partial injury, and dies from some other cause than the accident which produced such injury before he shall have received payment of his award for such permanent partial injury, or if any workman suffers any other injury and dies from some other cause than the accident which produced such injury before he shall have received payment of any monthly installment covering any period of time prior to his death, the amount of such permanent partial award, or of such monthly payment or both, shall be paid to his widow, if he leaves a widow, or to his child or children if he leaves a child or children and does not leave a widow: *Provided further*, That, if any workman suffers an injury and dies therefrom before he shall have received payment of any monthly installment covering time loss for any period of time prior to his death, the amount of such monthly payment shall be paid to his widow, if he leaves a widow, or to his child or children, if he leaves a child or children and does not leave a widow: *Provided further*, That if the injured workman resided in the United States as long as three years prior to the date of the injury, such payment shall not be made to any widow or child who was at the time of the injury a nonresident of the United States: *PROVIDED FURTHER*, That any workman receiving benefits under this Act who is subsequently confined in, or who subsequently becomes eligible therefor while confined in any institution under conviction and sentence shall have all payments of such compensation canceled by the department during the period of confinement but after discharge from the institution payment of benefits thereafter due shall be paid if such workman would, but for the provisions of this proviso, otherwise be entitled thereto: *PROVIDED FURTHER*, That if such incarcerated workman has during such confinement period, any beneficiaries, they shall be paid directly the monthly benefits which would have been paid to him for himself and his beneficiaries had he

not been so confined. Any lump sum benefits to which the workman would otherwise be entitled but for the provisions of this proviso shall be paid on a monthly basis to his beneficiaries.

On line 1 of the title, after "industrial insurance" strike the balance of the title and insert "and compensation—right to and amount; and amending section 51.32.080, chapter 23, Laws of 1961 as amended by section 3, chapter 274, Laws of 1961 and RCW 51.32.080; amending section 51.32.040, chapter 23, Laws of 1961 and RCW 51.32.040."

*Senate Members*

ROBERT L. CHARETTE  
A. L. RASMUSSEN  
SAM C. GUESS

*House Members*

JOHN L. O'BRIEN  
THOMAS L. COPELAND  
ANN T. O'DONNELL

It was moved by Senator Greive that the report of the Free Conference Committee be adopted.

Debate ensued.

It was moved by Senator Moriarty, Jr. that the report of the Free Conference Committee on Senate Bill No. 422 be made a special order of business immediately following consideration of the message from the Governor on House Bill No. 39.

Debate ensued.

It was moved by Senator Gallagher that the motion by Senator Moriarty, Jr. be laid upon the table.

The motion to table was carried on a rising vote.

Further debate ensued.

**POINT OF INQUIRY**

Senator Peterson (Ted):

"Would Senator Greive yield to a question, Mr. President?

"The statement was made that many attorneys do not care for this type of business. My question would be, Governor Evans has come up with a point that makes it more acceptable to all of us. If you go to a jury trial and you are deadlocked, what is the average fee that an attorney would receive for handling such a case? I'm trying to determine how close this would bring it down to Governor Evans' amount if this fee were paid and do you consider, by going to a jury, more money would be received by the injured workman?"

Senator Greive:

"Mr. President, in answer to Senator Peterson's question, he has asked me several questions. First, he wants to know what the average fee is in a jury trial. The average, as I understand it, is \$200 to \$250 a day, with a lot of preparation.

"Normally, these fees are set on appeal by the Board of Industrial Insurance Appeals. In my case, I think there was only one time when I didn't apply to them to set it. I think they should set it and they do. As a matter of fact, there is less money in this particular field than in most other legal fields. Frankly, the only reason I do this kind of work is that I specialize in injury work and if I take all injury work, third party cases and so on, people recognize you as an injury lawyer. There isn't a lot of money in this particular field. It would seem to me, generally speaking, that ninety-eight percent of the cases involve more money, not only for the workman, but there is more money for the lawyer, too. Now, let me say something: When you ask or apply to have your fee set, the workman always gets the money given him by the Department. The lawyer never gets any part of that. I am sure that Senator Guess is one million percent mistaken on that. What the lawyer gets does not come out of what the man gets from the department. The only fee he gets is a percentage of what the man gets extra. In other words, if the workman gets a thousand or fifteen hundred dollars, the only fee the lawyer gets is not a percentage of the whole amount, as he does in other types of litigations. He only gets a percentage of the additional compensation that the man would get if it does go to a jury, because they said the thing was concluded and you said it wasn't. They set a fee in addition to that, just for the days in court. As an actual matter, I'd say in the entire field of law, this is the most niggardly area in which a lawyer practices. The only reason some firms do well is because they have such a volume."

Senator Keefe, Greive and Gallagher demanded the previous question and the demand was sustained.

Senators Stender, Rasmussen, Greive, Durkan, Washington, Gissberg, Knoblauch, Gallagher, Kupka and Herrmann demanded a roll call and the demand was sustained.

**ROLL CALL**

The Secretary called the roll on the motion by Senator Greive, and the report of the Free Conference Committee was adopted by the following vote: Yeas, 39; nays, 9; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Riley, Sandison, Stender, Talley, Washington, Woodall—39.

Those voting nay were: Senators Lennart, Lewis, Moriarty, Jr., Neill, Raugust, Redmon, Ryder, Thompson, Jr., Williams—9.

Excused: Senator Cowen—1.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 422, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 45; nays, 3; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—45.

Those voting nay were: Senators Lewis, Moriarty, Jr., Thompson, Jr.—3.

Excused: Senator Cowen—1.

Senate Bill No. 422, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

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

House of Representatives,  
Olympia, Wash., April 10, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 523, and the same is herewith transmitted.

House of Representatives,  
Olympia, Wash., April 9, 1965.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed House Bill No. 428 and has passed the bill as amended by the Free Conference Committee.

House of Representatives,  
Olympia, Wash., April 10, 1965.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 428; also House Concurrent Resolution No. 14, and the same are herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

House of Representatives,  
Olympia, Wash., April 9, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 318; also  
Senate Bill No. 446; also  
Engrossed Senate Bill No. 474, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 9, 1965.

MR. PRESIDENT:

The House has passed: House Bill No. 693; also  
Engrossed Substitute House Concurrent Resolution No. 27, and the same are  
herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 9, 1965.

MR. PRESIDENT:

The House has passed: House Joint Memorial No. 32, and the same is herewith  
transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Greive, the Senate dispensed with the Call of the  
Senate.

#### SIGNED BY THE PRESIDENT

**The President signed: Senate Bill No. 318; also  
Senate Bill No. 422; also  
Senate Bill No. 446; also  
Senate Bill No. 474; also  
Senate Bill No. 523; also  
House Bill No. 428; also  
House Concurrent Resolution No. 14.**

#### MOTION

At 1:00 p. m., on motion of Senator Greive, the Senate recessed until  
2:00 p. m.

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#### AFTERNOON SESSION

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The President called the Senate to order at 2:00 p. m.  
Senators Greive, Bailey and Williams demanded a Call of the Senate.  
A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.  
The Secretary called the roll on the Call of the Senate, all members being  
present except Senators Cowen and Foley.  
On motion of Senator Greive, the rules were suspended and Senators  
Cowen and Foley were excused.  
On motion of Senator Greive, the Senate proceeded under the Call of the  
Senate.  
On motion of Senator Greive, the Senate resumed consideration of Senate  
Joint Resolution No. 24 on second reading.



## SECOND READING OF RESOLUTION

**Senate Joint Resolution No. 24**, by Senators Ryder, Moriarty, Jr. and Williams (by Executive request):

Lowering the assessed valuation to thirty percent of true value and providing for enforcement thereof.

The Secretary read the following amendment by Senator Durkan:

Beginning on page 1, section 2, line 22, after "property:" strike the balance of the underlined matter down to and including "money:" on page 2, line 9 and insert the following: ". Whenever the governing authority of a taxing district believes that any county assessor has failed to assess at this per centum, the taxing district may petition the superior court of the county in which the county assessor holds office to issue a writ of mandamus directing the county assessor to so assess and if judgment be given for the taxing district, the court may make any orders necessary and proper for the enforcement of the writ."

With the consent of the Senate, Senator Durkan was permitted to withdraw the amendment.

It was moved by Senator Williams that the following amendment by Senators Durkan and Williams be adopted:

Beginning on page 1, section 2, line 26, after "valuation" strike the balance of the underlined matter down to and including "money" on page 2, line 9, and insert "of property in any county is less than twenty-eight percentum of true and fair value of such property in money, upon action of the legislative body of any school district in the county, the school levy of the district shall be adjusted so that each mill of the regular school levy of the district shall yield an amount equal to each mill of the state levy"

Debate ensued.

Senators Greive, Gallagher and Hanna demanded the previous question and the demand was sustained.

The motion was carried and the amendment was adopted.

It was moved by Senator Guess that the following amendment be adopted:

On page 1, section 2, line 14, strike "thirty" and insert "twenty-six"

On page 1, section 2, line 27, after "ceeds" strike "thirty" and insert "twenty-six" also after "less than" strike "twenty-eight" and insert "twenty-five"

On page 2, section 2, line 8, being line 3 of the amendment by Senators Williams and Durkan, after "district at" strike "thirty" and insert "twenty-six"

Debate ensued.

It was moved by Senator Charette that the amendment be laid upon the table.

Senator Rasmussen demanded a roll call and the demand was sustained by Senators Guess, Stender, Redmon, Raugust, Henry, Connor, McMillan, Kupka, Morgan and McCormack.

## ROLL CALL

The Secretary called the roll, and the amendment by Senator Guess was laid upon the table by the following vote: Yeas, 26; nays, 21; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Donohue, Dore, Durkan, England, Freise, Greive, Hallauer, Herr, Herrmann, Lennart, Lewis, McCutcheon, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Ryder, Sandison, Thompson, Jr., Washington, Williams—26.

Those voting nay were: Senators Connor, Gallagher, Gissberg, Guess, Hanna, Henry, Keefe, Knoblauch, Kupka, McCormack, McMillan, Mardesich, Morgan, Peterson (Lowell), Rasmussen, Raugust, Redmon, Riley, Stender, Talley, Woodall—21.

Excused: Senators Cowen, Foley—2.

The Secretary read the following amendments by Senator Guess:

On page 2, section 2, line 4, after "shall" insert "direct the county board of equalization to cause"

On page 2, section 2, lines 5 and 6, after "without the necessity of a" and insert "to be corrected upon"

With the consent of the Senate, Senator Guess was permitted to withdraw the amendments.

It was moved by Senator Bailey that the following amendment by Senators Bailey, Rasmussen and Stender be adopted:

On page 2, line 24, after "trict" strike the comma, insert a period and strike the remainder of subsection (a).

Debate ensued.

Senator Gallagher demanded a roll call and the demand was sustained by Senators Greive, Rasmussen, Charette, Stender, Herr, Knoblauch, Kupka, Hanna and Gissberg.

#### ROLL CALL

The Secretary called the roll and the amendment by Senators Bailey, Rasmussen and Stender was adopted by the following vote: Yeas, 32; nays, 15; excused, 2.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Dore, Durkan, England, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Mardesich, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington—32.

Those voting nay were: Senators Atwood, Chytil, Donohue, Freise, Guess, Hallauer, Lennart, McMillan, Morgan, Neill, Raugust, Redmon, Ryder, Williams, Woodall—15.

Excused: Senators Cowen, Foley—2.

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Moriarty, Jr. moved that the Senate do now reconsider the vote by which the amendment by Senators Bailey, Rasmussen and Stender was adopted.

Debate ensued.

Senator Greive demanded a roll call and the demand was sustained by Senators Connor, Rasmussen, Gallagher, Kupka, Woodall, Neill, Moriarty, Jr., Chytil, Atwood, and Guess.

#### ROLL CALL

The Secretary called the roll and the motion for reconsideration of the vote on the amendment by Senators Bailey, Rasmussen and Stender was lost by the following vote: Yeas, 24; nays, 24; excused, 1; President voting nay.

Those voting yea were: Senators Atwood, Chytil, Dore, England, Foley, Freise, Gissberg, Guess, Hallauer, Lennart, Lewis, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Sandison, Williams, Woodall—24.

Those voting nay were: Senators Bailey, Charette, Connor, Cooney, Donohue, Durkan, Gallagher, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Peterson (Lowell), Petrich, Rasmussen, Stender, Talley, Thompson, Jr., Washington—24.

Excused—Senator Cowen—1.

President Cherberg voted nay.

**MOTION FOR RECONSIDERATION**

Having voted on the prevailing side, Senator Washington moved that the Senate do now reconsider the vote by which the amendment by Senator Durkan to page 1, section 2, line 15 was adopted.

**POINT OF ORDER**

**Senator Durkan:**

"Mr. President, point of order:

"Mr. President, would you rule as to when the motion for reconsideration has to be given? It is my understanding that it is on the same day."

**Senator Greive:**

"Mr. President, speaking on the point of order:

"I disagree with the point of order. I think he has the right to do it under rule 31. We are still on the same day as far as this particular bill is concerned."

**Senator Moriarty, Jr.:**

"I call the President's attention to rule 31 which states that a motion to reconsider shall have precedence over every other motion except a motion to adjourn and when the Senate adjourns while a motion to reconsider is pending or before passing the order of motions, the right to move a reconsideration shall continue to the next day of sitting."

**Senator Dore:**

"Mr. President, didn't we have a concurrent resolution passed pertaining to the special session, that after the fifteenth day, a motion to reconsider has to be made on the same day?"

**Senator Greive:**

"Mr. President, that would only apply when we have completed action on a particular bill. As long as it is pending, under rule 31, you may reconsider immediately, but by immediately means as long as the bill is under consideration there is no problem."

**Senator Moriarty, Jr.:**

"Mr. President:

"Reading further from rule 31, it states on and after the tenth day of an extraordinary session, a motion to reconsider shall only be in order on the same day upon which notice of reconsideration is given."

"Now, Senator Washington's motion being a motion to reconsider is also a notice of reconsideration, it is in order because we are on the same order on the same bill."

**Senator Gallagher:**

"Mr. President, speaking on the point of order, I wonder if it would be convenient for the Secretary to read the concurrent resolution limiting debate in the extraordinary session? I would like to hear that. It may be that that even supersedes anything we have done here for the point of clarification. It might be well to clarify that point."

**RULING BY THE PRESIDENT**

**The President:**

"The President in ruling upon the point of order by Senator Durkan:

"The President rules that the motion to reconsider the amendment by Senator Durkan is in order in that the resolution is still on second reading, and the President believes that rule 31 applies in that portion which states: 'Motions to reconsider a vote upon an amendment to any pending question may be made and decided at once.' The President believes as long as the bill is under consideration and on second reading, it is subject to amendment and those amendments are subject to reconsideration."

"Senator Gallagher, do you wish the resolution read at this time?"

Senator Gallagher:

"Not necessarily, Mr. President, if it's clear in your mind that there is no conflict between rule 31 and the resolution."

Debate ensued.

Senators Gallagher, Durkan and Herrmann demanded the previous question and the demand was sustained.

Senator Durkan demanded a roll call and the demand was sustained by Senators Charette, Rasmussen, Moriarty, Jr., Chytil, Greive, Herrmann, Kupka and Washington.

#### ROLL CALL

The Secretary called the roll and the motion for reconsideration of the vote by which the amendment by Senator Durkan was adopted carried by the following vote: Yeas, 30; nays, 18; excused, 1.

Those voting yea were: Senators Atwood, Charette, Chytil, Donohue, England, Foley, Freise, Gissberg, Guess, Knoblauch, Lennart, Lewis, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—30.

Those voting nay were: Senators Bailey, Connor, Cooney, Dore, Durkan, Gallagher, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Kupka, McCormack, McCutcheon, Mardesich, Rasmussen—18.

Excused: Senator Cowen—1.

#### PARLIAMENTARY INQUIRY

Senator Moriarty, Jr.:

"Mr. President:

"Would it be in order at this time to offer an amendment before the amendment by Senator Durkan striking these words is considered?"

Senator Greive:

"Absolutely not on a motion to reconsider."

Senator Moriarty, Jr.:

"My point is that I have an amendment which strikes some of the language and the Durkan amendment strikes the entire section. My amendment cannot be offered, were the Durkan amendment to prevail, and I therefore suggest my amendment is in order."

#### POINT OF ORDER

Senator Gallagher:

"Mr. President, point of order:

"The motion by Senator Washington was that we reconsider the amendment as proposed by Senator Durkan yesterday. Now I presume the proper motion is that you go ahead and vote if you want to strike that amendment and then Senator Moriarty's motion would be in order, but I don't think it is in order at this time. We have to do either one or the other, and the motion was that we do now reconsider the amendment as proposed by Senator Durkan, which took care of both agricultural and timber lands. It was one amendment, as I recall."

Senator Ryder:

"Mr. President:

"By our vote, the amendment by Senator Durkan is now before us. Now we can amend that, we can refuse to amend it, we can pass it or we can kill it as the case may be. I think it is in order, Mr. President, that an amendment can be offered to the Durkan amendment at this time."

Senator Moriarty, Jr.:

"Speaking on the point of order raised by Senator Gallagher, what Senator Durkan's amendment does is to strike that entire section of this measure. Now I think it is in order for the body to determine whether or not it shall perfect the provision which is to be stricken out or not stricken out. If that is not the case, then at any time any person could move to strike out a given section of a bill and no other member of the body would have an opportunity to improve it to meet the objections by the other members of the body."

Senator Greive:

"Mr. President:

"I was in error when I first jumped up to speak on the point of order, Reed's Rule 203 says that it puts the question just as it was before, so it seems to me what Senator Moriarty says is correct."

**PARLIAMENTARY INQUIRY**

Senator Riley:

"Mr. President, parliamentary inquiry:

"Mr. President; by a vote of the body to reconsider the vote by which the amendment of Senator Durkan was adopted, the Senate voted to reconsider. Now we have, Mr. President, an amendment by Senator Durkan before us as it was yesterday. Now, is it not possible for someone to offer an amendment to the existing amendment?"

**RULING BY THE PRESIDENT**

The President:

"The President was just going to rule upon the point, Senator Riley. In essence, the remarks by Senator Greive are correct in that Reed's Rule 203 applies to this particular situation. The President will read that portion which pertains to this situation:

"Immediately after the adoption of the motion to reconsider, the question stands precisely as it did before the reconsidered vote was taken, and if no other action is proposed, the presiding officer must then again put the question to vote."

"In this particular case, Senator Moriarty has offered an amendment. The amendment is in order."

It was moved by Senator Moriarty, Jr. that the following amendment be adopted:

On page 1, line 18, after "farms:" and before "shall" strike all the matter and insert "and agricultural lands", being a portion of the material stricken by Senator Durkan's amendment.

Debate ensued.

**PARLIAMENTARY INQUIRY**

Senator McCormack:

"Parliamentary inquiry, Mr. President:

"If we defeat Senator Moriarty's amendment, we will have before us Senator Durkan's amendment again, will we not?"

**REPLY BY THE PRESIDENT**

The President:

"That is correct, Senator McCormack."

Senator McCormack:

"But if we adopt Senator Moriarty's amendment, then that will become Senator Durkan's amendment at that time, will it not?"

The President:

"It will be Senator Durkan's amendment as amended, Senator McCormack."

**PARLIAMENTARY INQUIRY**

Senator Gissberg:

"Mr. President, point of parliamentary inquiry:

"Pursuing this one step further, assuming that Senator Moriarty's amendment to the amendment is adopted, we would then vote on Senator Durkan's amendment as amended which, as amended, would still be voting on whether to take timber out, is that correct? Senator Moriarty's amendment would put the agriculture back into the bill. Therefore, you would be voting on the Durkan amendment as amended. You would just decide whether or not you wanted to leave timber in or take timber out?"

Senator Moriarty, Jr.:

"Mr. President, speaking on the point of parliamentary inquiry:

"If my amendment were adopted, all that will be left will be this language: 'Provided, nothing in this Article VII as amended shall prevent the legislature from providing under such conditions as it may prescribe that the true and fair value in money of farms and agricultural lands shall be based on the use to which such property is currently applied,' and so on, so it will simply leave before us the language which would include only agricultural lands. Senator Durkan's amendment would then be in order to strike the whole proviso and the question would be limited to agricultural lands, only."

Senator Ryder:

"Mr. President:

"I agree with Senator Gissberg that if we adopt Senator Moriarty's amendment to Senator Durkan's amendment, then Senator Durkan's amendment will be merely striking and putting back the language on farms and agricultural lands. We will be striking the language of farms and agricultural lands, timber and timber lands and will be putting back in then the language of farms and agricultural lands, and then we will vote on the amendment as amended, which will only strike timber and timber lands."

It was moved by Senator Mardesich that Senate Joint Resolution No. 24 be indefinitely postponed.

It was moved by Senator Riley that the motion be laid upon the table.

**PARLIAMENTARY INQUIRY**

Senator Bailey:

"Point of parliamentary inquiry, Mr. President:

"If Senator Riley's motion does not prevail, the question before the Senate will be indefinite postponement of Senate Joint Resolution No. 24?"

**REPLY BY THE PRESIDENT**

The President:

"That is correct, Senator Bailey. Senator Riley has moved to table the motion to indefinitely postpone. If the motion carries, then, the motion is laid upon the table. If the motion is lost, then the question before the Senate will be the motion by Senator Mardesich to indefinitely postpone Senate Joint Resolution No. 24."

Senator Bailey:

"Then we may debate the question at that time?"

The President:

"That is correct."

Senator Durkan demanded a roll call and the demand was sustained by Senators Charette, Herrmann, Connor, Bailey, McMillan, Rasmussen, Talley and Dore.

**ROLL CALL**

The Secretary called the roll and the motion to table the motion to indefinitely postpone Senate Joint Resolution No. 24 was carried by the following vote: Yeas, 32; nays, 16; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Chytil, England, Foley, Freise, Gissberg, Greive, Hallauer, Hanna, Knoblauch, Kupka, Lennart, Lewis, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—32.

Those voting nay were: Senators Charette, Connor, Cooney, Donohue, Dore, Durkan, Gallagher, Guess, Henry, Herr, Herrmann, Keefe, McCormack, McCutcheon, McMillan, Mardesich—16.

Excused: Senator Cowen—1.

**PARLIAMENTARY INQUIRY**

Senator Moriarty, Jr.:

"Mr. President, I confess confusion in my own mind as to what is before the Senate at the present time and what will be before the Senate depending upon the passage or failure of my amendment."

**REPLY BY THE PRESIDENT**

The President:

"The question before the Senate is your motion, Senator Moriarty, to amend the amendment of Senator Durkan."

Senator Moriarty, Jr.:

"And what will be before the Senate if my motion should prevail? What is then before the body?"

The President:

"Then the question would be the adoption of the amendment as amended, or to adopt further amendments to the amendment."

The motion was carried and the amendment by Senator Moriarty, Jr. was adopted.

It was moved by Senator Durkan that the following amendment to the amendment be adopted:

On page 1, section 2, line 18 after "*agricultural lands*," insert "*single and multiple family dwellings*,"

Debate ensued.

It was moved by Senator Moriarty, Jr. that the amendment to the amendment be laid upon the table.

Senator Durkan demanded a roll call and the demand was sustained by Senators Herrmann, Kupka, Herr, Henry, Rasmussen, Gallagher, Bailey and Mardesich.

**ROLL CALL**

The Secretary called the roll and the motion by Senator Moriarty, Jr. to lay the amendment by Senator Durkan on the table was carried by the following vote: Yeas, 30; nays, 18; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Dore, England, Foley, Freise, Gissberg, Guess, Hallauer, Knoblauch, Lennart, Lewis, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Thompson, Jr., Washington, Williams, Woodall—30.

Those voting nay were: Senators Connor, Cooney, Donohue, Durkan, Gallagher, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Kupka, McCormack, Mardesich, Rasmussen, Sandison, Stender, Talley—18.

Excused: Senator Cowen—1.

## PARLIAMENTARY INQUIRY

Senator Moriarty, Jr.:

"Mr. President:

"What is the question before the body at this time?"

## REPLY BY THE PRESIDENT

The President:

"The question before the Senate is the adoption of the Senator Durkan amendment as amended."

Senator Moriarty, Jr.:

"Is the Durkan amendment that we are now considering, to strike the proviso?"

The President:

"Yes, Senator Moriarty."

Senator Moriarty, Jr.:

"So that if a person wanted to leave the language between lines 15 and 22 as the language now exists in the bill, he would vote 'no' is that correct?"

The President:

"A vote 'aye', Senator Moriarty, would put all of the language of the proviso back in the bill except the words, 'timber and timber lands.' That is the effect of Senator Moriarty's amendment to the Senator Durkan amendment. The question before the Senate is the adoption of the Senator Durkan amendment as amended."

The motion was carried and the amendment as amended was adopted.

The Secretary read the following amendment by Senator Stender:

On page 2, section 2, line 11, after "port" and before the period, strike "or public utility district"

On page 2, section 2, lines 15 and 16, after "port" strike "or public utility district"

With the consent of the Senate, Senator Stender was permitted to withdraw the amendment.

It was moved by Senator Williams that the following amendment by Senators Williams and Durkan be adopted:

On page 2, section 2, line 9, after "*money*:" insert "*Provided, Further, That after January 1, 1968, the state may not levy more than two mills on the dollar of assessed valuation:*"

Debate ensued.

## POINT OF INQUIRY

Senator Dore:

"Mr. President, would Senator Moriarty yield to a question?"

"Senator Moriarty, you realize if this passes and becomes a part of the constitution, at the end of two years, this ten mills being levied at the state level will then be taken off and the schools that have come to rely on these additional mills will no longer have those funds. What is your intention to get the additional funds and don't you think it would be wiser not to have this rigid limitation and be able to come back and re-examine it anew in two years from now?"

Senator Moriarty, Jr.:

"Senator Dore, you have asked a key question in this whole thing, and this is why the constitutional amendment is so important to this entire matter of property taxation because, should the constitutional amendment pass, the property in this state will be assessed at a thirty percent level. It would not then be necessary to use the ten mills on a state level. Our property assessments will have leveled or flattened out to something above twenty-eight percent and under thirty percent and this is the key to this whole thing and this is why the constitutional amendment is so important. A school district would have the right, to use the term that has



been used around here, to pull the trigger if its assessed value is falling below twenty-eight percent, but the target range is between twenty-eight and thirty percent, and from that point on into the future, according to the constitution, there will be this lid on the assessed level of property. We will not need the ten mills on a state level and that is why I refer to Senator Williams' amendment as an insurance amendment."

Senator Dore:

"Mr. President, could I ask a further question?"

"If what you say is true, under this constitutional amendment we are going to solidify or level out the assessment at twenty-eight percent, why is it necessary to adopt the amendment and what purpose does it accomplish?"

Senator Moriarty, Jr.:

"Because from that point on, from January 1st of 1968, the legislature could still, by a bill, and the Governor could still sign—I mean, I can't guarantee that the existing Governor is going to be alive two years from now. We may have another Governor. Anything could happen and the legislature could pass a bill, a ten mill bill and the then Governor could sign, so the assurance I gave Senator Washington about the present Governor, while true, could not be true if, for example, the grim reaper comes along, so what this amendment is designed to do is to put into the constitution this provision so no matter what happens two years from now, we would have a provision against levying the ten mills at the state level and we will have an assessed value ranging between twenty-eight percent and thirty percent on all property throughout the state."

Senator Dore:

"I'm confused like Senator Stender. You say that under the amendment we previously adopted, we solidified the assessment rate at twenty-eight percent, so what value is your amendment if it is solidified at that level?"

Senator Moriarty, Jr.:

"Well, now I'm confused by the question. I thought I had answered it. I believe Senator Ryder can answer that for you."

Senator Ryder:

"Mr. President and members of the Senate:

"I think Senator Dore's question is a very valid question, but if this constitutional amendment is passed by this body and passed by the voters in November of 1966, then the state ratio will be at twenty-eight percent to thirty percent, so the level, as you say, of these ratios would make it the same in many cases, whether we use the state ratio or the local ratio but the only area which can go to thirty percent, if the assessor is still down around twenty-five percent, is the school, so the school ratio would be up around there anyway. Now some future legislature may decide that we want to put on, say the county or city or some junior taxing district, millage at the state level and force this particular county to come up to thirty percent. We don't want that to happen and this is a safeguard against that sort of thing happening."

Debate ensued.

The motion was lost on a rising vote and the amendment by Senators Williams and Durkan was not adopted.

It was moved by Senator Guess that the following amendment be adopted:

On line 15 of the amendment by Senators Bailey, Rasmussen and Durkan, after the "taxation" insert "": *Provided*, That the foregoing exemptions from taxation shall not apply to properties of public utility districts and properties of port districts used for industrial purposes in competition to private enterprise"

Debate ensued.

On motion of Senator Gallagher, the amendment was laid upon the table.

**MOTION FOR RECONSIDERATION**

Having voted on the prevailing side, Senator Hallauer moved that the Senate do now reconsider the vote by which the amendment by Senator McMillan to page 1, line 15 was not adopted.

Debate ensued.

It was moved by Senator Moriarty, Jr. that the motion for reconsideration be laid upon the table.

**POINT OF ORDER**

Senator Charette:

"Point of order, Mr. President:

"I believe under the rules a motion to reconsider cannot be laid upon the table."

With the consent of the Senate, the motion was withdrawn.

**RULING BY THE PRESIDENT**

The President:

"Senator Moriarty has withdrawn the motion. However, the President would like to rule upon the point of order as presented by Senator Charette. The President respectfully directs the attention of the members to the chart on page 218 of Reed's Rules in which it indicates that a motion to reconsider may be laid upon the table, but not if the motion has been decided affirmatively. Therefore, in this particular case, the motion to lay upon the table would be in order because the motion was decided in the negative."

Senator Hallauer demanded a roll call and the demand was sustained by Senators McCormack, Peterson (Lowell), Gallagher, Kupka, Donohue, McMillan, Rasmussen, Riley and Talley.

**ROLL CALL**

The Secretary called the roll and the motion by Senator Hallauer for reconsideration of the vote on the amendment by Senator McMillan to page 1, line 15 was lost by the following vote: Yeas, 21; nays, 27; excused, 1.

Those voting yea were: Senators Charette, Connor, Donohue, Gallagher, Guss, Hallauer, Hanna, Henry, Keefe, Knoblauch, Kupka, McCormack, McMillan, Morgan, Peterson (Lowell), Rasmussen, Raugust, Redmon, Riley, Stender, Woodall—21.

Those voting nay were: Senators Atwood, Bailey, Chytil, Cooney, Dore, Durkan, England, Foley, Freise, Gissberg, Greive, Herr, Herrmann, Lennart, Lewis, McCutcheon, Mardesich, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams—27.

Excused: Senator Cowen—1.

It was moved by Senator Stender that the following amendment be adopted:

On lines 22 and 23 of the amendment by Senators Bailey, Rasmussen and Durken, strike "*over sixty-five years of age*"

Debate ensued.

**POINT OF ORDER**

Senator Bailey:

"Mr. President, I raise the point of order that this is the same amendment that Senator Durkan presented to us before. It has the same effect, exactly. It exempts every home, every single family dwelling. I think this is the same thing we voted on before."

Senator Moriarty, Jr.:

"Mr. President:

"Calling the Chair's attention to Reed's Rule 136, the original insertion of this section was by way of amendment, and the body adopted the language, 'sixty-five or over.' According to Reed's Rule 136, it says, 'If the amendment is decided in the affirmative,' and that would be the original Bailey, Rasmussen, Durkan amendment, 'then the words inserted cannot, any of them, be stricken out, except with other words, and then only when, with other words, they constitute a new proposition.'

"I raise the point of order that Senator Stender's amendment does not constitute a new proposition; therefore, it is out of order under Reed's Rule 136."

Senator Stender:

"Mr. President:

"Senator Moriarty just got through with a maneuver the same as this one. Because he doesn't like this one, he thinks it's out of order. This isn't the way we do business. If the rule is good for your case, it must be good in mine."

Senator Charette:

"Perhaps, Mr. President, Senator Stender should follow his leader a little more closely."

Senator Riley:

"Mr. President, if you didn't wish to research this and would accept a motion, I would move that the amendment by Senator Stender be laid upon the table."

Senator Gallagher:

"I so move that the amendment proposed by Senator Stender be laid upon the table."

The motion was carried and the amendment by Senator Stender was laid upon the table.

**POINT OF ORDER**

Senator Stender:

"Mr. President:

"What was the ruling on the parliamentary inquiry? It just went by me. What was the ruling?"

The President:

"Senator Stender, there has been no research made on the question as yet. We were in the process of researching the matter."

Senator Stender:

"While that was going on, Senator Gallagher slipped in with a motion to lay my amendment on the table. I don't quite understand."

**RULING BY THE PRESIDENT**

The President:

"The Senate is in open session and Senator Gallagher was recognized for the purpose of making a motion. The President will rule upon the point of order at a later time."

On motion of Senator Ryder, the rules were suspended, Engrossed Senate Joint Resolution No. 24 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

Senators Herrmann, Peterson (Ted) and Talley demanded the previous question and the demand was sustained.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Joint Resolution No. 24, and the resolution failed to pass the Senate by the following vote: Yeas, 18; nays, 30; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Chytil, England, Foley, Freise, Gissberg, Lennart, Lewis, Mardesich, Moriarty, Jr., Peterson (Ted), Riley, Ryder, Sandison, Thompson, Jr., Washington, Williams—18.

Those voting nay were: Senators Charette, Connor, Cooney, Donohue, Dore, Durkan, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Neill, Peterson (Lowell), Petrich, Rasmussen, Raugust, Redmon, Stender, Talley, Woodall—30.

Excused: Senator Cowen—1.

Engrossed Senate Joint Resolution No. 24, having failed to receive the constitutional two-thirds majority, was declared lost.

**PROTEST**

We the undersigned, protest the action of the Senate in introducing an element into SJR 24 that removed a fundamental protection of the owner of property to share in the decision whether his property should be charged to pay for special programs. The 40% quorum requirement for validation of special levy elections is, and always has been, a protection against unwarranted expansion of governmental programs.

We were prepared to vote for SJR 24, in the form presented by the printed bill, even though we realized that it would, and was designed to produce increases in the assessment base upon which our property taxes are based because the increases, under the package, were to apply only to schools; and, we knew that schools needed this support. But, we could not vote for the bill when the property owners, rights were diluted by the elimination of the 40% quorum requirement.

Dated this 13th day of April, 1965.

PERRY B. WOODALL  
ERNEST W. LENNART  
W. C. RAUGUST  
FRED G. REDMON

**MOTION FOR RECONSIDERATION**

Senator Neill, having voted on the prevailing side, moved that the Senate do now reconsider the vote by which Engrossed Senate Joint Resolution No. 24 failed to pass the Senate.

On motion of Senator Neill, the rules were suspended and the motion for reconsideration was made a special order of business for the first order of business on Monday, April 12, 1965.

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

On motion of Senator Riley, the Senate dispensed with the Call of the Senate.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., April 10, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 318; also

Senate Bill No. 446; also

Senate Bill No. 474; also

Senate Bill No. 523, have inspected same, and find them correctly enrolled and certified.

Respectfully submitted. \_\_\_\_\_, *Chairman.*

We concur in this report: Martin J. Durkan, R. R. "Bob" Greive, Perry B. Woodall.

**GUBERNATORIAL APPOINTMENTS**

Senate Chamber,  
Olympia, Wash., April 9, 1965.

MICHAEL DEDERER, appointed by the Governor to the position of member of the Board of Regents of Washington State University, appointed March 19, 1965 for the term ending March 9, 1971, succeeding Leo Weisfield (reported by Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

GORDON SANDISON, *Chairman.*

We concur in this report: R. Frank Atwood, Wilbur G. Hallauer, Karl Herrmann, Harry B. Lewis, Mike McCormack, Marshall A. Neill, John N. Ryder, Don L. Talley, Nat Washington.

Passed to Committee on Rules and Joint Rules.

Senate Chamber,  
Olympia, Wash., April 9, 1965.

H. H. (Dutch) HAHNER, appointed by the Governor to the position of member of the Board of Regents of Washington State University, appointed March 19, 1965, for the term ending March 9, 1971, succeeding Thomas P. Gose (reported by Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

GORDON SANDISON, *Chairman.*

We concur in this report: R. Frank Atwood, Wilbur G. Hallauer, Karl Herrmann, Harry B. Lewis, Mike McCormack, Marshall A. Neill, John N. Ryder, Don L. Talley, Nat Washington.

Passed to Committee on Rules and Joint Rules.

**Senate Bill No. 438:**

Senate Chamber,  
Olympia, Wash., April 9, 1965.

Enacting Highway Act of 1965 (reported by Committee on Highways):

MAJORITY recommends Substitute Senate Bill No. 438 be substituted therefor and that substitute bill do pass.

NAT WASHINGTON, *Chairman,*  
AL HENRY, *Vice Chairman.*

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, William A. Gissberg, Sam C. Guess, H. B. Hanna, Gordon Herr, Karl Herrmann, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, John H. Stender, Don L. Talley, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 558:**

Senate Chamber,  
Olympia, Wash., April 10, 1965.

Limiting terms of those members of the interstate compact commission who are legislators (reported by Committee on Public Utilities):

MAJORITY recommends that it do pass. AUGUST P. MARDESICH, *Chairman.*

We concur in this report: Robert C. Bailey, Robert L. Charette, Joe Chytil, John L. Cooney, H. B. Hanna, Karl Herrmann, James Keefe, Harry B. Lewis, A. L. Rasmussen, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., April 10, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 422, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., April 10, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 318; also  
Senate Bill No. 446; also  
Senate Bill No. 474; also  
Senate Bill No. 523, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

The President declared the Senate to be at ease.

The President called the Senate to order at 5:45 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Cowen, Cooney, Freise and Herrmann, who were excused.

**SECOND READING OF BILLS**

**Senate Bill No. 525**, by Senators Ryder, Moriarty, Jr. and Williams (by Executive request):

Providing for an increase in assessment levels and providing limitations on tax levies.

It was moved by Senator Washington that Senate Bill No. 525 be ordered to retain its place on the next second reading calendar.

Debate ensued.

The motion was carried.

**MOTION**

At 5:55 p. m., on motion of Senator Greive, the Senate adjourned until 1:00 p. m., Sunday, April 11, 1965.

JOHN A. CHERBERG, *President of the Senate*.

WARD BOWDEN, *Secretary of the Senate*.

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## TWENTY-EIGHTH DAY

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### AFTERNOON SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Sunday, April 11, 1965.

The Senate was called to order at 1:00 p. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Cowen.

On motion of Senator Greive, Senator Cowen was excused.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Teresa Hallauer, presented the Colors.

Senator Ernest W. Lennart offered prayer as follows:

"Then led they Jesus from Caiaphas unto the hall of judgment: and it was early; and they themselves went not into the judgment hall, lest they should be defiled; but that they might eat the passover.

"Pilate then went out unto them, and said, What accusation bring ye against this man?

"They answered and said unto him, If he were not a malefactor, we would not have delivered him up unto thee.

"Then said Pilate unto them, Take ye Him, and judge Him according to your law. The Jews therefore said unto him, It is not lawful for us to put any man to death:

"That the saying of Jesus might be fulfilled, which He spake, signifying what death He should die.

"Then Pilate entered into the judgment hall again, and called Jesus, and said unto Him, art Thou the King of the Jews?

"Jesus answered him, Sayest thou this thing of thyself, or did others tell it thee of Me?

"Pilate answered, Am I a Jew? Thine own nation and the chief priests have delivered Thee unto me: what has Thou done?

"Jesus answered, My kingdom is not of this world: If My kingdom were of this world, then would My servants fight, that I should not be delivered to the Jews: but now is My kingdom not from hence.

"Pilate therefore said unto Him, Art thou a king then? Jesus answered, Thou sayest that I am a king. To this end was I born, and for this cause came I into the world, that I should bear witness unto the truth. Every one that is of the truth heareth My voice.

"Pilate saith unto Him, What is truth? And when he had said this, he went out again unto the Jews, and saith unto them, I find in Him no fault at all.

"But ye have a custom, that I should release unto you one at the passover: will ye therefore that I release unto you the King of the Jews?

"Then cried they all again, saying, Not This man, but Barabbas. Now Barabbas was a robber.

"Then Pilate therefore took Jesus, and scourged Him.

"And the soldiers platted a crown of thorns, and put it on His head, and they put on Him a purple robe.

"And said, Hail, King of the Jews! and they smote Him with their hands.

"Pilate therefore went forth again, and saith unto them, Behold, I bring Him forth to you, that ye may know that I find no fault in Him.

"Then came Jesus forth, wearing the crown of thorns, and the purple robe. And Pilate saith unto them, Behold the man!

"When the chief priests therefore and officers saw Him, they cried out, saying Crucify Him, crucify Him. Pilate saith unto them, Take ye Him, and crucify Him: for I find no fault in Him.

"Then saith Pilate unto Him, Speakest Thou not.

"Pilate again went into the judgment hall, and saith unto Jesus, whence are Thou? But Jesus gave him no answer.

"Then saith Pilate unto Him, 'Speakest Thou not unto me? Knowest Thou not that I have power to crucify Thee, and have power to release Thee?'

"Jesus answered: 'Thou couldest have no power at all against Me, except it were given thee from above; therefore, he that delivered Me unto thee hath the greater sin.'

"And from thenceforth Pilate sought to release Him; but the Jews cried out, saying, If thou let This man go, thou are not Caesar's friend; whosoever maketh himself a king speaketh against Caesar.

"When Pilate therefore heard that saying, he brought Jesus forth, and sat down in the judgment seat in a place that is called the Pavement, but in the Hebrew, Gabbatha.

"And it was the preparation of the passover, and about the sixth hour: and he saith unto the Jews, Behold your King!

"But they cried out, Away with Him, away with Him, crucify Him. Pilate saith unto them, Shall I crucify your King? The chief priests answered, We have no king but Caesar.

"Then delivered he Him therefore unto them to be crucified. And they took Jesus, and led Him away."

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., April 10, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 422, have inspected same, and find it correctly enrolled and certified.

FRANK W. FOLEY *Chairman*.

We concur in this report: Fred H. Dore, R. R. Bob Greive.

#### Engrossed Substitute House Bill No. 446:

Senate Chamber,  
Olympia, Wash., April 10, 1965.

Providing additional pension benefits under teachers' retirement (reported by Committee on Labor and Social Security):

MAJORITY recommends that Engrossed Substitute House Bill No. 466 be referred to Committee on Ways and Means.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, Jack England, John T. McCutcheon, George W. Kupka, August P. Mardesich, John H. Stender, Edward F. Riley.

On motion of Senator Charette, the committee report was adopted and Engrossed Substitute House Bill No. 446 was referred to the Committee on Ways and Means.

The Secretary read:

#### MESSAGES FROM THE GOVERNOR

State of Washington, Executive Department,  
Olympia, April 8, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bills, entitled:

**Senate Bill No. 8:**

Declaring as vagrants persons who loiter about schools or institutions of higher learning.

**Senate Bill No. 78:**

Providing the number of voters necessary for an election to authorize an excess levy for fire protection districts.



**Senate Bill No. 117:**

Increasing court reporters' salaries.

**Substitute Senate Bill No. 167:**

Subsidizing public transportation.

**Senate Bill No. 235:**

Creating a temporary municipal code committee.

**Senate Bill No. 236:**

Establishing parallel standards for police judges in 1st, 2nd, and 3rd class cities, and in towns.

**Senate Bill No. 281:**

Requiring director of labor and industries to issue rules pertaining to electricians and increasing certain fees.

**Senate Bill No. 320:**

Providing for easements back to owner upon certain condemnation actions by public utility districts.

**Senate Bill No. 334:**

Regulating motor vehicle driver licensing.

**Senate Bill No. 389:**

Establishing transitional procedures for counties electing to operate under the justice court districting act of 1961.

**Senate Bill No. 399:**

Providing for motor vehicle accident reports and availability of information to interested persons.

**Senate Bill No. 414:**

Creating the county road administration board.

Very truly yours,

RAYMOND W. HAMAN,

*Legal Counsel to the Governor.*

State of Washington, Executive Department,  
Olympia, April 9, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have signed and transmitted to the Secretary of State Senate Bill No. 39, an act providing increased benefits under the Workmen's Compensation Act, totaling 2½ million dollars annually, payable to widows of fatally injured workmen and their families and to workmen temporarily and permanently totally disabled from injuries sustained in the course of their employment. These benefits are payable from premiums paid solely by employers of the state. Senate Bill No. 39 had bi-partisan support on final passage, and I have approved it to insure that the working men and women receive at least a portion of the increase in benefits which they deserve.

It is now apparent that federal legislation modifying the Social Security Act soon will be enacted which will not only increase federal benefits to many of this state's disabled workers, but will modify the definition of disability so that benefits would be payable after only a six-month inability to work, whether or not such inability was expected to continue over an extended and indefinite period. The problem of overlap between federal and state programs is one of growing seriousness, as has been recognized by the nation's Advisory Council on Social Security, and by our United Labor Lobby in a fact sheet dated January 21, 1965. I urge the Legislature to consider carefully this problem when it meets in 1967.

I have long recognized the need for increases in the benefits payable to injured workmen and their families. However, I also recognize that injured workmen, usually the more seriously disabled, have been victimized by unnecessarily technical processes built into the appellate structure of the Act, which permit unjustifiable delay in payment of awards, and which are totally foreign to the original intent of the framers of this progressive method of replacing lost earnings resulting from work-incurred injuries.

Toward the resolution of this distressing injustice in our industrial insurance program, I proposed to this legislature reasonable revisions in the appellate procedures of the Workmen's Compensation Act. My proposal was consistent with the procedures used by an overwhelming number of other states. It was consistent with proposals embodied in the Report of Suggested State Legislation of the Council of State Governments, whose Advisory Committee on Workmen's Compensation included men

such as Clinton Fair and Lawrence Smedley, both of the AFL-CIO. It also follows the recommendations of former Secretary of Labor Goldberg and the present Secretary of Labor, Willard Wirtz. I have also discussed my proposal with the members of the Board of Industrial Insurance Appeals, who have indicated to me support of my proposal. It is clear that responsible leaders in labor in this state recognize the need to meet this problem which the injured workman faces.

I note with dissatisfaction the total lack of any provision in any legislation now being considered to cope with this most serious problem. Furthermore, it is all too apparent that failure to correct this pressing problem, coupled with a substantial increase in the benefit schedules, will necessarily result in compounding the delay which is already intolerable to so many of our workmen. Workmen in no other state in the Union are required to submit to an appeals process fraught with these technicalities. I am determined to correct these abuses. There is no reason why our workmen's compensation program should remain submerged in a morass of procrastination when adequate and protective remedies lie close at hand.

Because of the vital necessity for immediate action, I have prepared and now make available to this Legislature a revised proposal designed to minimize appellate abuses and establishing a schedule of awards based upon scientifically arrived at and nationally recognized standards ignored in all legislation considered by the Legislature. Adoption of my proposal will provide benefits to permanently partially disabled workmen totaling \$3.8 million, or \$1.3 million more than the schedule provided in legislation now being considered.

In order that there be no misunderstanding of the dollar amount of these benefits, I have attached hereto and will make available for each of you a table which provides a basis of comparison between the existing schedules, those contained in Senate Bill No. 422 and those in my proposal.

My proposal may be attached by amendment to Senate Bill No. 422 which is presently before the Senate. Adoption of my proposal will result in a total increase in benefits of \$6.3 million, which is \$1.3 million more than that contained in Senate Bill No. 39 and Senate Bill No. 422 as it now exists. Its adoption will also allow the injured workman to escape from the delay caused by the protracted legal proceedings of the present system.

I strongly urge you to enact this proposal, which would both increase awards and accelerate their payment.

Respectfully submitted,

DANIEL J. EVANS, Governor.

PERMANENT PARTIAL DISABILITY AWARDS  
TABLE OF COMPARATIVE VALUES

	Evans Revised Proposal			
	Present Law	S. B. No. 422 Conference Committee	Amputa- tions	Non- Amputa- tions
Leg at hip.....	\$ 9,750	\$12,400	\$15,000	\$12,750
Leg at or above knee.....	8,250	10,540	13,500	11,475
Leg below knee.....	5,200	8,680	12,000	10,200
*Leg at ankle.....			10,500	8,925
*Foot at mid-metatarsals.....			5,250	4,462
Great toe with resection of metatarsal.....	1,450	1,860	3,150	2,678
Great toe at proximal joint.....	975	1,240	1,890	1,606
Great toe at distal joint.....	350	370	1,000	850
Lesser toe with resection of metatarsal.....	975	1,240	1,150	975
Lesser toe at metatarsalphalangeal joint.....	475	620	560	475
Lesser toe at proximal joint.....	350	370	415	350
*Lesser toe at distal joint.....			105	89
Arm at shoulder.....	9,750	12,400	15,000	12,750
Arm above elbow.....	8,250	10,540	14,250	12,112
Forearm at upper third.....	6,825	8,680	13,500	11,475
Hand at wrist.....	6,350	8,160	13,500	11,475
Thumb with resection of metacarpal.....	2,425	3,100	5,400	4,590

\*No specific rating at this level in present law or Senate Bill No. 422.

Thumb at proximal joint.....	1,950	2,480	5,400	4,590
Thumb at distal joint.....	510	620	2,700	2,295
Index finger at large knuckle.....	1,400	1,860	3,375	2,869
Index finger at 2nd joint.....	975	1,240	2,700	2,295
Index finger at distal joint.....	450	620	1,485	1,262
Middle finger at large knuckle.....	810	1,115	2,700	2,295
Middle finger at 2nd joint.....	720	990	2,160	1,836
Middle finger at distal joint.....	360	495	1,215	1,033
Ring finger at large knuckle.....	720	990	1,350	1,148
Ring finger at 2nd joint.....	540	745	1,080	918
Ring finger at distal joint.....	360	495	675	574
Little finger at large knuckle.....	450	620	675	574
Little finger at 2nd joint.....	270	372	540	459
Little finger at distal joint.....	180	248	270	230
Loss of eye by enucleation.....	4,875	6,200	N. A.	6,000
Loss of sight in one eye.....	3,900	4,960	N. A.	5,000
Loss of hearing both ears.....	6,825	8,680	N. A.	12,000
Loss of hearing one ear.....	1,950	2,480	N. A.	2,000
Maximum Allowable for Unspecified Disabilities .....	8,750	12,400	N. A.	12,750

N. A.—Not applicable.

On motion of Senator Greive, copies of the Governor's message pertaining to Senate Bill No. 39 were ordered printed and placed on the desks of all of the members of the Senate.

On motion of Senator Greive, the Governor's message pertaining to Senate Bill No. 39 was ordered retained on the desk of the Secretary pending further action.

State of Washington, Executive Department,  
Olympia, April 8, 1965.

To the Honorable, The Senate of the State of Washington.

LADY AND GENTLEMEN:

I am returning herewith, without my approval as to one item, **Senate Bill No. 301** entitled:

"AN ACT Relating to elections; amending section 29.10.110, chapter 9, Laws of 1965 and RCW 29.10.110; amending section 29.51.060, chapter 9, Laws of 1965 and RCW 29.51.060; and adding new sections to chapter 9, Laws of 1965 and to chapters 29.04 and 29.10 RCW."

This bill makes a number of changes in the law relating to elections, and provides procedures for removing from the registration rolls the name of any person who no longer resides in the precinct in which he is registered.

Section 4 and section 9 each provides that the Secretary of State shall cause appropriate forms to be designed to carry out the provisions of this amendatory act.

However, section 9 also provides that some of the forms shall be furnished by the Secretary of State to the various county auditors and city and town clerks. The Secretary of State has never been required to furnish election supplies to the cities, towns and counties; and none of the budgets submitted to the legislature this session has provided for this expense.

In order that the bill will be consistent with past election procedures and not involve additional expense to the state, I have vetoed section 9. The remainder of **Senate Bill No. 301** is approved.

Respectfully submitted,

DANIEL J. EVANS, Governor.

On motion of Senator Greive, copies of the Governor's partial veto message were ordered printed and placed on the desks of the Senators.

On motion of Senator Greive, Senate Bill No. 301, together with the partial

veto message of the Governor thereon, was ordered retained at the desk of the Secretary, pending further action.

State of Washington, Executive Department,  
Olympia, April 8, 1965.

To the Honorable, The Senate of the State of Washington.

LADY AND GENTLEMEN:

I am returning herewith, without my approval as to one item, Senate Bill No. 47 entitled:

"AN ACT Relating to judges' salaries and pensions, and salaries of members of the legislature, amending section 1, chapter 144, Laws of 1953 as amended by section 1, chapter 260, Laws of 1957 and RCW 2.04.090; amending section 2, chapter 144, Laws of 1953 as amended by section 2, chapter 260, Laws of 1957 and RCW 2.08.090; and amending section 1, chapter 48, Laws of 1949, as last amended by section 2, chapter ....., Laws of 1965, as re-enacted by section 43.03.010, chapter ....., Laws of 1965, and RCW 43.03.010; and amending section 1, chapter 173, Laws of 1941 as last amended by section 1, chapter 3, Laws of 1965, and RCW 44.04.080."

This bill increases the salaries of legislators and judges of the supreme and superior courts effective after the expiration of their respective terms of office. It also reduces the per diem of legislators to be received while in session from \$40 to \$25, effective January 1, 1967.

Section 3 of this bill provides that the increases in judicial salaries provided in sections 1 and 2 shall not be considered in computing retirement benefits. Under the judges' retirement system, a judge who qualifies for full retirement benefits may retire on a pension of one-half his salary at the time of his retirement. Upon his death, his widow would receive one-half of his pension. It is my opinion that under the decisions of the Washington Supreme Court, including *Bakenhus v. Seattle*, 48 Wn. (2d) 695, 296 P. (2d) 536, the restriction contained in section 3 of this bill cannot lawfully be applied in computing pensions of those judges serving at the effective date of this act.

Moreover, I believe that it is important that we attract to the judiciary the most qualified persons possible. The pension benefits which accrue to judges upon retirement, and to their widows in the event of their death, are just as important in attracting qualified persons as the salary paid while they are serving on the bench.

I have vetoed section 3 so that judicial pensions will be based upon the salary levels established in sections 1 and 2 of the bill. The remainder of Senate Bill No. 47 is approved.

Respectfully submitted,

DANIEL J. EVANS, Governor.

On motion of Senator Greive, copies of the partial veto message of the Governor pertaining to Senate Bill No. 47 were ordered printed and placed on the desks of the Senators.

On motion of Senator Greive, Senate Bill No. 47, together with the partial veto message of the Governor thereon, was ordered retained at the desk of the Secretary pending further action by the Senate.

State of Washington, Executive Department,  
Olympia, April 8, 1965.

To the Honorable, The Senate of the State of Washington.

LADY AND GENTLEMEN:

I am returning herewith, without my approval as to certain items, Senate Bill No. 122 entitled:

"AN ACT Relating to commercial transactions; enacting a Uniform Commercial Code; repealing certain acts and parts of acts; and declaring an effective date."

Passage of the Uniform Commercial Code represents a major accomplishment by the legislature—one in which each of you may take great pride. Its passage will improve the state's commercial climate, and thereby benefit all our citizens.

No legislation of the scope and complexity of the Uniform Commercial Code can be prepared without creating problem areas. The legislature has wisely chosen to set

the effective date for the Code following the 1967 legislative session. This will give many groups an opportunity to review it carefully during the next two years, and to suggest solutions for those problems which exist. By separate letter I am urging the Washington State Bar Association to continue its study of those sections about which questions have been raised during this session. I urge legislators to participate in this review.

I have chosen to bring to the attention of those who will continue to study this bill three portions which I believe to be unsatisfactory.

#### **Specially Built Products**

My first point of concern is Section 2-616 which allows purchasers to terminate contracts for the manufacture and sale of specially built products in the event of an excusable delay (caused by an act of God). Subsection (3) denies commercial concerns the right to negotiate and agree to an allocation of the risks occasioned by such excusable delays.

Under Section 2-616, as now written, if a manufacturer incurs substantial costs in connection with the development and production of products for a particular customer, and then is delayed in making delivery by fire or other calamity beyond its control, the purchaser could terminate the contract without liability. I believe it is unreasonable to deny the manufacturer and the purchaser the right to bargain at arms' length for an allocation of the risks which would be occasioned by such an event.

It also should be observed that the termination of contracts under Section 2-616 occurs automatically in the event the purchaser fails to take any action within thirty days after learning of the delay. A purchaser unwittingly may allow the termination of his contract, placing him in the position of having to negotiate with the seller for new terms of purchase; at a time when he no longer has any bargaining power.

In an effort to protect both buyer and seller, the state of Wisconsin has deleted this provision from its Code. I have elected to veto subsection (3) of Section 2-616, which will eliminate the provision that the type of contract involved in this section cannot be modified by mutual agreement.

#### **Assertion of Defenses**

Section 9-206 deals with agreements not to assert defenses against assignees. By amendment, the following proviso was added: "*Provided*, That nothing in this act may be construed as depriving a buyer, as against an assignee, of asserting the defenses of fraud or material misrepresentation by the seller."

I believe this amendment was intended to protect the consumer, which is a commendable objective. However, existing statutes protect consumers against agreement which waive the right to assert all defenses against assignees, including the defenses of fraud and material misrepresentation. RCW 63.14.150 provides:

"No provision of a retail installment contract or retail charge agreement shall be valid by which the buyer agrees not to assert against the seller or against an assignee a claim or defense arising out of the sale."

This statute applied to all retail sales of goods and services purchased primarily for personal, family or household use. Section 9-206 of the Code expressly preserves this statute, thus making the amendment unnecessary to protect the consumer.

Because the proviso applies to the entire Code, not just to this section, it might create unintended results with regard to negotiable instruments. The basic concept of negotiable instruments is that they must pass freely from one person to another, in much the same manner as currency. To subject an innocent holder of a negotiable instrument to unique restrictions would disrupt normal commercial transactions in the state of Washington, and result in a distinct hardship to all parties.

Therefore, I have vetoed the proviso at the end of Section 9-206 (1).

#### **Financing Statements**

Section 9-402 (1) of the Code sets forth the minimum formal requirements of a financing statement, which is the instrument by which public notice of a security interest is given. One of the basic purposes of the Code is to adopt the principle that filing a simple and dependable "notice" that a lien is outstanding is preferable to filing the security instrument itself. Washington has previously adopted "notice filing" for certain security transactions. The notice is designed to direct a subsequent creditor or buyer to the source of the current and complete information regarding the prior lien. The Code extends this to all security transactions.

However, the legislature has amended Section 9-402 (1) to require that unnecessary information be inserted in the notice. Imposing these additional requirements enhances the opportunity for technical error, thus voiding a bona fide transaction without

providing any greater notice or protection to the public. The opportunity for error by out-of-state companies is especially increased. In this regard, I note that Section 9-208 has been amended to permit a debtor to require a secured party to send information regarding the status of his indebtedness and the collateral secured thereby to any person whom the debtor might designate. Thus, a prospective subsequent creditor easily can obtain reliable information concerning the prior security transaction. Therefore, I have vetoed the items in Section 9-402 (1) added by amendment to the original bill.

Section 9-402 (3) sets forth the form of a financing statement. To conform to the amendment discussed above, the legislature made provision for the addition of information in the financing statement required by subsection (1). Therefore, I have vetoed certain items appearing on lines 10 through 13 inclusive and lines 23 through 26 inclusive of subsection (3).

Apparently the Senate Judiciary Committee preparing its amendment to Section 9-402 (3) followed the California statute, because it inadvertently deleted the portion of the subsection which provides for the description of fixtures. It is not within my power to insert this portion of the Code which has been inadvertently omitted, but the 1967 legislature may wish to correct this omission.

The words "or timber" appear in two places in Section 9-402 (3). The California statute specifically deals with timber. Since the amendment discussed above followed California's section, these words were inadvertently included, when no reference to "timber" is contained in Section 9-402 (1). In order to correct the ambiguity existing between subsections (1) and (3), I have vetoed these words where they appear in Section 9-402 (3).

#### Conclusion

With the exception of Section 2-616 (3), a certain item in Section 9-206 (1), and certain items in Section 9-402 (1) and 9-402 (3), which I have vetoed, the remainder of Senate Bill No. 122 is approved.

Respectfully submitted,

DANIEL J. EVANS, *Governor.*

On motion of Senator Moriarty, Jr. copies of the partial veto message of the Governor were ordered printed and placed upon the desks of the Senators.

On motion of Senator Greive, Senate Bill No. 122, together with the partial veto message of the Governor thereon, was ordered retained at the desk of the Secretary pending further action by the Senate.

#### MOTION

At 1:30 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Monday, April 12, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## TWENTY-NINTH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Monday, April 12, 1965.

The Senate was called to order at 10:30 a.m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Teresa Hallauer, presented the Colors.

Reverend Charles A. Loyer, pastor of the Westminster United Presbyterian Church of Olympia, offered prayer as follows:

"Almighty God; we thank Thee for the promise of another week and the privilege of sharing in Thy purposes for man. We are grateful for our legislators, who by their insight and industry, have earned our faith in their diagnosis and treatment of our economic ills and needs. Guide them at their work today and through the days that remain in this biennium. And help them, our Father, to find ways and means of giving the budget its necessary transfusion without making corpses of us donors. Amen."

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

On motion of Senator Greive, copies of this morning's prayer were ordered placed upon the desks of the Senators.

### PERSONAL PRIVILEGE

Senator Lennart:

"Mr. President, personal privilege:

"I want to protest this. I would think, members of the Senate, that there still should be some reverence to prayers. This is not even a prayer."

### SPECIAL ORDER OF BUSINESS

Senator Neill:

"Mr. President, point of parliamentary inquiry:

"We have as a special order of business at the opening of today's session this morning my pending motion for reconsideration of Senate Joint Resolution No. 24, and I inquire what order of business this should come under?"

### REPLY BY THE PRESIDENT

The President:

"Thank you very much, Senator Neill. There is a special order of business to be taken up at the opening of the session this morning. It is the motion by Senator Neill that the Senate reconsider the vote by which Senate Joint Resolution No. 24 failed to receive the constitutional two-thirds majority."

Debate ensued.

The motion for reconsideration was carried.

The President declared the question before the Senate to be Senate Joint Resolution No. 24 on final passage.

On motion of Senator Neill, the rules were suspended and Senate Joint Resolution No. 24 was returned to second reading.

On motion of Senator Neill, Senate Joint Resolution No. 24 was ordered to retain its place on the second reading calendar for tomorrow.

The Secretary read:

**MESSAGES FROM THE HOUSE  
HOUSE AMENDMENTS TO SENATE BILL**

House of Representatives,  
Olympia, Wash., April 9, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 519 with the following amendments:

On page 2, section 4, line 25 of the printed bill, being line 24 of the engrossed bill, after "and investments" and before "derived from" on line 26 of the printed bill, being line 25 of the engrossed bill, strike "accumulated prior to the effective date of this act and"

On page 2, section 4, line 27 of the printed and engrossed bills, after "Laws of 1893," insert the following: "to the extent required to comply with bond covenants regarding principal and interest payments and reserve requirements for bonds payable out of the bond retirement fund"

On page 2, section 4, line 31 of the printed bill, being line 30 of the engrossed bill, after ".330-(22)." insert the following:

"Any funds transferred to the bond retirement fund pursuant to this section shall be replaced by moneys first available out of the moneys required to be deposited in such fund pursuant to section 1 hereof.",  
and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Dore, the Senate concurred in the House amendments to Engrossed Senate Bill No. 519.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 519, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 42; nays, 3; absent or not voting, 4.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams—42.

Those voting nay were: Senators Lennart, Neill, Woodall—3.

Absent or not voting: Senators Atwood, Petrich, Rasmussen, Raugust—4.

Engrossed Senate Bill No. 519, as amended by the House, having received the 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 OF BILL AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 561**, by Senators Moriarty, Jr., Neill, Freise, Bailey, Washington and Greive (by Departmental request):

An Act relating to the registration of claims to withdraw and make use of waters; making an appropriation; and declaring an emergency.

Referred to Committee on Natural Resources.



**Senate Concurrent Resolution No. 22**, by Senators Morgan, Durkan and Knoblauch:

Supporting Kitsap county citizens' request that new navy ship be named "Port Orchard".

Referred to Committee on Cities, Towns and Counties.

**Senate Concurrent Resolution No. 23**, by Senators Kupka, Peterson (Ted), Gallagher and Connor:

Directing the legislative council to study the regulation of motor boats and vessels.

Referred to Committee on Commerce, Manufacturing and Licenses.

#### FIRST READING OF HOUSE BILL, MEMORIAL AND RESOLUTION

The following were read first time by title and acted upon as indicated:

**House Bill No. 693**, by Representatives Lynch, Uhlman, Goldsworthy, McCaffree, Epton, May and Beck:

Authorizing the department of health to provide financial assistance to community artificial kidney centers, and making an appropriation.

Referred to Committee on Ways and Means.

**House Joint Memorial No. 32**, by Representatives Sheridan, Andersen (James A.), Sawyer, Flanagan, Gallagher, Lux, Bledsoe, King (Chet), Cunningham, Radcliffe, Harris, Marzano and Bottiger:

Requesting federal action in constructing a pilot industrial carbon products plant in this area.

On motion of Senator Kupka, the rules were suspended, House Joint Memorial No. 32 was advanced to second reading and read the second time in full.

On motion of Senator Kupka, the rules were suspended, House Joint Memorial No. 32 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Joint Memorial No. 32 and the memorial passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Williams, Woodall—42.

Absent or not voting: Senators Dore, Gissberg, Hanna, Morgan, Petrich, Talley, Washington—7.

House Joint Memorial No. 32, having received the constitutional majority, was declared passed.

**Engrossed Substitute House Concurrent Resolution No. 27**, by Committee on Ways and Means (Subcommittee on Revenue):

Providing for an interim committee to study matters relating to taxation of property within state.

Referred to Committee on Ways and Means.

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



Senator Dore:

"Mr. President:

"The budget bill is still in committee and it is my intention to bring this matter up for the full committee to reduce the maintenance and operation for Fircrest in the amount of \$146,198, plus \$176,000 because I have a letter here from the Governor which recites the net saving will be \$146,198. The reason is this is a new building which will only house fifty-five patients, while under the old plan to revitalize and modernize, the old unit would have handled in excess of a hundred, so that the savings accomplished for maintenance and operation costs are reduced by \$146,000, even though there is a construction cost of \$176,000."

#### POINT OF INQUIRY

Senator Kupka:

"Would Senator Dore yield to a question?"

Senator Dore:

"Yes."

Senator Kupka:

"Senator Dore, have you, in your committee, explored the possibility of using this fine building over at Eastern State Hospital, with some 280 bed capacity, which has been empty for the last eight years? Have you asked the Department of Institutions to give you any explanation on it or evaluation of why we should be building more new buildings and allowing this well-constructed building to go empty? I wonder if you could comment?"

Senator Dore:

"Mr. President:

"To answer your question, Senator, you are the chairman of that Legislative Council subcommittee and we are waiting for your recommendation pertaining to it. I hadn't realized you had made a recommendation in this particular category. These structures at Fircrest are already there and instead of wasting money trying to modernize the old buildings, we are going to tear them down and construct new units right there. Fircrest is already there, so I don't think it is particularly applicable. I agree with you, if we are going to expand and allow for additional beds, we should look into facilities at Eastern State Hospital. Certainly, we will accept any recommendation you or your committee might make."

Senator Kupka:

"Mr. President, Senator Dore:

"This subcommittee did look into this matter a session or two ago and we recommended that it be made into a women's prison for the sake of using the building. Now, if the Department of Institutions doesn't want to use it for that, it certainly should be used for something. This is not refurbishing an old building, it is a modern building. It is as modern as any building we are constructing today. It is a good solid building and it seems a shame that we allow that nice structure to go for want of use and yet we are talking about building facilities elsewhere, and I can't understand it. I hope we do something with it. I can't see the sense of having this modern structure go unused, particularly in the field of retarded children where we have some 1200 people on waiting lists and we talk about developing new spaces for them. I certainly hope if the legislature doesn't do it now, they do something about it before too long."

Debate ensued.

It was moved by Senator Riley that the Senate consider concurrence in each House amendment, separately.

Debate ensued.

With the consent of the Senate, Senator Riley was permitted to withdraw the motion.

Further debate ensued.

With the consent of the Senate, Senator Dore was permitted to withdraw the motion.

On motion of Senator Dore, the Senate refused to concur in the House amendments to Engrossed Substitute Senate Bill No. 42 and asked the House to recede therefrom.

#### SECOND READING OF BILLS

**Senate Bill No. 525**, by Senators Ryder, Moriarty, Jr. and Williams (by Executive request):

Providing for an increase in assessment levels and providing limitations on tax levies.

On motion of Senator Ryder, Senate Bill No. 525 was ordered to retain its place on the second reading calendar for tomorrow immediately following reconsideration of Senate Joint Resolution No. 24.

**Senate Bill No. 535**, by Senators Washington, Henry, Guess, Donohue, Raugust, Bailey and Petrich:

Making appropriations, reappropriations for operations, capital improvements of highway commission and toll bridge authority.

#### REPORT OF STANDING COMMITTEE

##### Senate Bill No. 535:

Senate Chamber,  
Olympia, Wash., April 3, 1965.

Making appropriations, reappropriations for operations, capital improvements of highway commission and toll bridge authority (reported by Committee on Highways): MAJORITY recommends that it do pass with the following amendments:

On page 1, section 1, line 17, after "inventories" insert a period and strike all the material down to and including "director." on line 21.

On page 3, section 5, line 12 after "is" and before "added" strike "to be" and after "added" and before "one" insert "a reappropriation of"

On page 3, section 6, line 25 after "of the" strike "Coleman" and insert "Colman"

On page 3, section 6, line 28 after "Provide" strike "new" and insert "an auxiliary"

On page 3, section 6, line 29 after "is" and before "added" strike "to be" and after "added" strike "the sum" and insert "a reappropriation of"

On page 5, section 9, line 4 after "facilities" insert a period and strike all the matter down to and including "director." on line 8.

On page 5, section 11, line 18, add a new paragraph to read as follows:

"Any expenditures from the appropriation contained in this section are to be considered as loans and are to be repaid to the motor vehicle fund from revenues, and tolls shall be continued on the Spokane River toll bridge for any additional length of time necessary for this purpose."

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, H. B. Hanna, Gordon Herr, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Don L. Talley, Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendments were adopted.

On motion of Senator Washington, the rules were suspended, Engrossed Senate Bill No. 535 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 535 and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington—45.

Absent or not voting: Senators Durkan, Gissberg, Williams, Woodall—4.

Engrossed Senate Bill No. 535, having received the 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 OF BILLS**

**Engrossed Substitute Senate Joint Resolution No. 8**, by Committee on Constitution, Elections and Legislative Processes:

Proposing Constitutional amendments to allow the increasing and diminishing of compensation during terms of office.

On motion of Senator McCormack, Engrossed Substitute Senate Joint Resolution No. 8 was ordered to retain its place at the top of the third reading calendar for tomorrow.

**PERSONAL PRIVILEGE**

Senator Bailey:

"Mr. President, point of personal privilege:

"I would like to make a couple of comments about the Governor's press conference this morning, in which he said he would veto any measure that asked for any further per diem for the legislature. Most of us on this side of the aisle talked it over and had no intention of asking for any more per diem. I don't suppose we have any such intention now, but we certainly have an intent to go back and take a new look at the budget and a new look at some of the things the Governor is asking for his personal family and official family.

"I think his comments were an undue aspersion on the members of the legislature to make us look bad in the public eye. We have certainly worked as hard as we could, trying to bring this session to a hasty conclusion. I would like to comment to Senator Durkan, your committee meeting will be held on the first day that we serve without pay.

The thing that I resent the most is the fact that the Governor did not call the leadership of the legislature in and talk to them about the conclusion of the session. As far as I am concerned, he has done nothing but prolong it."

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

**MOTION**

It was moved by Senator Freise that the Senate do now pass Senate Bill No. 47, the veto of the Governor notwithstanding.

Debate ensued.

Senators Gallagher, Charette and Talley demanded the previous question and the demand was sustained.

**PARLIAMENTARY INQUIRY**

Senator Dore:

"Mr. President, under the rules, we have a roll call vote, is that correct?"

Senator Moriarty, Jr.:

"Under the constitution, we must have a roll call, Mr. President.

"I call the President's attention to section XII of the Constitution. We must have a roll call vote."

**REPLY BY THE PRESIDENT**

The President:

"That is correct. It will require two-thirds of those present to pass Senate Bill No. 47, the partial veto of the Governor notwithstanding."

Senators Petrich, Sandison and Peterson (Ted) demanded a Call of the Senate.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Petrich, the Senate proceeded under the Call of the Senate.

The President declared the Senate to be at ease.

The President called the Senate to order.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate, since this is a partial veto, the Senate is actually voting on those portions of Senate Bill No. 47 to which the veto of the Governor pertains.

"The question before the Senate is: It has been moved by Senator Freise that the Senate pass Senate Bill No. 47, the partial veto of the Governor notwithstanding. A vote 'aye' will be to pass those portions of Senate Bill No. 47 to which the veto pertains. A vote 'nay' will be to uphold the veto of the Governor."

**ROLL CALL**

The Secretary called the roll on the motion by Senator Freise that the Senate pass Senate Bill No. 47, the partial veto of the Governor notwithstanding, and the motion was lost by the following vote: Yeas, 29; nays, 20.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Donohue, Dore, Durkan, England, Freise, Guess, Hallauer, Henry, Herr, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Washington, Woodall—29.

Those voting nay were: Senators Charette, Cooney, Cowen, Foley, Gallagher, Gissberg, Greive, Hanna, Herrmann, Keefe, Knoblauch, Kupka, McCutcheon, Moriarty, Jr., Neill, Ryder, Stender, Talley, Thompson, Jr., Williams—20.

Having failed to receive the constitutional two-thirds majority, the motion was lost and the partial veto of the Governor was upheld.

**MOTION**

On motion of Senator Riley, the Senate dispensed with the Call of the Senate.

## PARLIAMENTARY INQUIRY

Senator Gallagher:

"Mr. President:

"I wonder if it would be possible to instruct the Secretary to prepare a separate binder for veto messages from the Governor. It now appears that we have more veto messages than bills and I think it might be very helpful."

## EXPLANATION OF VOTE

## STATEMENT CONCERNING HOUSE AMENDMENTS TO SENATE BILL NO. 47

Section 6 of Senate Bill No. 47 was added to the bill as an amendment by the House of Representatives. The House amendment reduces the *per diem* allowance received by members of the legislature in lieu of subsistence and lodging from \$40 to \$25 effective January 1, 1967.

While having concurred in the House amendment, we the undersigned Senators wish to state unequivocally that it was not the intention of the Senate to declare that our *per diem* allowance constitutes "salary". On the contrary, we reassert our firm conviction that the *per diem* allowance has been allotted to us to take care of our expenses caused by having to maintain two households while serving in the legislature and to reimburse us for various and sundry expenses incurred by us while serving in Olympia.

The primary purpose of Senate Bill No. 47 is to provide for long overdue, salary increases for judges and for members of the legislature.

Had we failed to concur in the House amendment we felt that we might have seriously jeopardized the passage of the bill.

Michael J. Gallagher, George W. Kupka, Reuben A. Knoblauch, Robert C. Bailey, Al Henry, William A. Gissberg, Martin J. Durkan, Frank Connor, Nat Washington, Edward F. Riley, John L. Cooney, Don L. Talley, Dewey C. Donohue, James Keefe, Gordon Herr, Karl Herrmann, H. B. Hanna, Wilbur G. Hallauer, R. R. Bob Greive, August P. Mardesich, John T. McCutcheon, Lowell Peterson, Frances Haddon Morgan, Mike McCormack.

## MOTION

At 12:45 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Tuesday, April 13, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## THIRTIETH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Tuesday, April 13, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Teresa Hallauer, presented the Colors.

Reverend Charles A. Loyer, pastor of the Westminster United Presbyterian Church of Olympia, offered prayer as follows:

"Eternal God and Father who hath ordained that we should live in this space age when there are now several things besides taxes that go up and never come down; we ask Thy special blessing upon our legislators as they wrestle with fiscal problems today. Give them foresight to legislate for tomorrow, the wisdom to see clearly the implications of each proposed action, the patience to work toward acceptable compromises, and a spirit that invites cooperation across political fences. Amen."

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

On motion of Senator Greive, the Senate was declared to be at ease subject to the call of the President.

The President called the Senate to order at 11:20 a. m.

The Secretary called the roll and announced to the President that all Senators were present.

The President declared the Senate to be at ease.

The President called the Senate to order at 11:45 a. m.

The Secretary called the roll and announced to the President that all Senators were present.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., April 12, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Engrossed Senate Bill No. 519, have inspected same, and find it correctly reengrossed.

....., *Chairman.*

We concur in this report: Fred H. Dore, Michael J. Gallagher, Marshall A. Neill.

Senate Chamber,  
Olympia, Wash., April 12, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Reengrossed Senate Bill No. 519, have inspected same, and find it correctly enrolled and certified.

....., *Chairman.*

We concur in this report: Fred H. Dore, Michael J. Gallagher, Marshall A. Neill.



**Senate Bill No. 449:**

Senate Chamber,  
Olympia, Wash., April 12, 1965.

Providing for alcoholic rehabilitation facilities (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass.

....., *Chairman*.  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
....., *Chairman*,  
Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Frank Connor, John L. Cooney, Michael J. Gallagher, Sam C. Guess, Ernest W. Lennart, Mike McCormack, David E. McMillan, Frances Haddon Morgan, John A. Petrich, A. L. Rasmussen, Edward F. Riley, Gordon Sandison, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 544:**

Senate Chamber,  
Olympia, Wash., April 13, 1965.

Providing for apportionment of common school funds to counties (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass.

FRANK W. FOLEY, *Chairman*.  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, Dr. David C. Cowen, Dewey C. Donohue, Jack England, Michael J. Gallagher, William A. Gissberg, R. R. Bob Greive, Sam C. Guess, Wilbur G. Hallauer, Ernest W. Lennart, David E. McMillan, Charles P. Moriarity, Jr., Marshall A. Neill, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Bill No. 608:**

Senate Chamber,  
Olympia, Wash., April 8, 1965.

Defining terms of and providing exemptions from certain excise taxes (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass as amended.

FRANK W. FOLEY, *Chairman*.  
....., *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, Dr. David C. Cowen, Dewey C. Donohue, Jack England, Michael J. Gallagher, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, Ernest W. Lennart, Mike McCormack, David E. McMillan, Frances Haddon Morgan, Charles P. Moriarity, Jr., Marshall A. Neill, Edward F. Riley, John N. Ryder, Gordon Sandison.

On motion of Senator Greive, the rules were suspended, Substitute House Bill No. 608 was advanced to second reading and ordered to retain its place on the second reading calendar for today immediately following consideration of House Joint Memorial No. 10.

**House Bill No. 637:**

Senate Chamber,  
Olympia, Wash., April 12, 1965.

Prescribing administrative procedures relating to the collection of taxes (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass as amended.

FRANK W. FOLEY, *Chairman*.  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, John L. Cooney, Jack England, Michael J. Gallagher, R. R. Bob Greive, Sam C. Guess, Wilbur G. Hallauer, Ernest W. Lennart, August P. Mardesich, Charles P. Moriarity, Jr., Marshall A. Neill, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr.

On motion of Senator Greive, the rules were suspended, House Bill No. 637 was advanced to second reading and ordered to retain its place on the second reading calendar for today immediately following consideration of Substitute House Bill No. 608.

**SIGNED BY THE PRESIDENT**

The President has signed: Senate Bill No. 519.

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, April 10, 1965.

To the Honorable, the Senate of the State of Washington.

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bills, entitled.

Senate Bill No. 39:

Raising certain benefits under industrial insurance.

Senate Bill No. 241:

Providing for disposition of licensing fees of engineers and land surveyors.

Very truly yours,

RAYMOND W. HAMAN,

*Legal Counsel to the Governor.*

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., April 12, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 19; also

Engrossed House Bill No. 467, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., April 13, 1965.

MR. PRESIDENT:

The Speaker has signed: House Joint Memorial No. 32, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., April 12, 1965.

MR. PRESIDENT:

The House refuses to recede from its amendments to Engrossed Substitute Senate Bill No. 42 and asks the Senate for a conference thereon, and has named as the House conferees on Engrossed Substitute Senate Bill No. 42, and the House amendments thereto: Representatives Canfield, Haussler, Valle.

S. R. HOLCOMB, *Chief Clerk*.

**MOTION**

On motion of Senator Hallauer, the Senate granted the House a conference on Engrossed Substitute Senate Bill No. 42.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The President appointed as members of the Conference Committee on Substitute Senate Bill No. 42 and the House amendments thereto, Senators Hallauer, Dore and Atwood.

On motion of Senator Riley, the Conference Committee appointments were confirmed.

**SIGNED BY THE PRESIDENT**

**The President signed: House Joint Memorial No. 32.**

**HOUSE AMENDMENTS TO SENATE BILL**

House of Representatives,  
Olympia, Wash., April 10, 1965.

**MR. PRESIDENT:**

The House has passed: Engrossed Senate Bill No. 522 with the following amendments:

On page 5, section 2, line 10 of the engrossed bill, after "support:" strike the remainder of the section, being the Senate Amendment by Senators Washington and Neill and insert the following: "*Provided*, That the apportionment per weighted student under this section 2 to any district which complies with the requirement of this act for the school years 1965-66 and 1966-67 shall be an amount sufficient to guarantee ninety-five percent of the total revenue per weighted student, excluding special levies, which such district realized during the 1964-65 school year."

On page 6, section 3, line 8 of the engrossed bill, being the Senate Amendment by Senator Gissberg, after "each month." strike the remainder of the section, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

It was moved by Senator Dore that the Senate do concur in the House amendments to Engrossed Senate Bill No. 522.

Debate ensued.

**POINT OF INQUIRY**

Senator McMillan:

"Mr. President, would Senator Dore yield to a question?"

Senator Dore:

"Yes."

Senator McMillan:

"Did you mention that this has nothing to do with non-high districts?"

Senator Dore:

"No."

Senator McMillan:

"This has nothing to do with our non-high, small districts, as concerned with the new formula?"

Senator Dore:

"No, it has nothing to do with those districts."

Further debate ensued.

The motion to concur was carried.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 522, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 39; nays, 6; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—39.

Those voting nay were: Senators Chytil, Hallauer, Henry, McCormack, McMillan, Sandison—6.

Absent or not voting: Senators Cooney, Foley, Herr, Petrich—4.

Engrossed Senate Bill No. 522, as amended by the House, having received the constitutional 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, Senator Gissberg moved that the Senate do now reconsider the vote by which Engrossed Senate Bill No. 522, as amended by the House, was adopted.

Debate ensued.

It was moved by Senator McCormack that the motion by Senator Gissberg be made a special order of business for 11:00 a.m., Wednesday, April 30.

**PARLIAMENTARY INQUIRY**

Senator Gallagher:

"Mr. President:

"The motion to reconsider has not as yet prevailed. If this motion is put, would the motion to reconsider be in order tomorrow?"

**REPLY BY THE PRESIDENT**

The President:

"The President believes that a suspension of the rules would be necessary."

Senator McCormack:

"Mr. President:

"Then I do so move that the rules be suspended and that the motion by Senator Gissberg be made a special order of business for tomorrow at 11:00 a.m."

**PERSONAL PRIVILEGE**

Senator Dore:

"Mr. President, I wish to speak on personal privilege."

"I had been advised by the school people that Senator Gissberg had been contacted and was agreeable to striking this amendment. That's why I made the motion to concur. I checked with Senator Neill to see whether he was agreeable to this. He said he knew of the House action and was agreeable. That's why I didn't mention it to Senator Gissberg. I didn't mean to put this through hastily and I'm sorry if Senator Gissberg had not been consulted."

Senator Gissberg:

"No, Senator Dore, I have not been consulted about it in any manner except Representative Epton did come here and advise me yesterday of the House action."

She supported my position in the House that my amendment should not have been removed from the bill. But I have had no conversation with anyone else about the bill, including the school people."

Senator Dore:

"Then I would like to concur in the motion of Senator McCormack. I think under the circumstances we should take another look at it."

The motion by Senator McCormack was carried and the motion to reconsider was made a special order of business for 11:00 a. m., Wednesday, April 30.

House of Representatives,  
Olympia, Wash., April 12, 1965.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Senate Bill No. 417 and has passed the bill as amended by the Free Conference Committee and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### REPORT OF FREE CONFERENCE COMMITTEE

MR. PRESIDENT:

Olympia, Wash., April 10, 1965.

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Senate Bill No. 417, establishing refunding bond procedures, have had the same under consideration, and we recommend that the House Amendment be stricken and that Senate Bill No. 417 be amended as follows:

On page 6, following section 14, insert a new section as follows:

"*NEW SECTION.* Sec. 15. If bonds are to be issued under this act for refunding of any bonds issued specifically to finance any electric power and energy project or facility and there are contracts in existence for the sale of electric power and energy generated by such project or facility wherein the cost of power to a purchaser specifically includes a portion of the debt service on the bonds to be refunded, such power contracts shall be amended to reflect in each year during the remaining term of such contracts that portion of the savings to be realized from such refunding during each such year equal to the percentage of power output from such project or facility purchased by the purchaser under such power contracts. Nothing in this act shall be construed to alter, modify or change any such power contracts without the mutual agreement of the parties thereto."

Renumber the remaining sections consecutively.

*Senate Members:*

JOHN N. RYDER  
H. B. HANNA  
JOHN L. COONEY

*House Members:*

JACK L. BURCH  
BOB McDUGALL  
GEORGE P. SHERIDAN

It was moved by Senator Ryder that the report of the Free Conference Committee be adopted.

Debate ensued.

#### POINT OF INQUIRY

Senator Rasmussen:

"Mr. President, would Senator Ryder yield to a question?"

"As I heard the amendment read, it assured that the participants of the contract would share in any savings made by the refinancing?"

Senator Ryder:

"This is correct."

Senator Rasmussen:

"But I didn't hear anything in the conference report that would say that the consumer would participate in any saving. Is there anything that would provide for that?"

Senator Ryder:

"Mr. President, Senator Rasmussen:

"There doesn't have to be anything in the amendment because the rates of

these retail distribution systems are now regulated by the Public Utilities Commission, so any savings they have in any of their expenses must be passed on to the consumer, under the regulations of the Public Utilities Commission."

Senator Rasmussen:

"This is good to know that you have relieved that. It hasn't always been true."

The motion was carried and the report of the Free Conference Committee was adopted.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 417, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Absent or not voting: Senators Connor, Foley—2.

Senate Bill No. 417, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

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

#### INTRODUCTION AND FIRST READING OF RESOLUTION

The following was introduced, read first time by title and acted upon as indicated:

**Senate Joint Resolution No. 31**, by Senators McCutcheon and Lennart:

Proposing amendment to Constitution permitting constitutional amendments by initiative to the people.

Referred to Committee on Constitution, Elections and Legislative Processes.

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 19**, by Representatives Johnson (Doris), Bergh, O'Donnell, Litchman and Smith:

An Act relating to taxation; and amending section 82.04.260, chapter 15, Laws of 1961, and RCW 82.04.260.

Referred to Committee on Ways and Means.

**Engrossed House Bill No. 467**, by Representatives Grant and Elder.

Redistricting the state into congressional districts.

Referred to Committee on Constitution, Elections and Legislative Processes.

#### MOTION

At 12:20 p.m., on motion of Senator Greive, the Senate recessed until 2:00 p.m.

#### AFTERNOON SESSION

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

The Secretary called the roll and announced to the President that all Senators were present except Senator Foley.

**APPOINTMENT OF SPECIAL COMMITTEE**

The President announced the presence within the bar of the Senate of former state Senator Clyde Tisdale and appointed a special committee consisting of Senators Charette, Bailey, Chytil and Williams, to escort the former Senator to a place of honor upon the rostrum.

With leave of the Senate, business was suspended to permit former Senator Tisdale to address the Senate.

**MOTION**

On motion of Senator Greive, the Senate advanced to the eighth order of business and consideration of Engrossed Substitute Senate Joint Resolution No. 8.

**THIRD READING OF BILLS**

**Engrossed Substitute Senate Joint Resolution No. 8**, by Committee on Constitution, Elections and Legislative Processes:

Proposing Constitutional amendments to allow the increasing and diminishing of compensation during terms of office.

On motion of Senator McCormack, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Joint Resolution No. 8 was placed on final passage.

Debate ensued.

**POINT OF INQUIRY**

Senator Freise:

"Mr. President, would Senator McCormack yield to a question?"

"Senator McCormack, you and I had some discussion on this bill and I think you and I were co-sponsors of the original bill before it was reworked in the Committee on Constitution, Elections and Legislative Processes; Senator McCutcheon, Chairman.

"On the ballot, would these two amendments appear as separate items to be voted on, or would they appear as one question to be determined by the people?"

Senator McCormack:

"These two proposed amendments would appear separately. This is the way Senate Joint Resolution No. 8 was written. The first proposition would be to allow the legislature to fix salaries. The other proposed amendment allows the legislators to run for an office in which the emoluments have been increased. But they will be completely separate, numbered 8a and 8b, I presume, or something of this kind. They will be completely separate on the ballot."

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Substitute Senate Joint Resolution No. 8 and the resolution passed the Senate by the following vote: Yeas, 33; nays, 13; absent or not voting, 3.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Durkan, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Mardesich, Morgan, Neill, Peterson (Lowell), Petrich, Raugust, Redmon, Riley, Stender, Thompson, Jr., Washington, Woodall—33.

Those voting nay were: Senators Atwood, Chytil, Cowen, Dore, England, Guess, Lewis, Moriarty, Jr., Peterson (Ted), Rasmussen, Ryder, Talley, Williams—13.

Absent or not voting: Senators Foley, McMillan, Sandison—3.

Engrossed Substitute Senate Joint Resolution No. 8, having received the constitutional majority, was declared passed.

There being no objection, the Senate reverted to the seventh order of business.

#### SECOND READING OF BILLS

**Engrossed Senate Joint Resolution No. 24**, by Senators Ryder, Moriarty, Jr. and Williams (by Executive request):

Lowering the assessed valuation to thirty percent of true value and providing for enforcement thereof.

On motion of Senator Neill, Engrossed Senate Joint Resolution No. 24 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 525**, by Senators Ryder, Moriarty, Jr. and Williams (by Executive request):

Providing for an increase in assessment levels and providing limitations on tax levies.

On motion of Senator Ryder, Senate Bill No. 525 was ordered to retain its place on the second reading calendar for tomorrow immediately following consideration of Engrossed Senate Joint Resolution No. 24.

**Senate Bill No. 438**, by Senators Washington and Guess:

Enacting highway act of 1965.

On motion of Senator Washington, Substitute Senate Bill No. 438 was substituted for Senate Bill No. 438 and Substitute Senate Bill No. 438 was placed on second reading and read the second time by sections.

On motion of Senator Gissberg the Senate resolved itself into a Committee of the Whole, Senator Gissberg in the chair, for the purpose of considering Substitute Senate Bill No. 438.

#### COMMITTEE OF THE WHOLE

Substitute Senate Bill No. 438 was considered in the Committee of the Whole and reported back to the Senate, Senator Gissberg presiding, with the recommendation that it do pass as amended.

On motion of Senator Gissberg, the report of the committee was adopted.

On motion of Senator Riley, the reading had in the Committee of the Whole was considered the second reading of Substitute Senate Bill No. 438.

On motion of Senator Gissberg, the following amendments to Substitute Senate Bill No. 438, adopted in the Committee of the Whole were adopted by the Senate:

On page 31, line 21, strike all of sections 49 and 50 and renumber the remaining sections consecutively.

On page 46, section 66 (renumbered section 64), line 26, strike "56" and insert "54"

On page 46, section 66 (renumbered section 64), line 27, after "Sections" strike "41 and 42" and insert "6, 14, 19, 20, 25, 26, 41, 42 and 53"

On page 1, line 14 of the title, after "18.27.090;" strike all of the material down to and including "43.60.060;" on line 16.

On motion of Senator Washington, the rules were suspended, Substitute Senate Bill No. 438 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.



## POINT OF INQUIRY

Senator Gissberg:

"Mr. President, would Senator Washington yield to a question?"

"Senator, referring to section 33, which is to be found on page 20 of the bill, I note that it is proposed to extend the date by which certain priority programs and highway objective plannings will be accomplished from the year 1975, to the year 1981. Would you kindly provide me and the other members of the Senate with the thought behind that proposal and what it is contemplated to accomplish in the long-range view, and particularly would you comment briefly upon what effect this might have on the alternate construction of the so-called collector roads which are to be found in most of the rural areas, and upon which, by previous study, construction has been extended many, many years into the future?"

Senator Washington:

"Senator Gissberg, I think the crux of your question is perhaps the latter portion. The purpose of this amendment is to allow for this year, the next year, and the following years the use of a larger portion of the funds available for the lower classification of roads, the collector and the other type of roads. The priority programming act of 1963 was passed based on a need study of 1960, and the study, of course, indicated that we should have priority programs at that time. The Automotive Safety Foundation, taking the needs program and the money which appeared to be available, felt that this program of having one hundred percent completion of the national interstate defense highways of the interstate system and the principal highways could be completed by 1975. A later study of the Highway Commission indicated that if they were to complete these two highway categories one hundred percent of it would take so much money from the budget there would be very little left for what might be major collector and other types of highways.

In order to have sufficient money in the budget this year and the next year and the few following years, it was necessary to enlarge the completion date by the additional six years, giving the Highway Commission more flexibility so that they would have additional funds to put on the roads with which you are concerned. This came to the attention of the Highway Commission. They were in the process of making their budget. They felt that if we followed the terms of the act, we would not be able to use money for collector roads and lesser classes of roads. They then passed a resolution stating they felt that they should plan on that change by 1981, so they would be able to put the money into the lower classification of roads."

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 438 and the bill passed the Senate by the following vote: Yeas, 39; nays, 6; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—39.

Those voting nay were: Senators Gallagher, Gissberg, Guess, Hallauer, Moriarty, Jr., Rasmussen—6.

Absent or not voting: Senators Foley, McMillan, Ryder, Sandison—4.

Engrossed Substitute Senate Bill No. 438, having received the constitutional majority, was declared passed.

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

**Senate Bill No. 557**, by Senators Washington, Mardesich and Guess:

Authorizing additional bonding to meet unanticipated costs in completion of interstate highways throughout state.

## REPORT OF STANDING COMMITTEE

## Senate Bill No. 557:

Senate Chamber,  
Olympia, Wash., April 7, 1965.

Authorizing additional bonding to meet unanticipated costs in completion of interstate highways throughout state (reported by Committee on Highways):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 2, line 16 after "amended," and before "there" insert "and the resulting availability of federal-aid funds,"

On page 4, section 11, line 29 after "act" insert a period and strike the remainder of the section.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Dewey C. Donohue, Martin J. Durkan, Herbert H. Freise, Sam C. Guess, H. B. Hanna, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, Walter B. Williams.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendments were adopted.

## POINT OF ORDER

Senator Riley:

"Mr. President:

"I think the record ought to show that we are considering Senate Bill No. 557 without going into the Committee of the Whole."

Senator Washington:

"Technically, there is an appropriation, although it is very possible that these bonds will never be sold and there will never be any money available. Actually, we aren't appropriating any of the funds that we now have on hand."

## REPLY BY THE PRESIDENT

The President:

"The record will show the comments by Senator Riley and Senator Washington."

On motion of Senator Washington, the rules were suspended, Engrossed Senate Bill No. 557 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 557 and the bill passed the Senate by the following vote: Yeas, 42; nays, 2; absent or not voting, 5.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Lennart, Lewis, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—42.

Those voting nay were: Senators Mardesich, Raugust—2.

Absent or not voting: Senators Dore, Foley, Kupka, McMillan, Sandison—5.

Engrossed Senate Bill No. 557, having received the constitutional 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. 10**, by Representatives Kink and Hood:

Requesting a Peace Arch commemorative postage stamp.

The bill was read the second time by sections.

On motion of Senator Lennart, the rules were suspended, House Joint Memorial No. 10 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Joint Memorial No. 10 and the memorial passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Foley, McCutcheon, Ryder, Sandison—4.

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

**Substitute House Bill No. 608**, by Committee on Ways and Means (Subcommittee on Revenue):

Defining terms of and providing exemptions from certain excise taxes.

On motion of Senator Hallauer, Substitute House Bill No. 608 was ordered to retain its place at the end of the second reading calendar for today.

**House Bill No. 637, by Representatives Backstrom and Ahlquist:** Prescribing administrative procedures relating to the collection of taxes.

#### REPORT OF STANDING COMMITTEE

**House Bill No. 637:**

Senate Chamber,  
Olympia, Wash., April 12, 1965.

Prescribing administrative procedures relating to the collection of taxes (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass with the following amendments:

On page 8, add a new section after section 9 to read as follows:

**NEW SECTION.** Sec. 10. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1965.

In line 14 of the title after "82.32 RCW" and before the period insert "and providing an effective date"

FRANK W. FOLEY, *Chairman*,  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, John L. Cooney, Jack England, Michael J. Gallagher, R. R. Bob Greive, Sam C. Guess, Wilbur G.

Hallauer, Ernest W. Lennart, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator Durkan, the committee amendments were adopted.

On motion of Senator Durkan, the rules were suspended, House Bill No. 637, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 637, as amended by the Senate, and the bill passed the Senate by the following vote, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Foley, Ryder, Sandison—3.

House Bill No. 637, as amended by the Senate, having received the constitutional 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. 552**, by Senators Foley, Sandison and Ryder:

Relating to student fees at state colleges.

On motion of Senator Hallauer, Senate Bill No. 552 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 555**, by Senators Thompson, Jr. and Dore:

Increasing community college fees.

On motion of Senator Hallauer, Senate Bill No. 555 was ordered to retain its place on the second reading calendar for tomorrow.

**House Joint Resolution No. 39**, by Representative Thompson:

Providing for publication dates for notice of election called to ratify the contraction of state debt.

The bill was read the second time by sections.

On motion of Senator McCormack, the rules were suspended, House Joint Resolution No. 39 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Joint Resolution No. 39 and the resolution passed the Senate by the following vote Yeas, 45; nays 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Conner, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich

Rasmussen, Raugust, Redmon, Riley, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Foley, Keefe, Ryder, Sandison—4.

House Joint Resolution No. 39, having received the constitutional majority, was declared passed.

**Substitute House Bill No. 608**, by Committee on Ways and Means (Subcommittee on Revenue).

Defining terms of and providing exemptions from certain excise taxes.

On motion of Senator Durkan, further consideration of Substitute House Bill No. 608 was deferred until after consideration of gubernatorial appointments.

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

#### MESSAGES FROM THE GOVERNOR

##### CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

State of Washington, Executive Department,  
Olympia, March 29, 1965

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to submit the following appointments to the position of members of the State Highway Commission, subject to your confirmation:

HAROLD WALSH, appointed March 29, 1965, for the term ending July 1, 1968, succeeding Irving M. Clark Jr.

ELMER C. HUNTLEY, appointed March 29, 1965, for the term ending July 1, 1969, succeeding Ernest A. Cowell.

Very truly yours,

DANIEL J. EVANS, *Governor.*

##### REPORT OF STANDING COMMITTEE

Senate Chamber,  
Olympia, Wash., April 5, 1965.

HAROLD WALSH, of Everett, appointed by the Governor to the State Highway Commission, appointed March 29, 1965, for the term ending July 1, 1968, succeeding Irving M. Clark Jr. (reported by Committee on Highways):

MAJORITY recommends that said appointment be confirmed.

NAT WASHINGTON, *Chairman,*  
AL HENRY, *Vice Chairman.*

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Herbert H. Freise, Sam C. Guess, H. B. Hanna, Gordon Herr, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Walter B. Williams.

It was moved by Senator Gissberg that the rules be suspended and that the appointment of Harold Walsh to the State Highway Commission be now confirmed.

##### PERSONAL PRIVILEGES

Senator Gissberg:

"Mr. President and Senator Mardesich and members of the Senate:

"Mr. Walsh, I am confident, will be of extreme value to the Highway Commission, the members of the Senate and the members of the House, and to the orderly development of the highway program of the state of Washington. Mr. Walsh is from Snohomish county. He has been appointed by the Governor as the Democratic representative. He is a good Democrat. As a matter of fact, he is now serving as state committeeman. I don't know how long he will act in that capacity, perhaps not too much longer. In any event, I believe he is going to resign as a result of this appointment.

"I might say he is an extremely aggressive man. He has great qualities of leader-

ship and ability. He is a man who I think will lend much to the efficiency of the Highway Commission. I believe that he has impressed all of us with his candor in the meetings of the Highway Committee when he answered questions which were tough questions. I don't think he realized the implications of some of the answers that he gave, really. Without hesitation, he responded to some questions which were quite political in nature on matters that, had we 'pros' been in their responding, I think we might have replied that this was something the legislature should decide. But the answers came from his heart and they were well received by the members of the Highway Committee, who listened and met with Mr. Walsh recently. I think that we can do no better in confirming the appointment of Mr. Walsh. We hope that he has every success in this new endeavor of his."

Senator Dore:

"Mr. President and members of the Senate:

"I signed the report. Mr. Walsh, I think, is an outstanding man and I think he will do an excellent job in this particular position. I think he is a man of integrity and competence. I'm sure we will have excellent representation from Snohomish county on the Highway Commission.

"However, I can't help but make an observation of just what has occurred here. During the campaign of our Governor, Governor Evans, we heard repeatedly criticism of the Highway Commission and the main reason was because the present Highway Commission did not expedite as quickly as he would have liked, the completion of the freeway and he said that if he were Governor, he was going to change this and put this in his 'Blueprint for Progress.' I was happy to learn that was one of his blueprints and I subscribed to that particular proposition.

"A few weeks ago, in his wisdom, the Governor engineered a situation where he put out two Democratic appointees, Cowell and Clark, from the Commission and—"

#### POINT OF ORDER

Senator Woodall:

"Point of order, Mr. President:

"I do not believe he is addressing himself to the qualifications or lack thereof of the man presently under consideration."

#### RULING BY THE PRESIDENT

The President:

"The Senator will please confine his remarks to the confirmation of Mr. Walsh."

Senator Dore:

"I think I am, Mr. President. The point that I wish to make is that the reason for deposing the two commissioners was that he wanted to expedite the completion of the freeway. That was the reason given. He wasn't satisfied with the way they were working and so the Senate went along with that particular proposition.

"The situation today is that the freeway from Seattle to Tacoma is substantially uncompleted. That is the main uncompleted part of the freeway. That's the area where there is the most population and the greatest congestion. In fact, Boeing Aircraft Company has served notice to the state and the State Highway Commission that unless this congestion is taken care of expeditiously, perhaps they won't bring any more work into the area."

#### POINT OF ORDER

The President:

"For what purpose does Senator Moriarty rise?"

Senator Moriarty, Jr.:

"For the same point of order as Senator Woodall raised."

Senator Dore:

"I am certainly entitled to express my opinion on the Commission appointment on personal privilege."

#### RULING BY THE PRESIDENT

The President:

"The subject is rather broadening."

**PERSONAL PRIVILEGES**

Senator Dore:

"So as a result of the action that we took here several weeks ago, the one commissioner from King county, Mr. Clark, was deposed from the Highway Commission. When that was done, I certainly thought the Governor would have sufficient wisdom to replace him with another King county man. After all, King county has thirty-eight percent of the population. Certainly King county with all the population and all the problems and all the congestion in the south end should be entitled to one member of this Commission. Now we have a situation where the two appointments he has submitted are both excellent men. I have no quarrel with them. But I think King county has been short-changed here. I think we are entitled to at least one member on the Highway Commission. I know on the Senate floor there are fourteen of us from that area and I think the fact that we are here, perhaps we are familiar with King county's problems and perhaps King county has a little bit of interest here. In fact, if we weren't here, the problems of King county wouldn't be too adequately served. Next term there will be sixteen members from King county. The Governor is from King county. He knows the situation. Actually he is depriving King county of representation on this Commission. I certainly hope that even though we do confirm these two good men, which they are, that in the next appointment at least the Governor will see fit to give King county a little representation, because in these two appointments today, we have certainly been deprived of representation."

Senator Moriarty, Jr.:

"Mr. President and members of the Senate:

"I would like to address myself to one comment made by Senator Dore, that King county does not have representation. I don't know whether Senator Dore was in the Highway Committee or had the opportunity to meet Mr. Walsh as I did. Mr. Walsh comes from Everett. Everett is not too far north of King county. Mr. Walsh is a man with substantial business background and substantial experience in both King and Snohomish counties. He is very familiar and I am sure, Senator Dore, he is highly sympathetic to the problems in the metropolitan area of King and Pierce counties and Snohomish county. I have no qualms on that at all.

It gives me a great deal of pleasure to join Senator Gissberg in urging the confirmation of the appointment of Mr. Walsh."

Senator Henry:

"I would just like to observe for the Senator's benefit, Mr. President, that with the foreign aid between the counties the other day on the school appropriations and so forth, there is no reason for Senator Dore to be bleeding inwardly for his particular area."

Senator Mardesich:

"Mr. President:

"I am pleased to hear that Senator Dore intended to vote for Mr. Walsh. I rise to correct a couple of his facts. Number one, the Governor is not the engineer on this project. Number two, had Senator Dore taken as much interest in the highway situation in King county as I who am from Snohomish county, and as Mr. Walsh, who is also from Snohomish county, has displayed in the past, Senator Dore might not have the problem in King county that he has today."

**POINT OF INQUIRY**

Senator Rasmussen:

"Mr. President, would Senator Washington yield?"

"Senator Washington, in Senate Bill No. 438, we raised the per diem of the Highway Commission members to forty dollars a day."

Senator Washington:

"That's correct."

Senator Rasmussen:

"They also get all necessary expenses and travel?"

Senator Washington:

"Yes."

Senator Rasmussen:

"My question is are we being premature in approving these appointments, because once they are appointed to a term of office, they will not be able to receive a higher rate of per diem until the term has expired."

Senator Washington:

"As I understand it, there is no problem with any of the appointees with the possible exception of Mr. Huntley who was a member of the legislature. Of course he has resigned, but I don't believe until his term of office expires, that he will be able to get the additional amount. I could be wrong, but I am sure there is no question as far as Mr. Walsh is concerned."

Senator Rasmussen:

"Senator Washington, my concern is that you may not raise pay during a term of office of an appointee. The Attorney General has ruled on this, and since this bill has not yet passed the legislature, I wonder if he will be able to get the increased per diem.

Senator Washington:

"I don't pretend to be an expert in this particular field, but I believe this relates to legislative offices, rather than appointments. I could be wrong. I am no expert in this particular field."

#### PERSONAL PRIVILEGES

Senator Guess:

"Mr. President, speaking to one of the points Senator Dore raised, I have a letter here that has some figures in it that I think would be very interesting. It shows in the period of July 1, 1960 to June 30, 1964, that on the interstate system, \$191 million was spent on the interstate system in Western Washington while only \$26 million, or twelve percent was spent in Eastern Washington.

"Up to now we have spent on the interstate system \$163 million in King county. I think they have gotten their fair share."

Senator Stender:

"Mr. President:

"I would like to rise to support the appointment of Mr. Walsh. I think sometimes on a commission like this they are put in the position where perhaps they don't follow the needs. Of course it is probably a little late, going over the same situation as we have had before us in King county. Senator Dore speaks about appointing someone from King county. We had a Commission member from King county and it didn't seem to make much difference. As far as the south end of King county is concerned, I have been there a long time. It doesn't seem to change. Maybe we ought to take all five of these commissioners and put them on that street every morning and night for four or five minutes and let them travel like the rest of us do and they might find out a little more about the needs of south King county.

"I think, though, in our interview with Mr. Walsh, that he is more than willing to cooperate with the elected representatives of the people; members of the Senate and the House as well as other legislative officials. I think the job can be well done and Mr. Walsh is willing and has subscribed to the principle, which makes me feel he will be a good member of the Highway Commission."

The motion was carried.

#### APPOINTMENT OF HAROLD WALSH

The Secretary called the roll, and the appointment of Harold Walsh to the State Highway Commission was confirmed by the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Giss-



berg, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Foley, Hanna, McCormack—3.

Having received the approval of the Senate, the appointment of Harold Walsh to the State Highway Commission was confirmed.

#### REPORT OF STANDING COMMITTEE

Senate Chamber,  
Olympia, Wash., April 5, 1963.

ELMER C. HUNTLEY, of Thornton, appointed by the Governor to the State Highway Commission, appointed March 29, 1965 for the term ending July 1, 1969, succeeding Ernest A. Cowell (reported by Committee on Highways):

MAJORITY recommends that said appointment be confirmed.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Herbert H. Freise, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, H. B. Hanna, Gordon Herr, Karl Herrmann, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, John H. Stender, Walter B. Williams.

It was moved by Senator Neill that the rules be suspended and that the appointment of Elmer C. Huntley to the State Highway Commission be now confirmed by the Senate.

#### PERSONAL PRIVILEGES

Senator Neill:

"Mr. President and members of the Senate:

"I need not tell you too much about Mr. Huntley because he has been a colleague of ours up to very recently and I know all of you know him personally. However, as a former colleague of mine, I take great pleasure in standing up and moving for his confirmation to this post today, which I know means very much to him.

"He follows in the footsteps of his father in this work on the Highway Commission. He has devoted his entire legislative career to working on the Highway Committee. He was chairman of the House Highways Committee last session and has a deep and abiding interest in this field. Each of you know him personally and are pleased that he would accept this appointment. I urge your vote."

Senator Cowen:

"Mr. President and members of the Senate:

"I have known Representative Elmer C. Huntley for the past forty-eight years and if he is anything like his father—and I think he is better because he is younger—the Highway Commission is getting a real good man. For Senator Dore's information, I'm sure that the King county roads will be a great deal better than they have been in the past.

"Representative Huntley has been in the legislature for the past eight years. He has served on the Highways Committee during this time and I am sure King county will be greatly favored in the appointment of Elmer C. Huntley to the Highway Commission."

Senator Raugust:

"Mr. President and members of the Senate:

"I wish to speak in support of Elmer C. Huntley. I worked with him on the Fact Finding Committee on Highways. He is also a member of the interim committee. I am sure he will do an excellent job and I do recommend him for this position."

**Senator Washington:**

"Mr. President and members of the Senate:

"When the matter of the confirmation of the previous commissioners came up, I worked very hard on this floor for the predecessor of Elmer C. Huntley because I felt he had done an excellent job. But this body has spoken and we do have a highway program to carry out and I feel that the Governor couldn't have picked a better man to be the substitute for Mr. Cowell. Of course, I worked very closely with Elmer Huntley when he was chairman of the House Highways Committee and when he was vice chairman of the Joint Interim Committee. He certainly will be outstanding. I know he is one with whom we can work. Since the issue of King county has been injected, I would like to point out that during the last year, out of the interstate funds, 91½% of the funds expended were spent on the west side of the state and 8.5% were spent on the east side. Again, of course, this is going to be enlarged, but this is another indication that from a legislative point of view, although Mr. Huntley is from the east side, he certainly has a broad point of view and you can count on him, I'm sure, to be fair to the west side of the state."

**Senator Riley:**

"Mr. President and members of the Senate:

"I just want to add my name, and I have already added my signature to the confirmation of Elmer Huntley, and I can speak in both cases now, both Mr. Walsh and Mr. Huntley. They answered some very direct questions which I proposed to them. I didn't feel that because I knew them well, that I had to hold back. I can assure the members of the Senate they answered all questions satisfactorily and as far as I am concerned, I think Senator Washington will be the first one to admit that I specifically directed the attention of Mr. Walsh and Mr. Huntley to the King county situation insofar as roads and traffic congestion was concerned and on direct questions specifically addressed myself to Mr. Huntley. He said he recognized the problem of King county and, in his mind it rated highest priority."

**Senator Durkan:**

"Mr. President and members of the Senate:

"I would like to commend the Governor on his appointments of Mr. Huntley and Mr. Walsh from Everett. I think they are outstanding men. I think they are as capable as the men they replaced. I felt and still do that the two people who were their predecessors were victims of the political warfare which rages in this Senate at times, and unfortunately they didn't have the number of votes as far as the Senate was concerned, to remain on the Commission. But so be it!

"Now Governor Evans has the absolute control of the Highway Commission, and this is the way it should be. I have always maintained that any Governor should have the responsibility if he has the authority. I would also like to commend Senator Washington on this matter of eastern and western Washington and particularly as a Senator from the south end of King county, along with Senator Stender and Senator Dore, who know the great problems of traffic congestion. We think that Senator Washington has done a very commendable job with the funds available in helping us with our problems in King county.

"My only other comment would be that in the ensuing two to four years, we shall watch with great interest the rapidity with which our freeways are built and will feel free to come back and give constructive criticism if we feel that it is due. At the same time, if these gentlemen live up to their reputations as expounded on the floor of the Senate in the last fifteen minutes, I will be one of the first to join in the applause."

**Senator Peterson (Ted):**

"Mr. President and members of the Senate:

"I just want to take you back a few years to 1955 when we started. I say this because there is reference to money that King county receives. If you will remember, what is now called the freeway was to be a tollway and we started out on that premise. At that time, Elmer Huntley's father was chairman of the Highway Commission and we went on to a point where now we are really making some progress. The money that is going into King county is all money that is going into the freeway. This is where the big expenditure is, and if it hadn't been started out as a tollway, I doubt that we would be as far as we are now. Having served

on the Highway Committee, I want to say that I believe these two men, having been at the meeting at the time they were interviewed, are top men and I believe they understand conditions in King county and they will be a great asset to us. I hope you Senators from other parts of the state will realize the money that is being expended is to take this freeway through the crowded, congested city of Seattle. It is going to take more money and we hope in the future, when we need that money, you will be there to see that we have the proper highways and roads through our city."

Senator Woodall:

"Mr. President:

"I would like to say to the members of the Senate that I am one of the small group here who have served with both the father and the son. They are both fine gentlemen. They are both men of their words. Senator Dore, I know you will be happy to know that Mr. Huntley is an avid Cougar fan and he always follows the team over to the University of Washington when they play, and he will be driving over these roads and he hates congestion and hates to be held up. He likes to get out to the stadium rapidly. I know with that information in mind, you will vote more heartily."

Senator Redmon:

"Mr. President and members of the Senate:

"I rise to endorse Mr. Huntley and also Mr. Walsh. Mr. Huntley is an outstanding business man and a good politician and a good legislator. Mr. Walsh comes from Snohomish county. There are only two first class counties in the state of Washington: Yakima and Snohomish. The first chairman of the Highway Commission comes from Yakima county, so I see no reason why the next member voted on shouldn't come from Snohomish county so that you have both of the first class counties taken care of in the appointments to the Highway Commission.

"I want to tell you that as far as I am concerned, I recognize the problems in King county because the Alaskan Way Viaduct was started and part of it constructed while I was on the Highway Commission.

"I endorse both men."

Senator Dore:

"Mr. President:

"I served with Mr. Huntley and certainly in my opinion he is a gentleman and an outstanding man. I know he will do a good job. I understand he has a plane, though, and probably won't use the highway to come over to the University of Washington.

"The only point I wish to make is with reference to area. I think the Governor had a responsibility to the people of King county to give them at least one representative on this five-man commission. Numerically, probably they deserve two with thirty-eight percent of the population. They should have two of the commissioners, actually, but at least they should have had one. I think the Governor did away with this responsibility and I think the people of King county will be rightly angered and disappointed that they can't have at least one representative on this commission. It is such an important one and so many of the problems are directly centered and concentrated in King county now. That's the only point I wish to make."

Senator Moriarty, Jr.:

"Mr. President:

"I merely wanted to suggest to Senator Dore that he read the statute which sets up the Washington State Highway Commission."

Senator McMillan:

"Mr. President and members of the Senate:

"Just a word in commendation for Mr. Huntley, the newly appointed member of the Highway Commission. I have known him over a period of many years and his father as well. I know he is a high type gentleman and will be a credit to the Highway Commission.

The motion was carried.

**CONFIRMATION OF ELMER C. HUNTLEY**

The Secretary called the roll and the appointment of Elmer C. Huntley to the Washington State Highway Commission was confirmed by the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Connor, Foley, Hanna, Herrmann—4.

Having received the approval of the Senate, the appointment of Elmer C. Huntley to the Washington State Highway Commission was confirmed.

State of Washington, Executive Department,  
Olympia, April 1, 1965.

To the Honorable, the Senate of the State of Washington.

LADY AND GENTLEMEN:

I have the honor to submit the following appointment to the position of Director of the Department of Licenses, subject to your confirmation:

Douglas Toms, appointed March 18, 1965, succeeding Michael T. Gray.

Very truly yours,

DANIEL J. EVANS  
Governor.

**REPORT OF STANDING COMMITTEE**

Senate Chamber,  
Olympia, Wash., April 7, 1965.

DOUGLAS TOMS, appointed by the Governor to the position of director of the Department of Licenses, appointed March 18, 1965, succeeding Michael T. Gray (reported by Committee on Highways):

MAJORITY recommends that said appointment be confirmed.

NAT WASHINGTON, *Chairman.*  
AL HENRY, *Vice Chairman.*

We concur in this report: Dewey C. Donohue, Martin J. Durkan, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, H. B. Hanna, James Keefe, Reuben A. Knoblauch, Ernest W. Lennart, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Lowell Peterson, Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Gordon Sandison, Walter B. Williams.

It was moved by Senator Washington that the rules be suspended and that the appointment of Douglas Toms to the position of Director of the Department of Licenses be now confirmed.

**PERSONAL PRIVILEGES**

Senator Washington:

"Mr. President:

"In Douglas Toms, we have, I think, for the first time, a man with professional training in the Department of Motor Vehicles, a person with a trained background, particularly in the field of licensing and in motor vehicles. By this comment, I make no reflection on past administrators who have done capable and credible jobs, but this is an indication that the new Governor, as did Governor Rosellini, recognizes the need for real professional training. Mr. Toms was in the Department of Licenses and appointed to that position under the previous administration. I take some pride in that the Joint Interim Committee on Highways, in its study on improving the Motor Vehicle Department, was largely responsible for Mr. Toms coming to the state of Washington and becoming a part of the Department of Licenses, now the

Department of Motor Vehicles. He had training in college along the lines of motor vehicle registration. He has taught courses. He has been in business along the line of consulting on traffic and highway administration problems. As far as moving the department forward with new computers and new techniques of licensing, I know that this department is going to move ahead.

"Basically Mr. Toms has been before our committee, not only in his professional capacity in presenting bills, but before the committee for interview on his appointment. He was very forthright and certainly indicated that he would do everything in his power, and I feel he does have great power in this field, to give to the state of Washington one of the finest Motor Vehicle Departments in the country, so I urge your support of Mr. Toms."

Senator Lewis:

"Mr. President and members of the Senate:

"I would just like to briefly second the remarks of Senator Washington. I think the proof will be in the pudding, that as the years go by, you will see that Douglas Toms, because of his background and experience, his great competence in his field of major study, will drive and bring the department to new heights which we have not seen before. I urge you to confirm the appointment."

Senator Riley:

"Mr. President and members of the Senate:

"Just one additional word: I have never seen a more dedicated person—and we use the term 'dedicated' on many occasions, but Mr. Toms is so enthusiastic about this job and is working so many hours, it is just unbelievable the energy this young man has and his desire to make improvements and I certainly believe here will be one case where the results will be marked and you will notice it in a two-year period."

The motion was carried.

#### CONFIRMATION OF DOUGLAS TOMS

The Secretary called the roll and the appointment of Douglas Toms to the position of Director of the Department of Licenses was confirmed by the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Greive, Guess, Hallauer, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Foley, Gissberg, Hanna, Herrmann—4.

Having received the approval of the Senate, the appointment of Douglas Toms to the position of Director of the Department of Licenses was confirmed.

State of Washington, Executive Department,  
Olympia, March 26, 1965.

*To the Honorable, the Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to submit the following appointments to the position of members of the Board of Regents of the Washington State University, subject to your confirmation:

H. H. (DUTCH) HAHNER, appointed March 19, 1965, for the term ending March 9, 1971, succeeding Thomas P. Gose.

MICHAEL DEDERER, appointed March 19, 1965, for the term ending March 9, 1971, succeeding Leo Weisfeld.

Very truly yours,  
DANIEL J. EVANS  
Governor.

## REPORT OF STANDING COMMITTEE

Senate Chamber,  
Olympia, Wash., April 9, 1965.

MICHAEL DEDERER, appointed by the Governor to the position of member of the Board of Regents of Washington State University, appointed March 19, 1965, for the term ending March 9, 1971, succeeding Leo Weisfield (reported by Committee on Higher Education and Libraries):

Recommends that it said appointment be confirmed.

GORDON SANDISON, *Chairman*.

We concur in this report: R. Frank Atwood, Frank W. Foley, Wilbur G. Hallauer, Karl Herrmann, Harry B. Lewis, Mike McCormack, Marshall A. Neill, John N. Ryder, Don L. Talley, Nat Washington.

It was moved by Senator Ryder that the rules be suspended and that the appointment of Michael Dederer to the Board of Regents of Washington State University be now confirmed.

## PERSONAL PRIVILEGE

Senator Ryder:

"Mr. President and members of the Senate:

"I have known Mr. Dederer for many, many years. He has been one of the leading citizens of Seattle. He has done a tremendous job in civic service there. Practically on every citizens' committee that is formed for any worthy or charitable purpose, you could always find Michael Dederer's name on it. Not only will you find his name on it, but you will find him working in the forefront to further the worthy causes that are represented by him.

"Mr. Dederer has had a long, successful and busy life in Seattle, and he is very well regarded by his community, as well as by the city fathers and the city of Seattle. He served previously on the board of Washington State University and many times since his term expired I have talked to those who served with him there or who had some contact with him, and they all wish that he was back because he did such a tremendous job when he was on that board. He has a deep and abiding interest in education and I would say that Washington State University's gain in this case is the loss of the University of Washington, because that is where I would really like to have him. But since we can't have him there, I think he can do a tremendous job for Washington State University."

The motion was carried.

## APPOINTMENT OF MICHAEL DEDERER

The Secretary called the roll and the appointment of Michael Dederer to the Board of Regents of the Washington State University was confirmed by the Senate by the following vote: Yeas, 42; nays, 1; absent or not voting, 6.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Greive, Guess, Hallauer, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams, Woodall—42.

Those voting nay were: Senator Gallagher—1.

Absent or not voting: Senators Foley, Gissberg, Hanna, Henry, Herrmann, Talley—6.

Having received the approval of the Senate, the appointment of Michael Dederer to the Board of Regents of the Washington State University was confirmed.

**REPORT OF STANDING COMMITTEE**

Senate Chamber,

Olympia, Wash., April 9, 1965.

H. H. (Dutch) HAHNER, appointed by the Governor to the position of member of Board of Regents of Washington State University, appointed March 19, 1965 for the term ending March 9, 1971 succeeding Thomas P. Gose (reported by Committee on Higher Education and Libraries):

Recommends that said appointment be confirmed.

GORDON SANDISON, *Chairman.*

We concur in this report: R. Frank Atwood, Frank W. Foley, Wilbur G. Hallauer, Karl Herrmann, Harry B. Lewis, Mike McCormack, Marshall A. Neill, John N. Ryder, Don L. Talley, Nat Washington.

It was moved by Senator Freise that the rules be suspended and that the appointment of H. H. (Dutch) Hahner to the Board of Regents of Washington State University be now confirmed.

**PERSONAL PRIVILEGE**

Senator Freise:

"Mr. President and members of the Senate:

"Mr. Hahner was born and raised in Fairfield, Washington, country. He attended schools in that area. He attended Washington State College and graduated from Washington State in agricultural science. Thereafter, he went to the University of Oregon Law School, graduated with distinction, returned to Walla Walla to practice law after serving in the United States Attorney's Office in Portland for a year or two, and he has been very active in civic affairs in Walla Walla. He is an outstanding lawyer. He has developed a real fine practice. His wife has also been active in educational circles. She was on the school board of School District 144 several terms, and between the two of them, they have donated a lot of their time for civic affairs and educational matters. I think he will make an outstanding Regent at Washington State."

The motion was carried.

**APPOINTMENT OF H. H. (DUTCH) HAHNER**

The Secretary called the roll and the appointment of H. H. (Dutch) Hahner to the Board of Regents of Washington State University was confirmed by the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Foley, Hanna, Herrmann, Ryder—4.

Having received the approval of the Senate, the appointment of H. H. (Dutch) Hahner to the Board of Regents of Washington State University was confirmed.

**SECOND READING OF BILLS**

On motion of Senator Gallagher, the Senate resumed consideration of Substitute House Bill No. 608 on second reading.

**Substitute House Bill No. 608**, by Committee on Ways and Means (Subcommittee on Revenue):

Defining terms of and providing exemptions from certain excise taxes.

It was moved by Senator Washington that Substitute House Bill No. 608 hold its place at the top of the second reading calendar for tomorrow.

Debate ensued.

#### POINT OF INQUIRY

Senator Washington:

"Would Senator Hanna yield to a question?"

Senator Hanna:

"I yield."

Senator Washington:

"Are you familiar, coming from a public utility district county, with the problems which are brought about by the amendments on pages 1 and 2 of Substitute House Bill No. 608?"

Senator Hanna:

"Senator Washington, I can only say that I conferred with Charlie Hodde, for whom I have a great deal of respect in regard to these matters, also, Senator Hallauer and Senator Durkan, and I am satisfied that there is agreement on this particular issue."

Senator Washington:

"I know Senator Hallauer shares much of the concern that I do and on the basis of his discussions, I will remove my objections."

With the consent of the Senate, Senator Washington was permitted to withdraw his motion.

#### REPORT OF STANDING COMMITTEE

##### Substitute House Bill No. 608:

Senate Chamber,  
Olympia, Wash., April 8, 1965.

Defining terms of and providing exemptions from certain excise taxes (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass with the following amendments:

On page 8, section 7, line 33, after "donor" and before the semicolon insert the following: *"and in respect to the use of any article of tangible personal property acquired by bailment, if the property was acquired by a previous bailee from the same bailor for use in the same general activity and such original bailment was prior to June 9, 1961"*

On page 14, following section 8, add 6 new sections to read as follows:

"Sec. 9. Section 82.04.120, chapter 15, Laws of 1961 and RCW 82.04.120 are each amended to read as follows:

"To manufacture" embraces all activities of a commercial or industrial nature wherein labor or skill is applied, by hand or machinery, to materials so that as a result thereof a new, different or useful substance or article of tangible personal property is produced for sale or commercial or industrial use, and shall include the production or fabrication of special made or custom made articles, *and the generation or production of electrical energy for resale or consumption outside the state.*

Sec. 10, Section 82.16.050, chapter 15, Laws of 1961, and RCW 82.16.050 are each amended to read as follows:

In computing tax there may be deducted from the gross income the following items:

(1) Amounts derived by municipally owned or operated public service businesses, directly from taxes levied for the support or maintenance thereof: *Provided*, That this section shall not be construed to exempt service charges which are spread on the property tax rolls and collected as taxes;

(2) Amounts derived from the sale of commodities to persons in the same public service business as the seller, for resale as such within this state. This deduction is allowed only with respect to water distribution, light and power, gas distribution or



other public service businesses which furnish water, electrical energy, gas or any other commodity in the performance of public service businesses;

(3) Amounts actually paid by a taxpayer to another person taxable under this chapter as the latter's portion of the consideration due for services furnished jointly by both, if the total amount has been credited to and appears in the gross income reported for tax by the former;

(4) The amount of cash discount actually taken by the purchaser or customer;

(5) The amount of credit losses actually sustained by taxpayers whose regular books of accounts are kept upon an accrual basis;

(6) Amounts derived from business which the state is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States;

(7) Amounts derived from the distribution of water through an irrigation system, for irrigation purposes;

(8) Amounts derived from the transportation of commodities from points of origin in this state to final destination outside this state, or from points of origin outside this state to final destination in this state, with respect to which the carrier grants to the shipper the privilege of stopping the shipment in transit at some point in this state for the purpose of storing, manufacturing, milling, or other processing, and thereafter forwards the same commodity, or its equivalent, in the same or converted form, under a through freight rate from point of origin to final destination; and amounts derived from the transportation of commodities to an export elevator, wharf, dock or ship side on tidewater or navigable tributaries thereto, from points of origin in the state, and thereafter forwarded by water carrier in their original form, to interstate or foreign destinations: *Provided*, That no deduction will be allowed when the point of origin and the point of delivery to such an export elevator, wharf, dock, or ship side are located within the corporate limits of the same city or town;

(9) *Amounts derived from the production, sale, or transfer of electrical energy for resale or consumption outside the state if the production or generation of such energy is subject to tax under the manufacturing classification of chapter 82.04 RCW: Provided, That the exemption set forth in RCW 82.04.310 shall not be applicable to the generation or production of the electrical energy so produced, sold, or transferred; And Provided Further, That no credit has been established as an offset to taxes imposed under RCW 82.04.240.*

**NEW SECTION.** Sec. 11. There is added to chapter 82.04 RCW a new section to read as follows:

In computing tax under this chapter there may be credited against the amount of the tax the following items:

As to persons engaging in activities defined in RCW 82.04.120 (the definition of the term "to manufacture"), an amount not to exceed the tax actually paid under chapter 82.08 RCW (Retail Sales Tax) or chapter 82.12 RCW (Use Tax) by such persons or their lessors or their contract vendors, on materials, labor and services in the construction or major improvement of buildings, structures or other improvements to real property that is, to the extent of eighty-five percent or more of the value of the improvements, used or to be used in or related to the business of manufacture for sale or commercial or industrial use of any articles, substances or commodities: *Provided*, That this credit shall be allowable only against tax payable by the manufacturer and measured by the value of products or gross proceeds of sales of articles, substances or commodities manufactured in this state: *Provided further*, That this credit shall be allowable only against any tax payable which is attributable to manufacturing which involves the use of such construction or improvements: *And provided further*, That this credit shall not be allowable for tax paid on purchases of material, labor or services on which the vendor became entitled to compensation prior to July 1, 1964.

Sec. 12. Section 82.32.060, chapter 15, Laws of 1961, as amended by section 1, chapter 22, Laws of 1963 and RCW 82.32.060 are each amended to read as follows:

If, upon application by a taxpayer for a refund or for an audit of his records, or upon an examination of the returns or records of any taxpayer, it is determined by the tax commission that within the two years immediately preceding the receipt of the commission of the application by the taxpayer for a refund or for an audit, or, in the absence of such an application, within the two years immediately preceding the commencement by the commission of such examination, a tax has been paid in excess of that properly due, the excess amount paid within such period of two years shall be credited to the taxpayer's account or shall be refunded to the taxpayer, at this option. *Except as to the credits in computing tax authorized by section 11 of this*

1965 amendatory act, no refund or credit shall be allowed with respect to any payments made to the commission more than two years before the date of such application or examination. Where a refund or credit may not be made because of the lapse of said two year period, the amount of the refund or credit which would otherwise be allowable for the portion of the statutory assessment period preceding the two year period may be offset against the amount of any tax deficiency which may be determined by the commission for such statutory assessment period. Notwithstanding the foregoing, no refund or credit shall be granted with respect to taxes paid prior to May 1, 1950, but where a refund or credit may not be made because the tax was paid prior to May 1, 1950, the amount of the refund or credit which would otherwise be allowable for the portion of the statutory assessment period preceding May 1, 1950, may be offset against the amount of any tax deficiency which may be determined by the commission for such preceding period.

Notwithstanding the foregoing limitations there shall be refunded or credited to taxpayers engaged in the performance of United States government contracts or subcontracts the amount of any tax paid, measured by that portion of the amounts received from the United States, which taxpayer is required by contract or applicable federal statute to refund or credit to the United States, if claim for such refund is filed by the taxpayer with the tax commission within one year of the date that the amount of the refund or credit due to the United States is finally determined and filed within four years of the date on which the tax was paid: *Provided*, That no interest shall be allowed on such refund.

Any such refunds shall be made by means of vouchers approved by the tax commission and by the issuance of state warrants drawn upon and payable from such funds as the legislature may provide.

Any judgment for which a recovery is granted by any court of competent jurisdiction, not appealed from, for tax, penalties, and interest which were paid by the taxpayer, and costs, in a suit by any taxpayer shall be paid in like manner, upon the filing with the tax commission of a certified copy of the order or judgment of the court. *Except as to the credits in computing tax authorized by section 11 of this 1965 amendatory act*, interest at the rate of three percent per annum shall be allowed by the tax commission and by any court on the amount of any refund or recovery allowed to a taxpayer for taxes, penalties, or interest paid by him after May 1, 1949, and interest at the same rate shall be allowed on any judgment recovered by a taxpayer for taxes, penalties, or interest paid after such date.

Sec. 13. Section 82.04.260, chapter 15, Laws of 1961 and RCW 82.04.260 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of buying wheat, oats, *dry peas*, corn and barley, but not including any manufactured or processed products thereof, and selling the same at wholesale; the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of one one-hundredth of one percent.

(2) Upon every person engaging within this state in the business of manufacturing wheat into flour; as to such persons the amount of tax with respect to such business shall be equal to the value of the flour manufactured, multiplied by the rate of one-eighth of one percent.

(3) Upon every person engaging within this state in the business of manufacturing seafood products which remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; as to such persons the amount of tax with respect to such business shall be equal to the value of the products manufactured, multiplied by the rate of one-eighth of one percent.

(4) *Upon every nonprofit corporation and nonprofit association engaging within this state in research and development, as to such corporations and associations, the amount of tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of forty-four one-hundredths of one percent.*

Sec. 14. Section 82.08.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 28, Laws of 1963 extraordinary session and RCW 82.08.030 are each amended to read as follows:

The tax hereby levied shall not apply to the following sales:

(1) Casual and isolated sales of property or service, unless made by a person who is engaged in a business activity taxable under chapters 82.04, 82.16 or 82.28: *Provided*, That the exemption provided by this paragraph shall not be construed as providing any exemption from the tax imposed by chapter 82.12;

(2) Sales made by persons in the course of business activities with respect to which tax liability is specifically imposed under chapter 82.16, when the gross proceeds from such sales must be included in the measure of the tax imposed under said chapter;

(3) The distribution and newsstand sale of newspapers;

(4) Sales which the state is prohibited from taxing under the constitution of this state or the constitution or laws of the United States;

(5) Sales of motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes and sales of motor vehicle fuel taxable under chapter 82.36: *Provided*, That the use of any such fuel upon which a refund of the motor vehicle fuel tax has been obtained shall be subject to the tax imposed by chapter 82.12;

(6) Sales (including transfers of title through decree of appropriation) heretofore or hereafter made of the entire operating property of a publicly or privately owned public utility, or of a complete operating integral section thereof, to the state or a political subdivision thereof for use in conducting any business defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), (9), (10) or (11) of RCW 82.16.010;

(7) Auction sales made by or through auctioneers of tangible personal property (including household goods) which have been used in conducting a farm activity, when the seller thereof is a farmer and the sale is held or conducted upon a farm and not otherwise;

(8) Sales to corporations which have been incorporated under any act of the congress of the United States and whose principal purposes are to furnish volunteer aid to members of armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other national calamities and to devise and carry on measures for preventing the same;

(9) Sales of purebred livestock for breeding purposes where the animals are registered in a nationally recognized breed association; sales of cattle and milk cows used on the farm;

(10) Sales of tangible personal property (other than the type referred to in subdivision (11) hereof) for use by the purchaser in connection with the business of operating as a private or common carrier by air, rail, or water in interstate or foreign commerce: *Provided*, That any actual use of such property in this state shall, at the time of such actual use, be subject to the tax imposed by chapter 82.12;

(11) Sales of airplanes, locomotives, railroad cars, or watercraft for use in conducting interstate or foreign commerce by transporting therein or therewith property and persons for hire or for use in conducting commercial deep sea fishing operations outside the territorial waters of the state; also sales of tangible personal property which becomes a component part of such airplanes, locomotives, railroad cars, or watercraft, and of motor vehicles or trailers used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state, in the course of constructing, repairing, cleaning, altering, or improving the same; also sales of or charges made for labor and services rendered in respect to such constructing, repairing, cleaning, altering, or improving;

(12) Sales of motor vehicles and trailers to be used for the purpose of transporting therein persons or property for hire in interstate or foreign commerce: *Provided*, That the purchaser must be the holder of a carrier permit issued by the Interstate Commerce Commission and that the vehicles will first move upon the highways of this state from the point of delivery in this state to a point outside of this state under the authority of a one-transit permit issued by the director of licenses pursuant to the provisions of RCW 46.16.100;

(13) Sales of motor vehicles and trailers to nonresidents of this state for use outside of this state, even though delivery be made within this state, but only when (a) the vehicles or trailers will be taken from the point of delivery in this state directly to a point outside this state under the authority of a one-transit permit issued by the director of licenses pursuant to the provisions of RCW 46.16.100, or (b) said motor vehicles and trailers will be registered and licensed immediately under the laws of the state of the purchaser's residence, will not be used in this state more than three months, and will not be required to be registered and licensed under the laws of this state;

(14) Sales to nonresidents of this state for use outside of this state of tangible personal property which becomes a component part of any machinery or other article

of personal property belonging to such nonresident, in the course of installing, repairing, cleaning, altering, or improving the same and also sales of or charges made for labor and services rendered in respect to any installing, repairing, cleaning, altering, or improving, of personal property of or for a nonresident, but this subsection (14) shall apply only when the seller agrees to, and does, deliver the property to the purchaser at a point outside this state, or delivers the property to a common or bona fide private carrier consigned to the purchaser at a point outside this state;

(15) Sales to nonresidents of this state for use outside of this state of watercraft requiring coast guard registration or registration by the state of principal use according to the Federal Boating Act of 1958, even though delivery be made within this state, but only when (a) the watercraft will not be used within this state for more than forty-five days and (b) an appropriate exemption certificate supported by identification ascertaining residence as provided by the tax commission and signed by the purchaser or his agent establishing the fact that the purchaser is a nonresident and that the watercraft is for use outside of this state, one copy to be filed with the tax commission with the regular report and a duplicate to be retained by the dealer.

(16) Sales of poultry for use in the production for sale of poultry or poultry products.

(17) Sales to nonresidents of this state for use outside of this state of machinery and implements for use in conducting a farming activity, when such machinery and implements will be transported immediately outside the state. As proof of exemption, an affidavit or certification in such form as the tax commission shall require shall be made for each such sale, to be retained as a business record of the seller.

(18) Sales for use in states, territories and possessions of the United States which are not contiguous to any other state, but only when, as a necessary incident to the contract of sale, the seller delivers the subject matter of the sale to the purchaser or his designated agent at the usual receiving terminal of the carrier selected to transport the goods, under such circumstances that it is reasonably certain that the goods will be transported directly to a destination in such non-contiguous states, territories and possessions.

(19) Sales to municipal corporations, the state, and all political subdivisions thereof of tangible personal property consumed and/or of labor and services rendered in respect to contracts for watershed protection and/or flood prevention. This exemption shall be limited to that portion of the selling price which is reimbursed by the United States government according to the provisions of the Watershed Protection and Flood Prevention Act, Public Laws 566, as amended.

(20) Sales to nonresidents of this state who are citizens of the United States of tangible personal property for use outside this state when the purchaser has applied for and received from the tax commission a permit certifying (1) that he is a bona fide resident of a state or possession other than the state of Washington, or of a foreign country, and (2) that he does agree, when requested, to grant the tax commission access to such records and other forms of verification at his place of residence to assure that such purchases are not first used substantially in the state of Washington.

Any person claiming exemption from retail sales tax under the provisions of this subsection must display a nonresident permit as herein provided, and any vendor making a sale to a nonresident without collecting the tax must examine such permit, identify the purchaser as the person to whom the nonresident permit was issued, and maintain records which shall show the permit number attributable to each nontaxable sale.

Permits shall be personal and nontransferable and shall be issued by the tax commission upon payment of a fee of one dollar. The commission may in its discretion designate independent agents for the issuance of permits, according to such standards and qualifications as the commission may prescribe. Such agents shall pay over and account to the commission for all permit fees collected, after deducting as a collection fee the sum of fifty cents for each permit issued.

Any person making fraudulent statements in order to secure a permit shall be guilty of perjury. Any person making tax exempt purchases by displaying a permit not his own, or a counterfeit permit, with intent to violate the provisions of this subsection shall be guilty of a misdemeanor and, in addition, may be subject to a penalty not to exceed the amount of the tax due on such purchases. Any vendor who makes sales without collecting the tax to a person who does not hold a valid permit, and any vendor who fails to maintain records of permit numbers as provided in this section shall be personally liable for the amount of tax due.

*The exemption provided in this subsection shall be effective July 1, 1965, to July 1, 1967.*

Sec. 15. Section 82.04.430, chapter 15, Laws of 1961 as amended by section 5, chapter 293, Laws of 1961 and RCW 82.04.430 are each amended to read as follows:

In computing tax there may be deducted from measure of tax the following items:

(1) Amounts derived by persons, other than those engaging in banking, loan, security, or other financial businesses, from investments or the use of money as such;

(2) Amounts derived from bona fide initiation fees, dues, contributions, donations, tuition fees, charges made for operation of privately operated kindergartens, and endowment funds. This paragraph shall not be construed to exempt any person, association, or society from tax liability upon selling tangible personal property or upon providing facilities or services for which a special charge is made to members or others. Dues which are for, or graduated upon, the amount of service rendered by the recipient thereof are not permitted as a deduction hereunder;

(3) The amount of cash discount actually taken by the purchaser. This deduction is not allowed in arriving at the taxable amount under the extractive or manufacturing classifications with respect to articles produced or manufactured, the reported values of which, for the purposes of this tax, have been computed according to the provisions of RCW 82.04.450;

(4) The amount of credit losses actually sustained by taxpayers whose regular books of account are kept upon an accrual basis;

(5) So much of the sale price of motor vehicle fuel as constitutes the amount of tax imposed by the state or the United States government upon the sale thereof;

(6) Amounts derived from business which the state is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States;

(7) Amounts derived by any person as compensation for the receiving, washing, sorting, and packing of fresh perishable horticultural products and the material and supplies used therein when performed for the person exempted in RCW 82.04.330, either as agent or as independent contractor;

(8) Amounts derived as compensation for services rendered or to be rendered to patients by a hospital, as defined in chapter 70.41, devoted to the care of human beings with respect to the prevention or treatment of disease, sickness or suffering; when such hospital is operated by the United States or any of its instrumentalities, or by the state, or any of its political subdivisions;

(9) Amounts derived as compensation for services rendered to patients by a hospital, as defined in chapter 70.41, which is operated as a nonprofit corporation, nursing homes and homes for unwed mothers operated as religious or charitable organizations, but only if no part of the net earnings received by such an institution inures directly or indirectly, to any person other than the institution entitled to deduction hereunder. In no event shall any such deduction be allowed, unless the hospital building is entitled to exemption from taxation under the property tax laws of this state."

Renumber present "Sec. 9" "Sec. 16".

In line 14 of the title after the words and figures "and RCW 82.16.010;" and before the words "prescribing penalties;" insert "amending section 82.04.280, chapter 15, Laws of 1961 as amended by section 1, chapter 168, Laws of 1963 and RCW 82.04.280; amending section 82.04.430, chapter 15, Laws of 1961 as amended by section 5, chapter 293, Laws of 1961 and RCW 82.04.430; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 28, Laws of 1963 extraordinary session and RCW 82.08.030; adding a new section to chapter 15, Laws of 1961 and to chapter 82.04 RCW;"

FRANK W. FOLEY, *Chairman.*

....., *Chairman,*

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*

Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, Jack England, Michael J. Gallagher, William A. Gissberg, Sam C. Guess, Wilbur G. Hallauer, Ernest W. Lennart, Mike McCormack, David E. McMillan, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, Edward F. Riley, John N. Ryder, Gordon Sandison.

The bill was read the second time by sections.

On motion of Senator Durkan, the committee amendment to page 8, section 7, line 33 was adopted.

It was moved by Senator Durkan, that the committee amendment to page 14, section 8, be adopted.

Debate ensued.

#### POINT OF INQUIRY

Senator Petrich:

"Would Senator Durkan yield, Mr. President?"

"Senator Durkan, calling your attention to page 3 and to the amendment dealing with the Intalco situation, which is section 11 of the committee amendment, and directing your attention to the last proviso. It is my understanding that the proposed committee amendment then would only limit the credit available to those situations where there is a contract vendor and who is entitled to compensation under the contract after July 1, 1964, but as to lessors and to persons who do their own work and are subject to the use tax, this credit then would extend way before July 1, 1964, and I presume as long as the statute of limitations applies, is that a fair interpretation?"

Senator Durkan:

"Senator, I don't know the answer to that question. I don't read it the same way that you do. However, I could see the interpretation that you put on it."

Senator Petrich:

"One further question, Senator:

"Would it be the intention of the committee amendment to permit this credit against the business and occupation tax for all those industries who do their own improvement or construction or lessees or lessors who put up a balance of improvements?"

Senator Durkan:

"The answer to that is it is the intent that this tax credit shall apply equally to those people whether they are building new construction or whether they are improving it, and the person who shall get the benefit of the credit, it was my understanding as I read it or heard the testimony, that the benefit would only inure to the owner of the property, if that answers your question."

Debate ensued.

The President declared the Senate to be at ease.

The President called the Senate to order.

On motion of Senator Petrich, the following amendment to the committee amendment was adopted:

On page 3, section 11, line 23 of the mimeographed amendment, strike "vendor" and insert "supplier thereof"

It was moved by Senator Guess that the following amendment to the committee amendment be adopted:

On page 9, subsection (2), line 32 of the mimeographed amendment, after "state" strike "*who are citizens of the United States*"

Debate ensued.

The motion was carried and the amendment to the committee amendment was adopted.

On motion of Senator Durkan, the committee amendment as amended was adopted.

It was moved by Senator Herr that the following amendment by Senators Herr and Lewis be adopted:

On page 4, line 15 of the printed bill insert an additional paragraph to Section 1 to read as follows:

"The term shall not include the purchase of form lumber by any person engaged in the constructing, repairing, decorating or improving of new or existing buildings or other structures under, upon or above real property of or for consumers, *Provided*: (a) such lumber is entirely used or consumed or to be used or consumed in the

performance of a single such contract, project or job, or (b) such lumber is used or to be used first by such person for the molding of concrete in a single such contract, project or job and thereafter incorporated into the product of that same contract, project or job as an ingredient or component thereof, and (c) in either event, the value of such lumber is included in the charge made to such consumer by such person for such contract, project or job. For purposes of this paragraph only, the term "entirely used or consumed" shall mean so used up, dissipated or worn out as to have no significant useful life or value remaining."

Debate ensued.

It was moved by Senator Gallagher that the amendment be laid upon the table.

Senator Durkan demanded a roll call and the demand was sustained by Senators Herr, Lewis, Mardesich, Riley, Connor, Gallagher, Kupka, Herrmann and Charette.

#### ROLL CALL

The Secretary called the roll and the motion to lay on the table the amendment by Senators Herr and Lewis was lost by the following vote: Yeas, 19; nays, 29; absent or not voting, 1.

Those voting yea were: Senators Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Hallauer, Hanna, Herrmann, McCormack, Mardesich, Moriarty, Jr., Neill, Rasmussen—19.

Those voting nay were: Senators Atwood, Connor, England, Freise, Greive, Guess, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, Lewis, McMillan, Morgan, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—29.

Absent or not voting: Senator McCutcheon—1.

Debate ensued.

Senator Durkan demanded a roll call and the demand was sustained by Senators Connor, Cooney, Greive, Rasmussen, Charette, Mardesich, Lewis, Peterson (Ted) and Chytil.

#### ROLL CALL

The Secretary called the roll, and the amendment by Senators Herr and Lewis, as amended was adopted by the following vote: yeas, 26; nays, 22; absent or not voting, 1.

Those voting yea were: Senators Atwood, Connor, Cowan, England, Freise, Greive, Guess, Henry, Herr, Keefe, Kupka, Lennart, Lewis, McMillan, Peterson (Lowell), Peterson (Ted), Raugust, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—26.

Those voting nay were: Senators Bailey, Charette, Chytil, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Hallauer, Hanna, Herrmann, Knoblauch, McCormack, Mardesich, Morgan, Moriarty, Jr., Neill, Petrich, Rasmussen, Ryder—22.

Absent or not voting: Senator McCutcheon—1.

It was moved by Senator Gissberg that Substitute House Bill No. 608 retain its place on the second reading calendar for tomorrow.

The motion was carried on a rising vote.

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

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., April 13, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 519, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 13, 1965.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Engrossed Substitute Senate Bill No. 42 and has granted said committee the powers of free conference, and the report of the Conference Committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF CONFERENCE COMMITTEE**

Olympia, Wash., April 13, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Engrossed Substitute Senate Bill No. 42, adopting the capital budget, have had the same under consideration, and we report that we are unable to agree and request the powers of free conference.

*Senate Members*

WILBUR G. HALLAUER  
FRED H. DORE  
R. FRANK ATWOOD

*House Members*

DAMON R. CANFIELD  
JOE D. HAUSSLER  
GEORGETTE VALLE

It was moved by Senator Hallauer that the committee report be adopted and the Conference Committee on Engrossed Substitute Senate Bill No. 42 be granted the powers of free conference.

**POINT OF INQUIRY**

Senator Moriarty, Jr.:

"Would Senator Hallauer yield to a question?"

"Since this is a rather large bill and we could end up rewriting the whole thing I suppose, could you advise us where the point of difference might be?"

Senator Hallauer:

"Mr. President:

"I believe the questions raised by the conferees were on the House amendments, that they want to go into the House amendments. As far as I know, that is the limit of what they intend to consider."

The motion was carried and the committee was granted the powers of free conference.

**MOTION**

At 5:40 p. m., on motion of Senator Greive, the Senate adjourned until Noon, Wednesday, April 14, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*



## THIRTY-FIRST DAY

### NOON SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Wednesday, April 14, 1965.

The Senate was called to order at noon by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Teresa Hallauer, presented the Colors.

Reverend Leonard Rafalowski, pastor of St. Michael's Catholic Church of Olympia, offered prayer as follows:

"O God, our Heavenly Creator and Father of all men, we humbly bow our heads before Thee this day, in acknowledgment of Divine Fatherhood, and our own human unworthiness. Wilt Thou guide the deliberations of these Senators in their responsibilities delegated to them by the people of our state. May they have the grace, and the wisdom, to seek Thee in humble prayer, for their guidance. For the problems that confront them are many and Thou knowest that the solutions they seek are often confused. Grant to them, O Lord, the wisdom to know truth from error and justice from that which is unjust.

"Teach us all, we pray, the great truth that being a friend to man is greater than to be a ruler over a nation. May what they do here today, and through all of their days of this assembly which follows, be in the great name of human friendship and brotherly love the motivating influence in their lives. Amen."

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

### SPECIAL ORDER OF BUSINESS

The time having arrived, the President announced the question before the Senate to be the motion for reconsideration by Senator Gissberg of the vote by which Engrossed Senate Bill No. 522 passed the Senate.

With the consent of the Senate Senator Gissburg was permitted to withdraw the motion for reconsideration.

The Secretary read:

### SENATE RESOLUTION

No. 1965 EX -22

By Senators Bailey and Ryder:

WHEREAS, It would appear to be in the public interest to avoid as far as possible duplicative administration in public pension systems; and

WHEREAS, It appears economically sound that the state-wide city employees' retirement system be integrated with the state employees' retirement system, and investment practices; and

WHEREAS, The thirty-ninth legislature deems it advisable that the fortieth legislature be fully informed in this connection,

Now, Therefore, Be It Resolved, By the Senate that the state public pension commission be and it is hereby directed to conduct a study as to the feasibility of integrating the state-wide city employees' retirement system with the state employees' retirement system and to make a full report of such study, together with recommendations for action, to the fortieth regular session of the legislature within ten

days of the convening thereof, the report and recommendations, among other things, to cover all phases of integration to the end that rights, credits and benefits of members be maintained.

*Be It Further Resolved*, That the pension commission be directed to investigate all investment practices and make recommendations as to their improvement and possible integration.

*Be It Further Resolved*, That the Secretary of the Senate transmit a copy of this resolution to said Public Pension Commission.

On motion of Senator Bailey, the resolution was adopted.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., April 13, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 417: also

Substitute Senate Bill No. 438; also

Senate Bill No. 557, have inspected same, and find them correctly engrossed.

....., *Chairman*.

We concur in this report: Martin J. Durkan, Michael J. Gallagher, Perry B. Woodall.

#### Senate Concurrent Resolution No. 22:

Senate Chamber,  
Olympia, Wash., April 13, 1965.

Supporting Kitsap county citizens' request that new navy ship be named "Port Orchard" (reported by Committee on Cities, Towns and Counties):

Recommends that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, Sam C. Guess, Al Henry, James Keefe, George W. Kupka, Frances Haddon Morgan, Lowell Peterson, Ted G. Peterson, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., April 13, 1965.

MR. PRESIDENT:

The House has passed: House Joint Memorial No. 33, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., April 13, 1965.

MR. PRESIDENT:

The House has passed: Senate Bill No. 531; also

Engrossed Senate Joint Resolution No. 22, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., April 13, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 169; also

Engrossed House Bill No. 564; also

Engrossed House Bill No. 695, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., April 14, 1965.

MR. PRESIDENT:

The Speaker has signed: House Joint Memorial No. 10; also

House Joint Resolution No. 39, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

There being no objection, the Senate reverted to the second order of business for the purpose of receiving a committee report.

The Secretary read:

**REPORT OF STANDING COMMITTEE**

Senate Chamber,  
Olympia, Wash., April 14, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 417; also Senate Bill No. 531; also Senate Joint Resolution No. 22, have inspected same, and find them correctly enrolled and certified.

....., *Chairman.*

We concur in this report: Martin J. Durkan, Michael J. Gallagher, Perry B. Woodall.

**SIGNED BY THE PRESIDENT**

**The President signed Senate Bill No. 531; also**

**Senate Joint Resolution No. 22; also**

**House Joint Memorial No. 10; also**

**House Joint Resolution No. 39.**

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., April 14, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 417, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 14, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 637 and has passed the bill as amended by the Senate.  
S. R. HOLCOMB, *Chief Clerk.*

**FIRST READING OF HOUSE BILLS AND MEMORIAL**

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 169**, by Representatives Sheridan, Brouillet and Klein:

An Act relating to taxation; amending section 82.08.030, chapter 15, Laws of 1961, as last amended by section 3, chapter 28, Laws of 1963 first extraordinary session, and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961, as last amended by section 4, chapter 28, Laws of 1963 first extraordinary session, and RCW 82.12.030; and adding a new section to chapter 15, Laws of 1961 and to chapter 82.04 RCW.

Referred to Committee on Ways and Means.

**Engrossed House Bill No. 564**, by Representatives Kull, Moon and Bledsoe:

An Act relating to revenue and taxation; amending section 82.08.030, chapter 15, Laws of 1961, as last amended by section 3, chapter 28, Laws of 1963 extraordinary session, and RCW 82.08.030; and amending section 82.12.030, chapter 15, Laws of 1961 and section 1, chapter 76, Laws of 1963, as last amended by section 4, chapter 28, Laws of 1963 extraordinary session and RCW 82.12.030; and amending section 82.04.400, chapter 15, Laws of 1961 as amended by section 1, chapter 136, Laws of 1963 and RCW 82.04.400.

Referred to Committee on Ways and Means.

**Engrossed House Bill No. 695**, by Representatives Olsen, Johnston (Elmer E.) and O'Donnell:

An Act relating to intoxicating liquor and alcoholism; increasing certain license fees; providing the department of health with certain responsibilities; providing for the distribution of certain funds; amending section 77, chapter 62, Laws of 1933, extraordinary session, as last amended by section 10, chapter 5, Laws of 1949 and RCW 66.08.180; and adding a new section to chapter 70.96 RCW; amending section 3, chapter 5, Laws of 1949; and declaring an emergency.

Referred to Committee on Ways and Means.

**House Joint Memorial No. 33**, by Representatives Avey, Slagle and Moos: Petitions for transfer of Pend Oreille National Wildlife Refuge to state department of game.

On motion of Senator McMillan, the rules were suspended, House Joint Memorial No. 33 was advanced to second reading and read the second time in full.

On motion of Senator McMillan, the rules were suspended, House Joint Memorial No. 33 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

#### ROLL CALL

The Secretary called the roll on the final passage of House Joint Memorial No. 33 and the memorial passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Those voting nay were: Senator Charette—1.

Absent or not voting: Senators Donohue, Foley, Ryder—3.

House Joint Memorial No. 33 having received the constitutional majority, was declared passed.

At 12:30 p. m., on motion of Senator Greive, the Senate recessed until 1:30 p. m.

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#### AFTERNOON SESSION

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The President called the Senate to order at 1:30 p. m.

The Secretary called the roll and announced to the President that all Senators were present.

On motion of Senator Durkan, the Senate advanced to the seventh order of business and consideration of Substitute House Bill No. 608 on second reading.

**SECOND READING OF BILLS**

**Substitute House Bill No. 608**, by Committee on Ways and Means (Subcommittee on Revenue):

Defining terms of and providing exemptions from certain excise taxes.

**MOTION FOR RECONSIDERATION**

Having voted on the prevailing side, Senator Lennart moved that the Senate do now reconsider the vote by which the amendment by Senators Herr and Lewis to page 4, line 15, was adopted:

Debate ensued.

Senators Gissberg, Connor and Kupka demanded the previous question and the demand was sustained.

Senator Herrmann demanded a roll call and the demand was sustained by Senators Stender, Atwood, Moriarty, Jr., Guess, Rasmussen, Cooney, Connor and Greive.

**ROLL CALL**

The Secretary called the roll and the motion to reconsider the vote by which the amendment by Senators Herr and Lewis was adopted carried by the following vote: Yeas, 28; nays, 18; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Hallauer, Hanna, Herrmann, Knoblauch, Lennart, McCormack, Mardesich, Moriarty, Jr., Neill, Rasmussen, Raugust, Ryder, Sandison, Talley, Washington—28.

Those voting nay were: Senators Connor, England, Greive, Guess, Henry, Herr, Keefe, Kupka, Lewis, McMillan, Peterson (Lowell), Peterson (Ted), Redmon, Riley, Stender, Thompson, Jr., Williams, Woodall—18.

Absent or not voting: Senators McCutcheon, Morgan, Petrich—3.

Senators Herrmann, Gissberg and Connor demanded the previous question and the demand was sustained.

Senator Herrmann demanded a roll call and the demand was sustained by Senators Gissberg, Rasmussen, Stender, Lewis, Herr, Moriarty, Jr., Atwood and Guess.

**ROLL CALL**

The Secretary called the roll on the adoption of the amendment by Senators Herr and Lewis, and the amendment was not adopted by the following vote: Yes, 21; nays, 26; absent or not voting, 2.

Those voting yea were: Senators Connor, England, Freise, Greive, Guess, Henry, Herr, Kupka, Lewis, McMillan, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Stender, Talley, Thompson, Jr., Williams, Woodall—21.

Those voting nay were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Hallauer, Hanna, Herrmann, Keefe, Knoblauch, Lennart, McCormack, Mardesich, Moriarty, Jr., Neill, Rasmussen, Ryder, Sandison, Washington—26.

Absent or not voting: Senators McCutcheon, Morgan—2.

It was moved by Senator Dore that the following amendment by Senators Dore, Herr, Petrich, Keefe, Mardesich, Kupka, Talley, Thompson, Jr., Peterson (Ted) and Riley be adopted:

On page 4, section 1, line 14, after "insects." add two new sections to be numbered sections 2 and 3 to read as follows:

**NEW SECTION.** Sec. 2. From and after the first day of July, 1967, six percent of the revenue derived from the retail sales tax imposed under the provisions of RCW 82.08.010 through 82.08.140, as now or hereafter amended, and six percent of the revenue derived from the use tax imposed under the provisions of Chapter 82.12 RCW, as now or hereafter amended, that accrues to the state general fund shall be credited by the state treasurer to the "cities and towns excise tax account" of the state general fund which account is hereby created. On or before the first day of the months of January, April, July, and October of each year, the state treasurer shall apportion all moneys in the cities and towns excise tax account of the general fund among the cities and towns within the state ratably on the basis of population as determined by the state census board under Chapter 43.62 RCW as now or hereafter amended. When so apportioned, the amounts shall be distributed and transmitted to the city or town treasurer thereof, and shall be utilized by such incorporated city or town for municipal purposes: *Provided*, That in such cities or towns in which there is a policemen's pension fund established under provisions of Chapter 41.20 RCW and/or a firemen's pension fund established under provisions of Chapter 41.16 RCW, there shall be allocated to each such fund one fifty-eighth of the moneys received by each city or town under this section.

**NEW SECTION.** Sec. 3. From and after the first day of July, 1967, no city or town shall impose or continue any tax or license or license fees for the act or privilege of engaging in business activities which is measured by the application of rates against value of products, gross proceeds of sales, or gross income of the business, as the case may be. This section shall not prohibit the imposition by any city or town of any or all of the following: Regulatory license or permit fees; franchise or admission taxes; and taxes upon publicly or privately owned or operated public utilities measured by the application of rate against value of products, gross proceeds of sales, gross income, or gross earnings of such utilities.

Renumber the remaining sections consecutively.

#### POINT OF INQUIRY

Senator Ryder:

"Mr. President, would Senator Dore yield to a question?"

Senator Dore:

"I will yield."

Senator Ryder:

"Senator Dore, you are now advocating balancing the budget that you have put together in Ways and Means by taking \$42 million of savings which we have from school districts. This will add some \$32 million. The \$42 million of course, raises the level of spending. The legislature will have to replace that next biennium. You are advocating taking \$30 million from state taxes. You have said there will be a natural increase in taxes, but our experience is, and I think you will agree with me, that we have also increased the cost of our services, more than we have increased our taxes, so I think we can throw that one out the window; and in addition, we will have additional increases in our services, additional demands. Would you be willing and what sort of a tax would you support if you are here next time in the next biennium to raise somewhere between seventy-five and one hundred million dollars in new taxes for the state services?"

Senator Dore:

"Senator, would you divide the question?"

"I think you asked a series of questions. It is a serious question and should be answered. I think the savings and cost of doing business for the businessmen of our cities—in other words, this is going to take off a burden of \$8.5 million from their costs, and I think that will stimulate the economy and perhaps instead of losing money, we will be making more. I don't think it will have the tax implication that you mentioned to me."

Debate ensued.

It was moved by Senator Charette that the following amendment to the amendment be adopted:

In section 2, line 3 of the amendment by Senators Dore, Herr, Petrich, Keefe,

Mardesich, Kupka, Talley, Thompson, Jr., Peterson (Ted) and Riley, before "percent" strike "six" and insert "twelve"

Debate ensued.

It was moved by Senator Talley that the amendment to the amendment be laid upon the table.

Senator Durkan demanded a roll call and the demand was sustained by Senators Kupka, Gallagher, Gissberg, Hallauer, Freise, Peterson (Ted), Guess, and Atwood.

#### ROLL CALL

The Secretary called the roll and the motion was carried and the amendment by Senator Charette to the amendment was laid upon the table by the following vote: Yeas, 26; nays, 21; absent or not voting, 2.

Those voting yea were: Senators Chytil, Connor, Cowen, Donohue, Dore, England, Freise, Greive, Guess, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Morgan, Peterson (Ted), Petrich, Raugust, Riley, Talley, Thompson, Jr., Washington, Williams—26.

Those voting nay were: Senators Atwood, Bailey, Charette, Cooney, Durkan, Foley, Gallagher, Gissberg, Hallauer, Lennart, McCormack, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Rasmussen, Redmon, Ryder, Sandison, Stender, Woodall—21.

Absent or not voting: Senators Herrmann, Lewis—2.

It was moved by Senator Ryder that the following amendment to the amendment be adopted:

In section 2, line 1 of the amendment by Senators Dore, Herr, Petrich, Keefe, Mardesich, Kupka, Talley, Thompson, Jr., Peterson (Ted) and Riley, strike "1967" and insert "1965"

Debate ensued.

It was moved by Senator Talley that the amendment to the amendment be laid upon the table.

Senator Durkan demanded a roll call and the demand was sustained by Senators Gissberg, Hallauer, Gallagher, Kupka, Connor, Talley, Williams, Peterson (Ted), Freise and Moriarty, Jr.

#### ROLL CALL

The Secretary called the roll and the motion was lost and the amendment was not laid upon the table by the following vote: Yeas, 22; nays, 25; absent or not voting 2.

Those voting yea were: Senators Chytil, Connor, Cowen, Dore, Freise, Greive, Guess, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, McCutcheon, Morgan, Peterson (Lowell), Peterson (Ted), Petrich, Riley, Stender, Talley, Thompson, Jr.—22.

Those voting nay were: Senators Atwood, Bailey, Charette, Cooney, Donohue, Durkan, England, Foley, Gallagher, Gissberg, Hallauer, Lennart, Lewis, McMillan, Mardesich, Moriarty, Jr., Neill, Rasmussen, Raugust, Redmon, Ryder, Sandison, Washington, Williams, Woodall—25.

Absent or not voting: Senators Herrmann, McCormack—2.

Debate ensued.

Senator Dore demanded a roll call on the adoption of the amendment to the amendment by Senator Ryder and the demand was sustained by Senators Talley, Peterson (Ted), Rasmussen, McMillan, McCutcheon, Greive, Connor and Hanna.

**ROLL CALL**

The Secretary called the roll and the motion was lost and the amendment by Senator Ryder to the amendment was not adopted by the following vote: yeas, 24; nays, 25.

Those voting yea were: Senators Atwood, Bailey, Charette, Donohue, Durkan, England, Foley, Gallagher, Gissberg, Guess, Hallauer, Lennart, Lewis, McCormack, Mardesich, Moriarty, Jr., Neill, Rasmussen, Raugust, Redmon, Ryder, Sandison, Williams, Woodall—24.

Those voting nay were: Senators Chytil, Connor, Cooney, Cowen, Dore, Freise, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Morgan, Peterson (Lowell), Peterson (Ted), Petrich, Riley, Stender, Talley, Thompson, Jr., Washington—25.

The President stated the question before the Senate to be the adoption of the amendment by Senators Dore, Herr, Petrich, Keefe, Mardesich, Talley, Thompson, Jr., Peterson (Ted) and Riley.

Senators Dore, Talley and Morgan demanded the previous question and the demand was not sustained.

Debate ensued.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Woodall, Neill, Ryder, Williams, Talley, Dore, Herr, Morgan and Connor.

**ROLL CALL**

The Secretary called the roll, and the amendment was not adopted by the following vote: Yeas, 21; nays, 27; absent or not voting, 1.

Those voting yea were: Senators Connor, Dore, England, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Kupka, Lewis, McCutcheon, Mardesich, Morgan, Peterson (Lowell), Peterson (Ted), Petrich, Riley, Talley, Thompson, Jr.—21.

Those voting nay were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Durkan, Foley, Freise, Gallagher, Gissberg, Hallauer, Knoblauch, Lennart, McCormack, McMillan, Moriarty, Jr., Neill, Rasmussen, Raugust, Redmon, Ryder, Sandison, Washington, Williams, Woodall—27.

Absent or not voting: Senator Stender—1.

On motion of Senator Durkan, the committee amendment to the title was adopted.

On motion of Senator Durkan, the rules were suspended, Substitute House Bill No. 608, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Substitute House Bill No. 608, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 35; nays, 12; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Moriarty, Jr., Neill, Peterson (Lowell), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Washington, Williams, Woodall—35.



Those voting nay were: Senators Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Lewis, McCutcheon, Mardesich, Morgan, Thompson, Jr.—12.

Absent or not voting: Senators Dore, Peterson (Ted)—2.

Substitute House Bill No. 608, as amended by the Senate having received the constitutional majority, was declared passed.

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

On motion of Senator Atwood, Substitute House Bill No. 608, as amended by the Senate, was ordered immediately transmitted to the House.

**Engrossed Senate Joint Resolution No. 24**, by Senators Ryder, Moriarty, Jr. and Williams (by Executive request):

Lowering the assessed valuation to thirty percent of true value and providing for enforcement thereof.

The resolution was read the second time by sections.

It was moved by Senator Neill that the following amendment be adopted:

On page 1, beginning on line 7 of the printed bill, being line 8 of the engrossed bill, strike all of the material beginning with "Article VII" down through and including "state" on page 3, line 24 of the printed and engrossed bills, and insert the following:

"Article VII, sections 1 and 2 of the Constitution of the state of Washington to read as follows:

Article VII, section 1. The power of taxation shall never be suspended, surrendered or contracted away. All taxes shall be uniform upon the same class of property within the territorial limits of the authority levying the tax and shall be levied and collected for public purposes only. The word "property" as used herein shall mean and include everything, whether tangible or intangible, subject to ownership. All real estate shall constitute one class: *Provided*, That the legislature may tax mines and mineral resources and lands devoted to reforestation by either a yield tax or an ad valorem tax at such rate as it may fix, or by both. Such property as the legislature may by general laws provide shall be exempt from taxation. Property of the United States and of the state, counties, school districts and other municipal corporations, and credits secured by property actually taxed in this state, not exceeding in value the value of such property, shall be exempt from taxation. The legislature shall have power, by appropriate legislation, to exempt personal property to the amount of three hundred dollars for each head of a family liable to assessment and taxation under the provisions of the laws of this state of which the individual is the actual bona fide owner. *The legislature shall have the power, by appropriate legislation, to exempt from taxation all or any part of the real property owned and occupied as a single family dwelling by a person or persons over sixty-five years of age and may place such restrictions and conditions on the granting of the exemption as it shall deem proper.*

Article VII, section 2. Except as hereinafter provided and notwithstanding any other provisions of this Constitution, the aggregate of all tax levies upon real and personal property by the state and all taxing districts now existing or hereafter created, shall not in any year exceed forty mills on the dollar of assessed valuation, which assessed valuation shall be [fifty] *thirty* per centum of the true and fair value of such property in money: *PROVIDED*, That nothing in this Article VII as amended shall prevent the legislature from providing under such conditions as it may prescribe that the true and fair value in money of farms or agricultural lands shall be based on the use to which such property is currently applied and such value shall be used in computing the assessed valuation of such property in the same manner as the assessed valuation is computed for all property: *PROVIDED FURTHER*, That notwithstanding any other provision of this Constitution, whenever the state board of equalization, or other agency authorized by law to equalize assessed valuations of property for state property tax purposes, shall determine that the assessed valuation of any class of property in any county exceeds thirty per centum or is less than twenty-eight per centum of the true and fair value of such property in money, the state board of equalization or other agency designated by the legislature, upon request of the legislative body of any school district in such county, or other taxing district designated by the legislature, shall correct the assessed valuation of any such class of property so as to equalize the assessed valuations of taxable property within such

county for purposes of taxes levied for the benefit of such taxing district at thirty per centum of the true and fair value thereof in money: *Provided, however,* That nothing herein shall prevent levies at the rates now provided by law by or for any port or public utility district. The term "taxing district" for the purposes of this section shall mean any political subdivision, municipal corporation, district, or other governmental agency authorized by law to levy, or have levied for it, ad valorem taxes on property, other than a port or public utility district. Such aggregate limitation or any specific limitation imposed by law in conformity therewith may be exceeded only

(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the electors thereof voting on the proposition to levy such additional tax submitted not more than twelve months prior to the date on which the proposed levy is to be made and not oftener than twice in such twelve month period, either at a special election or at the regular election of such taxing district, at which election the number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election;

(b) By any taxing district otherwise authorized by law to issue general obligation bonds for capital purposes, for the sole purpose of making the required payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment, when authorized so to do by majority of at least three-fifths of the electors thereof voting on the proposition to issue such bonds and to pay the principal and interest thereon by an annual tax levy in excess of the limitation herein provided during the term of such bonds, submitted not oftener than twice in any calendar year, at an election held in the manner provided by law for bond elections in such taxing district, at which election the total number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election: *Provided,* That any such taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitations provided for herein, *And provided further,* That the provisions of this section shall also be subject to the limitations contained in Article VIII, section 6, of this Constitution;

(c) By the state or any taxing district for the purpose of paying the principal or interest on general obligation bonds outstanding on December 6, 1934; or for the purpose of preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort.

*Be It Further Resolved,* That the secretary of state shall cause the foregoing constitutional amendment to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state.

#### POINT OF INQUIRY

Senator Greive:

"Mr. President, would Senator Neill yield?"

Senator Neill:

"I yield."

Senator Greive:

"Senator Neill, is there anything in this particular mimeographed amendment that was not a part of the amendments attached to the resolution when it was voted on last time?"

Senator Neill:

"Yes, Senator, the resolution as we last voted on it had the removal of the forty percent requirement under the special millage levy. That limitation and that provision is not in this present version. I notice also there is one word different on page two, line 26. I believe that the original resolution said the State Board of Equalization or any other state agency. This says 'the State Board of Equalization or any other agency,' leaving it up to the legislature to designate whatever agency they wish to take care of equalization in the various counties. But the forty percent provision is the main difference."

Debate ensued.

Senators Moriarty, Jr., Talley and Peterson (Ted) demanded the previous question and the demand was sustained.

Senators Moriarty, Jr., Neill and Greive demanded a Call of the Senate. A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

The President stated the question before the Senate to be the adoption of the amendment by Senator Neill.

Senator Rasmussen demanded a roll call and the demand was sustained by Senators Sandison, Lewis, Morgan, Donohue, Talley, Moriarty, Jr., Neill and Peterson (Ted).

#### PARLIAMENTARY INQUIRY

Senator Moriarty, Jr.:

"Mr. President, am I correct that this roll call is on the adoption of the amendment only and that it only requires a majority vote?"

#### REPLY BY THE PRESIDENT

The President:

"This roll call is on the adoption of the amendment by Senator Marshall Neill. It requires a majority of those present to be adopted."

#### ROLL CALL

The Secretary called the roll, and the amendment by Senator Neill was adopted by the following vote: Yeas, 25; nays, 24.

Those voting yea were: Senators Atwood, Bailey, Chytil, England, Foley, Freise, Gissberg, Knoblauch, Lennart, Lewis, Mardesich, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—25.

Those voting nay were: Senators Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Kupka, McCormack, McCutcheon, McMillan, Morgan, Peterson (Lowell), Rasmussen, Stender—24.

On motion of Senator Woodall, the rules were suspended, Reengrossed Senate Joint Resolution No. 24 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Reengrossed Senate Joint Resolution No. 24, and the resolution failed to pass the Senate by the following vote: Yeas, 25; nays, 24.

Those voting yea were: Senators Atwood, Bailey, Chytil, England, Foley, Freise, Gissberg, Knoblauch, Lennart, Lewis, McCutcheon, Mardesich, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Thompson, Jr., Washington, Williams, Woodall—25.

Those voting nay were: Senators Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr,

Herrmann, Keefe, Kupka, McCormack, McMillan, Morgan, Peterson (Lowell), Rasmussen, Stender, Talley—24.

Reengrossed Senate Joint Resolution No. 24, having failed to receive the constitutional two-third majority, was declared lost.

**Senate Bill No. 525**, by Senators Ryder, Moriarty, Jr. and Williams (by Executive request):

Providing for an increase in assessment levels and providing limitations on tax levies.

On motion of Senator Ryder, Senate Bill No. 525 was referred to the Committee on Rules and Joint Rules.

**Senate Bill No. 552**, by Senators Foley, Sandison and Ryder:

Relating to student fees at state colleges.

On motion of Senator Sandison, Senate Bill No. 552 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 555**, by Senators Thompson, Jr. and Dore:

Increasing community college fees.

On motion of Senator Greive, Senate Bill No. 555 was ordered to retain its place on the second reading calendar for tomorrow immediately following consideration of Senate Bill No. 552.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 4:15 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Thursday, April 15, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## THIRTY-SECOND DAY

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### MORNING SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Thursday, April 15, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Teresa Hallauer, presented the Colors.

Reverend Leonard Rafalowski, pastor of St. Michael's Catholic Church of Olympia, offered prayer as follows:

"Our Heavenly Father Who gave Moses the Great Commandments, grant to this great law-making assembly the divine wisdom from Thee to rule in justice and brotherhood. We know, O Father, that to err is human, but in Thy mercy and love guide them in the great responsibilities that are theirs.

"Grant them especially, O God, the humility of going to Thee for their guidance, and to follow Thy directing hand, rather than to be swayed by the will and desires of human minds. May they go to Thee in prayer, and may they ever seek Thy will to be done on earth, even as it is done in Heaven.



We concur in this report: Jack England, Wilbur G. Hallauer, H. B. Hanna, Lowell Peterson, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.  
The Secretary read:

**MESSAGE FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, April 14, 1965.

To the Honorable, The Senate of the State of Washington.

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bills, entitled:

**Senate Bill No. 446:**

Increasing state park commissioners' per diem.

**Senate Bill No. 474:**

Authorizing selection of route for cross sound bridge.

Very truly yours,

RAYMOND W. HAMAN,

Legal Counsel to the Governor.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., April 14, 1965.

MR. PRESIDENT:

The House has passed: House Bill No. 69, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 15, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 522; also

Senate Bill No. 531; also

Senate Joint Resolution No. 22, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 15, 1965.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 637; also

House Joint Memorial No. 33, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**HOUSE AMENDMENTS TO SENATE BILL**

House of Representatives,  
Olympia, Wash., April 13, 1965.

MR. PRESIDENT:

The House has passed Senate Bill No. 323 with the following amendments:

In line 4 of the title after the semicolon and before "and declaring" insert "amending section 4, chapter 331, Laws of 1959 (uncodified); repealing section 5, chapter 331, Laws of 1959 (uncodified) as amended by section 1, chapter 145, Laws of 1961;"

In section 1, line 11, after the comma after the numeral "2" and before "through" strike "and 4" and insert "[and 4] and 6"

Add three new sections following section 1 to read as follows:

"Sec. 2. Section 4, chapter 331, Laws of 1959 (uncodified) is amended to read as follows:

State aid shall be granted by the director [to eligible counties up to thirty-three and one-third percent of the] in an amount he deems advisable for reimbursement of expenditures incurred by counties in employing the necessary probation counselors (1) to establish and maintain probation services in counties in which such services have not heretofore existed, and (2) to increase the number of probation counselors of any county and maintain such additional counselors: *Provided*, That probation

counselors so employed shall conform to the personnel standards and qualifications as provided in section 6 of this act before such funds shall be available.

**NEW SECTION.** Sec. 3. Any county deemed eligible for and which receives state aid for county probation services, as provided for in chapter 331, Laws of 1959, as now or hereafter amended, for six consecutive years after the effective date of this 1965 amendatory act, shall thereafter be deemed ineligible to receive state aid for probation services under said act as now or hereafter amended.

**NEW SECTION.** Sec. 4. Section 5, chapter 331, Laws of 1959 (uncodified) as amended by section 1, chapter 145, Laws of 1961 (uncodified) is hereby repealed."

Remember present "Sec. 2." to read "Sec. 5.",  
and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On the motion of Senator Kupka, the Senate concurred in the House amendments to Engrossed Senate Bill No. 323.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 323, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 38; nays, 0; absent or not voting, 10; excused, 1.

Those voting yea were: Senators Atwood, Charette, Chytil, Connor, Cooney, Cowen, Donohue, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Henry, Herrmann, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Williams—38.

Absent or not voting: Senators Bailey, Dore, Durkan, Gissberg, Hanna, Herr, Keefe, Rasmussen, Washington, Woodall—10.

Excused: Senator Petrich—1.

Engrossed Senate Bill No. 323, as amended by the House, having received the constitutional majority, was declared passed.

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

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., April 13, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 40 with the following amendments:

On page 1, section 1, line 8 of the engrossed and printed bills, after "providing" insert "or remodeling"

On page 1, section 1, line 10 of the engrossed bill, strike "sixteen million five hundred", being the second Senate Amendment by Senate Committee on Ways and Means, and insert "twenty-two million eight hundred thirty"

On page 1, section 1, line 22, of the engrossed bill, being line 24 of the printed bill, after "when due." strike the remainder of the paragraph through line 1 on page 2.

On page 3, section 7, line 24 of the engrossed bill, being the Senate Amendment by Senate Committee on Ways and Means, after "of education," strike the remainder of the paragraph and insert "twenty-two million, eight hundred thirteen thousand five hundred dollars."

and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Foley, the Senate refused to concur in the House amendments to Engrossed Senate Bill No. 40 and asked the House to recede therefrom.

#### INTRODUCTION AND FIRST READING OF BILL

The following was introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 562**, by Senator Hanna:

An Act relating to revenue and taxation; and amending section 82.08.020, chapter 15, Laws of 1961 as amended by section 6, chapter 293, Laws of 1961, and RCW 82.08.020; and amending section 82.12.020, chapter 15, Laws of 1961 as amended by section 9, chapter 293, Laws of 1961, and RCW 82.12-.020; and declaring an emergency, and setting forth the effective date of this act.

Referred to Committee on Ways and Means.

#### FIRST READING OF HOUSE BILL

The following was read first time by title and acted upon as indicated:

**House Bill No. 69**, by Representatives Bledsoe, Flanagan and Bozarth:

An Act relating to property tax assessments; and amending chapter 14, Laws of 1961 and RCW 84.40.020.

Referred to Committee on Ways and Means.

#### MOTION

At 10:55 p. m., on motion of Senator Greive, the Senate recessed until 2:00 p. m.

#### AFTERNOON SESSION

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

The Secretary called the roll and all Senators were present.

#### SIGNED BY THE PRESIDENT

**The President signed: House Bill No. 637; also,**

**House Joint Memorial No. 33; also,**

**Senate Bill No. 323.**

On motion of Senator Moriarty, Jr., the President declared the Senate to be at ease.

The President called the Senate to order at 2:35 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senator Mardesich.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., April 9, 1965.

MR. PRESIDENT:

The House adheres to its position regarding Engrossed House Bill No. 234 and refuses to grant the request of the Senate for a conference thereon, and again asks the Senate to recede.

S. R. HOLCOMB, *Chief Clerk.*

#### POINT OF PARLIAMENTARY INQUIRY

Senator Woodall:

"Mr. President, point of parliamentary inquiry:

"Reading in Reeds' Rules as to the method when there are differences between the bodies, the rule sets forth a procedure that once one body refuses to recede and asks the other house for a conference, the opposite house then grants the conference. They have refused to recede once and they are now sending back a second message, again refusing to recede. I wonder how many times this message can continue on the same subject matter, we having once acted and taken a position on it?"



**REPLY BY THE PRESIDENT**

The President:

"In response to Senator Woodall's request for information regarding proper procedure in handling Engrossed House Bill No. 234 and the position of the House thereon:

"The House has notified the Senate that they adhere to their position regarding the Senate amendments thereto and have again asked the Senate to recede therefrom. The position of the House is fixed as the matter stands at this point.

"The President believes that several avenues are open in reply to the position of the House, one being that the Senate could recede from all or part of its amendments, another being that the Senate could insist on its position and again request a conference thereon, and a third would be to also adhere, which would have the effect of killing the bill.

"Of the motions which might be made, the motion with the highest priority would be the one that tends most directly to move in the line of agreement."

**MOTION**

It was moved by Senator Washington that the Senate do adhere to the amendment by Senator Woodall adding a new subsection (4) to new section 60 on page 28 and ask that the House concur in said amendment; and, that the Senate recede from the six amendments by Senator Woodall to Section 62 on page 30 and from the amendment by Senator Freise adding a new section 86 at page 37.

Debate ensued.

The motion was carried.

**PARLIAMENTARY INQUIRY**

Senator Washington:

"Mr. President:

"Do we at this point pass the bill to third reading and final passage, or do we wait for a message back?"

**REPLY BY THE PRESIDENT**

The President:

"The Secretary will send a message to the House on our action, and it will be necessary for the House to first pass the measure in the form proposed in the Senate message."

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives  
Olympia, Wash., April 15, 1965.

MR. PRESIDENT:

The House refuses to recede from its amendments to Engrossed Senate Bill No. 40 and asks the Senate for a conference thereon, and has named as the House conferees on Engrossed Senate Bill No. 40, and the House amendments thereto:

Representatives

AUDLEY F. MAHAFFEY

RICHARD "DICK" KING and

MRS. JOHN W. (KATHRYN) EPTON

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Riley, the Senate granted the request of the House for a conference on Engrossed Senate Bill No. 40 and the House amendments thereto.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 40 and the House amendments thereto, Senators McCormack, Chytil and Sandison.

On motion of Senator Riley, the Conference Committee appointments were confirmed.

On motion of Senator Hallauer, the Senate returned to the fourth order of business to consider the appointment of A. L. Wilie as Director of the Department of Labor and Industries.

**MESSAGE FROM THE GOVERNOR**

**CONFIRMATION OF GUBERNATORIAL APPOINTMENT**

State of Washington, Executive Department,  
Olympia, March 3, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to submit the following appointment to the position of Director of the Department of Labor and Industries, subject to your confirmation.

A. L. WILIE, appointed January 14, 1965, succeeding Helmer Stubbs.

Very truly yours,

DANIEL J. EVANS, *Governor.*

**REPORT OF STANDING COMMITTEE**

Senate Chamber,  
Olympia, Wash., March 17, 1965.

A. L. WILIE, appointed by the Governor to the position of Director of Department of Labor and Industries, appointed January 14, 1965, succeeding Helmer Stubbs (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that said appointment be confirmed.

AL HENRY, *Chairman.*

We concur in this report: R. Frank Atwood, Dewey C. Donohue, Martin J. Durkan, George W. Kupka, John T. McCutcheon, Frances Haddon Morgan, Charles P. Moriarty, Jr., Perry B. Woodall.

It was moved by Senator Hallauer that the rules be suspended and that the appointment of A. L. Wilie to the position of Director of the Department of Labor and Industries be now confirmed.

**PERSONAL PRIVILEGE**

Senator Hallauer:

"Mr. President and members of the Senate:

"This confirmation is the last one before the body. We have acted upon the others. I do know Mr. Wilie personally and I think highly of him and I hope the body will act favorably upon his nomination."

Senator Henry:

"Mr. President:

"For several sessions in the recent past I have been Chairman of the Committee on Labor and Industrial Insurance, and when Mr. Wilie was with the Department of Labor and Industries previously I had many dealings with him. I find him most cooperative and particularly so in the interim when we have so many little personnel problems, and our constituents have problems with the department. I have always found Mr. Wilie to be right on top of the situation. I hope the Senate will confirm his appointment."

Senator Riley:

"Mr. President:

"I think highly of Mr. Wilie, and could even say Senator Riley, but I won't."

The motion was carried.

**APPOINTMENT OF A. L. WILIE**

The Secretary called the roll and the appointment of A. L. Wilie to the position of Director of the Department of Labor and Industries was confirmed by the Senate by the following vote: Yeas, 44; nays, 2; absent or not voting, 3.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams—44.

Those voting nay were: Senators Charette, Gallagher—2.

Absent or not voting: Senators Mardesich, Rasmussen, Woodall—3.

Having received the approval of the Senate, the appointment of A. L. Wilie to the position of Director of the Department of Labor and Industries was confirmed.

There being no objection, the Senate advanced to the seventh order of business.

#### SECOND READING OF BILLS

**Senate Bill No. 552**, by Senators Foley, Sandison and Ryder:

Relating to student fees at state colleges.

On motion of Senator Sandison, Senate Bill No. 552 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 555**, by Senators Thompson, Jr. and Dore:

Increasing community college fees.

On motion of Senator Sandison, Senate Bill No. 555 was ordered to retain its place on the second reading calendar for tomorrow.

The President declared the Senate to be at ease.

The President called the Senate to order at 3:35 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senator Mardesich.

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

The Secretary read:

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 374:**

Senate Chamber,  
Olympia, Wash., April 12, 1965.

Adopting the budget and making appropriation for the operation of state agencies for the next biennium (reported by Committee on Ways and Means):

MAJORITY recommends that Substitute Senate Bill No. 374 be substituted therefor and that the substitute bill do pass.

FRANK W. FOLEY, *Chairman*.

FRED H. DORE, *Chairman*,

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,

Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, Jack England, Michael J. Gallagher, William A. Gissberg, R. R. Bob Greive, Wilbur G. Hallauer, Ernest W. Lennart, Mike McCormack, David E. McMillan, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

The President declared the Senate to be at ease.

The President called the Senate to order at 3:45 p. m.

## MOTION

On motion of Senator Gissberg, the Senate advanced to the seventh order of business and consideration of Senate Bill No. 374.

## SECOND READING OF BILLS

**Senate Bill No. 374**, by Senators Neill and Moriarty, Jr. (by Executive request):

Adopting budget and making appropriation for the operation of state agencies for next fiscal biennium.

On motion of Senator Gissberg, Substitute Senate Bill No. 374 was substituted for Senate Bill No. 374 and Substitute Senate Bill No. 374 was placed on second reading and read the second time by sections.

On motion of Senator Gissberg the Senate resolved itself into a Committee of the Whole, Senator Gissberg in the chair, for the purpose of considering Substitute Senate Bill No. 374.

## COMMITTEE OF THE WHOLE

Substitute Senate Bill No. 374 was considered in the Committee of the Whole and reported back to the Senate, Senator Gissberg presiding, with the recommendation that it do pass as amended.

On motion of Senator Gissberg, the report of the committee was adopted.

On motion of Senator Riley, the reading had in the Committee of the Whole was considered the second reading of Substitute Senate Bill No. 374.

On motion of Senator Riley, the following amendments to Substitute Senate Bill No. 374 adopted in the Committee of the Whole were adopted by the Senate:

On page 14, lines 9 and 10, strike "adult education" and insert "for adult education classes approved by the board of education"

On page 14, line 21, after "class," insert "in grades 7 through 12,"

On page 14, line 32, after "students," strike "an added" and insert "a"

On page 14, line 33, after "factor" strike "keyed" and insert "equivalent"

On page 14a, line 1, strike the period and insert ": *Provided*, That no school district shall be allocated less than the amount as provided in section 2 of chapter \_\_\_\_\_, Laws of 1965 Extraordinary Session (Engrossed Senate Bill No. 522)"

On page 16, line 21, after "Appropriation" insert ": *Provided*, That not less than \$158,700 be designated for use by the office of nuclear energy development; and not less than \$10,500 for use by the Governor's Advisory Council on Nuclear Energy and Radiation"

On page 16, line 23, after "Appropriation" insert ": *Provided*, That \$100,000 of this sum be available only for the purposes of a water studies program"

On the motion of Senator Riley, the rules were suspended, Engrossed Substitute Senate Bill No. 374 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Senators Gallagher, Connor and Herrmann demanded the previous question and the demand was sustained.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 374 and the bill passed the Senate by the following vote: Yeas, 27; nays, 20; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Donohue, Dore, Foley, Freise, Gallagher, Greive, Hanna, Henry, Herrmann,

Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Peterson (Lowell), Petrich, Sandison, Washington—27.

Those voting nay were: Senators Chytil, Durkan, England, Gissberg, Guess, Hallauer, Herr, Lewis, Neill, Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Stender, Talley, Thompson, Jr., Williams, Woodall—20.

Absent or not voting: Senators Cowen, Mardesich—2.

Engrossed Substitute Senate Bill No. 374 having received the constitutional majority, was declared passed.

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

#### MOTION

At 5:10 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Friday, April 16, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## THIRTY-THIRD DAY

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### MORNING SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Friday, April 16, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Diane Bach, presented the Colors.

Reverend Leonard Rafalowski, pastor of St. Michael's Catholic Church of Olympia, offered prayer as follows:

"Be with us, Oh Lord, as we gather in this chamber today, and let the beauty and wisdom of Thy Holy presence guide the Senators' every thought, and word, and action. Erase from their minds every vanity and worldly ambition, giving them instead the bounties of Thy wisdom and of Thy understanding. They are human and weak, dear Lord, and we pray that Thou give them strength. They are filled with desires for things of this earth, and we beseech Thee that Thou show them instead the greater riches of eternal life. They are self-centered and occupied with the struggle for living; grant them the gift of charity, that in helping others they may gain a broader knowledge of how to live themselves.

"Grant Thy blessings then O Heavenly Father upon all gathered here, of whatever political persuasion or at what altar they choose to serve Thee. To Thy greater glory we ask it this day and all of our days. Amen."

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

**MOTION**

At 10:40 a. m., on motion of Senator Greive, the Senate adjourned until noon, Monday, April 19, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**THIRTY-SIXTH DAY**

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**NOON SESSION**

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SENATE CHAMBER,

OLYMPIA, WASH., Monday, April 19, 1965.

The Senate was called to order at noon by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present, except Senators Connor and Keefe.

On motion of Senator Greive, Senators Connor and Keefe were excused.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Teresa Hallauer, presented the Colors.

Reverend T. Eugene Turner, pastor of the First Christian Church of Olympia, offered prayer as follows:

"Our Divine Father, Thou dost know our common needs for insight, empathy, personal acceptance, honesty, vision, patience, responsibility and forgiveness as we labor together in common tasks.

"Grant to the members of this Senate the ability to meet these personal needs which each one carries within himself, as they continue their efforts for the resolution of the very complicated issues they face on our behalf. Amen."

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

At 12:10 p. m., on motion of Senator Bailey, the Senate recessed until 2:00 p. m.

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**AFTERNOON SESSION**

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

The Secretary called the roll and announced to the President that all Senators were present, except Senators Connor and Keefe, who were excused.

**PRESIDENT'S PRIVILEGE**

The President announced the presence of Mrs. Margaret Elley Felt, author of "*Gyppo Logger*."

With leave of the Senate, business was suspended to permit Mrs. Felt to address the Senate and to present an autographed first edition copy of her book to the President.

**PERSONAL PRIVILEGE**

Senator McCormack:

"Mr. President and members of the Senate:

"I have just placed upon your desks copies of yesterday's *Tri-City Herald* showing a picture of the new Batelle Research Center which was announced Friday night in the Tri-Cities. I think you will be interested to know this will involve a \$20 million expenditure over the next ten years. Construction will start this fall with between two and three million dollars to be spent immediately to build a mathematics building. This facility will be within about 3,000 feet of the new University of Washington Graduate Center and about a mile or less from the existing Batelle facilities. This is almost certainly going to constitute the nucleus for what is going to be the finest research center west of the Mississippi and one of the finest centers for advanced thinking and research in the United States. I think we can feel indeed fortunate that Batelle Research Center has come into this area. I want to point out this is all private money coming from outside of the state and it is in addition to matching funds that Batelle has given for building the University of Washington graduate center."

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., April 15, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 323, have inspected same, and find it correctly engrossed.

....., *Chairman.*

We concur in this report: Michael J. Gallagher, R. R. Bob Greive, Perry B. Woodall.

**Senate Concurrent Resolution No. 23:**

Senate Chamber,  
Olympia, Wash., April 19, 1965.

Directing the legislative council to study the regulation of motor boats and vessels (reported by Committee on Commerce, Manufacturing and Licenses):

Recommends that it do pass.

GEORGE W. KUPKA, *Chairman.*

We concur in this report: Frank Connor, John L. Cooney, David C. Cowen, Fred H. Dore, Jack England, Michael J. Gallagher, R. R. Bob Greive, Sam C. Guess, James Keefe, Reuben A. Knoblauch, Harry B. Lewis, August P. Mardesich, Ted G. Peterson.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, April 19, 1965.

To the Honorable, The Senate of the State of Washington.

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate bills, entitled:

**Senate Bill No. 519:**

Providing for disposition of funds received by the University of Washington.

**Senate Bill No. 531:**

Authorizing expenditure of certain outdoor recreation account funds for administrative and coordinate purposes.

Very truly yours,

RAYMOND W. HAMAN,

*Legal Counsel to the Governor.*

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., April 15, 1965.

MR. PRESIDENT:

The House has passed: Senate Bill No. 404, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 15, 1965.

MR. PRESIDENT:

The House has passed: Senate Bill No. 524, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 15, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 698, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

The Senate reverted to the second order of business to receive a standing committee report.

**REPORT OF STANDING COMMITTEE**

The Secretary read:

Senate Chamber,  
Olympia, Wash., April 15, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred, Senate Bill No. 323; also

Senate Bill No. 404; also

Senate Bill No. 524, have inspected same, and find them correctly enrolled and  
....., *Chairman.*

We concur in this report: Michael J. Gallagher, R. R. Bob Greive, Perry B. Woodall.

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

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., April 15, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Joint Resolution No. 30, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 15, 1965.

MR. PRESIDENT:

The House has passed: House Concurrent Resolution No. 33, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 15, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 323, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

**HOUSE AMENDMENT TO SENATE BILL**

House of Representatives,  
Olympia, Wash., April 16, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Substitute Senate Bill No. 374 with the following amendments:



Strike everything after the enacting clause on page 1 and insert the following:

**NEW SECTION.** Section 1. That a budget is hereby adopted and subject to the provisions hereinafter set forth the several amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for salaries, wages, and other expenses of the agencies and officers of the state and for other specified purposes for the fiscal biennium beginning July 1, 1965, and ending June 30, 1967, out of the several funds of the state hereinafter named.

#### STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premiums tax distribution....	\$ 646,650
General Fund Appropriation for public utility district excise tax distribution	\$ 5,889,600
General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution.....	\$ 296,010
Liquor Excise Tax Fund Appropriation for liquor excise tax distribution..	\$ 8,811,000
Motor Vehicle Excise Fund Appropriation for motor vehicle excise tax distribution .....	\$11,239,465
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution .....	\$78,725,034
Liquor Board Revolving Fund Appropriation for liquor profits distribution..	\$22,375,000

#### STATE TREASURER—FEDERAL REVENUES FOR DISTRIBUTION

Forest Reserve Fund Appropriation for forest reserve fund distribution....	\$10,211,140
General Fund Appropriation for federal flood control funds distribution....	\$ 12,000
General Fund Appropriation for federal grazing fees distribution.....	\$ 9,400

#### STATE TREASURER—BOND RETIREMENT AND INTEREST

Highway Bond Retirement Fund Appropriation.....	\$18,666,866
Public School Building Bond Redemption Fund of 1949 Appropriation.....	\$ 5,102,300
Public Schools Building Bond Redemption Fund of 1955 Appropriation.....	\$ 4,488,500
Public Schools Building Bond Redemption Fund of 1957 Appropriation.....	\$ 9,212,800
Public School Building Bond Redemption Fund of 1959 Appropriation.....	\$ 4,728,776
Public School Building Bond Redemption Fund of 1961 Appropriation.....	\$ 6,981,548
Public School Building Bond Redemption Fund of 1963 Appropriation.....	\$ 3,465,684
University of Washington Bond Redemption Fund Appropriation.....	\$ 2,552,233
Washington State University Bond Retirement Fund Appropriation.....	\$ 1,220,918
Central Washington State College Bond Retirement Fund Appropriation....	\$ 215,748
Eastern Washington State College Bond Retirement Fund Appropriation....	\$ 196,680
Western Washington State College Bond Retirement Fund Appropriation....	\$ 301,890
Institutional Building Bond Redemption Fund of 1949 Appropriation.....	\$ 2,551,140
Institutional Building Bond Redemption Fund of 1957 Appropriation.....	\$ 3,353,680
State Building Construction Bond Redemption Fund Appropriation.....	\$ 7,564,435
Juvenile Correctional Institution Building Bond Redemption Fund Appropriation .....	\$ 615,160
General Administration Bond Retirement Fund Appropriation.....	\$ 679,987
War Veterans' Compensation Bond Retirement Fund Appropriation.....	\$ 8,945,138
World Fair Bond Redemption Fund Appropriation.....	\$ 1,720,375
Outdoor Recreational Bond Redemption Fund Appropriation.....	\$ 210,000

#### STATE LEGISLATURE

General Fund Appropriation	
Senate Expenses and salaries of members.....	\$ 216,095
House of Representatives Expenses and salaries of members.....	\$ 409,090
Legislative Council .....	\$ 200,000
Legislative Budget Committee.....	\$ 183,655

#### PERMANENT STATUTE LAW COMMITTEE

General Fund Appropriation: <i>Provided</i> , That legislators are to be furnished upon request with a copy of the administrative code.....	\$ 261,625
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#### SUPREME COURT

General Fund Appropriation.....	\$ 1,135,058
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## COURT ADMINISTRATOR

General Fund Appropriation.....	\$ 85,000
General Fund Appropriation for Superior Court Judges.....	\$ 1,185,700
General Fund Appropriation	
Judges' Retirement Fund Contributions.....	\$ 172,300
Additional Judges' Retirement Fund Contributions in accordance with RCW 2.12.070.....	\$ 175,826

## JUDICIAL COUNCIL

General Fund Appropriation.....	\$ 11,000
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## LAW LIBRARY

General Fund Appropriation.....	\$ 225,957
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## OFFICE OF THE GOVERNOR

General Fund Appropriation	
Executive Operations .....	\$ 306,906
Investigation and Emergency Purposes—to be distributed on vouchers approved by the Governor.....	\$ 16,000
Extradition Expenses (Including prior claims).....	\$ 60,000
Mansion Maintenance .....	\$ 32,000

## SPECIAL APPROPRIATIONS TO THE GOVERNOR

General Fund Appropriation	
Governor's Emergency, to be allocated for the carrying on of the critically necessary work of any agency: <i>Provided</i> , That \$275,000 may be allotted for surveys and installations to the Governor: <i>Provided</i> , That \$85,000.00 of this amount be allotted for an examination and review by a nationally recognized firm of tax experts on the tax structure of the state of Washington and its political subdivisions, and that an advisory tax council of nine members be appointed by the Governor for the purpose of selection of this firm: <i>Provided</i> , That not to exceed \$350,000 may be allocated for payments of tort claims in accordance with RCW 4.92.160 and 4.92.170: <i>Provided</i> , That not to exceed \$300,000 may be allocated for mental hospitals by the Governor to carry out the purposes of Chapter 11, Laws of 1965, Chapter 75, Laws of 1965, or for other community services for mental retardation or mental illness authorized by law.....	\$ 2,650,000
Council of State Governments.....	\$ 22,000
For salary adjustments and employee benefits, to be allotted to the agencies .....	\$ 7,500,000

## LIEUTENANT GOVERNOR

General Fund Appropriation.....	\$ 43,658
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## SECRETARY OF STATE

General Fund Appropriation: <i>Provided</i> , That \$86,944 shall be available only for the maintenance of the permanent registration records.....	\$ 578,174
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## STATE TREASURER

General Fund Appropriation.....	\$ 455,735
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## STATE AUDITOR

General Fund Appropriation	
State Auditor .....	\$ 864,976
Payment for supplies and services furnished in previous biennium.....	\$ 100,000
Criminal cost bills .....	\$ 17,500
Motor Vehicle Fund Appropriation.....	\$ 75,812

## ATTORNEY GENERAL

General Fund Appropriation.....	\$ 1,057,150
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## CENTRAL BUDGET AGENCY

General Fund Appropriation.....	\$ 942,271
General Fund Appropriation to carry out the provisions of RCW 79.44 relating to assessments against state-owned lands: <i>Provided</i> , That any expenditure from this appropriation on behalf of an agency which is financed by other than General Fund moneys shall be repaid to the General Fund from any balances in the fund or funds which finance such agency and no appropriation shall be necessary to effect such repayment .....	\$ 100,000
General Fund Appropriation to carry out the provisions of RCW 41.40.370 relating to employers' contributions to state employees' retirement.....	\$ 2,000

## CAPITOL COMMITTEE

General Fund—Capitol Building Construction Account Appropriation.....	\$ 10,000
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## CENSUS BOARD

General Fund Appropriation.....	\$ 52,500
Motor Vehicle Excise Fund Appropriation.....	\$ 44,500

## BOARD AGAINST DISCRIMINATION

General Fund Appropriation.....	\$ 152,812
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## STATE EMPLOYEES' RETIREMENT SYSTEM

Retirement System Expense Fund Appropriation.....	\$ 755,432
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## PUBLIC PENSION COMMISSION

General Fund Appropriation.....	\$ 26,400
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## FINANCE COMMITTEE

General Fund—Investment Reserve Account Appropriation.....	\$ 70,209
Motor Vehicle Fund Appropriation.....	\$ 42,800
General Fund—Public School Building Construction Account Appropriation	\$ 44,000

## TAX COMMISSION

General Fund Appropriation: <i>Provided</i> , That funds received as reimbursements pursuant to chapter 84.41 RCW are hereby appropriated to the Tax Commission in excess of this amount, and such funds as are contracted to be paid into the General Fund prior to June 30, 1967, may be allotted in advance of receipts.....	\$ 7,131,455
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## UNIFORM LAW COMMISSION

General Fund Appropriation.....	\$ 5,473
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## DEPARTMENT OF GENERAL ADMINISTRATION

General Fund Appropriation.....	\$ 3,876,176
General Fund—State Capitol Vehicle Parking Account Appropriation.....	\$ 67,414

## DEPARTMENT OF INSTITUTIONS—HEADQUARTERS

General Fund Appropriation.....	\$ 2,703,267
General Fund—Transfer to Probation Service Account.....	\$ 35,000
General Fund—Probation Service Account Appropriation for grants to counties for juvenile probation services.....	\$ 35,000
General Fund Appropriation for payments to day-care centers for the care of mentally and physically deficient persons.....	\$ 140,000

## INSURANCE COMMISSIONER

General Fund Appropriation.....	\$ 1,249,756
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## ACCOUNTANCY BOARD

General Fund Appropriation.....	\$ 85,811
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<b>AERONAUTICS COMMISSION</b>	
General Fund Appropriation.....	\$ 138,790
<b>ATHLETIC COMMISSION</b>	
General Fund Appropriation.....	\$ 19,642
<b>CEMETERY BOARD</b>	
General Fund—Cemetery Account Appropriation.....	\$ 11,900
<b>BOARD OF INDUSTRIAL INSURANCE APPEALS</b>	
Accident Fund Appropriation.....	\$ 619,688
Medical Aid Fund Appropriation.....	\$ 619,688
<b>LIQUOR CONTROL BOARD</b>	
Liquor Board Revolving Fund Appropriation.....	\$ 15,714,729
<b>PHARMACY BOARD</b>	
General Fund Appropriation.....	\$ 229,634
<b>PUGET SOUND PILOTAGE COMMISSION</b>	
General Fund—Puget Sound Pilotage Account Appropriation.....	\$ 6,878
<b>POLLUTION CONTROL COMMISSION</b>	
General Fund Appropriation.....	\$ 599,776
<b>UTILITIES AND TRANSPORTATION COMMISSION</b>	
Public Service Revolving Fund Appropriation.....	\$ 3,157,098
<b>BOARD FOR VOLUNTEER FIREMEN</b>	
Volunteer Firemen's Relief and Pension Fund Appropriation.....	\$ 20,350
<b>DEPARTMENT OF CIVIL DEFENSE</b>	
General Fund Appropriation.....	\$ 1,128,584
<b>DEPARTMENT OF LABOR AND INDUSTRIES</b>	
General Fund Appropriation.....	\$ 9,512,533
General Fund—Electrical License Account Appropriation.....	\$ 1,009,484
Accident Fund Appropriation.....	\$ 2,137,092
Medical Aid Fund Appropriation.....	\$ 5,961,315
<b>MILITARY DEPARTMENT</b>	
General Fund Appropriation.....	\$ 1,810,292
Armory Fund Appropriation.....	\$ 530,808
<b>LAW ENFORCEMENT OFFICERS' TRAINING COMMISSION</b>	
General Fund—Law Enforcement Officers' Training Fund Appropriation....	\$ 50,000
<b>DEPARTMENT OF MOTOR VEHICLES</b>	
Motor Vehicle Fund Appropriation.....	\$ 4,945,115
Highway Safety Fund Appropriation.....	\$ 3,690,298
Motor Vehicle Operators Revolving Fund Appropriation.....	\$ 778,551
<b>General Fund—Commercial Automobile Driver Training Schools</b>	
Account Appropriation .....	\$ 3,124
General Fund—Park and Parkways Account Appropriation.....	\$ 50,000
General Fund Appropriation.....	\$ 871,646
General Fund Appropriation for the Medical Disciplinary Board.....	\$ 18,600
General Fund—Optometry Account Appropriation.....	\$ 13,163
General Fund—Opticians' Account Appropriation.....	\$ 7,276
General Fund—Real Estate Commission Account Appropriation.....	\$ 621,570

General Fund—Architects' License Account Appropriation .....	\$ 51,923
General Fund—Professional Engineers' Account Appropriation.....	\$ 90,210
General Fund—Sanitarians' Licensing Account Appropriation.....	\$ 6,099
General Fund—Board of Psychological Examiners Appropriation.....	\$ 4,700

## STATE PATROL

General Fund Appropriation.....	\$ 48,388
Highway Safety Fund Appropriation.....	\$ 1,076,882
Motor Vehicle Fund—State Patrol Highway Account Appropriation.....	\$15,141,445

## BOARD OF PRISON TERMS AND PAROLES

General Fund Appropriation.....	\$ 1,914,520
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## DEPARTMENT OF INSTITUTIONS—ADULT CORRECTIONAL INSTITUTIONS

General Fund Appropriation.....	\$16,816,810
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## DEPARTMENT OF INSTITUTIONS—JUVENILE REHABILITATION INSTITUTIONS

General Fund Appropriation.....	\$13,025,685
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## DEPARTMENT OF INSTITUTIONS—JUVENILE PAROLE SERVICE

General Fund Appropriation.....	\$ 1,026,598
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DEPARTMENT OF INSTITUTIONS —JUVENILE DELINQUENCY  
PREVENTION AND CONTROL

General Fund Appropriation.....	\$ 757,381
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## VETERANS' REHABILITATION COUNCIL

General Fund Appropriation.....	\$ 508,903
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## DEPARTMENT OF INSTITUTIONS—VETERANS' HOMES

General Fund Appropriation.....	\$ 3,047,139
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## DEPARTMENT OF PUBLIC ASSISTANCE

General Fund Appropriation: <i>Provided</i> , That \$39,976,311 shall be available exclusively for administration including salaries, wages and operations: <i>Provided</i> , That should Congress approve a new medical care program which would either require additional administrative costs or which would indicate a financial benefit to the State to increase administrative costs, the Budget Director, upon request of the Director of the Department and with the approval of the Governor, may transfer funds, the maximum herein notwithstanding, between assistance programs and administration: <i>Provided</i> , That no more than \$58,950 shall be available for use in providing temporary foster home care or receiving home care for children between the ages of 6 and 18 who are neglected and dependent and who are detained by the Juvenile Court prior to an adjudication by the court that the child is a dependent child: <i>Provided</i> , That not more than \$58,650 shall be expended to provide any foster home care authorized under the provisions of the Juvenile Court Act.....	\$265,644,231
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The Department of Public Assistance is hereby directed to administer the programs for which funds are herein appropriated in such a manner as to strictly comply with the existing statutes relating to public assistance, to adjust assistance payment if necessary, and to effect all economies possible in the administration of such programs during the 1965-67 biennium in order that expenditures for said biennium shall not exceed the funds herein appropriated: *Provided*, That payments to applicants or recipients from this appropriation shall not be increased due to increased costs of living unless funds are available: *Provided*, That the Department shall not pay increased rates for supplies or services unless it has been clearly determined that adequate funds are available to provide for the increased rates during the remainder of the biennium: *Provided*, That no payments of general assistance shall be made from

this appropriation unless the applicant or recipient for general assistance has resided in the State of Washington for three out of the last four years immediately preceding the date of application: *Provided*, That the Director may make payments of emergency general assistance to an applicant or recipient notwithstanding the residence provision above for a period of not to exceed ninety days if a denial of assistance would cause undue hardship: *Provided*, That the amount paid from this appropriation to or on behalf of a recipient in a nursing home or a hospital for clothing and personal incidentals shall not exceed fifty percent of the amount which would be paid to such recipient if he were living in his own home: *Provided*, That where a dependent child lives with his mother and a stepfather or an adult male person assuming the role of a spouse to the mother although not legally married to her, the amount of the grant shall be computed after consideration is given to the income and resources of the stepfather or such adult male person and the State Department of Public Assistance shall determine if the stepfather or such male person is able to support the child either wholly or in part; said determination shall be based upon a standard which takes into account the stepfather's or such adult male person's income, resources, and expenses under regulations set forth by the Department of Public Assistance; a natural father is not relieved of any legal obligation to support his children by the liability for their support imposed upon their stepfather or adult male person by this proviso: *Provided*, That county hospitals and infirmaries shall be required to report all their revenue and expenditures as required by the Department of Public Assistance: *Provided*, That county hospitals and infirmaries shall not transfer funds between major classes of expenditures without consulting with the Director of the Department of Public Assistance: *Provided*, That a commission composed of representatives of the King County Commissioners, King County Hospital, Department of Public Assistance, University of Washington Medical School, City of Seattle and the Central Budget Agency is hereby created to study the problem of financing the various programs carried on at King County Hospital; the representative of the Central Budget Agency shall serve as chairman; such commission shall make its findings and recommendations to the Governor by September 1, 1966: On and after July 1, 1965, no ratable reductions may be applied in any grant under the public assistance program of the state: *Provided*, That if the cost of administration is no greater, the state shall act as carrier for the insurance provisions of any federal health benefits program: *Provided*, That the food stamp plan shall not be established in counties containing more than 20% of the present recipients of surplus commodities: *Provided*, That 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.

General Fund Appropriation for medical services and supplies not in excess of the unexpended balance of the 1963-1965 appropriation or allotment for this purpose.....	\$ 100,000
DEPARTMENT OF INSTITUTIONS—SCHOOL FOR THE BLIND	
General Fund Appropriation.....	\$ 1,027,852
DEPARTMENT OF INSTITUTIONS—SCHOOL FOR THE DEAF	
General Fund Appropriation.....	\$ 2,070,879
WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION	
General Fund Appropriation.....	\$ 30,000

SUPERINTENDENT OF PUBLIC INSTRUCTION  
(Including Board of Education)

## General Fund Appropriations

Office of the Superintendent of Public Instruction and Board of Education .....	\$ 2,222,001
To carry out the provisions of Public Law 85-864 (National Defense Education Act of 1958).....	\$ 5,116,748
Education of Indian Children.....	\$ 183,000
Assistance to Blind Students (RCW 28.76.130).....	\$ 54,400
Grants to Teachers of the Handicapped.....	\$ 200,000
School lunch and school milk programs.....	\$ 6,410,000
Allocation to County Superintendents of Schools: <i>Provided</i> , That any county wherein the office of county superintendent has been abolished pursuant to RCW 28.19.180 shall receive an allotment from this appropriation commensurate with the amount said county would have received had the office of county superintendent not been abolished .....	\$ 500,000
Distribution to counties for school districts: <i>Provided</i> , That from the several amounts specified, \$42,308,216 of the General Fund appropriation shall be reserved and shall be available only for reappropriation and disbursement in July and August, 1967: handicapped children, \$23,413,197; vocational-technical schools, \$12,067,400; adult education, \$2,847,300; programs in state institutions, \$2,899,560; all other, \$449,079,639: <i>Provided</i> , That not to exceed \$50,000 annually may be allocated to the Pacific Science Center: <i>Provided</i> , That \$46,000,000 of this appropriation shall be used exclusively for salary increases for certificated school personnel at the average rate of six percent in 1965-66 and an additional six percent in 1966-67, and salary increases for noncertificated school personnel at the average rate of five percent in 1965-66 and an additional five percent in 1966-67	
General Fund Appropriation.....	\$480,307,096
Current School Fund Appropriation.....	\$ 10,000,000

General Fund Appropriation, distribution of state 10-mill levy to school districts .....	\$139,300,000
General Fund Appropriation—Civil Defense Education.....	\$ 90,800
General Fund—Driver Education Account Appropriation.....	\$ 2,418,278
General Fund Appropriation, for distribution to Community Colleges in accordance with Chapter 2, Laws of 1963, Extraordinary Session: <i>Provided</i> , That \$1,900,000 shall be available only for allocation to Community Colleges authorized by the 1965 legislature: <i>Provided further</i> , To speed development of the community college system, the State Superintendent of Public Instruction shall use a part of these funds as planning fund money for use by the remaining school districts on the priority list submitted to the 1965 legislature by the State Board of Education as follows:	

- (1) Lake Washington School District No. 414, King County.
- (2) Olympia School District No. 11, Thurston County.
- (3) Grandview School District No. 116-120, Yakima County, and
- (4) Spokane Valley area, Spokane County.

*Provided, further*, That if any community authorized by the 1965 legislature to start a community college in the 1965-67 biennium fails to implement its assigned priority, the State Board of Education shall make that priority available to other school districts on the priority list.

## STATE BOARD FOR VOCATIONAL EDUCATION

General Fund Appropriation.....	\$14,460,378
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## TEACHERS' RETIREMENT SYSTEM

Teachers' Retirement Fund Appropriation.....	\$ 468,947
General Fund Appropriation	
Contribution to Teachers' Retirement Fund.....	\$37,745,373

## UNIVERSITY OF WASHINGTON

General Fund Appropriation.....	\$86,560,906
Motor Vehicle Excise Fund Appropriation.....	\$ 252,000
Accident Fund Appropriation.....	\$ 250,000
Medical Aid Fund Appropriation.....	\$ 250,000

## WASHINGTON STATE UNIVERSITY

General Fund Appropriation.....	\$45,491,315
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## EASTERN WASHINGTON STATE COLLEGE

General Fund Appropriation.....	\$ 8,006,219
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## CENTRAL WASHINGTON STATE COLLEGE

General Fund Appropriation.....	\$ 9,870,197
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## WESTERN WASHINGTON STATE COLLEGE

General Fund Appropriation.....	\$11,386,914
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## HIGHER EDUCATION FACILITIES COMMISSION

General Fund Appropriation: <i>Provided</i> , That not to exceed \$50,000 shall be from state sources.....	\$ 75,000
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## STATE LIBRARY

General Fund Appropriation.....	\$ 2,809,233
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## ARTS COMMISSION

General Fund Appropriation.....	\$ 15,000
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## WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation.....	\$ 132,702
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## EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation.....	\$ 95,601
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## STATE CAPITOL HISTORICAL ASSOCIATION

General Fund Appropriation.....	\$ 74,634
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## DEPARTMENT OF HEALTH

General Fund Appropriation: <i>Provided</i> , That \$200,000 annually shall be transferred by the liquor control board from its receipts into the general fund prior to July 1, 1966 and July 1, 1967: <i>Provided</i> , That not to exceed \$4,674,904 may be expended for tuberculosis hospitalization and control: <i>Provided</i> , That not to exceed \$210,000 shall be allocated to artificial kidney centers: <i>Provided</i> , That not to exceed \$100,000 may be allocated for a pilot study of cystic fibrosis.....	\$13,190,368
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## DEPARTMENT OF INSTITUTIONS—MENTAL HEALTH RESEARCH INSTITUTE

General Fund Appropriation.....	\$ 435,012
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## DEPARTMENT OF INSTITUTIONS—MENTAL HOSPITALS

General Fund Appropriation.....	\$29,695,442
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## DEPARTMENT OF INSTITUTIONS—SCHOOLS FOR THE MENTALLY RETARDED

General Fund Appropriation.....	\$22,155,807
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## PARKS AND RECREATION COMMISSION

General Fund—Parks and Parkways Account Appropriation.....	\$ 4,930,266
Motor Vehicle Fund Appropriation for maintenance of vehicular roads, highways and bridges within state parks.....	\$ 150,000



## INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

General Fund Appropriation: *Provided*, That expenditures from this appropriation shall be repaid to the General Fund from the Outdoor Recreation Account at the end of the 1965-67 biennium: *Provided*, That this appropriation may be expended for the cost of selling bonds authorized by Referendum 11..... \$ 79,740

## DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

General Fund Appropriation..... \$ 4,823,576

## DEPARTMENT OF CONSERVATION

General Fund Appropriation..... \$ 1,969,932  
 General Fund—Reclamation Revolving Account Appropriation..... \$ 342,270  
 General Fund—Weather Modification Board Revolving Account Appropriation \$ 1,224  
 Stream Gaging Fund Appropriation..... \$ 80,000

## CANAL COMMISSION

General Fund Appropriation..... \$ 60,000

## COLUMBIA RIVER COMPACT COMMISSION

General Fund Appropriation..... \$ 3,000

## DEPARTMENT OF FISHERIES

General Fund Appropriation..... \$ 7,288,421  
 General Fund—Lewis River Hatchery Account Appropriation..... \$ 28,220

## DEPARTMENT OF GAME

Game Fund Appropriation: *Provided*, That not more than \$40,000 shall be expended for payment of game animal damages and expense..... \$10,321,091

## DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation: *Provided*, That from any funds available therefor, the department may construct, operate, and maintain outdoor primitive recreation facilities on lands under its jurisdiction when deemed necessary by the department to achieve maximum development of such lands and resources consistent with the purposes for which the lands are held in compliance with the state-wide open space and outdoor recreation plan, and may acquire and develop public access to lands under the jurisdiction of the department and suitable for public outdoor recreation, and may for these purposes receive and expend funds from federal and state outdoor recreation funding measures..... \$ 7,136,037  
 General Fund Appropriation to Forest Insect and Disease Fund..... \$ 100,000  
 General Fund—Contingency Forest Fire Suppression Account Appropriation \$ 469,700  
 General Fund—Forest Development Account Appropriation..... \$ 310,017  
 General Fund—Harbor Improvement Account Appropriation..... \$ 20,000  
 General Fund—Resource Management Cost Account Appropriation..... \$ 5,746,729

## DEPARTMENT OF AGRICULTURE

General Fund Appropriation..... \$ 2,607,049  
 General Fund—Commercial Feed Account Appropriation..... \$ 88,945  
 General Fund—Commission Merchants' Account Appropriation..... \$ 160,072  
 General Fund—Egg Inspection Account Appropriation..... \$ 210,623  
 General Fund—Feed and Fertilizer Account Appropriation..... \$ 9,046  
 General Fund—Fertilizer, Agricultural Mineral and Lime Account Appropriation ..... \$ 143,790  
 General Fund—Nursery Inspection Account Appropriation..... \$ 174,231  
 General Fund—Seed Inspection Account Appropriation..... \$ 224,462  
 Grain and Hay Inspection Fund Appropriation..... \$ 2,368,971

## EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation.....	\$ 79,883
Unemployment Compensation Administration Fund.....	\$19,872,615
Administrative Contingency Fund.....	\$ 100,000

*NEW SECTION.* Sec. 2. The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated out of the several funds indicated, for the period from the effective date of this act to June 30, 1967, except as otherwise provided.

## DEPARTMENT OF GENERAL ADMINISTRATION

General Fund—Capitol Building Construction Account Appropriation to construct parking facilities at the state capitol.....	\$ 1,000,000
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## LEGISLATIVE COUNCIL

General Fund Appropriation.....	\$ 7,500
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## LEGISLATIVE BUDGET COMMITTEE

General Fund Appropriation.....	\$ 6,500
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## VEHICLE EQUIPMENT SAFETY COMMISSION

Motor Vehicle Fund—State Patrol Highway Account Appropriation.....	\$ 2,644
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## STATE PATROL

Motor Vehicle Fund—State Patrol Highway Account Appropriation for the acquisition and erection of a prefabricated structure for the training academy .....	\$ 3,000
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## FOURTH STATE COLLEGE

General Fund Appropriation to (a) cover the expenses of a committee consisting of the five presidents of the public four-year colleges and universities and five public members appointed by the Governor who shall, by February 1, 1966 select the site for a fourth state college which shall be west of the Cascade Mountains; and, (b) to cover the expenses of a five member board of trustees which shall be appointed by the Governor by March 15, 1966 for terms of one, two, three, four and five years including the expenses of preparing a site plan, appointing such staff as is necessary and related expenses of planning an academic program and building program for submission to the fortieth session of the legislature.....	\$ 200,000
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## DEPARTMENT OF INSTITUTIONS

To carry out the purposes of Chapter 11, Laws of 1965, relating to the acquisition, remodeling, and operation of Harrison Memorial Hospital.	
General Fund Appropriation.....	\$ 209,863
General Fund—State Building Construction Account Appropriation.....	\$ 56,370
General Fund—CEP & RI Account Appropriation.....	\$ 233,767
General Fund Appropriation.....	\$ 25,000

To the Department of Institutions for the Washington State School for the Blind to provide for completion of teaching and classroom space and facilities of the building authorized by the Laws of 1961 and otherwise completed and dedicated in the 1963-65 biennium.

## BELATED CLAIMS

To reimburse General Fund for Expenditures from Appropriations for Belated Claims, to be disbursed on vouchers approved by the State Auditor:	
GENERAL FUND—Commercial Feed Account Appropriation.....	\$ 9.09
GENERAL FUND—Commission Merchants Account Appropriation.....	\$ 4.00
GENERAL FUND—Contingency Forest Fire Suppression Account Appropriation .....	\$ 209.60
GENERAL FUND—Egg Inspection Account Appropriation.....	\$ 52.18

GENERAL FUND—Fertilizer, Agricultural Mineral and Lime Account Appropriation .....	\$ 18.16
GENERAL FUND—Nursery Inspection Account Appropriation.....	\$ 64.96
GENERAL FUND—Parks and Parkways Account Appropriation.....	\$ 15,176.39
GENERAL FUND—Real Estate Commission Account Appropriation.....	\$ 7.60
GENERAL FUND—Seed Account Appropriation.....	\$ 83.15
GENERAL FUND—State Building Construction Account Appropriation.....	\$ 116.25
GAME FUND—Appropriation .....	\$ 2,787.34
GRAIN AND HAY INSPECTION FUND—Appropriation.....	\$ 906.55
HIGHWAY SAFETY FUND—Appropriation.....	\$ 365.55
MOTOR VEHICLE FUND—Appropriation.....	\$ 19,467.39
MOTOR VEHICLE FUND—State Patrol Highway Account Appropriation.....	\$ 9,385.59
PUBLIC SERVICE REVOLVING FUND—Appropriation.....	\$ 42.72
CLARKE-McNARY FUND—Appropriation .....	\$ 222.00
STATE FOREST NURSERY FUND—Appropriation.....	\$ 111.04
GENERAL ADMINISTRATION CONSTRUCTION FUND—Appropriation.....	\$ 63.00
MEDICAL AID FUND—Appropriation.....	\$ 468.32

JUDGMENTS

General Fund Appropriation for judgments, to be disbursed on vouchers approved by the State Auditor, as follows:

NICHOLAS MAFFEO, for costs in King County Cause No. 36166.....	\$ 220.00
STEFAN F. THOMASSON, Judgment against the State of Washington, King County (remit 34752-340263).....	\$ 404.54
WALTHEW, WARNER & KEEFE, Attorneys for Thelma Ann Swenson, De- fendant, judgment for cost in King County Superior Court, Cause No. 35526 .....	\$ 251.90

Accident Fund Appropriation for judgments, to be disbursed on vouchers approved by the State Auditor, as follows:

ROBERT H. BOND, judgment against the State of Washington and costs in Thurston County Cause No. 31899.....	\$ 20,735.24
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General Fund—Park and Parkways Account Appropriation for judgments, to be disbursed on vouchers approved by the State Auditor, as follows:

RIDGE CONSTRUCTION COMPANY, Judgment against the State of Washington, Thurston County Cause No. 34504.....	\$ 3,462.00
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LOCAL IMPROVEMENT ASSESSMENTS

General Fund Appropriation for the City of Seattle, Local Improvement District No. 6275: *Provided*, That this amount shall not be disbursed until the State Auditor ascertains that an equal amount has been paid to the City of Seattle by the University of Washington from revenue derived from athletic and parking activities.....

\$ 55,324.37

REFUNDS

General Fund Appropriation for refunds, to be disbursed on vouchers approved by the State Auditor, as follows:

SKAGIT BAY FISH COMPANY, Refund of penalty imposed on delinquent tax and refund of catch tax for fish caught by Indians on reservation	\$ 3,230.50
JOHN H. CURRY, Refund for reef net license.....	\$ 42.50
DONALD B. ANDERSON, Duplicate retail fish dealer license.....	\$ 5.00
RANDALL G. HANSON, a minor, Refund of fishing license fee.....	\$ 10.00
WARREN E. HANSON, Refund of duplicate license fee.....	\$ 10.00
ANTHONY PICINICH, Refund of gill net license fee.....	\$ 25.00
JOHN D. DANIELSON, Refund of duplicate fishing license fee (1963).....	\$ 10.00
GORDON W. EASTERLY, Refund of duplicate fishing license fee (1964).....	\$ 10.00
MRS. ELMER PETERSON, Refund of vessel delivery permit (1964).....	\$ 20.00
Sundry Claims for refund of Commercial Clam Digging Licenses:	
HARRY W. ALLEN.....	\$ 5.00
ANN LUKIN .....	\$ 5.00
ELIZABETH R. ANDERSON.....	\$ 5.00
HENRY J. ANDERSON.....	\$ 5.00
ROY GUSTAFSON .....	\$ 5.00

LEONARD STRAWN .....	\$	5.00
ROSE STRAWN .....	\$	5.00
FORREST SNELL .....	\$	5.00
HARRIET SNELL .....	\$	5.00
DARWIN PATTERSON .....	\$	5.00
L. A. LYTTLE .....	\$	5.00
JOHN MATTOCKS .....	\$	5.00
BERT ACHEY .....	\$	5.00
JOHN ADAMS .....	\$	5.00
CHARLIE R. ARCHER .....	\$	5.00
E. W. ARMSTRONG .....	\$	5.00
BILL ATWOOD .....	\$	5.00
GEORGE V. BALL .....	\$	5.00
JOHN H. BALL .....	\$	5.00
MABEL BALL .....	\$	5.00
MORRIS E. BINFORD .....	\$	5.00
JOSEPH M. BJORNDAHL .....	\$	5.00
MARY BJORNSGARD .....	\$	5.00
JAMES BOWMAN .....	\$	5.00
JACK BRITT .....	\$	5.00
NORMAN BROWN .....	\$	5.00
BOB BRUMLY .....	\$	5.00
RAY BRUNDAGE .....	\$	5.00
DONALD D. CAPPS .....	\$	5.00
CARL CHILSON .....	\$	5.00
GENE COLES .....	\$	5.00
ALFRED L. CONNELL .....	\$	5.00
RONALD G. COURSER .....	\$	5.00
PEGGY CRISS .....	\$	5.00
MIKE CRUM .....	\$	5.00
D. L. COVINGTON .....	\$	5.00
E. E. CULVER .....	\$	5.00
R. O. DAVIS .....	\$	5.00
VELMA DIPKA .....	\$	5.00
MARY DUDNEY .....	\$	5.00
HARRY E. DUFF .....	\$	5.00
C. A. DUFFY .....	\$	5.00
M. C. EATON .....	\$	5.00
WILLIAM EDWARDS .....	\$	5.00
TAIMY ELLEDGE .....	\$	5.00
JAMES R. HEATH .....	\$	5.00
A. J. ESTES .....	\$	5.00
ROBERT R. FARNES .....	\$	5.00
ROLAND FLEMING .....	\$	5.00
JACK FLETCHER .....	\$	5.00
MARIE FLETCHER .....	\$	5.00
LESLIE FRENCH .....	\$	5.00
RICHARD FROST .....	\$	5.00
WILLABELLE FOX .....	\$	5.00
DWAYNE GATEWOOD .....	\$	5.00
S. C. GILLIES .....	\$	5.00
JIM GRAGG .....	\$	5.00
JAMES A. GRIGGS .....	\$	5.00
VERNA I. GRUBER .....	\$	5.00
RALPH GUNTER .....	\$	5.00
BETTIE HALL .....	\$	5.00
F. A. HANWAY .....	\$	5.00
ALFRED HENSALA .....	\$	5.00
V. L. HOCHHAUS .....	\$	5.00
HARVEY HOLLINGER .....	\$	5.00
C. S. HOPPER .....	\$	5.00
ELVA J. HORN .....	\$	5.00
HARRY HORN .....	\$	5.00
HENRY J. HORN .....	\$	5.00

DAVID E. JOHNSON.....	\$	5.00
GABRIEL F. KEITH.....	\$	5.00
C. R. KELLNER.....	\$	5.00
ROBERT B. KERLIK, SR.....	\$	5.00
ART KIRSCH.....	\$	5.00
WILLIAM KIRSCH.....	\$	5.00
C. M. KOPLIN.....	\$	5.00
PEARL KOSKI.....	\$	5.00
LARRY KOSOFF.....	\$	5.00
BETTY M. KUEHN.....	\$	5.00
KENNETH KUEHN.....	\$	5.00
TED KUPREWICZ.....	\$	5.00
JOYCE KUZMAK.....	\$	5.00
DONALD D. LANMAN.....	\$	5.00
EARL E. LARSON.....	\$	5.00
JANIS LEMIEUX.....	\$	5.00
EDNA B. LUKIN.....	\$	5.00
VERN McDONALD.....	\$	5.00
BEATRICE McGUIRE.....	\$	5.00
WILLIAM McGUIRE.....	\$	5.00
RAY McKAY.....	\$	5.00
CHARLES MANUEL.....	\$	5.00
NETTIE MANUEL.....	\$	5.00
OSCAR MATTOCKS.....	\$	5.00
CHARLES F. MAURER.....	\$	5.00
PERL E. MAURER.....	\$	5.00
FLOYD MAXWELL.....	\$	5.00
GEORGIA MELLINGER.....	\$	5.00
OLIVER MELLINGER.....	\$	5.00
STELLA U. MERRILL.....	\$	5.00
DOYLE MILLER.....	\$	5.00
RAY F. MOORE.....	\$	5.00
TED MOUNCER.....	\$	5.00
MAE MOUNCER.....	\$	5.00
JAMES L. MOYER.....	\$	5.00
BEN MULLER.....	\$	5.00
ELMER C. NELSON.....	\$	5.00
LEROY NICHOLSON.....	\$	5.00
JOHN NIEMI.....	\$	5.00
OSMO NIEMI.....	\$	5.00
CLARENCE OLSON.....	\$	5.00
HAROLD ONTQUIST.....	\$	5.00
CLAIRMONT R. OPP.....	\$	5.00
EBEN P. PARKER, JR.....	\$	5.00
E. C. PAROTT.....	\$	5.00
CONNIE PETERSON.....	\$	5.00
STANLEY PETERSON.....	\$	5.00
HAROLD E. PHELPS.....	\$	5.00
JOHN B. PIERCE.....	\$	5.00
DOROTHY PRENTICE.....	\$	5.00
HAROLD M. QUARNBERG.....	\$	5.00
RAMON RAMIREZ.....	\$	5.00
FLOYD H. REITH, JR.....	\$	5.00
LAURA M. REITH.....	\$	5.00
LARRY RILEY.....	\$	5.00
A. ROBERTSON.....	\$	5.00
MARY M. SALAKIE.....	\$	5.00
JACOB SCHALL.....	\$	5.00
C. A. SELLS.....	\$	5.00
KENNETH L. SIMONSEN.....	\$	5.00
ROBERT D. SMITH.....	\$	5.00
ART SPANGLER.....	\$	5.00
LEO THEIN.....	\$	5.00

ARNOLD J. THOMAS.....	\$	5.00
JULIA THOMAS .....	\$	5.00
HARRY TUTTLE .....	\$	5.00
MARY ULMER .....	\$	5.00
JAMES VAN ROOY.....	\$	5.00
JERALD WALTHER .....	\$	5.00
JACK WARWICK .....	\$	5.00
JESSIE WARWICK .....	\$	5.00
FRANK WELCH .....	\$	5.00
CARL SUMNER WHITNEY.....	\$	5.00
JACK R. WILCOX.....	\$	5.00
VERN WILSON .....	\$	5.00
WILLIAM A. WILSON.....	\$	5.00
WOODROW W. WILSON.....	\$	5.00
LOLA YRELL .....	\$	5.00
RUBEN YRELL .....	\$	5.00
INDEPENDENT DELIVERY, INC., For refund of corporation license fees.....	\$	210.00
WINNIE R. BOWERS, For refund of pharmacy license fee: <i>Provided</i> , That this amount shall be paid from the General Fund Appropriation to the State Board of Pharmacy for the 1965-67 Biennium.....	\$	20.00
EDWARD ANTONELLI, For refund of B & O Tax paid under "Wholesaling-Otherwise" .....	\$	1,199.00

## SUNDRY CLAIMS

General Fund Appropriation for relief of various individuals, firms and corporations for sundry reasons to be disbursed on vouchers approved by the State Auditor as follows:

SAMUEL GOLDENBERG, in full settlement for services rendered to welfare patient at Centralia General Hospital.....	\$	60.00
ERIC K. MAINO, in full settlement for loss of personal property at American Lake .....	\$	154.91
WILLIAM H. and DARLENE JOHNSON, in full settlement for personal property stolen by Washington State Penitentiary escapees.....	\$	178.06
G. D. GALBREATH, in full settlement for loss of personal property while a patient at Northern State Hospital.....	\$	16.75
EDGAR C. WOOD, in full settlement for loss of personal property from fire caused by inmate at Rainier State School.....	\$	4,500.00
KING COUNTY HOSPITAL, for services rendered to mentally ill.....	\$	8,184.89
YAKIMA VALLEY MEMORIAL HOSPITAL, for services rendered to mentally ill	\$	1,401.50
St. JOHNS HOSPITAL, for services rendered to mentally ill.....	\$	74.15
DON R. BERRYSMITH, In full settlement for damages to vehicle by inmate of Luther Burbank School.....	\$	49.02
JOE MARTIN, In full settlement for damages to personal property caused by disturbed patient at Western State Hospital.....	\$	11.95
SOUND MATTRESS & FELT COMPANY, In full settlement for damage to personal property caused by patient of Western State Hospital.....	\$	93.66
ANITA WYATT, In full settlement for loss of personal property caused by patient at Western State Hospital.....	\$	5.15
JOHN P. BALCH, In full settlement for damages to automobile by patient at Western State Hospital.....	\$	21.38
CONSOLIDATED SUPPLY COMPANY, In full settlement for expense incurred in returning and exchanging merchandise.....	\$	19.14
PUGET SOUND CONSTRUCTION COMPANY, In full settlement on contract to repair Olympia Armory.....	\$	2,138.40
TOM MAXWELL, In full settlement of damages to fishing net by Department of Fisheries.....	\$	50.00
LINCOLN RIES, M.D. and JAMES HOVIS, ATTORNEY AT LAW, In full settlement of services rendered to patients under regulations of the State Department of Public Assistance, 1962, 1963 and 1964.....	\$	2,432.50
BYRON HORTON, PRESIDENT, MEATS, INC. For refund of assessments paid on land purchased from the State.....	\$	1,747.49
For reimbursement of personal property destroyed by fire in Washington State University's Motor Pool as follows:		

ELMER TORN .....	\$ 158.54
HAROLD MONEYBON .....	\$ 210.97
DEB ACUFF .....	\$ 751.30
E. E. HAWKINS .....	\$ 177.06
HARVEY G. COLE .....	\$ 1,585.96
ALFRED CARDEAU .....	\$ 33.66
ROBERT D. ELLSWORTH.....	\$ 105.86
WALLACE R. MCPHERSON.....	\$ 255.81
 Motor Vehicle Fund Appropriation for relief of various individuals, firms, corporations and the Oregon State Tax Commission for sundry reasons to be disbursed on vouchers approved by the State Auditor as follows:	
NORTHERN PACIFIC RAILWAY COMPANY, In full settlement of damages to truck February 4, 1963.....	\$ 500.00
ALTON V. PHILLIPS, For certain amounts due on contract No. 5887, dated July 8, 1958.....	\$126,778.76
WILLIAM H. STOCK, In full settlement of damages to automobile.....	\$ 23.69
WILLIAM SCULLY, In full settlement for damage to personal property by Highway Department equipment.....	\$ 9.00
OREGON STATE TAX COMMISSION, In full settlement of withholding taxes for employees at the Vancouver-Portland Interstate Bridge for the years 1960-63 .....	\$ 13,727.55
 Motor Vehicle Fund—State Patrol Highway Account Appropriation for relief of	
FRED A. CINA et al., In full settlement for personal injuries sustained on June 16, 1962, to be disbursed on vouchers approved by the State Auditor .....	\$ 5,669.26
 Motor Vehicle Excise Fund Appropriation for refunds to be disbursed on vouchers approved by the State Auditor, as follows:	
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION, Transfer of funds to the Public Service Revolving Fund for reimbursement for costs incurred in collecting excise tax in accordance with chapter 152, Laws of 1945.....	\$ 3,512.85

CRIMINAL COSTS

General Fund Appropriation reimbursing counties for various cost bills in felony cases:

TREASURER, King County.....	\$ 7,954.50
TREASURER, Pierce County.....	\$ 351.70

**NEW SECTION.** Sec. 3. The word "agency" used herein shall mean and include 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 shall mean 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 shall not include those boards, commissions, or committees on which one or more of the above named elected officials serve.

**NEW SECTION.** Sec. 4. In order to carry out the provisions of these appropriations and the state budget, the budget director, 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 budget director shall not alter allotment requests filed with him, nor shall he place in reserve any funds, for the following: Agencies headed by elective officials; University of Washington; Washington State University; Central Washington State College; Eastern Washington State College; Western Washington State College; Washington State Apple Advertising Commission; Washington State Fruit Commission; Washington Dairy Products Commission or any agricultural commodity commission created under the provisions of chapter 15.66 RCW; the legislative branch of state government including the legislative council, the legislative budget committee, the

statute law committee, and any legislative interim committee; or the judicial branch of state government: *Provided, however,* 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 allotments or to incur a deficiency and any obligation so made shall be deemed invalid. Nothing in this section or in chapter 328, Laws of 1959 shall prevent revision of any or all allotments on reasonable and uniform basis when necessary to prevent the making of expenditures under appropriations in this act in excess of available revenues.

(2) Issue rules and regulations to establish uniform standards and business practices throughout the state service, including regulation of travel by officers and employees and the conditions under which per diem shall be paid, so as to improve efficiency and conserve funds.

(3) Prescribe procedures and forms to carry out the above.

(4) Allot funds from appropriations in this act in advance of July 1, 1965, for the sole purpose of authorizing agencies to order goods, supplies or services for delivery after July 1, 1965: *Provided,* That no expenditures may be made from the appropriations contained in section 1 until after July 1, 1965.

**NEW SECTION.** Sec. 5. Except as otherwise provided in this act, any receipts from federal or other sources or from gifts or grants in excess of those estimated in the budget may be received and allotted by the governor but in the event that receipts shall be less than those estimated in the budget from any source the appropriations shall be limited to the amount actually received and allotments made as provided in section 4. Whenever possible, the receipt of federal or other funds which are not anticipated by the governor's budget or the legislature shall be used to support regular programs instead of using appropriated funds.

**NEW SECTION.** Sec. 6. 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. 7. Whenever allocations are made from the governor's emergency appropriation to an agency which is financed by other than general fund moneys, the budget director may direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance such agency. No appropriations shall be necessary to effect such repayment.

**NEW SECTION.** Sec. 8. In addition to the amounts appropriated in this act for revenue for distribution and bond retirement and interest, 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. 9. Amounts received by an agency as reimbursements pursuant to RCW 43.09.210 shall be considered as returned loans of materials supplied or services rendered. Such amounts may be expended as a part of the original appropriation of the fund to which it belongs, without further or additional appropriation, subject to conditions and procedures prescribed by the budget director which shall provide for determination of full costs, disclosure of such reimbursements in the governor's budget, maximum inter-agency 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. 10. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.,  
and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Foley, the Senate refused to concur in the House amendments to Engrossed Substitute Senate Bill No. 374 and asked the House to recede therefrom.

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 404; also,**

**Senate Bill No. 524.**



**INTRODUCTION AND FIRST READING OF BILL**

The following was introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 563**, by Senators Herr and McMillan:

An Act relating to revenue and taxation; and amending section 82.08.080, chapter 15, Laws of 1961 as amended by section 2, chapter 244, Laws of 1963 and RCW 82.08.080.

Referred to Committee on Ways and Means.

**FIRST READING OF HOUSE BILL AND RESOLUTIONS**

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 698**, by Representatives O'Brien, Garrett, Uhlman, Beck, Copeland, Whetzel, Ahlquist and Newhouse:

An Act relating to the registration of claims to withdraw and make use of waters; making an appropriation; and declaring an emergency.

Referred to Committee on Natural Resources.

**Engrossed House Joint Resolution No. 30**, by Representatives Sheridan, Valle and Brouillet:

Regulating common school fund investments.

Referred to Committee on Ways and Means.

**House Concurrent Resolution No. 33**, by Representatives Moon, Haussler, Johnson (Doris), Gallagher, Avey, Jolly, Sheridan, Anderson (Eric O.):

Providing for an interim committee on water resources to conduct a water resources study.

Referred to Committee on Ways and Means.

**SECOND READING OF BILLS**

**Senate Bill No. 552**, by Senators Foley, Sandison and Ryder:

Relating to student fees at state colleges.

The bill was read the second time by sections.

It was moved by Senator Sandison that the following amendment by Senators Hallauer and Sandison be adopted:

On page 1, beginning on line 13, strike all the material down to and including "dollars" on line 24 and insert "(1) Resident students (a) General tuition fee, not less than fifteen dollars; and (b) Incidental fees, an amount which, together with such general tuition fee, will be [not less than fifty dollars nor more than seventy-seven] *not more than eighty-eight* dollars. (2) Nonresident students (a) General tuition fee, not less than forty-five dollars; and (b) Incidental fees, an amount which, together with such general tuition fee, will be [not less than one hundred and five] *not more than one hundred fifty-seven* dollars"

Debate ensued.

**POINTS OF INQUIRY**

Senator Lennart:

"Mr. President, would Senator Sandison answer a question? If I remember right, in the original bill introduced here, the total three quarters school year tuition would have risen from \$231 to \$264. Now what would the total be under this amendment?"

Senator Sandison:

"I didn't total this, Senator, but it should be about the same. Instead of putting it in tuition fees, you put it in incidental fees which goes to operations."

Senator Charette:

"Mr. President, will Senator Sandison yield?"

"Senator, were these errors discovered before or after this bill was introduced?"

Senator Sandison:

"I'm not sure that 'errors' is the right semantic term to use. I would say on the situation that is existent at Western Washington State College it was known that there was some error. I did not know about the one at Central Washington State College until after the bill was introduced."

Further debate ensued.

#### POINT OF INQUIRY

Senator McCutcheon:

"Mr. President:

"Would Senator Hallauer yield to a question? Senator Hallauer, how much will come from these student fee increases and how much of the increase will come from the taxpayers or from appropriations from the state of Washington?"

Senator Hallauer:

"Senator McCutcheon, I was speaking overall about the cost of higher education. About ninety percent of the increase would come from the taxpayers and ten percent of the increase in cost would come from students."

Senator McCutcheon:

"All right, now take your three state colleges. What is the appropriation for them and what is the money appropriation? What will be the money amount of the appropriation and what will be derived from student fees if they are increased to the maximum allowed? That is a difficult question. What I am getting at is in terms of something to address myself to, ten dollars or a hundred or a thousand? How much will you raise tuitions if they are increased to the maximum?"

Senator Hallauer:

"The tuition fee would be raised from \$77.00 to \$88.00 and the incidental fees would be raised on an annual basis from \$155.00 to \$157.00. Now this is the maximum raise that could be made. I repeat again that the individual board of trustees for each institution would have this latitude from the old scale of fees to the suggested new maximum, and it might not increase at all. It could increase to the new maximum. The expectation would be that it would do this according to what problems develop from the flow of students. If they get a group, like Central Washington State College did, six hundred unforeseen students, they would probably have to extract the maximum."

Senator McCutcheon:

"What I am trying to ask—and it probably is an unfair question, but somebody probably knows—if they raise the minimum to the maximum, that would bring in so many dollars. How many dollars would it be in the three institutions?"

Senator Hallauer:

"You are talking, I suppose, about approximately 12,000 students that are in the three state colleges and you are talking about a total increase of \$52.00 and \$11.00, or a total of \$63.00, if you extracted the maximum from each on an annual basis. This would be \$63.00 times 12,000."

Senator McCutcheon:

"And what is the amount of the appropriation for the three schools?"

Senator Hallauer:

"The total appropriation for the three schools is between \$28 million and \$30 million. You will find it in the budget bill on your desk."

Debate ensued.

The motion was carried and the amendment by Senators Hallauer and Sandison was adopted.

On motion of Senator Sandison, the rules were suspended, Engrossed Senate Bill No. 552 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 552 and the bill passed the Senate by the following vote: Yeas, 28; nays, 16; absent or not voting, 3; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Cowen, Donohue, England, Foley, Freise, Gallagher, Hallauer, Henry, Knoblauch, Lewis, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Redmon, Riley, Ryder, Sandison, Stender, Thompson, Jr., Washington, Williams—28.

Those voting nay were: Senators Chytil, Cooney, Dore, Gissberg, Greive, Hanna, Herr, Herrmann, Kupka, Lennart, McCutcheon, Mardesich, Peterson (Lowell), Rasmussen, Talley, Woodall—16.

Absent or not voting: Senators Durkan, Guess, Raugust—3.

Excused: Senators Connor, Keefe—2.

Engrossed Senate Bill No. 552 having received the constitutional majority, was declared passed.

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

**Senate Bill No. 555**, by Senators Thompson, Jr. and Dore:

Increasing community college fees.

The bill was read the second time by sections.

#### POINT OF INQUIRY

Senator Woodall:

"Mr. President, would Senator Thompson yield to a question?"

"Senator Thompson, I would like to know on this particular bill whether it is the purpose of making all of the junior colleges raise their fees or merely make some raise who are not now uniform. I would like to have you explain the variations in rates between the different colleges and what the effect will be. I wish you would do that on second reading, if possible."

Senator Thompson, Jr.:

"Mr. President and Senator Woodall:

"The average tuition and fee payment currently is \$42.00 per quarter, and this varies because obviously it is an average and you have some higher and some lower. This bill, itself, does not insure a uniform fee or tuition for every junior college, but I understand in the budget bill there will be one or two provisos added thereto which will insure that the average will be almost the normal, and that the above and below will not be very far away from the average. Does that answer your question?"

Senator Woodall:

"Well, not quite. Does this mean that each college now, regardless of what they have been charging, automatically raises their fees a fixed sum by this bill, or is it merely aimed at certain ones? In other words, we hear a lot of talk about equalization and the group that does the poorest job locally shouldn't get the most out of the state funds. Now I'm sincerely seeking information before voting on this bill. Does it add the same amount to a school already charging a higher rate as it does to those charging the lower rate, or is it designed to make those getting along on a lower rate come up to some sort of norm?"

Senator Thompson, Jr.:

"The purpose is to raise all minimums by ten dollars and then the proviso in the budget bill should make it somewhat uniform to all of the colleges, and it is not necessarily going to give more to those that charge more, or less to those that charge less, or vice versa. But in reality, this bill, itself, merely changes the minimum and the proviso in the budget bill will be the proviso that dictates what the average will be."

#### POINT OF INQUIRY

Senator Bailey:

"Mr. President, I wonder if Senator Thompson would yield to a question?"

"Senator, you said the minimum was now ten dollars a quarter."

Senator Thompson, Jr.:

"Yes, that's right."

Senator Bailey:

"Do you know how many junior colleges charge ten dollars a quarter?"

Senator Thompson, Jr.:

"I would imagine none at all. The average is \$42.00. The highest I know of is \$62, so I think probably the range is somewhere between \$35.00 and \$65.00. This is just off the top of my head. I doubt any of them are as low as ten dollars, although I have no accurate knowledge on that."

Senator Bailey:

"One other question. Did you say Senator Foley intended to make a proviso in the budget somewhere that would bring the minimum up so it was standard all over the state?"

Senator Thompson, Jr.:

"It is my understanding in talking with Senator Foley that is correct. I can't speak for him. I understand he intends in some degree to work on this with a proviso in the budget and attempt to get an average that is very close or the same in each community college."

Senator Foley:

"In answer to Senator Bailey's question, Senator Thompson's comments are entirely true. We are attempting to draft a proviso that will do exactly that."

On motion of Senator Thompson, Jr., the rules were suspended, Senate Bill No. 555 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 555 and the bill passed the Senate by the following vote: Yeas, 31; nays, 15; absent or not voting, 1; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Guess, Hallauer, Hanna, Henry, Knoblauch, Lewis, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Thompson, Jr., Washington, Williams—31.

Those voting nay were: Senators Chytil, Cooney, Gissberg, Greive, Herr, Herrmann, Kupka, Lennart, McCutcheon, Mardesich, Peterson (Lowell), Rasmussen, Stender, Talley, Woodall—15.

Absent or not voting: Senator Durkan—1.

Excused: Senator Connor, Keefe—2.

Senate Bill No. 555 having received the constitutional majority, was declared passed.

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

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

The Secretary read:

**SENATE RESOLUTION**  
**No. 1965 EX -23**

By Senators Knoblauch, Kupka, Petrich, McCutcheon and Rasmussen:

WHEREAS, The members of the Senate have learned of the sudden and untimely death on Easter Sunday of Jack M. Farer; and

WHEREAS, Jack Farer served the Senate and those having business at the Senate chambers faithfully and well as an assistant to the Sergeant at Arms during the thirty-ninth regular and extraordinary sessions; and

WHEREAS, His conscientious discharge of duty coupled with his unflinching courtesy and friendliness toward all merits formal recognition;

Now, Therefore, *Be It Resolved*, By the Senate in extraordinary session assembled that the passing of Jack M. Farer is noted with regret and sorrow, and that the sincere condolences of this body be extended to the bereaved members of his family; and

*Be It Further Resolved*, That a copy of this resolution suitably inscribed and embossed, be transmitted to his widow, Aura C. Farer and to his children, Gary Farer, Carol Ann Farer, Marsha Farer and Ann Franki Farer.

On motion of Senator Knoblauch, the resolution was adopted.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives.  
Olympia, Wash., April 19, 1965.

MR. PRESIDENT:

The House refuses to recede from its amendments to Engrossed Substitute Senate Bill No. 374 and asks the Senate for a conference thereon, and has named as the House conferees on Engrossed Substitute Senate Bill No. 374, and the House amendments thereto:

Representatives Uhlman, DeJarnatt, Canfield.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Greive, the request of the House for a conference on Engrossed Substitute Senate Bill No. 374 and the House amendments thereto was granted.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The President appointed Senators Foley, Dore and Neill as members of the Conference Committee on Engrossed Substitute Senate Bill No. 374 and the House amendments thereto.

On motion of Senator Greive, the Conference Committee appointments were confirmed.

**MOTION**

At 2:55 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Tuesday, April 20, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## THIRTY-SEVENTH DAY

### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Tuesday, April 20, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Cowen. On motion of Senator Greive, Senator Cowen was excused.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Teresa Hallauer, presented the Colors.

Reverend T. Eugene Turner, pastor of the First Christian Church of Olympia, offered prayer as follows:

"Our Divine Father, we come into this moment of mysticism and personal devotion, not to wring our hands in despair, but to thank Thee for Thy unceasing care and patience.

"We are mindful of the numerous barricades we throw in the pathway of Thy Divine Intentions for us. Yet, Thy loving kindness and suffering love continue with us unto this hour.

"So, today, in the midst of our personal and corporate frustrations and problems, give us again the lift of a far view to inspire us for our work. Let us not be weary in well doing, for we believe Thy promise that in due time we shall reap, if we faint not. Amen."

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

Senators Greive, Moriarty, Jr., and Washington demanded a Call of the Senate.

A Call of the Senate was ordered.

### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

The Secretary read:

### SENATE RESOLUTION

No. 1965 EX -24

By Senators Washington, McCormack and Raugust:

*To the Honorable Lyndon B. Johnson, President of the United States,*

*To the President of the Senate and Speaker of the House of Representatives of the House of Representatives of the United States,*

*And to the Senate and House of Representatives of the United States, in Congress assembled:*

WHEREAS, It is vital to the future economy of the state of Washington and the entire country that land and water resources be developed to their greatest potential use; and

WHEREAS, The Columbia Basin Project has made a significant contribution to the state and nation in utilizing these resources to create a growing economy; and

WHEREAS, The opportunities provided to date through irrigation of arid Basin lands

can be multiplied many times by complete utilization of land and water resources in an orderly development program; and

WHEREAS, There are areas of significant size in the Big Bend country of eastern Washington State in addition to the original authorized Columbia Basin Project that could be served by project power and storage; and

WHEREAS, The crops raised on Columbia Basin Project lands are not in surplus;

Now, Therefore, Be It Resolved, By the Senate, That we do hereby endorse and support the orderly development program outlined by the Columbia Basin Commission proposing

(1) A development rate of twenty thousand acres per year for the immediate future;

(2) Immediate preparations to initiate construction of the necessary main line works to support this rate and prepare for increases as changing conditions might warrant; and

(3) A reconnaissance survey of the Big Bend area not now served by an irrigation system or included in current studies.

And Be It Further Resolved, That the Secretary of the Senate transmit copies of this resolution to the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate and Speaker of the House of Representatives of the United States, to each member of Congress from the state of Washington, and to the Secretary of the Department of the Interior.

On motion of Senator Washington, the resolution was adopted.

On motion of Senator Greive, the President declared the Senate to be at ease subject to the call of the President.

The President called the Senate to order at 11:20 a. m.

The Secretary called the roll and announced to the President that all Senators were present.

It was moved by Senator Greive that the rules be suspended and that the Senate do now consider the veto message of the Governor pertaining to Senate Bill No. 422.

The motion was carried.

The Secretary read:

#### MESSAGE FROM THE GOVERNOR

State of Washington, Executive Department,  
Olympia, Wash., April 17, 1965.

To the Honorable, The Senate of the State of Washington

LADY AND GENTLEMEN:

I am returning herewith without my approval, Senate Bill No. 422, entitled:

An Act relating to industrial insurance and compensation—right to and amount; and amending section 51.32.080, chapter 23, Laws of 1961 as amended by section 3, chapter 274, Laws of 1961 and RCW 51.32.080; amending section 51.32.040, chapter 23, Laws of 1961 and RCW 51.32.040.

On April 9, 1965, I signed and transmitted to the Secretary of State Senate Bill No. 39, an act providing increased benefits under the Workmen's Compensation Act, totaling 2½ million dollars annually, payable to widows and families of fatally injured workmen and to workmen who have suffered temporary and permanent total disability from injuries sustained in the course of their employment. These benefits are payable from premiums paid solely by employers of the state. Senate Bill No. 39 had bi-partisan support on final passage, and I approved it to insure that the working men and women receive at least a portion of the increase in benefits which they deserve.

I have long recognized the need for increases in the benefits payable to injured workmen and their families. However, I also recognize that injured workmen, usually the more seriously disabled, have been victimized by unnecessarily technical processes built into the appellate structure of the Act, which permit unjustifiable delay in payment of awards, and which are totally foreign to the original intent of the framers of this progressive method of replacing lost earnings resulting from work-incurred injuries.

Toward the resolution of this distressing injustice in our industrial insurance program, I proposed in February to this legislature reasonable revisions in the appellate procedures of the Workmen's Compensation Act. My proposal was consistent with the procedures used by an overwhelming number of other states. It was consistent with

proposals embodied in the Report of Suggested State Legislation of the Council of State Governments, whose Advisory Committee on Workmen's Compensation included labor leaders such as Clinton Fair and Lawrence Smedley, both of the AFL-CIO. The proposal also follows the recommendations of former Secretary of Labor Goldberg and the present Secretary of Labor, Willard Wirtz. I have also discussed my proposal with the members of the Board of Industrial Insurance Appeals, who have indicated their support. It is clear that responsible labor leaders in this state recognize the need to meet this problem which the injured workman faces. Yet Senate Bill No. 422 makes no attempt to reduce the unfortunate delay in processing appeals.

In addition, Senate Bill No. 422 makes no attempt to adopt a schedule of benefits based upon a nationally recognized guide of relative values for various disabilities. Such a guide has been published by the Committee on Medical Rating and Physical Impairment of the American Medical Association. Its use would result in far greater uniformity among physicians in their rating of disability and drastically reduce the conflicts which result in lengthy appeals. Instead, Senate Bill No. 422 compounds the existing inequities in the present schedule.

Because of the vital necessity for immediate action to modernize our appellate procedure, and provide more adequate benefits for injured workmen than those contained in Senate Bill No. 422, and the need to base them on scientifically arrived at and nationally recognized standards, I sent to the legislature on April 9, before Senate Bill No. 422 was passed, a message containing a proposal which would provide benefits to permanently partially disabled workmen totaling \$3.8 million. This is \$1.3 million more than Senate Bill No. 422 provides, and would result in a total increase in benefits of \$6.3 million at this session of the legislature. This schedule of benefits was given to the president of the United Labor Lobby on April 8, when I discussed it with him at length. Yet Senate Bill No. 422 does not contain any of these increased benefits nor allow the injured workman to escape from the delay caused by the protracted legal proceedings of the present system.

I am disappointed that the president of the United Labor Lobby did not urge the legislature to amend Senate Bill No. 422 to include my proposal; however, there is still time for this legislature to adopt this increased benefit schedule and modernize appeals procedures, thereby accepting its responsibility and meeting the needs of the injured workmen.

Because Senate Bill No. 422 does not meet these needs, it is vetoed.

Respectfully submitted,

DANIEL J. EVANS,  
Governor.

It was moved by Senator Greive that the Senate do now pass Senate Bill No. 422, the veto of the Governor notwithstanding.

Debate ensued.

Senators Gallagher, Gissberg and Greive demanded the previous question and the demand was sustained.

Senator Greive demanded a roll call.

#### POINT OF ORDER

Senator Moriarty, Jr.:

"Mr. President, I believe the Constitution provides for a roll call in this situation."

#### RULING BY THE PRESIDENT

The President:

"A roll call is necessary. The Secretary will call the roll on the final passage of Senate Bill No. 422, the veto of the Governor notwithstanding."

#### PARLIAMENTARY INQUIRY

Senator Greive:

"Mr. President:

"Would you please explain the vote?"



**REPLY BY THE PRESIDENT**

The President:

"The question before the Senate is the final passage of Senate Bill No. 422, the veto of the Governor notwithstanding. A vote 'aye' will be to pass the bill over the veto of the Governor. A vote 'nay' will be to sustain the Governor's veto."

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 422, the veto of the Governor notwithstanding, and the bill failed to pass the Senate by the following vote: Yeas, 32; nays, 17.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Stender, Talley, Washington—32.

Those voting nay were: Senators Atwood, Chytil, Cowen, England, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Thompson, Jr., Williams, Woodall—17.

Senate Bill No. 422, having failed to receive the constitutional two-thirds majority, was declared lost and the veto of the Governor was sustained.

On motion of Senator Greive, the Senate advanced to the sixth order of business.

**INTRODUCTION AND FIRST READING OF BILL**

The following was introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 564**, by Senators Bailey, Charette, Connor, Cooney, Cowen, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Stender, Talley and Washington.

An Act relating to industrial insurance and compensation—right to and amount; amending section 51.32.080, chapter 23, Laws of 1961 as amended by section 3, chapter 274, Laws of 1961 and RCW 51.32.080; amending section 51.32.040, chapter 23, Laws of 1961 and RCW 51.32.040; and providing for submission of this act to a vote of the people.

**MOTION**

On motion of Senator Greive, there being no objection, the rules were suspended and additional names were permitted as sponsors to Senate Bill No. 564.

**POINT OF INQUIRY**

Senator Moriarty, Jr.:

"Mr. President, would Senator Greive yield to a question?"

"Senator Greive, is there any member of the Democratic Party who is not a sponsor of this bill?"

Senator Greive:

"Yes. If you will look closely there are some."

Senator Moriarty, Jr.:

"Could you tell me who they are?"

Senator Greive:

"I'll let you have the honor."

Senator Moriarty, Jr.:

"Well, I haven't even seen the bill, Senator Greive."

Senator Greive:

"I take it that you have such faith in all of the Democrats that if we had unanimously sponsored it, you, too, would be for it?"

Senator Moriarty, Jr.:

"No."

It was moved by Senator Greive that the rules be suspended and that Senate Bill No. 564 be advanced to second reading and read the second time by sections.

#### POINT OF INQUIRY

Senator Moriarty, Jr.:

"Mr. President:

"Before voting on this motion, I think that some of us who haven't had the privilege of reading this bill should know what it is."

Senator Greive:

"Mr. President:

"This bill is exactly the same, word for word, as Senate Bill No. 422 which was just vetoed by the Governor except that it has the following clause:

"This act shall be submitted to the people for their adoption and ratification, or rejection, at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1966, in accordance with the provisions of Section 1, Article II of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof."

The motion was carried and Senate Bill No. 564 was advanced to second reading and read the second time by sections.

On motion of Senator Greive, the rules were suspended, Senate Bill No. 564 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 564 and the bill passed the Senate by the following vote: Yeas, 38; nays, 11.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Riley, Sandison, Stender, Talley, Washington, Woodall—38.

Those voting nay were: Senators Atwood, Chytil, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Redmon, Ryder, Thompson, Jr., Williams—11.

Senate Bill No. 564 having received the constitutional majority, was declared passed.

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

**MOTIONS**

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 12:40 p. m., on motion of Senator Greive, the Senate recessed until 2:00 p. m.

**AFTERNOON SESSION**

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

The Secretary called the roll and announced to the President that all Senators were present.

**MOTION**

On motion of Senator Greive, Senate Bill No. 564 was ordered immediately transmitted to the House.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., April 20, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 101, have inspected same, and find it correctly enrolled and certified.

....., *Chairman.*

We concur in this report: Michael J. Gallagher, Marshall A. Neill, John A. Petrich.

Senate Chamber,  
Olympia, Wash., April 19, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 552, have inspected same, and find it correctly engrossed.

FRANK W. FOLEY, *Chairman.*

We concur in this report: Martin J. Durkan, Michael J. Gallagher, R. R. Bob Greive.

**Senate Joint Memorial No. 4:**

Senate Chamber,  
Olympia, Wash., April 20, 1965.

Recognizing fire fighters (reported by Committee on State Government and Veterans' Affairs):

MAJORITY recommends that it do pass.

AL HENRY, *Chairman.*

We concur in this report: Dewey C. Donohue, Martin J. Durkan, George W. Kupka, Charles P. Moriarty, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, Wash., April 16, 1965.

To the Honorable, The Senate of the State of Washington,

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bill, entitled: **Senate Bill No. 318**, requiring fringe benefits and specifying procedures to insure payment of prevailing rate of wage on public works contracts.

Very truly yours,

RAYMOND W. HAMAN,  
*Legal Counsel to the Governor.*

## PERSONAL PRIVILEGE

Senator Lennart:

"Mr. President and members of the Senate:

"This forenoon, the Senate was engaged in a foray on how to extricate itself out of political problems. I should like to briefly take you off the beaten path which has been pecked hard by the press and other people who have failed to see anything in this session but a bag of tricks by the legislators who are trying to get back in office, and I would like to talk to you a little bit about those things.

"We have seen examples in other sessions, but I think in this session especially the press has been a little bit out of order or out of focus. I might shed a little bit of light on what I think we are doing here. After a whole lifetime of inquiry, much of it here on the hill, I for one begin to sense that a new manner of goal is beginning to emerge in our social-political life, the sum and substance of which has an undeniable social and political impact on society. A new generation of Americans with a deep concern of values in search for human dignity and necessary commitments to the ideals of these values, are on the march.

"In the context of human relationship, there must be something wrong with the uncompromising social system of which we are a part. I don't think we can blame legislators per se that they do not live according to high moral principles. But the truth is, I think that if each of them was honestly analyzed, we would observe that they, more so than others, go by the Golden Rule, 'Do unto others as you would be done by,' which has always been considered in these halls as sheer wisdom. Even if such ethical rules are not something that we know we are going to live by, yet unless we strive for them, there can be no progress. In my opinion the science of politics will more and more adapt itself to human needs. If something is going to prove otherwise, then it isn't true. I, for one, do not dwell on this much. I merely accept change as being part of progress and it is obviously our task to live in the present. We are not here to live in the future. As Senator McCutcheon has observed, we have no vested rights nor does any one of us own his legislative district.

"How to pay for the services? That is a very challenging question. The Daily Olympian, for instance, intimated the people do not want any more services, and so many letters to the editor proclaim. For each one of these great authorities, there are hundreds who tell me otherwise. They demand them in one form or another. Where we differ most is how to pay for them. The news media do not want advertising taxed, the beer industry objects to increased taxes, so do property owners. Collectively, they all want more services. Individually, each thinks it is a good tax if the other fellow pays it. Perhaps there is an evasion in a legislator's thinking that he is entrusted with the future of the state, but I don't think so. The job to make a better society is here and now, and the task is for all of us. The task is medical, sociological, psychological and political and is, I think, that we grow individually. We must grow in relation to the need of society. We must have some convictions about it all. We must have courage to do what needs to be done, and all it takes is an original grain of faith.

"One feature of the legislator's hurried doings concerns itself with the need of a large population to eat, to be housed, to be clothed, to be educated and cultivated. Society falters if a new day means merely another day in the quest of bread. Strange as it may seem, there is a growing world attitude of compassion toward our fellow man. Perhaps applying it to our limited vision, our own particular doing here on the hill may be in fact a fragment of the vast panorama of the dilemma of history in the making. We might as well acknowledge that everyone, friend and foe alike, has had a part to some extent in making it what it is. The mills of the gods grind slowly and what they grind is of humanity's own choosing. In this sense, we have all participated to create the causes which are today's effects.

"Whether we relish it or not, we are all of us participating and we ought to be realistic enough to hold that the world is neither too evil for an innocent child to enter, nor too corrupt for us sinners to find redemption. Legislators by and large are people of compassion in both the general state of deprivation and also in their own inability to correct it.

"The avenue open to all, critics as well as those gifted with some particular ability or insight, is to exemplify a life of right attitude and action, even when the tide is strong against us. Taxes and spending is no shameful reproach, but a reflective reminder of what we are here for."

**PERSONAL PRIVILEGE**

Senator Knoblauch:

"Mr. President and members of the Senate:

"I want to thank those of you who, after I made the announcement yesterday about Jack Farer's passing away, were good enough to come by and ask what you could do to help, and I must say you have been extremely generous. Jack's funeral will be tomorrow morning and Mrs. Farer has asked the five Senators of Pierce county and the Lieutenant Governor to be pall bearers. I should like to say on behalf of the family, thank you, gentlemen, you have been extremely generous and, Mr. President, I want to thank the members of the third house that have helped and also the members of the press and the employees. Everyone has pitched in to do what they could to soften the burden on the family."

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., April 19, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 101, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 19, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 586; also Engrossed House Bill No. 683; also Engrossed House Concurrent Resolution No. 31, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 19, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 404; also Senate Bill No. 524, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 20, 1965.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to Substitute House Bill No. 608 and asks the Senate to recede therefrom, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Durkan, the Senate refused to recede from its amendments to Substitute House Bill No. 608 and asked the House for a conference thereon.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The President appointed Senators Durkan, Gissberg and Woodall as members of the Conference Committee on Substitute House Bill No. 608 and the Senate amendments thereto.

On motion of Senator Riley, the Conference Committee appointments were confirmed.

House of Representatives,  
Olympia, Wash., April 19, 1965.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Engrossed Substitute Senate Bill No. 374 and has granted said committee the powers of free conference, and the report of the Conference Committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

## REPORT OF CONFERENCE COMMITTEE

House of Representatives,  
Olympia, Wash., April 19, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Engrossed Substitute Senate Bill No. 374, adopting budget and making appropriation for the operation of state agencies for next fiscal biennium, have had the same under consideration, and we report that we are unable to agree and request the powers of free conference.

*Senate Members*

FRANK W. FOLEY  
FRED H. DORE  
MARSHALL A. NEILL

*House Members*

WESLEY C. UHLMAN  
ARLIE U. DEJARNATT  
DAMON R. CANFIELD

On motion of Senator Foley, the Conference Committee report was adopted, and the committee was granted the powers of free conference.

House of Representatives,  
Olympia, Wash., April 15, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 489 with the following amendments:

In line 2 of the title of the printed and engrossed bill, after the semicolon and before "making" insert "providing for the creation of a college board of trustees and setting forth its powers and duties;"

In line 3 of the title of the printed and engrossed bills, strike "and providing an expiration date" and insert "and declaring an emergency"

On page 3, section 8, line 6 of the printed bill, being page 3, section 8, line 5 of the engrossed bill, after "Washington," and before "and" insert "including the feasibility of state scholarship programs,"

Strike the Senate amendment by the Committee of the Whole as amended to page 3, section 8, line 22 of the printed bill, being page 3, section 8 beginning on line 20 of the engrossed bill, after "state." strike the balance of the section and insert: "The first order of business of the council shall be the determination of the need for a new institution of higher education.

If the finding by at least two-thirds of the members of the council is that an institution of public higher education should be immediately initiated, the council is authorized to locate a specific site for a new four-year state college, providing two-thirds of the members agree on a site, and so inform the governor before January 31, 1966."

On page 3 of the printed and engrossed bills following section 8 insert the following new sections:

**NEW SECTION.** Sec. 9. If by January 31, 1966, the council has determined the location of the new state college it may acquire the site or parts thereof, or any personal property thereon by gift, purchase or option. If any school district property be selected as the site for the college, the school board concerned may transfer any property or assets of whatsoever nature, and obligations, to the board of trustees as provided for under this act, under such agreement as the parties thereto shall provide.

**NEW SECTION.** Sec. 10. To govern said college the governor shall by March 31, 1966, appoint a board of trustees of five members whose terms shall expire on the second Monday in March succeeding their appointment as follows: One in the year 1967, one in the year 1968, one in the year 1969, one in the year 1970, and one in the year 1971. Thereafter they shall be appointed by the governor according to the terms of RCW 28.81.020.

**NEW SECTION.** Sec. 11. The initial members of the board of trustees shall appoint such administrative staff as may be necessary to plan the proposed and minimum physical facilities required and the initial academic program. The trustees may acquire any real or personal property thereon by gift, purchase or option. All plans of the trustees shall contemplate acceptance of students of the freshman and sophomore level no later than the fall of the year 1970 and shall provide for a physical plant capable of accommodating at least four thousand students by the commencement year 1975. When deemed necessary for the purposes of this act the board of trustees shall have such powers and duties as are now provided for a state college board of trustees under chapter 28.81 RCW.

**NEW SECTION.** Sec. 12. The board of trustees shall report to the governor and to the fortieth session of the legislature at the beginning of said session on its plans as

completed under the provisions of this act, and shall submit an operating and capital budget in the same manner as the other state colleges provided for in chapter 28.81 RCW. All existing state institutions of public higher education shall cooperate and lend assistance to the board of trustees to the extent reasonably possible to carry out the provisions of this act.

**NEW SECTION. Sec. 13.** There is appropriated from the general fund to the board of trustees for the biennium ending June 30, 1967, the sum of two hundred thousand dollars or so much thereof as may be necessary to carry out the purposes of this act."

Renumber the remaining sections consecutively.

On page 4 of the printed bill and engrossed bill, strike all of old section 12, and renumber the remaining section as "Sec. 17."

On page 4, following old section 13, being renumbered section 17, of the printed and engrossed bills, add a new section to read as follows:

"Sec. 18. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions and shall take effect immediately.", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Sandison, the Senate refused to concur in the House amendments to Engrossed Senate Bill No. 489 and asked the House to recede therefrom.

#### FIRST READING OF HOUSE BILLS

The following were read first time and acted upon as indicated:

**Engrossed House Bill No. 586**, by Representative Savage:

An Act relating to the Washington state highway commission and the department of highways; providing for the acquisition of land and the construction of state capitol buildings and facilities; authorizing the highway commission to construct and finance the same by the issuance of bonds; making an appropriation; and declaring an emergency.

Referred to Committee on Highways.

**Engrossed House Bill No. 683**, by Representatives Moos and Uhlman:

An Act relating to weed control and eradication and making an appropriation therefor.

Referred to Committee on Ways and Means.

**Engrossed House Concurrent Resolution No. 31**, by Representatives Chatalas, Uhlman and Litchman:

Providing for a public welfare interim committee.

Referred to Committee on Ways and Means.

#### SIGNED BY THE PRESIDENT

**The President signed: Senate Bill No. 101.**

#### MOTION

At 2:25 p. m., on motion of Senator Greive, the Senate adjourned until noon, Wednesday, April 21, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## THIRTY-EIGHTH DAY

### NOON SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, April 21, 1965.

The Senate was called to order at noon by President Pro Tempore Gissberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Teresa Hallauer, presented the Colors.

Reverend T. Eugene Turner, pastor of the First Christian Church of Olympia, offered prayer as follows:

"Our Father, help us to bring our best to this day. Sharpen our minds to their highest perceptivity. Sensitize our emotions that we may not only see, but be aware of the nuances of meaning in what we see.

"Steep our wills in courage, lest we equivocate in the face of obvious evil or become cowardly before the positive claims of the good. Strengthen us, our Mighty God, in body, mind and spirit that we may truly live in this day. Unto Thee be honor, glory, majesty, dominion and power now and forevermore. Amen."

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

### MOTION

At 12:05 p. m., on motion of Senator Greive, the Senate recessed until 2:00 p. m.

### AFTERNOON SESSION

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

The President declared the Senate to be at ease for a meeting of the Committee on Rules and Joint Rules.

The President called the Senate to order at 2:40 p. m.

The Secretary called the roll and announced to the President that all Senators were present, except Senators Petrich and Mardesich.

On motion of Senator Sandison, Senator Petrich was excused.

On motion of Senator Herrmann, Senator Mardesich was excused.

The Secretary read:

### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., April 21, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 160, have inspected same, and find it correctly enrolled and certified.

FRANK W. FOLEY, *Chairman.*

We concur in this report: Martin J. Durkan, R. R. Bob Greive.



**Senate Bill No 41:**

Senate Chamber,  
Olympia, Wash., April 20, 1965.

Authorizing the issuance and sale of state general obligation bonds (reported by Committee on Ways and Means):

MAJORITY recommends that Substitute Senate Bill No. 41 be substituted therefor and that substitute bill do pass.

FRANK W. FOLEY, *Chairman*,  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, Michael J. Gallagher, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 504:**

Senate Chamber,  
Olympia, Wash., April 20, 1965.

Completing capitol campus plan (reported by Committee on Ways and Means):

MAJORITY recommends that Substitute Senate Bill No. 504 be substituted therefor and the substitute bill do pass.

....., *Chairman*.  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue and Regulatory.

We concur in this report: Robert C. Bailey, Joe Chytil, Frank Connor, David C. Cowen, Dewey C. Donohue, Michael J. Gallagher, David E. McMillan, August P. Mardesich, Frances Haddon Morgan, John A. Petrich, A. L. Rasmussen, Edward F. Riley, Gordon Sandison, Albert C. Thompson, Jr., Perry B. Woodall.

On motion of Senator Riley, the committee report was adopted, the rules were suspended, Substitute Senate Bill No. 504 was substituted for Senate Bill No. 504 and Substitute Senate Bill No. 504 was ordered to take its place on the second reading calendar for today.

**Engrossed House Bill No. 169:**

Senate Chamber,  
Olympia, Wash., April 20, 1965.

Exempting from excise taxes costs of or charges for labor and services involved in obtaining sand, gravel, or rock from public quarries for public purposes (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass.

FRANK W. FOLEY, *Chairman*.  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue and Regulatory.

We concur in this report: Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, Michael J. Gallagher, Sam C. Guess, Wilbur G. Hallauer, David E. McMillan, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, A. L. Rasmussen, Edward F. Riley, Albert C. Thompson, Jr., Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 448:**

Senate Chamber,  
Olympia, Wash., April 20, 1965.

Requiring registration of marriages, and decrees of divorce, annulment and separate

maintenance with state registrar of vital statistics (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass as amended by the Judiciary Committee.

FRANK W. FOLEY, *Chairman*.

FRED H. DORE, *Chairman*,

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,

Committee on Revenue and Regulatory.

We concur in this report: Robert C. Bailey, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, Jack England, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, John N. Ryder, Albert C. Thompson, Jr., Walter B. Williams.

On motion of Senator Bailey, the rules were suspended and Engrossed House Bill No. 448 was placed on the second reading calendar for today.

**Engrossed House Bill No. 695:**

Senate Chamber,

Olympia, Wash., April 20, 1965.

Providing for alcoholism treatment program by department of health (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass.

FRANK W. FOLEY, *Chairman*.

FRED H. DORE, *Chairman*,

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,

Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, Jack England, Michael J. Gallagher, Sam C. Guess, Wilbur G. Hallauer, David E. McMillan, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, April 20, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bills, entitled:

Senate Bill No. 323:

Continuing program of state aid for county probation services until June 30, 1967.

Senate Bill No. 417:

Establishing refunding bond procedures.

Very truly yours,

RAYMOND W. HAMAN,

*Legal Counsel to the Governor.*

The Secretary read:

**MESSAGES FROM THE HOUSE**

**HOUSE AMENDMENTS TO SENATE BILL**

House of Representatives,

Olympia, Wash., March 25, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Substitute Senate Bill No. 1 with the following amendments:

On page 2, line 24 of the printed bill, being page 2, line 22 of the engrossed bill, after "compensation" and before "in" insert "or expenses"

On page 3, line 7, in section 10 of the printed bill being renumbered section 8 of the engrossed bill, after the period insert the following:

"Criminal actions for violations of this chapter shall be commenced within five years from the date on which the violation occurred."

On page 1 of the Senate Amendment by Senator Hanna, in line 3 of said amendment, being page 3, line 10 of the engrossed bill, after "primary" and before "election" insert "or for"

In line 5 of the Senate Amendment by Senator Hanna, being line 11 of the engrossed bill, after "primary" and before "election" insert "or"

On page 2, line 3 of the amendment by Senator Hanna, being page 3, line 23 of the engrossed bill after the "," insert the following: "The names of persons, corporations, associations or labor unions purchasing tickets to political fund-raising dinners shall also be disclosed in such statements, together with the dollar amount of each purchase: *Provided*, That no such purchase that, in the aggregate, is not over \$11.00 need be reported."

On page 2 of the Senate Amendment by Senator Hanna, line 6, being page 3, line 25 of the engrossed bill, after "records" add the following: "": *Provided*, That no person campaigning for any elective office in the state of Washington shall expend for campaign purposes any more than the office provides as compensation during the term of the office being sought: *Provided, however*, That a candidate for a nonsalaried position may expend not to exceed one thousand dollars in his campaign."

On page 3 of the engrossed bill add a new section

"*NEW SECTION*. Sec. 10. Every organization or group that contributes financially to political candidates, or in any way supports or recommends any political candidate or candidates, shall file with the secretary of state on the first of each month, a report in which is enumerated all expenditures and income for the immediately preceding month. Such report shall be available for public inspection. Failure to comply with the requirements of this section shall constitute a gross misdemeanor.", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

It was moved by Senator Bailey that the Senate refuse to concur in the House amendments to Engrossed Substitute Senate Bill No. 1 and ask the House to recede therefrom.

It was moved by Senator Greive that the Senate do concur in the House amendments to Engrossed Substitute Senate Bill No. 1.

Debate ensued.

On motion of Senator Gallagher, the motion by Senator Greive was laid upon the table.

Senators Woodall, Riley and Gallagher demanded the previous question and the demand was sustained.

The motion by Senator Bailey was carried, the Senate refused to concur in the House amendments to Engrossed Substitute Senate Bill No. 1 and asked the House to recede therefrom.

House of Representatives,  
Olympia, Wash., April 21, 1965.

MR. PRESIDENT:

The House has passed: House Concurrent Resolution No. 35, and the same is herewith transmitted.

House of Representatives,  
Olympia, Wash., April 20, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 334; also House Joint Memorial No. 17, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., April 20, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 160, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., April 20, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 101, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 21, 1965.

MR. PRESIDENT:

The House has passed: Senate Bill No. 555, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 20, 1965.

MR. PRESIDENT:

The House has granted the request of the Senate for a conference on Substitute House Bill No. 608 and the Senate amendments thereto and the Speaker has appointed as members of the conference committee thereon:

Representatives Backstrom, Copeland and Sawyer.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 20, 1965.

MR. PRESIDENT:

The House refuses to recede from its amendments to Engrossed Senate Bill No. 489 and asks the Senate for a conference thereon, and has named as the House conferees on Engrossed Senate Bill No. 489 and the House amendments thereto:

Representatives Brouillet, Moon and Juelling.  
S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Hallauer, the request of the House for a conference on Engrossed Senate Bill No. 489 and the House amendments thereto was granted.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed Senators Sandison, Atwood and Hallauer as members of the Conference Committee on Engrossed Senate Bill No. 489 and the House amendments thereto.

On motion of Senator Riley, the Conference Committee appointments were confirmed.

#### SIGNED BY THE PRESIDENT

**The President signed: Senate Bill No. 160.**

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., April 14, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 535 with the following amendments:  
On page 1, section 1, line 16, of the engrossed bill, after "inventories" and before the period insert "": *Provided*, That none of this appropriation or other funds shall be allotted or used for general salaried increases based upon salary survey studies at any time prior to or in any increment percentage greater than that granted during the biennium to employees of departments or agencies as fixed by the budget director" and on page 1, section 1, line 17, of the printed bill, strike the amendment by the Senate Highways Committee and on line 19 after "increases" and before "at" insert "based upon salary survey studies"

On page 5, section 9, line 3, of the engrossed bill, after "facilities" and before the period insert "": *Provided*, That none of this appropriation or other funds shall be allotted or used for general salaried increases based upon salary survey studies at any time prior to or in any increment percentage greater than that granted during the biennium to employees of departments or agencies as fixed by the budget director"

and on page 5, section 9, line 4, of the printed bill, strike the first amendment by the Senate Highways Committee and on line 5 after "increases" and before "at" insert "based upon salary survey studies"

On page 5, section 11, line 16, of the engrossed bill, being line 18 of the printed bill, strike the entire paragraph.

On page 5 of the printed and engrossed bills add a new section following section 12 as follows:

"NEW SECTION. Sec. 13. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and section 11 shall take effect immediately. Sections 1 through 10 inclusive and section 12 shall take effect on July 1, 1965.", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

It was moved by Senator Washington that the Senate do concur in the House amendments to Engrossed Senate Bill No. 535.

Debate ensued.

#### POINT OF INQUIRY

Senator Stender:

"Would Senator Washington yield to a question?"

"Senator Washington, during the last session of the legislature we heard the Director of Highways appeal to us for the laxness in the program on the highways in King county, that one of the reasons was weather and the other one was engineering talent. Now this was before us in committee and it was brought out that for professional engineering talent they had to go out in private industry and naturally had to pay wages that would attract these more capable engineers. Aren't we right back where we started with the old excuse that we can't get help?"

Senator Washington:

"Senator Stender, I don't believe we are. One of the major difficulties has been the shortage of trained engineering help in this particular regard. There just has been a shortage of personnel available, and of course you are competing with highway departments in all the other states. All I can say, in discussing this particular matter with Mr. Prah is that he did feel, as he stated before our committee, that their hands would be freer without this particular proviso. We do run into problems with the personnel and other departments of the state. We are running into a policy matter raised particularly by the House Ways and Means Committee. In my discussion with Mr. Prah, he stated that through classification in the Highway Personnel Board they could reclassify and raise salaries and thereby meet the competition. I am relying on Mr. Prah's statement in this regard and I don't feel that they will be able to use this as an excuse for any possible future delay, the fact of not being able to pay an adequate salary because of this particular proposal. Now it's very difficult for the state, under any of its salary proposals, to meet competition of private industry. Many times private industry can lure away engineers in which we are interested. I don't think taking out the proviso would help that situation."

The motion was carried.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 535, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—48.

Excused: Senator Mardesich—1.

Engrossed Senate Bill No. 535, as amended by the House, having received the constitutional majority, was declared passed.

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

House of Representatives,  
Olympia, Wash., April 20, 1965.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 42 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF FREE CONFERENCE COMMITTEE**

Olympia, Wash., April 20, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Engrossed Substitute Senate Bill No. 42, adopting the capital budget, have had the same under consideration, and we recommend that Engrossed Substitute Senate Bill No. 42 be amended as follows:

That there be added to the General Fund Appropriation the following: On page 5 following line 16, add the following:

	From the General Fund
"General Fund Appropriation.....	\$25,000

To the Department of Institutions for the Washington State School for the Blind to provide for completion of teaching and classroom space and facilities of the building authorized by the laws of 1961 and otherwise completed and dedicated in the 1963-65 biennium"

That the House amendment by Representative Lux to page 14, line 28 of the printed and engrossed bills, be stricken.

That the House amendment by Representative Lux to page 15, line 20 of the printed and engrossed bills, be stricken.

That the remaining House amendments be accepted and that the bill, as amended, be passed.

*Senate Members*

WILBUR G. HALLAUER  
FRED H. DORE  
R. FRANK ATWOOD

*House Members*

DAMON R. CANFIELD  
JOE D. HAUSSLER  
GEORGETTE VALLE

It was moved by Senator Dore that the report of the Free Conference Committee be adopted.

Debate ensued.

The motion was carried.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 42, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 41; nays, 3; absent or not voting, 4; excused, 1.

Those voting yea were: Senators Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—41.

Those voting nay were: Senators Chytil, Freise, Lewis—3.

Absent or not voting: Senators Atwood, Bailey, Hanna, Stender—4.

Excused: Senator Mardesich—1.

Engrossed Substitute Senate Bill No. 42, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

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

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., April 20, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendment (to page 28, section 60, subsection (4)) to Engrossed House Bill No. 234 and has passed the bill as amended by the Senate, and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 234, as agreed upon between the Houses, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 2; excused 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senators Hanna, McMillan—2.

Excused: Senator Mardesich—1.

Engrossed House Bill No. 234, as agreed upon between the Houses, having received the constitutional majority, was declared passed.

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

#### APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of United States Representative Julia Butler Hansen, and appointed a special committee consisting of Senators Charette, Bailey, Talley, Washington, and Woodall to escort Mrs. Hansen to the rostrum.

The President:

"Members of the Senate, ladies and gentlemen:

"It is with the greatest pleasure and a true privilege at this time to present to you a member of the United States House of Representatives, the Honorable Julia Butler Hansen."

Representative Hansen:

"Mr. President, members of the Senate:

"I can't tell you what a surprise it is to be escorted through the House and the Senate because I was not a former member of this body. It is a great pleasure indeed to be back today and see everyone and have a chance to say, 'hello.' I am sure I bring you greetings from everyone in Washington, D. C., and certainly my own greetings as well. I can see that you are in the business of a special session again, and I would like to say something to all legislators:

"One of the most important things right now facing the American people is a readjustment of their entire legislative programs. If the states do not meet the challenges given to them, then very often the flow of control and the flow of interest rests with the federal government, and this is something that is within your hands, the hands of every state legislature in the United States. I think one of the first reforms that has to be made in almost every legislative body in this land is to give sufficient time for a legislative session to accomplish the things that are necessary in

an ever-growing society. You cannot meet the challenges of the 1960's and '70's with the time which was allocated to the sessions back in the 1850's, and I think this state and other states throughout the nation have to realize this fact.

"Personally, I have been very proud that I had the privilege of serving twenty-two years in a state legislature. There is no better training ground for the Congress of the United States, and there should be a complete dedication to solving the problems of a state by its legislative bodies. You have a tremendous opportunity, and please continue with my best to you and let me know at any time when I may cooperate and when I may serve to develop our state so that it makes a better part of a better nation.

"Again, I thank you very much for your courtesy in asking me here today. I consider it a distinct honor. Governor, I think the last time that I stood here was the night we had not passed a bill. You remember the lillies on the door? Maybe I shouldn't remember them. But it was fun, and, again, I say thanks to the people of the state of Washington who have given me the opportunity of serving in this legislature as a training ground for serving in the National Congress where it is a great privilege to now serve.

"Thank you."

The President:

"Julia, the members of the Senate remember you with great affection and have always held you in highest esteem, and for this reason we are all deeply honored that you could consent to address us today.

"The President should like also to say that he is positive the members of the Senate join with him in the remark that they are deeply appreciative of the wisdom and understanding of your words relating to the legislative process. Alluding to the opening remark of your address, the Senate these days is full of surprises, and you may also be interested in knowing that the Senate has just passed Engrossed Senate Bill No. 234, the rules of the road bill; and, whereas you didn't get the cross-sound bridge, you got the rules of the road."

The committee of honor escorted United States Representative Hansen from the Senate Chamber.

#### PERSONAL PRIVILEGE

Senator McCormack:

"Mr. President, I should like to speak on personal privilege:

"The Atomic Energy Commission announced yesterday that it has awarded a contract to operate the five plutonium production reactors at Hanford to Douglas Aircraft Corporation and United Nuclear Corporation of Maryland. In addition to operating the five plutonium Reactors for the Atomic Energy Commission, Douglas Aircraft will, within two months, start construction of a \$2 million research and development laboratory to study the application of nuclear energy to space vehicle systems and to energy conversion for space and other purposes.

"United Nuclear will soon start construction of a \$2 million plant to fabricate zirconium tubing, a new product in heavy demand in the nuclear industry. In addition Douglas Aircraft and United Nuclear will jointly undertake three other projects:

"(1) They will construct a \$2.6 million plutonium fabrication facility for the construction of plutonium fuels for peacetime power reactors. This will be in operation within three years and the only one of its kind in the Free World;

"(2) The two corporations will jointly contribute \$100,000 for each of the next five years to the University of Washington Graduate Center at Hanford.

"(3) The two corporations will jointly establish a small business investment corporation which they will fund with \$150,000 capital to assist in the establishment of small business corporations related to nuclear energy and possibly provide service facilities for the Hanford project.

"This brings to eight the number of major corporations now directly involved in the diversification of the Hanford project and directly involved in the economy of the state of Washington. They are:

"(1) General Electric Company which will continue for the present to operate the new production reactor which will produce heat for the largest steam power plant in the world;



"(2) Battelle Northwest Laboratories which will operate the research facilities at Hanford and is initiating construction of a \$20 million research center at Hanford;

"(3) The Martin Marietta Company and;

"(4) United States Rubber which will together operate the chemical separations facilities at Hanford;

"(5) Computer Science Corporation which will operate the computer center at Hanford, the largest computer center west of the Mississippi except those operated by NASA;

"(6) United States Testing Corporation which will provide radiation monitoring and environmental control for the Hanford complex;

"(7) and (8) United Nuclear and Douglas Aircraft.

"Bids are now being considered for support services at Hanford. These include warehouses, stores, transportation, fire protection and related services."

#### INTRODUCTION AND FIRST READING OF BILL AND RESOLUTION

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 565**, by Senators Ryder, Moriarty, Jr., Foley and Dore:

An Act relating to education; amending section 2, chapter ....., Laws of 1965 first extraordinary session; amending section 1, chapter 11, Laws of 1951, first extraordinary session as amended by section 9, chapter 187, Laws of 1955, and RCW 28.45.040; repealing section 3, chapter 11, Laws of 1951 first extraordinary session, section 1, chapter 16, Laws of 1951 second extraordinary session, section 1, chapter 6, Laws of 1959 first extraordinary session and RCW 28.45.110; and declaring an emergency.

Referred to Committee on Ways and Means.

**Senate Concurrent Resolution No. 24**, by Senator Durkan:

Proposing study by legislative budget committee.

Referred to Committee on Ways and Means.

#### FIRST READING OF HOUSE BILL, MEMORIAL AND RESOLUTION

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 334**, by Representatives Bottiger, Avey and Goldsworthy:

An Act relating to aeronautics; providing for the registration and taxation of certain aircraft; amending section 25, chapter 165, Laws of 1947, as last amended by section 11, chapter 150, Laws of 1955 and RCW 14.04.250; and amending section 82.48.100, chapter 15, Laws of 1961 and RCW 82.48.100.

Referred to Committee on Highways.

**House Joint Memorial No. 17**, by Representatives Kirk, Mahaffey and Pritchard:

Memorializing Congress to permit Seattle school district No. 1 to acquire Fort Lawton site.

On motion of Senator Moriarty, Jr., the rules were suspended, House Joint Memorial No. 17 was advanced to second reading and read the second time in full.

On motion of Senator Moriarty, Jr., the rules were suspended, House Joint Memorial No. 17 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Joint Memorial No. 17 and the memorial passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 6; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—42.

Absent or not voting: Senators Charette, Dore, Greive, Hallauer, McCormack, Neill.

Excused: Senator Mardesich—1.

House Joint Memorial No. 17 having received the constitutional majority, was declared passed.

**House Concurrent Resolution No. 35**, by Representative Savage:  
Creating a joint interim committee on outdoor recreation resources.  
Referred to Committee on Ways and Means.

## SECOND READING OF BILLS

**Senate Concurrent Resolution No. 23**, by Senators Kupka, Peterson (Ted), Gallagher and Connor:

Directing the legislative council to study the regulation of motor boats and vessels.

The resolution was read the second time in full.

On motion of Senator Kupka, the rules were suspended, Senate Concurrent Resolution No. 23 was advanced to third reading, the second reading considered the third, the resolution placed on final passage and adopted.

**Engrossed House Bill No. 467**, by Representatives Grant and Elder:  
Redistricting the state into congressional districts.

On motion of Senator Bailey, Engrossed House Bill No. 467 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 558**, by Senator Hallauer:

Limiting terms of those members of the interstate compact commission who are legislators.

The bill was read the second time by sections.

On motion of Senator Hallauer, the rules were suspended, Senate Bill No. 558 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 558 and the bill passed the Senate by the following vote: Yeas, 39; nays, 5; absent or not voting, 4; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Morgan, Moriarty, Jr., Peterson (Lowell),

Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Stender, Talley, Washington, Woodall—39.

Those voting nay were: Senators Durkan, Peterson (Ted), Ryder, Thompson, Jr., Williams—5.

Absent or not voting: Senators Dore, Foley, McCutcheon, Neill—4.

Excused: Senator Mardesich—1.

Senate Bill No. 558 having received the constitutional 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. 695**, by Representatives Olsen, Johnston (Elmer E.) and O'Donnell:

Providing for alcoholism treatment program by department of health.

The bill was read the second time by sections.

It was moved by Senator Gissberg that the following amendment be adopted:

On page 1, section 3(1)(a) being line 5 of the House amendment, after "shall be" strike "three hundred thirty" and insert "*eight hundred twenty-five*"

Debate ensued.

On motion of Senator Keefe, the amendment was laid upon the table.

It was moved by Senator Freise that the following amendment be adopted:

On page 3 of the House amendment, strike all of subsection (6).

Debate ensued.

On motion of Senator Riley, the amendment was laid upon the table.

On motion of Senator Riley, the rules were suspended, Engrossed House Bill No. 695 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 695 and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Those voting nay were: Senator Stender—1.

Absent or not voting: Senator Hallauer—1.

Excused: Senator Mardesich—1.

Engrossed House Bill No. 695 having received the 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. 504**, by Committee on Ways and Means:

Completing capitol campus plan.

On motion of Senator Hallauer, Substitute Senate Bill No. 504 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Joint Memorial No. 4**, by Senators Bailey and Lennart:

Recognizing fire fighters.

The memorial was read the second time in full.

On motion of Senator Bailey, the rules were suspended, Senate Joint Memorial No. 4 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Joint Memorial No. 4 and the memorial passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 5; excused: 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Stender, Thompson, Jr., Williams, Woodall—43.

Absent or not voting: Senators Henry, McCormack, Sandison, Talley, Washington—5.

Excused: Senator Mardesich—1.

Senate Joint Memorial No. 4 having received the constitutional majority, was declared passed.

**Engrossed Substitute House Joint Resolution No. 4**, by Committee on Constitution, Elections and Reapportionment:

Proposing constitutional amendment reducing resident qualifications for voting within state.

On motion of Senator Greive, Engrossed Substitute House Joint Resolution No. 4 was ordered to retain its place on the second reading calendar for tomorrow.

**SIGNED BY THE PRESIDENT**

**The President signed: Substitute Senate Bill No. 42; also**

**Senate Bill No. 535; also**

**Senate Bill No. 555.**

**MOTION**

At 4:35 p. m., on motion of Senator Greive, the Senate adjourned until 11:00 a. m., Thursday, April 22, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## THIRTY-NINTH DAY

### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Thursday, April 22, 1965.

The Senate was called to order at 11:00 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Dore.

On motion of Senator Foley, Senator Dore was excused.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Teresa Hallauer, presented the Colors.

Reverend Maurice L. Haehlen, pastor of the United Churches of Olympia, offered prayer as follows:

"Almighty God, Thou Eternal Father of us all; make us conscious of Thy indwelling presence so that we might be more alert to the doing of Thy Holy Will.

"Give to us a sense of urgency in the doing of our work so that important matters do not go by default. Help us to make no little plans and dream no small dreams but to be people of courage so that Thy Kingdom can come and Thy will be done. Amen."

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

### PERSONAL PRIVILEGE

Senator McCutcheon:

"Mr. President, I would like to speak on personal privilege if I may be allowed to go to Senator Keefe's desk. There are a few words I would like to say.

"Mr. President, lady and gentlemen of the Senate:

"This is one of the most pleasant personal privileges that I have had. We have in our midst a champion of the honor and dignity of the legislature. He has never failed to have the courage of a lion to come to our defense when we were at our lowest point, and he has never hesitated to give us a little word of lecture and advice when we were off the beaten path.

"I have known Senator Lennart since we were together in the House of Representatives in 1941, both of us as Reforming Republicans at that time. I have crossed over. He almost did and I wish he had perhaps at times. But, anyway, our friendship over the years and many controversial issues has withstood every strain; and, there is a strain. There is always a strain in a place like this. That's part of what makes manhood, you know, is being able to stand the strain, get mad and get over it, fight hard, fight clean. This man never struck a low blow in his career.

"Now, he is a man of many talents. He is a businessman far beyond my talents. He is a historian, a traveler, statesman. But he has other talents, also. He is an authority on Lincoln and an authority on Washington. He has used his card as a Washington State Senator to sit in the House of Commons in England. They thought he was a United States Senator. That's a story I won't tell because that will take a little time, but it shows the genius of the man, how he was able to get in the House of Commons when he couldn't get anywhere through the United States Embassy. He wanted to see debate in the mother of parliaments, and he saw them. But that is for another time.

"We have two artists in the state Senate. One is Senator Lennart and the other is none other than our Bob Greive. I have never seen his displays in this chamber. They say he wields a nice brush, too. But, going back to my very good friend, Senator Lennart, and why I am up here, during the period when you are wandering around here and debates are getting dull, you will want to see something to give you a little inspiration. All of these are pen drawings. When you mark with a pen, you can't erase it. You are finished. That's the line.

"Now, you will notice the beautiful Mrs. Lennart when she was young. She is still young at heart. And over there, this is Senator Lennart's father. He looks a little like R. E. Lee. There is the mother. Marvelous character sketches. And this is a page boy, that fine looking man up there. And I think that must be a bridal picture. There are memories there. There are his children.

"I heard indirectly that he would like to get the ugliest picture he could find of every member of the Senate so he could do pen sketches of us. He doesn't want you to look good. He wants to see Nat Washington pounding the desk, and Ed Riley and all of us here in our true perspective.

"I won't say anything more, but Senator Lennart, we honor you and we are very grateful that we have had the honor to be with you these many years."

Senator Lennart:

"Mr. President, Senators, particularly Senator McCutcheon:

"I wondered what this was all about when he insisted I should bring down some of my drawings. Now, I have already done sketches of six who I think are characters here, and character is the aggregation of all the qualities in a person. It could also be of leaders. But I have those, and I was going to put up those, but there are only six of them, so I thought if the good Lord would let me live two more years, I would have a regular rogues gallery here.

"The Senator's word were more than kind and I should like to be able to live up to them. Speaking for myself, there isn't a single Senator here that I don't find something wonderful about. I think when you look at the human being, you must look for the thoughtful and sincere side, because if you start looking for faults, you will see nothing but faults. The best of all of us have many faults and there is much error in what we do.

"The good Senator McCutcheon reminds me so much of Abou Ben Adhem.

#### ABOU BEN ADHEM

Abou Ben Adhem (may his tribe increase!)  
 Awoke one night from a deep dream of peace,  
 And saw, within the moonlight in his room,  
 Making it rich, and like a lily in bloom,  
 An angel writing in a book of gold:—  
 Exceeding peace had made Ben Adhem bold,  
 And to the Presence in the room he said,  
 "What writest thou?"—The vision raised its head,  
 And with a look made of all sweet accord,  
 Answered, "The names of those who love the Lord."  
 "And is mine one?" said Abou. "Nay, not so,"  
 Replied the Angel. Abou spoke more low,  
 But cheerly still; and said, "I pray thee, then,  
 Write me as one that loves his fellow-men."  
 The angel wrote, and vanished. The next night  
 It came again with a great wakening light,  
 And showed the names whom love of God had blessed,  
 And lo! Ben Adhem's name led all the rest.

*Leigh Hunt (1784-1859)*

"One of the most beautiful books in all literature is the Book of Daniel. When Daniel was old before he left the earth, Gabriel came down from the presence of God to tell him he was greatly beloved. 'Oh, Man, greatly beloved.' I believe when the 'Book of Life' will have closed on the beloved Senator from Steilacoom, it will be a beautiful wrought volume, with his name written in gold among those 'whom love of God had blessed.'"

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
 Olympia, Wash., April 21, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Engrossed Substitute Senate Bill No. 42; also  
 Senate Bill No. 451; also

Engrossed Senate Bill No. 535, have inspected same, and find them correctly re-engrossed.

....., *Chairman.*

We concur in this report: Fred H. Dore, Marshall A. Neill, Perry B. Woodall.

Senate Chamber,  
Olympia, Wash., April 21, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Substitute Senate Bill No. 42; also

Senate Bill No. 451; also

Senate Bill No. 535; also

Senate Bill No. 555,

have inspected same, and find them correctly enrolled and certified.

....., *Chairman.*

We concur in this report: Fred H. Dore, Marshall A. Neill, Perry B. Woodall.

**House Bill No. 586:**

Senate Chamber,  
Olympia, Wash., April 21, 1965.

Providing for acquisition of land and construction of facilities for highway department and for financing thereof (reported by Committee on Highways):

MAJORITY recommends that it do pass as amended.

NAT WASHINGTON, *Chairman,*  
AL HENRY, *Vice Chairman.*

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Martin J. Durkan, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, Karl Herrmann, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, Charles P. Moriarty, Jr., Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**REPORT OF CONFERENCE COMMITTEE**

Olympia, Wash., April 21, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Substitute House Bill No. 608, defining terms of and providing exemptions from certain excise taxes, have had the same under consideration, and we report that we are unable to agree and request the powers of free conference.

*Senate Members*

MARTIN J. DURKAN  
WILLIAM A. GISSBERG  
PERRY B. WOODALL

*House Members*

HENRY BACKSTROM  
TOM L. COPELAND  
LEONARD A. SAWYER

On motion of Senator Greive, the Conference Committee report was adopted and the committee was granted the powers of free conference.

**INTRODUCTION AND FIRST READING OF BILL**

The following was introduced, read first time by title and acted upon as indicated.

**Senate Bill No. 566**, by Senators Greive and Bailey:

An Act relating to state government; increasing the membership of the legislative council; and amending section 1, chapter 36, Laws of 1947 and RCW 44.24.010; and declaring an emergency.

On motion of Senator Greive, the rules were suspended, Senate Bill No. 566 was advanced to second reading and read the second time by sections.

## POINT OF INQUIRY

Senator Ryder:

"Mr. President, would Senator Greive yield to a question?

"Senator Greive, as I understand and as I remember the legislative council, although I haven't looked at the law for some time, it provided that there would be one more member of the majority than the minority, is that right?"

Senator Greive:

"I frankly don't remember that. It had some sort of proportion, yes."

Senator Ryder:

"What would this provide now?"

Senator Greive:

"If that were true, this would then provide three members more of the majority party than the minority. This was not the purpose of the amendment, however, but it could very well work out that way. Frankly, I don't recall whether it is just one more member at present."

Senator Ryder:

"It's fairly close."

Senator Greive:

"It would still be fairly close. We merely had a problem here and they have some problems in the House, too, and we felt this bill relieved the problem."

Senator Ryder:

"I agree with the problem and the relief. I just wanted to clear up that point as to whether it changed the division of the majority party membership on the council substantially."

Senator Greive:

"Frankly, that wasn't our purpose. I didn't delve into that. We did provide, of course, that the most it could do would be to change two."

On motion of Senator Moriarty, Jr., Senate Bill No. 566 was ordered to remain in place at the end of the second reading calendar for today.

## SECOND READING OF BILLS

**Engrossed House Bill No. 467**, by Representatives Grant and Elder:

Redistricting the state into congressional districts.

The bill was read the second time by sections.

It was moved by Senator Gallagher that the following amendment be adopted:

On page 1, section 1, line 6 of the mimeographed House amendment to page 1, line 3, the same being line 16 of the engrossed bill, beginning with "Bainbridge Island" strike all the material down to and including "Lake Sammamish" in line 19 of the mimeographed House amendment to page 1, line 3, the same being line 24 of the engrossed bill, and insert "Bainbridge Island and the following area in King county shall constitute the first congressional district and shall be entitled to one representative in the congress of the United States: Beginning at the outer harbor line in Elliott Bay and Denny Way proceed east on Denny Way, except that unpopulated area known as the Seattle Civic Center, southeast on 4th Avenue, northeast on Wall Street, east on Denny Way, southwest on Bell Street, southeast on 3rd Avenue, northeast on Pike Street, south on Minor Avenue, east on Union Street, north on Summit Avenue and Summit Avenue East, east on East Republican Street, north on Broadway East, east on East Aloha Street, south on 22nd Avenue East, east on East Thomas, north on 37th Ave. East, east and south through Union Bay and Lake Washington including Mercer Island to the southern city limits of the city of Bellevue, then east and north along the southern and eastern city limits of the city of Bellevue, east along the Sunset highway, north along 166th Ave. S.E., east along S.E. 30th into Lake Sammamish."

Debate ensued.



**POINT OF INQUIRY**

Senator Moriarty, Jr.:

"Mr. President, would Senator Gallagher yield?"

"Isn't it true that this does a little bit more than you suggested in that it puts Congressman Adams back in the 7th district?"

Senator Gallagher:

"That is true. It does put Congressman Adams back in the 7th district. With that little exception, it does jog out there and keep him in that district, the same as we did for Congressman Pelley when we took that little portion of Bainbridge to keep him in the 1st district. That's true. It does do that."

Further debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Greive, the rules were suspended, Engrossed House Bill No. 467, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed House Bill No. 467, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 29; nays, 18; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Donohue, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—29.

Those voting nay were: Senators Atwood, Chytil, Cowen, Durkan, England, Freise, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Redmon, Ryder, Stender, Thompson, Jr., Williams, Woodall—18.

Absent or not voting: Senator Raugust—1.

Excused: Senator Dore—1.

Engrossed House Bill No. 467, as amended by the Senate, having received the constitutional majority, was declared passed.

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

On motion of Senator Greive, the rules were suspended and Engrossed House Bill No. 467, as amended by the Senate, was ordered immediately transmitted to the House.

**MOTION**

It was moved by Senator Greive that the Senate do now consider Engrossed Substitute House Joint Resolution No. 4 on second reading.

The motion was carried.

**Engrossed Substitute House Joint Resolution No. 4**, by Committee on Constitution, Elections and Reapportionment:

Proposing constitutional amendment reducing resident qualifications for voting within state.

The resolution was read the second time in full.

It was moved by Senator Greive that the following amendment by Senators Greive and Woodall be adopted:

On page 1, line 7 of the printed and engrossed bills, after "by" strike all matter down to and including the period on page 2, line 11 of the printed and engrossed bills

(striking also the House amendments by Representative Gorton) and insert the following: "adding thereto a new section to be known as section 1A, to read as follows:

**NEW SECTION.** Article VI, section 1A. In consideration of those citizens of the United States who become residents of the state of Washington during the year of a presidential election with the intention of making this state their permanent residence, this section is for the purpose of authorizing such persons who can meet all qualifications for voting as set forth in section 1 of this article, except for residence, to vote for presidential electors or for the office of President and Vice-President of the United States, as the case may be, but no other: *Provided*, That such persons have resided in the state at least sixty days immediately preceding the presidential election concerned.

The legislature shall establish the time, manner and place for such persons to cast such presidential ballots."

Debate ensued.

#### POINT OF INQUIRY

Senator Gallagher:

"Mr. President, I wonder if Senator Moriarty would yield to a question?

"Senator, now here is another election bill which is going to make it somewhat easier for people to vote for the office of President of the United States. Before I vote on this bill, could you give me some assurance as to whether or not it will be vetoed?"

Senator Moriarty, Jr.:

"I am sure I can. This is a constitutional amendment. It does not go to the Governor. I think I can be absolutely positive, as certain as I am standing here, that this particular measure will not be vetoed."

Senator Gallagher:

"Thank you. I think this is the only way we can bypass that threat, incidentally."

The motion was carried and the amendment was adopted.

It was moved by Senator Charette that the following amendment be adopted:

On page 1, section 1, line 11, strike "twenty-one" and insert "eighteen"

Debate ensued.

On motion of Senator Gallagher, the amendment was laid upon the table.

On motion of Senator Greive, the rules were suspended, Engrossed Substitute House Joint Resolution No. 4, as amended by the Senate was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Joint Resolution No. 4 as amended by the Senate, and the resolution passed the Senate by the following vote: Yeas, 45; nays, 2; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Rasmussen, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Those voting nay were: Senators Neill, Petrich—2.

Absent or not voting: Senator Raugust—1.

Excused: Senator Dore—1.

Engrossed Substitute House Joint Resolution No. 4, as amended by the Senate, having received the constitutional two-thirds majority, was declared passed.

**Substitute Senate Bill No. 504**, by Committee on Ways and Means:  
Completing capitol campus plan.

The bill was read the second time by sections.

On motion of Senator Hallauer, the rules were suspended, Substitute Senate Bill No. 504 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Morgan:

"Mr. President, members of the Senate, would Senator Hallauer yield to a question?"

"Senator Hallauer, are you going to destroy the present mansion or will it just be refurbished?"

Senator Hallauer:

"It is my understanding from talking with Mr. William E. Schneider of the Department of General Administration that they do not intend to destroy the present mansion; that they are getting some figures together in connection with refurbishing that building. But it would be up to the Governor who occupied it and the Capitol Committee consisting of the Governor, the Lieutenant Governor and the Commissioner of Public Lands, to make this choice."

Debate ensued.

#### POINT OF INQUIRY

Senator Gallagher:

"Mr. President, would Senator Moriarty yield?"

"Senator Moriarty, in order that my vote might be guided to some extent on this measure, will the Governor veto this particular bill?"

Senator Moriarty, Jr.:

"Senator, I don't know, but there is a telephone out there. The exchange is 6780, and if you are curious, you might call him."

Senator Gallagher:

"Well, I'm sure he won't answer my call. I wonder if you could ascertain before the vote is taken what his position might be?"

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 504 and the bill passed the Senate by the following vote: Yeas, 35; nays, 13; excused, 1.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Donohue, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—35.

Those voting nay were: Senators Atwood, Cowen, England, Freise, Guess, McMillan, Mardesich, Petrich, Raugust, Redmon, Riley, Stender, Williams—13.

Excused: Senator Dore—1.

Substitute Senate Bill No. 504 having received the constitutional majority, was declared passed.

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

#### MOTIONS

On motion of Senator Greive, Senate Bill No. 566 was ordered to retain its place on the second reading calendar for tomorrow.

At 12:25 p. m., on motion of Senator Greive, the Senate adjourned until 11:00 a. m., Friday, April 23, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## FORTIETH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Friday, April 23, 1965.

The Senate was called to order at 11:00 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Teresa Hallauer, presented the Colors.

Reverend Maurice L. Haehlen, pastor of the United Churches of Olympia, offered prayer as follows:

"Almighty God our heavenly Father, we would present ourselves before Thy love and wisdom confessing that we need Thy help to guide us in the complex decisions of this day.

"Give to us a compassion and a concern that will motivate us to high endeavor and sustain us in the doing of that which we know is our duty.

"Make our country great and strong and begin through us in this day's deliberations and acts. Amen."

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

### SENATE RESOLUTION

No. 1965 EX -25

By Senators Gissberg and Moriarty, Jr.:

WHEREAS, Ed Donohue has provided electrifying commentary in politics, sports and the foibles of homo sapiens with a petulant pen that knows no diplomacy nor sacred cow; and

WHEREAS, Donohue can remain the best of friends with the high, mighty, and low without backing one inch from a position he covers; and

WHEREAS, Donohue is especially famous for his sobriquets such as: "A Street Named Bill," "Dandy Joe Gandy," "Terrible Tom Pullet," "That Rounder From Flathead, Montana," "Danny Boy," "Wild Bill Gissberg," "Chuckling Charley Moriarty," and hundreds of others;

Now, Therefore, *Be It Resolved*, That this Senate body on this day, Friday, April 23rd, goes on record commending Publisher Dan L. Starr of the Seattle Post-Intelligencer for inaugurating a weekly sports column featuring Ed Donohue; and

*Be It Further Resolved*, That the Senate urge the readers of the Post-Intelligencer to watch for Ed Donohue each Saturday.

On motion of Senator Gissberg, the resolution was adopted.

The Secretary read:

**REPORTS OF STANDING COMMITTEE**

Senate Chamber,  
Olympia, Wash., April 23, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 552; also

Senate Joint Memorial No. 4; also

Senate Concurrent Resolution No. 23, have inspected same, and find them correctly enrolled and certified.

....., *Chairman.*

We concur in this report: Martin J. Durkan, R. R. Bob Greive, Perry B. Woodall.

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

State of Washington Executive Department,  
Olympia, Wash., April 22, 1965.

*To the Honorable, The Senate of the State of Washington,*

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate bills, entitled:

**Senate Bill No. 404:**

Authorizing the board of regents of Washington State University to establish an applied electrical research experiment station.

**Senate Bill No. 524:**

Providing for distribution of forest reserve funds.

Very truly yours,

RAYMOND W. HAMAN,  
*Legal Counsel to the Governor.*

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., April 22, 1965.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Engrossed Senate Bill No. 40, and has granted said committee the powers of free conference, and the report of the Conference Committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF CONFERENCE COMMITTEE**

Olympia, Wash., April 20, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Engrossed Senate Bill No. 40, providing for sale of bonds to provide school plant facilities, have had the same under consideration, and report that we are unable to agree and request the powers of free conference.

*Senate Members*

MIKE McCORMACK  
GORDON SANDISON  
JOE CHYTIL

*House Members*

AUDLEY F. MAHAFFEY  
RICHARD "DICK" KING  
MRS. JOHN W. (KATHRYN) EPTON

On motion of Senator McCormack, the report of the Conference Committee was adopted and the committee was granted the powers of free conference.

House of Representatives,  
Olympia, Wash., April 22, 1965.

MR. PRESIDENT:

The House has passed: Senate Joint Memorial No. 4, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 22, 1965.

MR. PRESIDENT:

The Speaker has signed: Substitute Senate Bill No. 42; also  
Senate Bill No. 160; also  
Senate Bill No. 535; also  
Senate Bill No. 555, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 22, 1965.

MR. PRESIDENT:

The House has adopted: Senate Concurrent Resolution No. 23, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 22, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 552, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 22, 1965.

MR. PRESIDENT:

The House has passed: Substitute House Bill No. 655; also  
House Joint Resolution No. 9; also  
House Concurrent Resolution No. 28, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 23, 1965.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Substitute House Bill No. 608, and has granted said committee the powers of free conference.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 23, 1965.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 234; also  
House Bill No. 695; also  
House Joint Memorial No. 17, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President signed: House Bill No. 234; also,  
House Bill No. 695; also,  
House Joint Memorial No. 17; also,  
Senate Bill No. 451; also;  
Senate Bill No. 552; also,  
Senate Joint Memorial No. 4; also,  
Senate Concurrent Resolution No. 23.**

**INTRODUCTION AND FIRST READING OF RESOLUTION**

The following was introduced, read first time by title and acted upon as indicated:

**Senate Concurrent Resolution No. 25**, by Senators Dore and Bailey:

Establishing a joint interim legislative committee on facilities and operations.

On motion of Senator Bailey, the rules were suspended, Senate Concurrent Resolution No. 25 was advanced to second reading and read the second time in full.

**POINT OF INQUIRY**

Senator Moriarty, Jr.:

"Mr. President, would Senator Bailey yield to a question?

"I notice that the resolution does not contain the customary language that the division of the membership of the committee will be split between the majority and minority party. It simply says five members will be appointed by the President, and five by the Speaker. I wonder if it is the intention that these five members shall be split three and two between the majority and minority party? Otherwise, I was going to suggest an amendment."

Senator Bailey:

"Senator Moriarty, about half of the committees, especially the ones under concurrent resolution, provide for appointment by the President and the Speaker. It is the intention that the two and three alignment be maintained. It is our intention to do so."

**POINT OF INQUIRY**

Senator Rasmussen:

"Mr. President, would Senator Bailey yield to a question?

"Senator Bailey, as we heard the resolution read, and if I were a complete stranger, it gives the inference that there is \$500,000 available and because we have nothing available at the time for which to spend it, we are going to appoint a committee to spend all of it. It may be wise to eliminate the reference to the \$500,000 that is available and just merely have a committee study, and they can do that without saying there is an excess of that amount of money available."

Senator Bailey:

"Senator Rasmussen, the intention of this resolution is merely to change the composition of the committee. Actually this was copied from Senate Concurrent Resolution No. 7, which was the reason I wasn't going to have it read. I was going to explain it. The makeup of the committee was unwieldy and this resolution changed it to be composed of five members from the House and five from the Senate. However, the \$500,000 couldn't be touched by any committee. There is nothing that this committee can do except to meet with the Capitol Committee on anything that has to do with legislative facilities. We felt the legislature should have something to say about their own facilities. If the Capitol Committee in years past had done its job by conferring with the highway department on the highway building, we wouldn't have the problem we have. When you start changing legislative facilities, we feel the legislature should be sitting in with the Capitol Committee, and they are very happy to have us."

On motion of Senator Bailey, the rules were suspended, Senate Concurrent Resolution No. 25 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Concurrent Resolution No. 25 and the resolution passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor.

Cooney, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—45.

Absent or not voting: Senators Cowen, Guess, Henry, Morgan—4.

Senate Concurrent Resolution No. 25 having received the constitutional majority, was declared passed.

#### POINT OF INQUIRY

Senator Gissberg:

"Mr. President, I don't see the chairman of Ways and Means on the floor, but I see the chairman of the Appropriations Committee is here. I wonder if Senator Dore would yield to a question?

"Senator Dore, for those of us who are not on the inside of the doors of the Free Conference meeting on the budget, and without divulging any confidences, if there be confidences within the meeting, I wonder if you might be able to give us some kind of a report as to what we can anticipate or when we can anticipate some agreement, if any, so that we might know a little better what to expect in the immediate future?"

Senator Dore:

"Without divulging any confidences, it is rather difficult to answer that question, Senator. However, I think the people on the outside seem to be more informed than the people on the inside from the type of phone calls I have been getting recently. It seems to boil down to this, Senator: That we have a level of spending that we will bring out for the group shortly and we will need a certain amount of millions of dollars to balance that budget, but we seem to be in a position where in the background of this particular situation the Governor takes rather an adamant position where he insists, from the scuttlebutt we hear, that his conferees will not sign the bill unless we also put a twenty million dollar provision in there to take care of the deficit. I believe, Senator, you fully realize that the Democratic caucus in the Senate has taken the position that we don't think the people of the state of Washington can absorb an additional twenty million dollars in taxes on top of the taxes that will be necessary to balance the budget, and it seems to me unless the Governor recedes from his—if I may use the term, and I don't want to use it lightly—stubborn position—he has been a strong governor, but I have heard some members say he is just stubborn and not so strong—if he continues to be stubborn, I think we can assume we will continue to stay. I think the Governor is trying to starve us out. He has the boys down to two meals a day now, and of course if we spent \$25.00 a day during the regular session and saved some of our money, we will use that and spread it just as judiciously and economically as possible over the coming days, but if we get down to having one meal a day, we are going to have a little difficulty here and perhaps he will win his economy drive, but I wish he would apply the economy drive to himself. He has cut us off, but as I understand it, he continues to draw his \$32,000 a year without this act, without lessening his three meals a day or his way of doing business. In fact, in the budget committee we just granted him at his request an additional \$2,000 for the mansion, so his standard of living has gone up during this same period of time, while ours has gone down.

"However, it looks as though perhaps some of the boys could cut down a meal or two to get in shape for the final drive. I don't know if I have answered your question, Senator."

Senator Gissberg:

"Maybe I should have directed by question to Senator Neill, but I have heard just before we came into session, that the legislative funds were about gone insofar as paying the help is concerned. Although the Governor may be able to starve the legislature into submission to his will, I would be unhappy if he is going to use the same tactics in starving the employees to bend to his will, and I would hope that the chairmen of Ways and Means and the Appropriations Committee could consider what course of action to take with respect to an appropriation to take care of the pay of the employees.



Otherwise we are going to be operating without any help whatsoever, other than the press, and it is my hope that maybe the press could join us and be of assistance to us in meeting this deadlock that we are now encountering."

Senator Lennart:

"Mr. President, I think that the action, according to the Senator, is an action for stamping and branding the poor. I would suggest the Senate cafeteria be closed and we would get out of here pretty fast.

Senator Peterson (Ted):

"Mr. President and members of the Senate:

"We sat down last night and figured if we spent on the special session some fifty-four dollars, and amortized the forty dollars over that fifty-four days, it would bring us down to the twenty-five dollar level which most of us thought should be maintained in the first place. I don't want to stay here fifty-four days, but I think in amortizing it and looking at some of you fellows—I don't feel quite so overstuffed myself—getting down to two meals a day wouldn't hurt any of us."

Senator Bailey:

"Mr. President:

"In reply to Senator Peterson saying most of us thought it should be twenty-five dollars a day, most of us thought it should be forty dollars, and I didn't see anyone turning down the forty dollars. They were right there in line taking the check every week."

Senator Woodall:

"Mr. President:

"Once it became a law, you wouldn't want us to disobey the law, would you, Senator Bailey?"

Senator Bailey:

"Mr. President:

"Perhaps Senator Woodall would go downstairs and tell the Governor that it is still the law."

#### FIRST READING OF HOUSE BILL AND RESOLUTIONS

The following were read first time by title and acted upon as indicated:

**Substitute House Bill No. 655**, by Committee on Highways:

An Act relating to revenue and taxation; increasing the motor vehicle fuel tax and use fuel tax; providing for the distribution of revenues; defining terms; amending section 82.36.020, chapter 15, Laws of 1961, as last amended by section 2, chapter 79, Laws of 1965 first extraordinary session, and RCW 82.36.020; amending section 82.36.100, chapter 15, Laws of 1961, as amended by section 2, chapter 7, Laws of 1961 extraordinary session, and RCW 82.36.100; amending section 82.40.020, chapter 15, Laws of 1961, as amended by section 3, chapter 7, Laws of 1961 extraordinary session, and RCW 82.40.020; amending section 82.40.290, chapter 15, Laws of 1961, as last amended by section 2, chapter 113, Laws of 1963, and RCW 82.40.290; and adding a new section to chapter 13, Laws of 1961 and to chapter 47.04 RCW; and declaring an emergency.

Referred to Committee of Highways.

**House Joint Resolution No. 9**, by Representatives Mahaffey, Anderson (Eric O.) and Kirk:

Allowing school district levies for two year period.

Referred to Committee on Education.

**House Concurrent Resolution No. 28**, by Representatives Chatalas, Uhlman and O'Donnell:

Expressing appreciation to the members of the public assistance study citizens' advisory committee.

On motion of Senator Rasmussen, the rules were suspended, House Concurrent Resolution No. 28 was advanced to second reading and read the second time in full.

On motion of Senator Rasmussen, the rules were suspended, House Concurrent Resolution No. 28 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Kupka:

"Mr. President, would Senator Rasmussen yield?"

"While I should know, I don't recall what amount of money we spent on that study?"

Senator Rasmussen:

"As far as the Citizens' Committee, I don't believe they spent any money. In the Green Lake appropriation, I think the amount spent was \$125,000."

Senator Kupka:

"Mr. President, I'm sure that we all knew beforehand what they were going to tell us: That people on public assistance could use more money; and, I'm sure that most of us here are aware of it. While the \$125,000 is probably well spent, I am sure that we are not any better informed than we were before, but we do know those people on the program could use a little more funds for their well-being."

#### ROLL CALL

The Secretary called the roll on the final passage of House Concurrent Resolution No. 28 and the resolution passed the Senate by the following vote: Yeas, 41; nay, 1; absent or not voting, 7.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Herr, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams—41.

Those voting nay were: Senator Woodall—1.

Absent or not voting: Senators Connor, Durkan, Henry, Herrmann, Keefe, Morgan, Petrich—7.

House Concurrent Resolution No. 28 having received the constitutional majority, was declared passed.

#### SECOND READING OF BILL

**Senate Bill No. 566**, by Senators Greive and Bailey:

Providing for increase in membership of the legislative council.

The bill was read the second time by sections.

On motion of Senator Ryder, the following amendment by Senators Bailey, Greive and Ryder was adopted:

On page 1, section 1, line 8, after "consist of" strike "ten senators and eleven" on line 9, and insert "[ten] *thirteen* senators and [eleven] *fourteen*"

On page 1, section 1, line 19, after "that" strike all the material down to and including "*party thereof*" on line 26 and insert "[not more than twelve of the council members shall be members of any one political party] *the minority political party in each house shall have six members on the council*"

On motion of Senator Greive, the rules were suspended, Engrossed Senate Bill No. 566 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 566 and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Téd), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Stender, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Those voting nay were: Senator Guess—1.

Absent or not voting: Senators Donohue, Gissberg, Henry, Morgan—4.

Engrossed Senate Bill No. 566 having received the constitutional majority, was declared passed.

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

#### POINT OF INQUIRY

Senator Woodall:

"Mr. President, would Senator Durkan yield to a question?"

"Senator Durkan, I read in the newspaper where they said that you had packed your bags on Thursday. I wonder if you would mind addressing us a few minutes on how to live out of a suitcase?"

Senator Durkan:

"Mr. President and Senators:

"I'm glad to you asked that question. I had, in all sincerity, packed my bags as you know and then, when the Governor determined that the Democratic Party was right in the industrial insurance field and that we would have to then re-pass the bill through the legislature, I felt that this would take a few days more. Then after conferring with some of the members of the Conference Committee last night, I felt that this committee would take a few days. After calling my wife and telling her this, it appears that I should wait at least a week to come home."

Senator Lennart:

"Mr. President, I should think in this dilemma that we are in, we should find that banker, the pocket-lending banker who is supposed to be around here when we are in need. We passed a resolution about that fellow. Wasn't his name Gould?"

Senator Woodall:

"Mr. President, that's what I have always said about bankers. When you don't need them, they are around, and when you need them, they are always gone."

#### POINT OF INQUIRY

Senator Stender:

"Mr. President:

"I wonder whether Senator Durkan will yield to a question?"

Senator Durkan:

"I yield."

Senator Stender:

"Senator, I wonder whether this daily raising of the flag and the prayer makes the committee work any easier?"

Senator Durkan:

"We do need inspiration, that is true. But we come here much earlier than when the flag is raised and stay much later than the prayers."

#### MOTIONS

At 11:50 a. m., on motion of Senator Greive, the Senate was put at ease subject to the Call of the President.

The President called the Senate to order at 12:25 p. m.

At 12:25 p. m., on motion of Senator Greive, the Senate recessed until 3:00 p. m.

#### AFTERNOON SESSION

The President called the Senate to order at 3:00 p. m.

The Secretary called the roll and announced to the President that all Senators were present.

The Secretary read:

#### LETTER OF INTEREST

April 22nd, 1965.

*Honorable John A. Cherberg  
Senate Chambers  
Olympia, Washington*

DEAR GOVERNOR CHERBERG:

We wish to thank you and all the members of the Senate for their kindness in remembering Jack. We are most grateful to know he gained so many good friends while he was in Olympia. He was proud and happy serving in the Legislature and it is a great comfort now to know that he was so well remembered.

My children and I are deeply moved by the Senate Resolution on behalf of Jack. It is a document we cherish and something which will mean even more to the children in years to come.

Please accept our sincere thanks for your gracious gesture. We are more grateful than we can say.

Very sincerely,

AURA FARER,  
Carol, Gary, Marsha and Ann Frankie.

The President declared the Senate to be at ease.

The President called the Senate to order at 3:30 p. m.

#### MOTION

At 3:30 p. m., on motion of Senator Greive, the Senate adjourned until noon, Saturday, April 24, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

**FORTY-FIRST DAY**

**NOON SESSION**

SENATE CHAMBER,  
OLYMPIA, WASH., Saturday, April 24, 1965.

The Senate was called to order at noon by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Donohue.

On motion of Senator Greive, Senator Donohue was excused.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Teresa Hallauer, presented the Colors.

Reverend Maurice L. Haehlen, pastor of the United Churches of Olympia, offered prayer as follows:

"Almighty God Thou Eternal Father of us all, Who hast committed to us a sacred trust, help us to know that the hour for serving Thee is now. Lift us above all mistrust and pride into faith and charity that will create an atmosphere within which Thy will can be done.

"Give us the courage to face the economic facts of life and the wisdom to understand them so that we do not become slaves to our circumstances. Renew in us hope and vision so that we fail not man nor Thee. Amen."

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

**PRESIDENT'S PRIVILEGE**

With the consent of the Senate, business was suspended to permit the President to present a certificate of commendation on behalf of the Seattle-King County Safety Council to Senator Herbert H. Freise for his participation in the enactment of legislation banning unsafe glass for sliding glass doors.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., April 24, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 566, have inspected same, and find it correctly engrossed.

....., *Chairman.*

We concur in this report: Martin J. Durkan, R. R. Bob Greive, Perry B. Woodall.

Senate Chamber,  
Olympia, Wash., April 24, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Substitute Senate Bill No. 1, have inspected same, and find it correctly enrolled and certified.

....., *Chairman.*

We concur in this report: Martin J. Durkan, R. R. Bob Greive, Perry B. Woodall.

**Senate Bill No. 186:**

Senate Chamber,  
Olympia, Wash., April 23, 1965.

Provides for abatement of fire hazards on state lands (reported by Committee on Natural Resources):

MAJORITY recommends that it do pass as amended.

LOWELL PETERSON, *Chairman.*

We concur in this report: Wilbur G. Hallauer, Gordon Herr, Mike McCormack, August P. Mardesich, Fred G. Redmon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 565:**

Senate Chamber,  
Olympia, Wash., April 22, 1965.

Relating to the apportionment of funds for educational purposes (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass as amended.

FRANK W. FOLEY, *Chairman.*

FRED H. DORE, *Chairman,*  
Committee on Appropriations.

....., *Chairman,*  
Committee on Revenue & Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Jack England, Michael J. Gallagher, R. R. Bob Greive, Ernest W. Lennart, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, Edward F. Riley, John N. Ryder, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Concurrent Resolution No. 10:**

Senate Chamber,  
Olympia, Wash., April 23, 1965.

Creating an interim committee on insurance and setting out its powers and duties (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass as amended.

FRANK W. FOLEY, *Chairman.*

....., *Chairman,*  
Committee on Appropriations,

MARTIN J. DURKAN, *Chairman,*  
Committee on Revenue & Regulatory.

We concur in this report: Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Michael J. Gallagher, William A. Gissberg, R. R. Bob Greive, Wilbur G. Hallauer, David E. McMillan, August P. Mardesich, Marshall A. Neill, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Resolution No. 7:**

Senate Chamber,  
Olympia, Wash., April 23, 1965.

Exempting taxation of real property of certain people sixty-five years of age or older (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass. FRANK W. FOLEY, *Chairman.*

FRED H. DORE, *Chairman,*  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*  
Committee on Revenue & Regulatory.

We concur in this report: Robert C. Bailey, Frank Connor, John L. Cooney, David C. Cowen, Jack England, Michael J. Gallagher, William A. Gissberg, R. R. Bob Greive, Mike McCormack, August P. Mardesich, Frances Haddon Morgan, A. L. Rasmussen, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**House Concurrent Resolution No. 13:**

Senate Chamber,  
Olympia, Wash., April 23, 1965.

Directing legislative council study to make current use of certain lands the basis of taxation (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass. FRANK W. FOLEY, *Chairman*,  
....., *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue & Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, John L. Cooney, David C. Cowen, Dewey C. Donohue, Jack England, William A. Gissberg, R. R. Bob Greive, Wilbur G. Hallauer, Ernest W. Lennart, David E. McMillan, Charles P. Moriarty, Jr., Marshall A. Neill, John N. Ryder, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**House Concurrent Resolution No. 16:**

Senate Chamber,  
Olympia, Wash., April 23, 1965.

Creating interim fisheries committee (reported by Committee on Ways and Means): MAJORITY recommends that it do pass as amended.

FRANK W. FOLEY, *Chairman*.  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue & Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Jack England, William A. Gissberg, R. R. Bob Greive, Wilbur G. Hallauer, David E. McMillan, Charles P. Moriarty, Jr., Marshall A. Neill, John N. Ryder, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**House Concurrent Resolution No. 18:**

Senate Chamber,  
Olympia, Wash., April 23, 1965.

Creating interim legislative committee on game and game fish and setting out its powers and duties (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass. FRANK W. FOLEY, *Chairman*.  
....., *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue & Regulatory.

We concur in this report: Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, Jack England, William A. Gissberg, R. R. Bob Greive, Wilbur G. Hallauer, Ernest W. Lennart, David E. McMillan, August P. Mardesich, Charles P. Moriarty, Jr., Marshall A. Neill, John N. Ryder, Albert C. Thompson, Jr., Walter B. Williams, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed Substitute House Concurrent Resolution No. 27:**

Senate Chamber,  
Olympia, Wash., April 23, 1965.

Providing for an interim committee to study matters relating to taxation of property within state (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass as amended.  
FRANK W. FOLEY, *Chairman*.  
....., *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue & Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, Jack England, William A. Gissberg, R. R. Bob Greive, Wilbur G. Hallauer, Ernest W. Lennart, Charles P. Moriarty, Jr., Marshall A. Neill, John N. Ryder, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

**House Concurrent Resolution No. 33:**

Senate Chamber,  
Olympia, Wash., April 23, 1965.

Providing for an interim committee on water resources to conduct a water resources study (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass. FRANK W. FOLEY, *Chairman*.  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue & Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, David C. Cowen, Dewey C. Donohue, Jack England, William A. Gissberg, R. R. Bob Greive, Sam C. Guess, Wilbur G. Hallauer, Ernest W. Lennart, David E. McMillan, Charles P. Moriarty, Jr., Marshall A. Neill, John N. Ryder, Albert C. Thompson, Jr., Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 451; also  
Senate Bill No. 552; also  
Senate Joint Memorial No. 4; also  
Senate Concurrent Resolution No. 23, and the same are herewith transmitted.

House of Representatives,  
Olympia, Wash., April 23, 1965.

S. R. HOLCOMB, *Chief Clerk*.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed Substitute House Joint Resolution No. 4 and has passed the resolution as amended by the Senate.

House of Representatives,  
Olympia, Wash., April 23, 1965.

S. R. HOLCOMB, *Chief Clerk*.

MR. PRESIDENT:

The House has receded from its amendments to Engrossed Substitute Senate Bill No. 1 and has passed the bill without the House amendments, and the same is herewith transmitted.

House of Representatives,  
Olympia, Wash., April 23, 1965.

S. R. HOLCOMB, *Chief Clerk*.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 467 and has passed the bill as amended by the Senate.

House of Representatives,  
Olympia, Wash., April 23, 1965.

S. R. HOLCOMB, *Chief Clerk*.

**SIGNED BY THE PRESIDENT**

**The President signed: Substitute Senate Bill No. 1.**

**INTRODUCTION AND FIRST READING OF BILL AND MEMORIAL**

**Senate Bill No. 567**, by Senators McCormack, Gallagher, Stender, Donohue and Henry:

An Act relating to revenue and taxation; providing for the levy and collection of a flat gross income tax by the state; specifying methods and pro-



cedure for the ascertainment and payment of such tax; prescribing powers and duties of the tax commission in relation thereto; providing certain exemptions from the retail sales and compensating use taxes; amending section 82.08.030, chapter 15, Laws of 1961, as last amended by section 3, chapter 28, Laws of 1963 extraordinary session and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961, as last amended by section 4, chapter 28, Laws of 1963 extraordinary session and section 1, chapter 76, Laws of 1963, and RCW 82.12.030; providing penalties; and declaring an emergency.

Referred to Committee on Ways and Means.

**Senate Joint Memorial No. 21**, by Senators Peterson (Ted), Charette and Petrich:

Requesting federal action to protect Bristol Bay fish run.

Referred to Committee on Fisheries, Game and Game Fish.

#### MOTION

It was moved by Senator Greive that the Senate adjourn until noon, Monday, April 26, 1965.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Woodall, Atwood, Redmon, Thompson, Jr., Williams, Stender, Guess, Kupka, and Sandison.

#### PARLIAMENTARY INQUIRY

Senator Moriarty, Jr.:

"Mr. President, would the President accept a motion to adjourn until 4:00 p. m., tomorrow afternoon?"

#### POINT OF ORDER

Senator Greive:

"Mr. President, on a motion to adjourn, you can't have a substitute motion."

Senator Woodall:

"Mr. President, a motion to adjourn to a certain time is amendable. A motion which tends to keep the houses working would take priority over the one that would tend to have us leave."

Senator Greive:

"Mr. President, I didn't say Senator Woodall is not correct. I said you couldn't have a substitute motion. Senator Moriarty asked if you would accept the motion to adjourn until tomorrow."

#### POINT OF INQUIRY

Senator Rasmussen:

"Mr. President, would Senator Moriarty yield to a question?"

"Senator Moriarty, what do you have in mind that can transpire that would require our presence here Sunday afternoon?"

Senator Moriarty, Jr.:

"Well, Senator Rasmussen, there are two conference committees working. There are a number of bills in the Committee on Rules and Joint Rules. There are a number of matters being taken up by the House of Representatives, and I firmly believe that if this Senate wants to get this job done, we ought to stay on the job and the best way to do it is to keep the members here. If we are going to adjourn, we should adjourn until late tomorrow afternoon."

Senator Rasmussen:

"Senator Moriarty, wouldn't you think it would be better to continue to work today, rather than come back Sunday afternoon?"

Senator Moriarty, Jr.:

"I most definitely do. But I don't seem to find much sentiment on the other side of the aisle. If you want to make a motion to adjourn until four this afternoon, I will be happy to vote for it."

**MOTION**

It was moved by Senator Moriarty, Jr. that the motion by Senator Greive be amended and that the Senate do now adjourn until 4:00 p. m., Sunday, April 25, 1965.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Raugust, Woodall, Williams, England, Atwood, Ryder, Freise, Thompson, Jr. and Stender.

**PARLIAMENTARY INQUIRY**

Senator Gallagher:

"Mr. President, point of parliamentary inquiry:  
"Is this motion now before us debatable?"

**REPLY BY THE PRESIDENT**

The President:

"The time is debatable, Senator Gallagher."

Debate ensued.

**POINT OF INQUIRY**

Senator Moriarty, Jr.:

"Mr. President, would Senator Rasmussen yield:

"Senator, you mentioned concern about the Governor being able to take his children fishing tomorrow. Are you worried about the Governor's children going fishing, or are you going fishing on Sunday?"

Senator Rasmussen:

"I always get skunked, but I do like to see the children fish."

Further debate ensued.

**POINT OF INQUIRY**

Senator Gissberg:

"Mr. President, would Senator Thompson yield to a question?

"Senator Thompson, with respect to the junior college bill which is in the Rules Committee, you are perhaps aware of the fact that there is a problem in the minds of many of us here in the Senate as to what disposition is to be made of the funds that are available, in view of the fact that we passed a tuition bill for the community colleges. That is one of the problem areas within the conference on the main budget. Now, what, if any, is your thought about the use of the additional funds made available as a result of the increase in the tuition? Is it your impression that this increase was to be used as a part of the total appropriations for community colleges, or is it to be in addition thereto?"

Senator Thompson, Jr.:

"Mr. President:

"Senate Bill No. 555, which Senator Dore and I sponsored, raises approximately \$1.9 million a biennium by increasing the tuition fees. The Superintendent of Public Instruction originally requested, as I recall, \$31,500,000 for the community college program. It was my understanding there was contemplated five new colleges. The bill that we passed in the Senate, and which passed the House and is now in conference, contains the figure \$30,300,000. The impact of the \$1.9 million is related to two separate questions. One, we passed a tuition bill and I believe this was the real reason and the official reason that we passed it. We, as a body of legislators, felt that it was important, and that in order to have adequate community college programs in our state, we

would have to ask the students attending the community college program for a little more participation in the cost of the program. I do not, in my own mind, feel Senate Bill No. 555 in any sense guarantees any more community colleges during this session of the legislature.

"I then felt that if we do ask the students to contribute a little more toward the cost of the community college program, that we would see the wisdom of extending the community college program, because we have demonstrated the need for community colleges both in the academic field, but more important, in the vocational and technical field. On that basis, I felt we would extend the program. In the Ways and Means subcommittee, they did take House Bill No. 137 which authorized five community college starts and reduced it to two this biennium and three the next biennium. This bill, as I have been assured by many of you on the floor, will probably pass the Senate. Now we do know the House has some different feelings on this and it might be very important to get this bill into conference, if conference is indicated.

"Getting back to your question more directly, I feel we should probably treat this additional revenue in somewhat the same manner as we have other revenue that we have earmarked now by the tuition involving three state colleges. I think some place in between is where this money should be spent, part of it for the benefit of the general fund appropriation, and part of it for additional enrollees at community colleges."

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the motion by Senator Moriarty, Jr., and the motion to adjourn to 4:00 p. m., Sunday, was lost by the following vote: Yeas, 19; nays, 23; absent, 6; excused, 1.

Those voting yea were: Senators Atwood, Chytil, England, Foley, Freise, Guess, Lennart, Lewis, McCormack, Morgan, Moriarty, Jr., Neill, Petrich, Raugust, Redmon, Ryder, Thompson, Jr., Williams, Woodall—19.

Those voting nay were: Senators Bailey, Charette, Connor, Dore, Durkan, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, McCutcheon, Mardesich, Peterson (Lowell), Rasmussen, Sandison, Stender, Talley, Washington—23.

Absent or not voting: Senators Cooney, Cowen, Herrmann, McMillan, Peterson (Ted), Riley—6.

Excused: Senator Donohue—1.

The President stated the question before the Senate to be the motion by Senator Greive, that the Senate adjourn until noon, Monday, April 26, 1965.

With the consent of the Senate, Senator Greive was permitted to withdraw the motion.

#### MOTION

At 12:55 p. m., on motion of Senator Greive, the Senate recessed until 1:30 p. m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:30 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senator Donohue, who was excused.

#### MOTION

At 1:35 p. m., on motion of Senator Greive, the Senate adjourned until noon, Monday, April 26, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## FORTY-THIRD DAY

### NOON SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Monday, April 26, 1965.

The Senate was called to order at noon by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Atwood, McMillan and Stender.

On motion of Senator Greive, Senator McMillan was excused.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Teresa Hallauer, presented the Colors.

Reverend Maurice L. Haehlen, pastor of the United Churches of Olympia, offered prayer as follows:

“Almighty God Thou Eternal Father of us all, we thank Thee for the knowledge that there is a wideness in Thy Mercy like the wideness of the sea and that Thou dost look with understanding and compassion on our problems. Show us what Thou wouldst have us to do through the duties that are next at hand. Sustain us in the knowledge that justice and truth can and will prevail as we open our lives to Thy leading. Amen.”

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

The Secretary read:

**SENATE RESOLUTION**  
No. 1965 EX -26

By Senator Lewis:

WHEREAS, The state department of general administration is responsible for lighting, patrol and maintenance of the capitol grounds; and

WHEREAS, The city of Olympia is responsible for providing similar services in the vicinity of the capitol grounds; and

WHEREAS, No property taxes are paid on land occupied by the capitol campus; and

WHEREAS, The capitol campus is expanding to include much of the area directly east of Capitol Way; and

WHEREAS, The city of Olympia lacks the safety, rescue, fire protection and other equipment necessary to provide essential services for the new buildings and the area adjacent to them; and

WHEREAS, The city of Olympia is not financially able to supply necessary equipment for this purpose.

Now, Therefore, Be It Resolved, That the legislative council make a study of the jurisdictional problems posed by the expansion of the capitol campus, and recommend to the fortieth session of the legislature a proper division of responsibility between the department of general administration and the city of Olympia for the maintenance of the area and the supply of necessary services thereto.

Be It Further Resolved, That copies of this resolution be transmitted by the Secretary of the Senate to the legislative council, to the department of general administration, and to the city of Olympia.

It was moved by Senator Lewis that the resolution be adopted.  
Debate ensued.

### POINT OF INQUIRY

Senator Kupka:

“Mr. President, would Senator Lewis yield to a question?”

“Senator Lewis, you mentioned there was no way of taking care of people in a

seven story building. I understand there are seven stories to this highway building. Is it because you don't have ladders or fire equipment that can reach that high?"

Senator Lewis:

"That's correct, Senator Kupka. We have no facilities now to reach up to the outside of the highway building. There are elevators and two stairways, but in the event of a bad smoke fire, and those of you who have talked to firemen know that this can happen, and people in a portion of a building can become isolated, we would have no way at all of getting people out of those upper floors."

Senator Kupka:

"After hearing about the obsolescence of a brand new building for the Highway Department, I wondered if they made a mistake and didn't put in fire escapes or fire equipment in the building."

Senator Lewis:

"No, Senator Kupka, I think the building is properly supplied with fire escapes, but in addition to that, you should have protection and provisions for getting people out of that building in an emergency situation. All we're asking is that the council study this and make a determination."

The motion was carried and the resolution was adopted.

**SENATE RESOLUTION**  
**No. 1965 EX -27**

By Senator Rasmussen:

WHEREAS, The Washington State Legislature has passed and the Governor has signed a law granting Supreme Court judges \$27,500 per year salary and the same law grants Superior Court judges \$20,000 per year salary; and

WHEREAS, There now exist a large number of pending court cases; and

WHEREAS, Justice is not served by delay; and

WHEREAS, The Supreme Court of Washington promulgates the rule for the operations of all courts; and

WHEREAS, We believe that the people of Washington through their legislators have provided a decent standard of living for judges during their working years and an excellent pension after retirement, with security for their wives and children in the event of their death; and

WHEREAS, The taxpayers of Washington are entitled to a reasonable number of hours of work and a reduction in the backlog of untried cases with a speedier trial; and

WHEREAS, The present two months' vacation in the summer when there are few, if any, trials in July and August and the further vacation in the spring and winter, impede the progress of justice and are an unnecessary expense to the public;

*Now, Therefore, Be It Resolved*, That the Senate of the state of Washington respectfully suggest to the honorable judges of the Supreme Court that they promulgate new rules of the court to provide for twelve months' operation of the courts every year and to further provide for the continuous operation by use of staggered vacations of four weeks per year.

It was moved by Senator Rasmussen that the resolution be adopted.

Debate ensued.

It was moved by Senator Gallagher that the resolution be referred to the Judiciary Committee.

Senator Herrmann demanded a roll call and the demand was not sustained.

The motion was carried on a rising vote and the resolution was referred to the Judiciary Committee.

The Secretary read:

## REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., April 26, 1965.

MR. PRESIDENT:  
Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 566, have inspected same, and find it correctly enrolled and certified.

FRANK W. FOLEY, *Chairman*.

We concur in this report: Fred H. Dore, Michael J. Gallagher, Marshall A. Neill.

The Secretary read:

## MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., April 24, 1965.

MR. PRESIDENT:  
The House has passed: Engrossed Senate Bill No. 566, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., April 24, 1965.

MR. PRESIDENT:  
The House has passed: Substitute House Bill No. 617, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., April 24, 1965.

MR. PRESIDENT:  
The Speaker has signed: Substitute Senate Bill No. 1, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., April 26, 1965.

MR. PRESIDENT:  
The Speaker has signed: House Bill No. 467; also  
Substitute House Joint Resolution No. 4; also  
House Concurrent Resolution No. 28, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

## SIGNED BY THE PRESIDENT

The President signed: Senate Bill No. 566; also,  
House Bill No. 467; also,  
Substitute House Joint Resolution No. 4; also,  
House Concurrent Resolution No. 28.

## FIRST READING OF HOUSE BILL

The following was read first time by title and acted upon as indicated:

**Substitute House Bill No. 617**, by Committee on Public Institutions and Youth Development:

An Act relating to the department of institutions; providing for responsibility of mentally or physically deficient persons residing in state residential schools for payment of the cost of care, support and treatment while residing in such institutions; providing responsibility of a parent or parents domiciled in another state for payment of the cost of care, support and treatment of a mentally or physically deficient child or children while resident at said state residential schools; providing procedures for establishing rates of charge, provisions for enforcement and an effective date; amending section 72.33.180, chapter 28, Laws of 1959, as amended by section 1, chapter 61, Laws of 1959, and RCW 72.33.180; and adding new sections to chapter 28, Laws of 1959 and chapter 72.33 RCW.

Referred to Committee on Public Institutions.

**SECOND READING OF BILLS**

**House Concurrent Resolution No. 30**, by Representatives Bottiger, Burtch, Brachtenbach, Gorton, Cunningham and Olsen:

Providing for a study of contributions for charitable purposes.

The resolution was read the second time in full.

On motion of Senator Petrich, the rules were suspended, House Concurrent Resolution No. 30 was advanced to third reading, the second reading considered the third, the resolution placed on final passage and adopted.

**Senate Bill No. 41**, by Senators Foley, Durkan and Dore (by Executive request of Governor Rosellini):

Providing bond issue for new buildings for state institutions and departments.

On motion of Senator Ryder, Substitute Senate Bill No. 41 was substituted for Senate Bill No. 41 and Substitute Senate Bill No. 41 was placed on second reading and read the second time by sections.

On motion of Senator Foley, the rules were suspended, Substitute Senate Bill No. 41 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Substitute Senate Bill No. 41 and the bill passed the Senate by the following vote: Yeas, 42; nays, 4; absent or not voting, 2; excused, 1.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Washington, Williams, Woodall—42.

Those voting nay were: Senators Freise, Hallauer, Rasmussen, Thompson, Jr.—4.

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

Excused: Senator McMillan—1.

Substitute Senate Bill No. 41 having received the constitutional majority, was declared passed.

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

**MOTION**

At 12:35 p. m., on motion of Senator Greive, the Senate recessed until 2:00 p. m.

**AFTERNOON SESSION**

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

The Secretary called the roll and announced to the President that all Senators were present except Senators McMillan and Stender, Senator McMillan having been excused.

**SECOND READING OF BILLS**

**Senate Bill No. 565**, by Senators Ryder, Moriarty, Jr., Foley and Dore: Relating to the apportionment of funds for educational purposes.

On motion of Senator Gallagher, Senate Bill No. 565 was ordered to retain its place on the second reading calendar for today immediately following Senate Concurrent Resolution No. 22 on second reading.

**Senate Concurrent Resolution No. 10**, by Senators Herrmann, Bailey, Greive, Mardesich, Redmon, Woodall and Thompson, Jr.:

Creating an interim committee on insurance and setting out its powers and duties.

**REPORT OF STANDING COMMITTEE**

**Senate Concurrent Resolution No. 10:**

Senate Chamber,  
Olympia, Wash., April 23, 1965.

Creating an interim committee on insurance and setting out its powers and duties (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass with the following amendment:

On page 2, line 19 of the printed and original bills, after "of" and before "thousand" strike "thirty-five" and insert "fifty"

FRANK W. FOLEY, *Chairman*.

....., *Chairman*,

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,

Committee on Revenue and Regulatory.

We concur in this report: Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, William A. Gissberg, R. R. Bob Greive, Wilbur G. Hallauer, David E. McMillan, August P. Mardesich, Marshall A. Neill, Albert C. Thompson, Jr., Perry B. Woodall.

The resolution was read the second time in full.

It was moved by Senator Mardesich that the committee amendment be adopted.

Debate ensued.

**POINT OF INQUIRY**

Senator Dore:

"Mr. President, would Senator Mardesich yield?"

"Senator, I see Senator Foley is not on the floor at this time, but I thought you were going to take the amendment off when we put the monetary amount in the conference bill. That, at least, was my understanding."

Senator Mardesich:

"That was not my understanding, and as I understood Senator Foley's position, this was the reason that we made the amendment in committee."

Senator Herrmann:

"Mr. President, Senator Dore:

"If you will look at the wording of the bill, Senator, it doesn't state the amount. It merely says it will not exceed the amount of \$35,000 or if the amendment is adopted, \$50,000, and in the event the recommendation is before the committee, they would check with the auditor and would limit the amount, but it does not set the appropriation, just the ceiling."

The motion was carried and the committee amendment was adopted.

On motion of Senator Mardesich, the rules were suspended, Engrossed Senate Concurrent Resolution No. 10 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

Senators Gallagher, Herrmann and Greive demanded the previous question. The President:

"For what purpose does Senator Guess rise?"



**PERSONAL PRIVILEGE**

Senator Guess:

"Point of personal privilege, Mr. President."

The President:

"The Senator will speak on point of personal privilege."

Senator Guess:

"I was spoken to directly in the statement made by Senator Greive during debate, and I would like to answer one point."

**POINT OF ORDER**

Senator Herrmann:

"Point of order, Mr. President:

"Answering a point in debate is not a personal privilege."

**RULING BY THE PRESIDENT**

The President:

"The Senator's point is well taken. For what purpose does Senator Greive rise?"

Senator Greive:

"To move that the rules be suspended to permit Senator Guess to answer me if he so desires."

**POINT OF ORDER**

Senator Rasmussen:

"Mr. President, point of order."

The President:

"The Senator will state his point of order."

Senator Rasmussen:

"I object to the procedure of raising the previous question and then looking around to determine if someone wants to speak and then moving to suspend the rules. I think that is entirely out of order. When you move the previous question, if the body desires to sustain it, then there is no chance for anybody else to talk. That is the way it should be. I think it is entirely out of order when you move the previous question. I think we should vote down the previous question to let the gentleman talk, not suspend the rules."

**PARLIAMENTARY INQUIRY**

Senator Gallagher:

"Mr. President, what is before the body?"

**REPLY BY THE PRESIDENT**

The President:

"The question before the body is shall the main question be put?"

Senator Greive:

"There is a motion to suspend the rules."

The President:

"The President did not recognize you for the purpose of making a motion, Senator Greive. The President believes the point of order presented by Senator Rasmussen is well taken to a point."

**POINT OF ORDER**

Senator Greive:

"Point of order, Mr. President:

"How does the presiding officer determine for what purpose he recognizes someone? Either you recognize him or you don't."

**RULING BY THE PRESIDENT**

The President:

"The President said: 'For what purpose do you rise, Senator Greive,' and if the President, in his discretion, does not wish to put your motion, he is quite in order."

Senator Greive:

"Mr. President, I would appreciate it if you would quote me the rule that so states."

The President:

"For what purpose does Senator Gallagher rise?"

**PARLIAMENTARY INQUIRY**

Senator Gallagher:

"Mr. President:

"What is before the body? I believe we should dispose of the question now before us, instead of letting somebody yield and prolong debate here. We have other business to take care of, and if the Chair would rule, and rule firmly, then I believe we would expedite matters here."

**RULING BY THE PRESIDENT**

The President:

"The President, in a sense has ruled, Senator Gallagher. The President ruled upon the point of order presented by Senator Herrmann to the effect that a point of debate was not a point of personal privilege. Senator Rasmussen also raised a point which the President said was correct in a certain sense. Any Senator may speak at any time upon a point of personal privilege.

"Now, you originally demanded the previous question. The President put a portion of the action to the Senate. Senator Greive moved to suspend the rules. The President believes that a part of Senator Rasmussen's criticism is well taken. The President, in the past, has allowed a certain amount of latitude—perhaps too much. Henceforth, if the members desire the previous question, no one will be recognized once the previous question has been requested. The President is putting that into effect at this time.

"The question is: Shall the main question be now put."

The demand for the previous question was sustained.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 10 and the resolution passed the Senate by the following vote: Yeas, 29; nays, 15; absent or not voting, 4; excused, 1.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Durkan, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Redmon, Talley, Thompson, Jr., Woodall—29.

Those voting nay were: Senators Atwood, Cowen, Donohue, Dore, England, Freise, Guess, Peterson (Ted), Petrich, Rasmussen, Raugust, Riley, Sandison, Washington, Williams—15.

Absent or not voting: Senators Foley, McCormack, Ryder, Stender—4.

Excused: Senator McMillan—1.

Engrossed Senate Concurrent Resolution No. 10 having received the constitutional majority, was declared passed.

**Senate Concurrent Resolution No. 22**, by Senators Morgan, Durkan and Knoblauch:

Supporting Kitsap county citizens' request that new navy ship be named "Port Orchard".

The resolution was read the second time in full.

On motion of Senator Morgan, the rules were suspended, Senate Concurrent Resolution No. 22 was advanced to third reading, the second reading considered the third, the resolution placed on final passage and adopted.

**Senate Bill No. 565**, by Senators Ryder, Moriarty, Jr., Foley and Dore:  
Relating to the apportionment of funds for educational purposes.

**REPORT OF STANDING COMMITTEE**

**Senate Bill No. 565:**

Senate Chamber,  
Olympia, Wash., April 22, 1965.

Relating to the apportionment of funds for educational purposes (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass with the following amendment:

On page 1, lines 14 and 15, strike "other than the proceeds of the state property tax"

FRANK W. FOLEY, *Chairman*.

FRED H. DORE, *Chairman*,

Committee on Appropriations.

....., *Chairman*,

Committee on Revenue and Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Jack England, Michael J. Gallagher, R. R. Bob Greive, Ernest W. Lennart, August P. Mardesich, Charles P. Mariarty, Jr., Marshall A. Neill, John A. Petrich, Edward F. Riley, John N. Ryder, Albert C. Thompson, Jr., Walter B. Williams.

The bill was read the second time by sections.

It was moved by Senator Ryder that the committee amendment be adopted. Debate ensued.

**POINT OF INQUIRY**

Senator Woodall:

"Would Senator Ryder yield?"

"Does this bill take those federal moneys and change the apportionment ratio, as to the determination of how much is given locally?"

Senator Ryder:

"Senator Woodall, that was already in the bill we passed some time ago and has been signed by the Governor."

Senator Woodall:

"Yes. Is it also in this one again?"

Senator Ryder:

"This bill amends that bill."

Debate ensued.

**POINT OF INQUIRY**

Senator Gallagher:

"Does this get into the four mills?"

Senator Ryder:

"No, this has nothing to do with the four mills. As you remember the four mills was the amount that was left after taking ten mills at the state level. Now that is out. This equalizes at eighty-five percent the fourteen mills that are being levied now at the local level."

Further debate ensued.

## POINT OF INQUIRY

Senator Gallagher:

"Would Senator Raugust yield to a question?"

"Senator, I assume that you also support the position of the Chief Executive downstairs that we not only have to meet the current problems as far as spending is concerned, but we should increase taxes to wipe out the \$25 million deficit?"

Senator Raugust:

"I always believe in a balanced budget, and I am not for just shifting the indebtedness from one position to another to fool the people."

Senator Gallagher:

"Mr. President, I wonder if Senator Raugust would yield to another question?"

"In what area do you propose we raise this money? I think that you have served here for a long time."

The motion was carried and the committee amendment was adopted.

It was moved by Senator Hallauer that the following amendment by Senators Hallauer, Washington and Guess be adopted:

On page 1, section 1, line 22, beginning with "Eighty-five" strike all underlined material down to and including "thereof:" and insert "The amount of money which would be produced by eighty-five percent of the maximum levy for school purposes, on the taxable property within the school district, adjusted to thirty percent of true and fair value thereof, in accordance with the ratio of assessed valuation to actual valuation fixed, by the state board of equalization."

Debate ensued.

## POINT OF INQUIRY

Senator Rasmussen:

"Mr. President, would Senator Washington yield to a question?"

"Senator, you were one of the sponsors of this amendment with Senator Hallauer. If this amendment were adopted, would this in effect achieve equalization for the schools at the state level?"

Senator Washington:

"That is the purpose of it."

Senator Rasmussen:

"This would not preclude some dissatisfied school district having a taxpayer's suit and notice being given in the paper that twenty-one people were ready to file suit to force the assessment up to fifty percent. This would not preclude them from having such a suit?"

Senator Washington:

"It would be my opinion this would have no effect one way or the other."

Senator Rasmussen:

"So that the public would not be protected?"

Senator Washington:

"That would be my opinion."

Further debate ensued.

Senator Dore demanded a roll call and the demand was sustained by Senators Washington, Hallauer, Talley, Guess, Williams, Peterson (Ted), Greive and Morgan.

## ROLL CALL

The Secretary called the roll, and the amendment by Senators Hallauer, Washington and Guess was not adopted by the following vote: Yeas, 13; nays, 31; absent or not voting, 4; excused, 1.

Those voting yea were: Senators Dore, England, Greive, Guess, Hallauer, Keefe, Knoblauch, McCormack, Peterson (Ted), Petrich, Riley, Washington, Williams—13.

Those voting nay were: Senators Atwood, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, Foley, Freise, Gallagher, Gissberg, Hanna, Herrmann, Kupka, Lennart, Lewis, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Rasmussen, Raugust, Redmon, Ryder, Sandison, Talley, Thompson, Jr., Woodall—31.

Absent or not voting: Senators Bailey, Henry, Herr, Stender—4.

Excused: Senator McMillan—1.

On motion of Senator Ryder, the rules were suspended, Engrossed Senate Bill No. 565 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 565 and the bill passed the Senate by the following vote: Yeas, 35; nays, 12; absent or not voting, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, Mardesich, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Riley, Thompson, Jr., Washington, Williams—35.

Those voting nay were: Senators Chytil, Gissberg, Henry, McCutcheon, Morgan, Neill, Raugust, Redmon, Ryder, Sandison, Talley, Woodall—12.

Absent or not voting: Senator Stender—1.

Excused: Senator McMillan—1.

Engrossed Senate Bill No. 565 having received the constitutional 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. 19**, by Senators Hallauer, McCormack, Williams, Petrich, Hanna, Bailey, Herrmann, Thompson, Jr., Stender, Gallagher, Washington, Dore and Connor:

Rescinding House Joint Memorial No. 1, 1963 Extraordinary Session.

The resolution was read the second time in full.

#### POINT OF ORDER

Senator Chytil:

"Mr. President, I raise the point of order, whether this resolution is properly before us. Would the President check Rule 15 on page 245 of the Joint Rules?"

#### REPLY BY THE PRESIDENT

The President:

"The President believes that your point is to the effect that inasmuch as this particular legislative subject is attempting to repeal a memorial, that perhaps it should be in the form of a memorial, is that your point, Senator Chytil?"

Senator Chytil:

"Mr. President, if there are no objections, I will withdraw the point of order."

The President:

"If there are no objections, the point of order is withdrawn."

On motion of Senator Greive, Senate Joint Resolution No. 19 was ordered to retain its place on the second reading calendar for tomorrow.

**MOTION**

At 3:35 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Tuesday, April 27, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## FORTY-FOURTH DAY

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**MORNING SESSION**

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SENATE CHAMBER,  
OLYMPIA, WASH., Tuesday, April 27, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Stender and Talley.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Teresa Hallauer, presented the Colors.

Reverend Charles A. Loyer, pastor of the Westminster United Presbyterian Church of Olympia, offered prayer as follows:

"Almighty God, as we begin our work we would pray for those Americans across the water whose lives are in constant danger. Prepare them for the experiences which await them this day. Grant that the hardships they endure and the casualties they suffer may not be in vain. Help us, who enjoy the freedom and security purchased with the lives of others, to display a like dedication in attacking our problems.

"Create among us a spirit of camaraderie, a foxhole's sense of mutual need, that will subordinate our personal differences and party philosophies to society's greater good. Bless with success the legislators' final assault on the stronghold of fiscal insolvency and give them a veteran's sense of accomplishment when the last shot has been fired, the dust has settled and they are off for home. Amen."

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., April 26, 1965.

MR. PRESIDENT:  
Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 565; also  
Senate Concurrent Resolution No. 10, have inspected same, and find them correctly  
FRANK W. FOLEY, *Chairman.*

We concur in this report: Fred H. Dore, Marshall A. Neill.

**Senate Joint Memorial No. 20:**

Senate Chamber,  
Olympia, Wash., April 26, 1965.

Prohibiting restrictions on interstate sale of firearms (reported by Judiciary Committee):

MAJORITY recommends that it do pass as amended.

JOHN A. PETRICH, *Chairman.*

We concur in this report: Robert L. Charette, Fred H. Dore, Martin J. Durkan, Jack England, Frank W. Foley, H. B. Hanna, Karl Herrmann, August P. Mardesich, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Memorial No. 21:**

Senate Chamber,  
Olympia, Wash., April 26, 1965.

Requesting federal action to protect Bristol Bay fish run (reported by Committee on Fisheries, Game and Game Fish):

MAJORITY recommends that it do pass. ROBERT L. CHARETTE, *Chairman.*

We concur in this report: Ernest W. Lennart, Lowell Peterson, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, Fred G. Redmon, Gordon Sandison, Don L. Talley.

On motion of Senator Charette, the rules were suspended, Senate Joint Memorial No. 21 was advanced to second reading and read the second time in full.

On motion of Senator Charette, the rules were suspended, Senate Joint Memorial No. 21 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Joint Memorial No. 21 and the memorial passed the Senate by the following vote: Yeas, 37; nays, 0; absent or not voting, 12.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Freise, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Sandison, Thompson, Jr., Washington, Woodall—37.

Absent or not voting: Senators Durkan, Foley, Gallagher, Gissberg, McCormack, Morgan, Neill, Raugust, Ryder, Stender, Talley, Williams—12.

Senate Joint Memorial No. 21 having received the constitutional majority, was declared passed.

**REPORT OF STANDING COMMITTEE**

**House Joint Resolution No. 9:**

Senate Chamber,  
Olympia, Wash., April 26, 1965.

Allowing school district levies for two year period (reported by Committee on Education):

MAJORITY recommends that it do pass. MIKE McCORMACK, *Chairman.*

We concur in this report: Joe Chytil, Herbert H. Freise, Karl Herrmann, Reuben A. Knoblauch, Frances Haddon Morgan, Ted G. Peterson, John A. Petrich, A. L. Rasmussen, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, April 26, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bill, entitled:

**Senate Bill No. 101:**

Establishing state employees' suggestion awards.

Very truly yours,

RAYMOND W. HAMAN,

*Legal Counsel to the Governor.*

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., April 26, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 566, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

**INTRODUCTION AND FIRST READING OF MEMORIAL**

The following was introduced, read first time by title and acted upon as indicated:

**Senate Joint Memorial No. 22**, by Senators Woodall and Redmon:

Memorializing the President and labor secretary to adjust the cutback of use of foreign farm laborers.

On motion of Senator Woodall, the rules were suspended, Senate Joint Memorial No. 22 was advanced to second reading and read the second time in full.

On motion of Senator Woodall, the rules were suspended, Senate Joint Memorial No. 22 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

**POINTS OF INQUIRY**

Senator Rasmussen:

"Mr. President, would Senator Woodall yield to a question?"

"Senator Woodall, is this memorial related to bringing a number of people to Washington or is it for the country as a whole?"

Senator Woodall:

"No, you don't memorialize Congress normally to effect an import policy for one state or one small area. It would be rather stupid to suggest that. The program is interrelated, of course. Some of the Braceros are used in Southern California, while certain Mexican people who are American citizens come north. The number who come north depends directly upon the number of Braceros who are available in California and other areas. If they have Bracero laborers available there, the local people come north. If they are not available, the local people find jobs locally, leaving an ultimate shortage here."

Debate ensued.

Senator McCormack:

"Mr. President, would Senator Woodall yield?"

"Senator, it is my understanding that the Bracero program is one under which workers come north for specific periods of time: Two months, one hundred twenty days, something of that kind, and then go back home again, is this correct?"



Senator Woodall:

"Yes."

Senator McCormack:

"Now, do you have people coming into the Yakima Valley and staying there? Do we have two problems, or is there just one? We know we have a large number of itinerant workers of foreign nationality in the Yakima Valley, people who are not registered. I am confused. Are there more permanent-type residents in the Yakima Valley? Could you elucidate that for me?"

Senator Woodall:

"Yes, we have, you might say really three situations: One is the Mexican people who have seen fit to become residents. They are year-around folks. I happen to have employed in my office the first Mexican secretary that any lawyer hired in the county, a girl who was going to school. She is now married to a Mexican who is a school teacher. They are permanent people, fine, substantial, year-around folks.

"Then we have another group. We use a term which is kind of a bad one: 'Dirt tramp,' to describe anyone who works in agriculture in one area and then in another. These people will come from Texas or Nevada or Arizona. They come into our valley and start work in the hops. Then they help get the beets started. They pick asparagus. Then they move over to Senator Lennart's country and work in the strawberries. They will work there and then they will come back when there are certain crops to pick over our way. Then they work through the hops. Some go into apple harvesting. Some go into Idaho to dig potatoes.

"The third situation is that of the Mexican nationals who are given special permits to come into this country and remain for a certain period of time. I have filled out many applications for farmers who guarantee menial type of employment at a minimum wage and a minimum number of hours per week in order that they will be able to return home when they have finished their period of work. They are temporary, but to the extent that these Bracero laborers are allowed to come into the country, more of our other Mexican people who are Americans from California and elsewhere come north. It is a question of the availability of jobs. If they get a job close to home, then, of course, there is no reason for them to come north.

"This has nothing to do with wages or conditions or the lack of suitable places to stay. It has nothing to do with the legislature either. I live in the area. I know I have on occasion taken a few people, friends of mine, to some of these various places where we have these camps to show them the fine facilities. There is a place just a mile and a half from my home where there are buildings for, I suppose, a hundred families. This is just a simple matter: We need a certain amount of these people in the country. Mr. Wirtz, United States Secretary of Labor, lifted the ban. I hold in my hand a copy of the Aberdeen Daily World of April 26, 1965. It says he allowed 1,500 Braceros to come into this country to help harvest asparagus and strawberries in San Joaquin and Salinas Valleys. There is some recognition, then, by Secretary Wirtz for the need of these laborers. We are merely pointing out that there is a need for them up here, as well as the need that he seems now to recognize exists down in California."

Debate ensued.

Senators Cowen, Knoblauch and Williams demanded the previous question and the demand was sustained.

#### PARLIAMENTARY INQUIRY

Senator Greive:

"Mr. President, parliamentary inquiry. Does this require a roll call?"

#### REPLY BY THE PRESIDENT

The President:

"Yes, it does, Senator."

## ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 22 and the memorial passed the Senate by the following vote: Yeas, 37; nays, 3; absent or not voting, 9.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Cooney, Cowen, Donohue, Dore, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McMillan, Mardesich, Moriarty, Jr., Peterson (Lowell), Petrich, Raugust, Redmon, Riley, Ryder, Thompson, Jr., Washington, Williams, Woodall—37.

Those voting nay were: Senators Connor, Peterson (Ted), Rasmussen—3.

Absent or not voting: Senators Durkan, England, Hanna, McCutcheon, Morgan, Neill, Sandison, Stender, Talley—9.

Senate Joint Memorial No. 22 having received the constitutional majority, was declared passed.

## POINT OF INQUIRY

Senator Knoblauch:

"Mr. President, would Senator Morgan yield to a question?"

Senator Morgan:

"Yes."

Senator Knoblauch:

"Senator Morgan, we have just had placed on our desks a notice of a meeting for May 4th. I was going to suggest that if you wanted to have a quorum present, either you are an optimist or pessimist if you expect us to be in session on May 4th."

Senator Morgan:

"Well, I have been told everything from a week, to two weeks, to the 4th of July, and I have been told this now for several weeks. I am taking a positive stand that we are just going to have to stay. I'll be here if I have to have a sleeping bag and a sack lunch. I am just one of the common herd. I only represent 84,000 people. I am not always advised on these things."

Senator Knoblauch:

"If we are adjourned on May 4th, are you going to get out your sleeping bag and still hold the meeting?"

Senator Morgan:

"Oh, you bet I am."

Senator Gallagher:

"Mr. President:

"I'd like to suggest that we take the weekend off and go over and try to get the asparagus in and maybe make ourselves a little money."

Senator Woodall:

"Mr. President, I am always glad when Senator Gallagher shows some leanings toward the farm bloc. Certain of his utterances always make me think of a farm, and we would hope he would come over and help us out and do a little good, honest toil."

**Senate Joint Memorial No. 23**, by Senators Hallauer, McCormack, Williams, Petrich, Hanna, Bailey, Herrmann, Thompson, Jr., Stender, Gallagher, Washington, Dore and Connor:

Rescinding House Joint Memorial No. 1, 1963 Extraordinary Session.

On motion of Senator Hallauer, the rules were suspended, Senate Joint Memorial No. 23 was advanced to second reading and read the second time in full.

On motion of Senator Hallauer, Senate Joint Memorial No. 23 was ordered to retain its place on the next second reading calendar of the Senate.

#### MOTIONS

On motion of Senator Greive, Senate Joint Resolution No. 19 was referred to the Committee on Rules and Joint Rules.

At 11:35 a. m., on motion of Senator Greive, the Senate recessed until 2:00 p. m.

#### AFTERNOON SESSION

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

The Secretary called the roll and announced to the President that all Senators were present except Senators Mardesich and Stender.

On motion of Senator Petrich, Senator Mardesich was excused.

On motion of Senator Woodall, Senate Joint Memorial No. 22 was ordered immediately transmitted to the House.

The President declared the Senate to be at ease.

The President called the Senate to order at 3:00 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Mardesich, McCutcheon and Stender.

On motion of Senator Kupka, Senator McCutcheon was excused.

#### SECOND READING OF BILLS

**Senate Joint Memorial No. 23**, by Senators Hallauer, McCormack, Williams, Petrich, Hanna, Bailey, Herrmann, Thompson, Jr., Stender, Gallagher, Washington, Dore and Connor:

Rescinding House Joint Memorial No. 1, 1963 Extraordinary Session.

The memorial was read the second time in full.

On motion of Senator Hallauer, the rules were suspended, Senate Joint Memorial No. 23 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Moriarty, Jr.:

"I wonder if Senator Hallauer would yield to a question?"

Senator Hallauer:

"Yes."

Senator Moriarty, Jr.:

"Senator Hallauer, can you tell us how many states have adopted this memorial and how many have rescinded it, and how close the Constitution is to being amended? I don't mean to ask you a shotgun question, but I am curious as to how clear and present the danger is."

Senator Hallauer:

"Mr. President, Senator Moriarty does have a point. There were, as I recall the figures, and it has been some time since the bill was introduced and I last read the statistics, but to the best of my recollection, it did get up to a high water mark of about twenty-seven states, but then some eleven or twelve have rescinded. I think the main point here is not the clear and present danger aspect of it, but that we simply

made a mistake under the impression that all we were doing was acting on a memorial to Congress that didn't mean much, if anything. Actually, we were acting on a plea to Congress to call a constitutional convention. I know I didn't realize it until I went home and I happened to vote against the memorial when it was before us."

Debate ensued.

Senators Greive, Hallauer and Cowen demanded the previous question and the demand was sustained.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 23 and the memorial passed the Senate by the following vote: Yeas, 27; nays, 17; absent or not voting, 3; excused, 2.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, Morgan, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Riley, Thompson, Jr., Washington, Williams—27.

Those voting nay were: Senators Atwood, Chytil, Cowen, Donohue, Freise, Guess, Lennart, Lewis, McMillan, Moriarty, Jr., Neill, Raugust, Redmon, Ryder, Sandison, Talley, Woodall—17.

Absent or not voting: Senators England, Henry, Stender—3.

Excused: Senators McCutcheon, Mardesich—2.

Senate Joint Memorial No. 23 having received the constitutional majority, was declared passed.

#### PARLIAMENTARY INQUIRY

Senator Gissberg:

"Mr. President, parliamentary inquiry:

"Does this memorial take a constitutional majority to pass?"

#### REPLY BY THE PRESIDENT

The President:

"In answer to your inquiry, Senate Joint Memorial No. 23 needs a constitutional majority, Senator."

#### MOTION

At 3:40 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Wednesday, April 28, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## FORTY-FIFTH DAY

### MORNING SESSION

#### SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, April 28, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Talley and Stender.

On motion of Senator Bailey, Senator Talley was excused.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Teresa Hallauer, presented the Colors.

Reverend Charles A. Loyer, pastor of the Westminster United Presbyterian Church of Olympia, offered prayer as follows:

"Almighty God and Father who hath convened this political body to implement Thy will, we thank Thee for the insight and the perseverance of our legislators who were called upon in this biennium to enact difficult legislation under adverse conditions. They have worked their way through a mountain of bills. Bless with success that work which has been engrossed into laws. Guide the Senators in the decisions yet to be made. And remember the taxpayer; steel him against that forthcoming hour when he must submit to the wringer. Amen."

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., April 27, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Substitute Senate Bill No. 504, have inspected same, and find it correctly enrolled and certified.

FRANK W. FOLEY, *Chairman*.

We concur in this report: R. R. Bob Greive, Marshall A. Neill.

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., April 27, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Joint Memorial No. 30, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., April 27, 1965.

MR. PRESIDENT:

The House has passed: Substitute Senate Bill No. 504, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., April 28, 1965.

MR. PRESIDENT:

The Speaker has signed: House Concurrent Resolution No. 30, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., April 28, 1965.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Engrossed Senate Bill No. 489, and has granted said committee the powers of free conference, and the report of the Conference Committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF CONFERENCE COMMITTEE**

Olympia, Wash., April 28, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Engrossed Senate Bill No. 489, creating a temporary advisory council on public higher education and setting forth its powers and duties, have had the same under consideration, and we report that we are unable to agree and request the powers of free conference.

*Senate Members*

Gordon Sandison  
Wilbur G. Hallauer  
R. Frank Atwood

*House Members*

Frank B. Brouillet  
Charles Moon  
Helmut L. Juelling

On motion of Senator Greive, the Conference Committee report was adopted and the committee was granted the powers of free conference.

**SIGNED BY THE PRESIDENT**

**The President signed: House Concurrent Resolution No. 30; also  
Substitute Senate Bill No. 504.**

House of Representatives,  
Olympia, Wash., April 27, 1965.

MR. PRESIDENT:

The House has passed: Senate Concurrent Resolution No. 25 with the following amendments:

On page 1, line 18, after "consisting of" and before "senators" strike "five" and insert "six"

On page 1, line 19, after ", and" and before "representatives" strike "five" and insert "six"

On page 1, line 19, after "ate," and before "and" insert "no more than three thereof to be from the majority political party therein,"

On page 1, line 20, after "House" and before the semicolon insert ", no more than three thereof to be from the majority political party therein"

On page 1, line 24, strike "buildings contemplated under Senate Bill No. 504, 1965 Session" and insert "capitol buildings"

On page 1, line 27, after "work rooms; and" add the following new paragraph:

*"Be It Further Resolved,* That this Joint Interim Committee be additionally empowered and directed to implement the normal functions of the Legislature Facilities and Operations Committee in order that the legislative process may be improved; and", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Dore, the Senate refused to concur in the House amendments to Senate Concurrent Resolution No. 25 and asked the House to recede therefrom.

**FIRST READING OF HOUSE MEMORIAL**

The following was read first time by title and acted upon as indicated:

**Engrossed House Joint Memorial No. 30,** by Representatives Day, Harris and Sheridan:

Prohibiting restrictions on interstate sale of firearms.

Referred to Judiciary Committee.

**PERSONAL PRIVILEGE**

Senator Raugust:

"Mr. President, personal privilege:

"I regret very much to announce to the Senate the death of former Senator Dale McMullen. His funeral will be tomorrow at 11:00 a. m. in the Gunderson Funeral Home in Vancouver, Washington."

**MOTION**

At 10:45 a. m., on motion of Senator Greive, the Senate recessed until noon.

**NOON SESSION**

The President called the Senate to order at noon.

The Secretary called the roll and announced to the President that all Senators were present except Senators Stender and Talley, Senator Talley having been excused.

On motion of Senator Greive, the Senate returned to the second order of business.

The Secretary read:

**REPORT OF STANDING COMMITTEE**

**Engrossed House Bill No. 190:**

Senate Chamber,  
Olympia, Wash., April 28, 1965.

Allowing property tax exemption for certain retired persons (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass.

FRANK W. FOLEY, *Chairman*.  
FRED H. DORE, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Revenue & Regulatory.

We concur in this report: Robert C. Bailey, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, Jack England, Michael J. Gallagher, William A. Gissberg, Mike McCormack, August P. Mardesich, A. L. Rasmussen, Edward F. Riley, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTION**

At 12:05 p. m., on motion of Senator Greive, the Senate recessed until 1:30 p. m.

**AFTERNOON SESSION**

The President called the Senate to order at 1:30 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senator Stender.

**SECOND READING OF BILLS**

**House Bill No. 387**, by Representatives Sheridan, Gallagher, Marzano, Savage, Marsh and O'Donnell:

Increasing industrial insurance pensions.

## POINT OF ORDER

Senator Moriarty, Jr.:

"Point of order, Mr. President:

"House Bill No. 387 is not within the purvue of the concurrent resolution which specifies the type of bill on which the Senate can now act inasmuch as it is not an appropriation or revenue bill."

Senator Lennart:

"Mr. President:

"We don't know. Before we get through, it will be a new bill."

Senator Greive:

"Mr. President:

"This bill has a million dollar impact on the state budget. As I understand it, the same matter was raised in the House. It has already been ruled to be within the purvue of the resolution and I think that we have had other bills this session that have been in the same position. I don't think there should be any particular question as to whether or not we can consider it at this time."

Senator Moriarty, Jr.:

"Mr. President:

"I don't think whatever the ruling was in the House that it has any bearing upon what the ruling should be in the Senate. I should also like to call the attention of the President to the title of this bill which says it is an act relating to industrial insurance and amending certain sections. I should also like to call the attention of the President to House Concurrent Resolution No. 22 which specifies that after twelve o'clock midnight, Tuesday, the 23rd day of March, neither House nor Senate shall consider any bills except appropriation, revenue or congressional reapportionment bills. Now every bill has some sort of impact financially on the state if it deals with any facet of state government. My point is that this bill, while it may have some form of financial impact, simply is not an appropriation bill. It is not so stated in the title of the bill. It is not a revenue bill, and under the concurrent resolution, we cannot now consider it."

## RULING BY THE PRESIDENT

The President:

"The President, ruling upon the point of order as presented by Senator Moriarty:

"The President believes that in the light of precedence established by past rulings in similar situations, that House Bill No. 387 does fall within the province of the resolution and is properly before the Senate for its consideration."

The bill was read the second time by sections.

It was moved by Senator Bailey that the following amendment by Senators Bailey and McCormack be adopted:

On page 2, line 12, add a new section to read as follows:

"Sec. 2. Section 51.36.010, chapter 23, Laws of 1961 and RCW 51.36.010 are each amended to read as follows:

Upon the occurrence of any injury to a workman entitled to compensation under the provisions of this title, he shall receive, in addition to such compensation and out of the medical aid fund, proper and necessary medical and surgical services at the hands of a physician of his own choice, if conveniently located, and proper and necessary hospital care and services during the period of his disability from such injury, but the same shall be limited in point of duration as follows:

In the case of permanent partial disability, not to extend beyond the date when compensation shall be awarded him, except when the workman returned to work before permanent partial disability award is made, in such case not to extend beyond the time when monthly allowances to him out of the accident fund shall cease; in case of temporary disability not to extend beyond the time when monthly allowances to him out of the accident fund shall cease: *PROVIDED, That after any injured workman has returned to his work his medical and surgical treatment may be continued if, and so long as, such continuation is deemed necessary by the supervisor of industrial insurance to be necessary to his more complete recovery;* in case of a permanent total disability not



to extend beyond the date on which a lump sum settlement is made with him or he is placed upon the permanent pension roll [But] : *PROVIDED, HOWEVER, That the supervisor of industrial insurance, solely in his discretion, may authorize continued medical and surgical treatment for conditions previously accepted by the department when such medical and surgical treatment is deemed necessary by the supervisor of industrial insurance to protect such workman's life.* [after any injured workman has returned to his work his medical and surgical treatment may be continued at the expense of the medical aid fund if, and as long as, such continuation is deemed by the supervisor of industrial insurance to be necessary to his more complete recovery.] In order to authorize such continued treatment the written order of the supervisor of industrial insurance issued in advance of the continuation shall be necessary."

Debate ensued.

#### POINT OF ORDER

Senator Moriarty, Jr.:

"Mr. President, I rise to a further point of order.

"My point of order is that House Bill No. 323, which was the amendment proposed by Senators Bailey and McCormack, is not an appropriation bill. Now Senator Bailey, in discussing his amendment, has admitted that he is attaching House Bill No. 323 to House Bill No. 387 by way of an amendment. In other words, the Senate is now considering the entire House Bill No. 323, which is an act relating to industrial insurance and medical aid. I would like a ruling from the Chair as to whether or not this is an appropriation bill."

#### RULING BY THE PRESIDENT

The President:

"The President, in ruling upon the point of order as presented by Senator Moriarty:

"The President rules that the resolution does not restrict amendments in any manner and, inasmuch as this is presented in the form of an amendment, it is in order. Therefore, the point as raised by Senator Moriarty is not well taken.

#### POINT OF INQUIRY

Senator McCutcheon:

"Mr. President, would Senator Bailey yield to a question?"

Senator Bailey:

"Yes."

Senator McCutcheon:

"Senator Bailey, your amendment is the underlined portion of House Bill No. 323?"

Senator Bailey:

"Yes."

Senator McCutcheon:

"In other words, it is not mandatory. The amendment provides that after any injured workman has returned to work, he may be continued, for as long as such continuation is deemed necessary by the supervisor of industrial insurance. It would not be mandatory on the supervisor in any sense?"

Senator Bailey:

"No, Senator McCutcheon, it is not. This has to be determined in each individual case by the supervisor of industrial insurance."

Debate ensued.

The motion was carried and the amendment was adopted.

It was moved by Senator Keefe that the following amendment be adopted:

On page 1, section 1, lines 13 and 14, after "month," in line 13 and before "in cases" in line 14, strike "in addition to any amount now or hereafter allowed" and insert "[in addition to any amount now or hereafter allowed] and one hundred dollars per month additional".

Debate ensued.

## POINT OF INQUIRY

Senator Hallauer:

"Would Senator Keefe yield to a question?"

Senator Keefe:

"Yes."

Senator Hallauer:

"What financial impact does this have?"

Senator Keefe:

"It is approximately \$100,000, Senator, and all of that comes out of the general fund."

Further debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Keefe, the following amendment was adopted:

On page 1, section 1, lines 16 and 17, after "month," in line 16 and before "in cases" in line 17, strike "in addition to any amount now or hereafter allowed" and insert "[in addition to any amount now or hereafter allowed] and one hundred dollars per month additional".

It was moved by Senator Lennart that the following amendment be adopted:

On page 2, following "section." on line 11 add a new section to read as follows:

"NEW SECTION. Sec. 3. The provisions of this 1965 amendatory act shall not take effect until such time as the rate of the state sales tax has been increased to four and one-half percent."

Debate ensued.

Senator Greive demanded a roll call and the demand was sustained by Senators Lennart, Ryder, Talley, Washington, Connor, Rasmussen, Charette, Bailey and Gallagher.

## ROLL CALL

The Secretary called the roll, and the amendment by Senator Lennart was not adopted by the following vote: Yeas, 16; nays, 32; absent or not voting, 1.

Those voting yea were: Senators Atwood, Chytil, England, Guess, Lennart, Lewis, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Thompson, Jr., Williams, Woodall—16.

Those voting nay were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—32.

Absent or not voting: Senator Stender—1.

On motion of Senator Atwood, the following amendment was adopted:

On page 2, following new "Sec. 2." add the following:

"Sec. 3. Section 51.36.020, chapter 23, Laws of 1961 and RCW 51.36.020 are each amended to read as follows:

When the injury to any workman is so serious as to require his being taken from the place of injury to a place of treatment, his employer shall, at [his own] the expense [and without charge against] of the medical aid fund, furnish transportation to the nearest place of proper treatment. [To assure prompt and adequate hospital care in cases of serious injury the department shall furnish to employers suitable index cards which the employer shall be required to have filled in and shall keep at all times convenient and accessible on which shall be set forth the name and address of each workman, together with such information as, in the judgment of the department, is necessary in cases of serious injury where the workman may be rendered

unconscious and at the point of death, said card to be filled in at time of employment of workman and to have space for the following information: Hospital preferred, doctor preferred, religious, fraternal or union affiliations, and name of nearest relative: *Provided*, That the employee may at his option decline to give any or all of the information hereinbefore provided for.]

Every workman whose injury results in the loss of one or more limbs or eyes shall be provided with proper artificial substitutes to be purchased by the department at the expense of the accident fund. Every workman, who suffers *an injury to an eye* [a penetrating wound of the cornea] producing an error of refraction, shall be once provided, at the expense of the accident fund, proper and properly equipped lenses to correct such error of refraction and his disability rating shall be based upon the loss of sight before correction. Every workman, whose accident results in damage to or destruction of an artificial limb, eye or tooth, shall have same repaired or replaced at the expense of the accident fund. Every workman whose eyeglasses or lenses are damaged, destroyed, or lost as a result of an industrial accident shall have the same restored or replaced at the expense of the accident fund. The accident fund shall be liable only for the cost of restoring damaged eyeglasses to their condition at the time of the accident. All mechanical appliances necessary in the treatment of an injured workman, such as braces, belts, casts and crutches, may be provided at the expense of the medical aid fund and all mechanical appliances required as permanent equipment after treatment has been completed shall *continue* to be provided or *replaced without regard to the date of injury or date treatment was completed, notwithstanding any other provision of law*, at the expense of the accident fund. A workman, whose injury is of such short duration as to bring him within the provisions of subsection (4) of RCW 51.32.090 shall nevertheless receive during the omitted period medical, surgical and hospital care and service and transportation under the provisions of this chapter."

On motion of Senator Moriarty, Jr., the following amendment was adopted:

On page 2 following "Sec. 3." add 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 July 15, 1965."

On motion of Senator Bailey, the following amendment by Senators Atwood, Bailey and Moriarty, Jr., was adopted:

In line 3 of the title after "RCW 51.32.070" strike the period and insert "; section 51.36.010 and 51.36.020, chapter 23, Laws of 1961 and RCW 51.36.010 and 51.36.020, declaring an emergency and providing an effective date of this act."

On motion of Senator Greive, the rules were suspended, House Bill No. 387, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of House Bill No. 387, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; nays, 3; absent or not voting, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Wood—all—44.

Those voting nay were: Senators Guess, Moriarty, Jr., Williams—3.

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

House Bill No. 387, as amended by the Senate, having received the constitutional majority, was declared passed.

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

On motion of Senator Greive, the rules were suspended and House Bill No. 387, as amended by the Senate, was ordered immediately transmitted to the House.

**Engrossed House Bill No. 586**, by Representative Savage:

Providing for acquisition of land and construction of facilities for highway department and for financing thereof.

**REPORT OF STANDING COMMITTEE**

**Engrossed House Bill No. 586:**

Senate Chamber,  
Olympia, Wash., April 21, 1965.

Providing for acquisition of land and construction of facilities for highway department and for financing thereof (reported by Committee on Highways):

MAJORITY recommends that it do pass with the following amendments:

On page 1, section 1, line 15 of the printed bill, being line 13 of the engrossed bill, after "fuels" strike all of the matter down to and including "therein," on line 16 of the engrossed bill, the same being House Highways Committee mimeographed amendment to page 1, section 1, line 15.

On page 1, section 2, line 23 of the engrossed bill the same being the House Highway Committee mimeographed amendment to page 1, section 2, line 21, before "million" strike "five" and insert "four".

On page 4, section 11, line 21 of the engrossed bill, the same being the House Highways Committee amendment to page 4, section 11, line 23, before "million" strike "five" and insert "four".

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Martin J. Durkan, Herbert H. Freise, Sam C. Guess, Wilbur G. Hallauer, Karl Herrmann, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, Charles P. Moriarty, Jr., Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Gordon Sandison, Don L. Talley.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendments were adopted.

On motion of Senator Washington, the rules were suspended, Engrossed House Bill No. 586, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**POINTS OF INQUIRY**

Senator Moriarty, Jr.:

"Mr. President, would Senator Washington yield to a question?"

"Senator Washington, was the original highway building, the one that is now occupied by the Highway Department, built with a bond issue against the motor vehicle fund?"

Senator Washington:

"No, the present building was built, as I understand it, by revenue bonds to be paid for by rentals from whatever departments of the state occupy the building. The departments that use the building pay rent and that money is applied to amortize the bonds."

Senator Moriarty, Jr.:

"Would the Senator again yield?"

"The question really was whether the bonds were issued against the state gasoline tax, or motor vehicle fund revenue of any kind?"

Senator Washington:

"No, they were not."

Senator Moriarty, Jr.:

"In view of the constitutional provision which specifies that highway funds shall be used exclusively for highway purposes, would it be your opinion that if we build a Highway Department building with the proceeds of the bond issue against the motor vehicle fund or gasoline tax, as I understand it, could that building ever be used by anyone but the Highway Department?"

Senator Washington:

"I believe if the building is first built for this particular purpose and if, for some other reason, expansion was necessary, rather than have the building go to waste and not be used, certainly in order to amortize these particular bonds, other agencies could occupy this building and pay rent. I think the important thing is the intention that is entered into when you first construct the building; and, certainly it is designed for highway purposes only. If something unforeseen takes place, it could be salvaged and could be used and perhaps even disposed of to the state as a whole or to a private agency. The money that would come in would, of course, go into the motor vehicle fund."

Senator Kupka:

"Mr. President, would Senator Washington yield?"

Senator Washington:

"I yield."

Senator Kupka:

"Senator Washington, inasmuch as this is a relatively new building, maybe you can tell me if the Highway Commission was consulted when the plans were drawn, and were they part of the plan? Did the Highway Department request a certain kind of building suitable for their needs, or did someone just build this building and say: 'Mr. Highway Department, this is your space, now move in'?"

Senator Washington:

"No, the Highway Commission was consulted as far as the plans for the building were concerned. The general plan, however, was dictated by the amount of space that was available. It was necessary to construct a building with limited floor space on each floor and rise to the elevation of seven stories. It was a much superior building for highway purposes than the old transportation building. It was certainly a step forward. There were things that the highway department would prefer to have had done otherwise but they did accommodate themselves to the overall plan and approved the floor plan and space arrangement as it was set up. I believe there were some questions about the elevators. In the beginning the department did understand that they were going to be able to utilize a considerable more amount of the floor space, but in the end they were confined to less space than they had anticipated, but certainly the Department of General Administration did cooperate with the Highway Commission and the Highway Commission did accept the building as it was, because it was a great improvement over what they had had before in the old transportation building. But now that we have the additional property available and the building will be a two-story building and you will have much less travel by personnel from floor to floor, certainly it will be a step forward. It will be more efficient for the highway department, and I am sure the highway department or Mr. Prahl, the director of highways, are not critical of the means in which this building was designed, however, their method of operation in the use of computers, the use of photographic type engineering does require additional space, and these methods do not fit into their present facilities."

Senator Kupka:

"Senator, that just doesn't seem to add up as well as it should. I am wondering if we can be assured that if we build another building, we won't have to go through this again in a very short time. In my opinion, it appears that inasmuch as these plans were approved and gone over by people who were requesting the room, this sort of thing should not have occurred."

Senator Washington:

"I think as times change and as the program advances, it is obvious that the highway department could go into a space which is more efficient for their use at the present time. I don't believe the department, although they would like to have an additional building, would be asking for one at this time if it weren't part of an overall campus plan in which the Department of General Administration has been interested, and we in the legislature also have been interested. We wish to start a movement of offices. We would like the highway department to move from that building, the welfare and other departments to move out of the transportation building, and other departments can move out of the insurance building. Some of the offices downstairs can move over into that area. The highway department will then move and be able to provide themselves with more efficient space and I think it will be advantageous to all of us, although it wouldn't be one of those absolutely essential things if it weren't a part of the overall plan, and again this is not saying that the initial plans on the present building were wrong. They attempted to accommodate themselves to an office-type building and this was the only thing available at the time. It was a great improvement over the old building. The new building will be designed from the beginning, not just as an office building, but for the highway department and its own particular uses and purposes."

Senator Peterson (Ted):

"Mr. President, would Senator Washington yield?"

"Senator Washington, I made that inquiry in committee because after seeing what could be called a white elephant appearing as soon as Mr. Prahl took over and wanted a new building, I started getting a few calls from ever so many private companies to go in and formulate plans. I think you should go a little further in explaining how this building will start, who will have supervision and how you will select your architects and go on to construct a building that will follow specifications and plans now that they seem to know what they want."

Senator Washington:

"I think the basic answer to your question is that we now have additional space where we can construct a two-story building that encompasses a greater area. It will have a large floor space where most of the engineering work and drafting can be done on one floor. I want to point out again at the time this building was constructed, we were limited as to space which required a building with several floors of limited floor space rising to a height of seven stories. This building will be paid for by the motor vehicle fund, and the department will take part in the overall planning and the selection of the site. And, although I don't believe the Highway Commission is going to be able to select the architect, I believe that they will have a strong influence, certainly, in the selection. Since it will be done largely to the department's specifications in the beginning, they will have a better say as to the efficient use of it, rather than attempting to just have the floor space set up for their own purposes. They will have general charge of the entire design, and I think that we can't guarantee any more than any other building that is constructed that it will not have some architectural defect. However, I think this method of approach does guarantee more efficient design, solely as a highway building and not as an office building. Again I want to point out as far as Mr. Prahl is concerned, the nationally known management consultants who have studied the highway department, Booth, Allen and Hamilton, recommended much saving could be made in the engineering and overall administration costs by a building designed from the ground up for this particular purpose rather than attempting to adapt an office building type structure. If it had not been a part of the overall campus plan to take care of the needs of the legislators and also to move the welfare department into perhaps more modern office space which would be even more efficient than where they are, this building would not be absolutely necessary at this time."

Senator Riley:

"Mr. President, would Senator Washington yield?"

"Senator, we are now discussing a building which was built by bonds to be serviced through rentals. Now, Senator Washington, my question is: When the highway department moves out, who is going to rent this space and what are we going to pay for it in order to service the bonds outstanding?"

Senator Washington:

"There is the plan—and this is pointed out by Mr. Schneider, Director of General Administration, that perhaps the prime new tenant will be the Department of Public Assistance who will pay rent. He points out that when they are placed in space where rent is to be paid, additional funds will be forthcoming from the federal government in order to receive these funds. The parks department also has funds which will be available. They are now paying rent in another area. They are a very likely tenant to go into this building. Now it has to be feasible from an overall point of view before the bonds can be floated. The highway department or the Department of General Administration would not go ahead unless they are able to fill the old, present highway department building with tenants who would take up the slack and pay the bonds. There is no anticipation of having any vacant space and not being able to pay off the bonds."

Senator Riley:

"I am not certain I received the answer. I would like to know specifically, Senator Washington, whether or not there is an agreement, or will be an agreement before this ever starts, that there will be sufficient rentals on the existing building to pay the outstanding bonds?"

Senator Washington:

"Yes, there will be such agreements and I was trying to point out that there are also departments which will be moving in there."

Senator Woodall:

"Senator Washington, how many years will it take them to do this? Do you have any idea?"

Senator Washington:

"I believe, as I understand it, they should be in their new building within two years."

Senator Woodall:

"Is that based on the same engineers who told us when they would get the freeway done? Are they the same source of authority that you are now quoting?"

Senator Washington:

"Partly the same source, but I would also point out that in the construction field, where there are hundreds of years of background and experience, it is easier to determine when you are going to be able to complete a project than in the freeway business which is quite new and without too many precedents to go by."

Senator Woodall:

"One further question: If we grant this, do you suppose—you recall last time when we had a little bill up to see if we could speed things up, and we tried to bug Mr. Bugge a little bit, and he told us to leave him alone, there were all these things he had to do, which didn't get done, of course—will they use the fact that they were moving into a new building and concentrating on that as an excuse not to get other things done that they have promised us for the last four years?"

Senator Washington:

"I am quite sure they wouldn't use that for an excuse, Senator Woodall. I think it would be very clear that it was a poor excuse and I am sure that the engineers that will be used will not be highway engineers. They will certainly be building engineers."

Further debate ensued.

Senators Talley, Charette and Connor demanded the previous question and the demand was sustained.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 586, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 35; nays, 12; absent or not voting, 2.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, England, Foley, Freise, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Morgan, Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Ryder, Sandison, Talley, Washington, Woodall—35.

Those voting nay were: Senators Atwood, Dore, Durkan, Gallagher, Greive, Herrmann, Lennart, Mardesich, Moriarty, Jr., Riley, Thompson, Jr., Williams—12.

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

Engrossed House Bill No. 586, as amended by the Senate, having received the constitutional majority, was declared passed.

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

On motion of Senator Petrich, the Senate returned to the fifth order of business.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., April 28, 1965.

MR. PRESIDENT:

The Speaker has signed: Substitute Senate Bill No. 504, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., April 28, 1965.

MR. PRESIDENT:

The House has passed: House Bill No. 713, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Petrich, the Senate reverted to the sixth order of business for the introduction of a bill.

#### FIRST READING OF HOUSE BILL

The following was read first time by title and acted upon as indicated:

**House Bill No. 713**, by Representatives Sawyer, Swayze, Humiston, Wang, Marzano, Brouillet, Sheridan, Bottiger, Gallagher, Rogers, Beck, Newschwander and Juelling (by Executive request):

An Act relating to highways; providing that the Tacoma Narrows bridge shall become toll free; adding a new section to chapter 13, Laws of 1961 and to chapter 47.56 RCW; repealing chapter 50, Laws of 1965 (uncodified); and declaring an emergency.

It was moved by Senator Petrich that the rules be suspended and that House Bill No. 713 be advanced to second reading and read the second time by sections.

Debate ensued.

#### POINT OF INQUIRY

Senator Moriarty, Jr.:

"Would Senator Petrich yield to a question?

"Senator Petrich, isn't the emergency clause on the Tacoma Narrows bridge tolls in the omnibus highways bill passed some time ago and now in the House Highway Committee?"



Senator Petrich:

"Senator, yes it is on the omnibus highway bill, but for some reason the bill is now held up in the House and by further word of explanation, the tolls have now paid off the indebtedness chargeable against the Narrows bridge. Continuation of the tolls will create some problem because there is no particular allocation where those funds are going at the moment. There has been a scheduled termination of the tolls and in anticipation of the adoption of the omnibus bill prior to this time, a ceremony has been scheduled. In order to take care of this situation, this morning the House did pass House Bill No. 713 dealing with this problem."

The motion to advance House Bill No. 713 to second reading was lost on a rising vote.

#### PARLIAMENTARY INQUIRY

Senator Petrich:

"Mr. President, point of parliamentary inquiry:

"What is the vote necessary to suspend the rules, a simple majority?"

#### REPLY BY THE PRESIDENT

The President:

"No, a two-thirds majority was necessary, Senator Petrich. There were twenty yea votes and thirteen nay votes. If the Secretary's arithmetic is correct, it would require twenty-two.

"House Bill No. 713 is referred to the Committee on Highways."

Senator Petrich:

"Mr. President, having voted on the prevailing side, I do now move that the Senate reconsider the vote by which the rules were not suspended."

#### POINT OF ORDER

Senator Woodall:

"Point of order, Mr. President:

"The President has already placed the bill in the Highways Committee and that is where the bill now resides."

#### MOTION

It was moved by Senator Petrich that the Committee on Highways be relieved of further consideration of House Bill No. 713.

#### POINT OF ORDER

Senator Hallauer:

"Mr. President, point of order:

"Would it not be necessary to make a motion such as the one made by Senator Petrich on the first order of business, the order of business for motions?"

#### RULING BY THE PRESIDENT

The President:

"The President believes your point of order is well taken, Senator Hallauer."

#### MOTIONS

It was moved by Senator Petrich that the Senate revert to the first order of business for the purpose of making a motion.

The motion was carried on a rising vote.

It was moved by Senator Petrich that the Committee on Highways be relieved of further consideration of House Bill No. 713.

Debate ensued.

## POINTS OF INQUIRY

Senator Mardesich:

"Mr. President, would Senator Washington yield to a question?"

"Senator Washington, in view of the fact that you have made no comment on the motion, am I led to believe that in the future you will have no objection to relieving the committee of bills?"

Senator Washington:

"That all depends upon the nature of the bill. The fact that it may have technically moved into the committee and the committee had taken no action on it, and particularly since Senator Petrich talked to me whether or not I had any objection to having this bill moved up on second reading and I told him I had no objection, in these very unusual circumstances I have not objected to this particular bill. Certainly the discussion was had with me and my own statement I am making as a Senator and in this case as chairman of the highways committee and I have no objections to this bill not going to that committee."

Senator Mardesich:

"I assume, then, as long as your committee has taken no action, you have no objection to this type of motion?"

Senator Washington:

"Senator, I would certainly reserve the right to object under any circumstances. I don't believe that there is need to have a complete blanket rule that would take care of circumstances such as this where I did have a discussion and understanding with Senator Petrich. Certainly I am not taking this to be a precedent in all cases, but I do think it may be a point to keep in mind in that a rule has a reason and if there is no basic reason, just as chairman, I don't see that I need to get up and thump the table when technically a bill which has never been in my possession is being taken away again."

Senator Talley:

"Would Senator Washington yield to a question?"

"Is this matter taken care of in the highway omnibus bill?"

Senator Washington:

"Yes."

Senator Talley:

"All that is required then is that the House pass the highway omnibus bill and this matter is taken care of then?"

Senator Washington:

"Yes."

Senator McCutcheon:

"Mr. President, would Senator Moriarty yield?"

"Senator Moriarty, as the titular head of the minority party, could you inform me whether or not this is an executive request bill? I read the papers and I thought the Governor wanted this bill to go into effect eventually, of course, but there is a celebration going on up there and they have already announced I am to be on the platform and so is Senator Petrich and a number of other dignitaries. This is my question: I understand that the Governor thought this was a good idea and we should all like to go and get out of here. After all, the bonds are paid. The county of Pierce has been paid and there isn't an ounce of heroics that hasn't been gotten out of this already on both sides. The Governor had his share. We had our share. Let's have a big celebration and get the tolls off that bridge. It's a tremendous thing. What are we haggling about?"

Senator Moriarty, Jr.:

"The question, if I understand correctly, Senator McCutcheon, is that the Governor is interested and would like to see this bill go through. It so happens some of us disagree with him. Frankly, I see no reason why we should take the Pierce county

representative who happens to be chairman of the House Highway Committee off of the hot seat on this one."

Debate ensued.

It was moved by Senator Talley that the motion by Senator Petrich be made a special order of business for 11:00 a. m., tomorrow.

Debate ensued.

Senator Petrich demanded a roll call and the demand was sustained by Senators Knoblauch, Kupka, Charette, McCutcheon, Morgan, Rasmussen, Mardesich and Lewis.

**PARLIAMENTARY INQUIRY**

Senator McCormack:

"Point of parliamentary inquiry, Mr. President:

"This bill deals with highways in general, Mr. President, is that right?"

**REPLY BY THE PRESIDENT**

The President:

"It deals with the Tacoma Narrows bridge and the lifting of the tolls thereon."

Senator McCormack:

"Mr. President, my question is, could the highway omnibus bill be added to this as an amendment? Would it be a legitimate, germane amendment?"

**POINT OF ORDER**

Senator McCutcheon:

"Mr. President, point of order:

"This is anticipating something that hasn't been brought before the body and I don't think the President should pass in anticipation about what might happen in the future."

**REPLY BY THE PRESIDENT**

The President:

"The President could refer Senator McCormack to the rule which states when a bill is on second reading, it is subject to amendment."

Senator McCormack:

"Thank you, Mr. President."

**ROLL CALL**

The Secretary called the roll on the motion by Senator Talley that the motion by Senator Petrich be made a special order of business for 11:00 a. m., tomorrow and the motion was lost by the following vote: Yeas, 21; nays, 22; absent or not voting, 6.

Those voting yea were: Senators Atwood, Bailey, Chytil, Connor, Freise, Greive, Guess, Hallauer, Keefe, Lennart, McMillan, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Talley, Washington, Woodall—21.

Those voting nay were: Senators Charette, Cooney, Cowen, Donohue, Dore, Gallagher, Gissberg, Hanna, Herr, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Sandison, Thompson, Jr., Williams—22.

Absent or not voting: Senators Durkan, England, Foley, Henry, Herrmann, Stender—6.

The President declared the question before the Senate to be the motion by Senator Petrich that the Committee on Highways be relieved of further consideration of House Bill No. 713.

Debate ensued.

Senator Petrich demanded a roll call and the demand was sustained by Senators Dore, Mardesich, Lewis, Woodall, Knoblauch, Kupka, McCutcheon, Rasmussen and Charette.

#### ROLL CALL

The Secretary called the roll, and the motion by Senator Petrich was carried by the following vote: Yeas, 23; nays, 22; absent or not voting, 4.

Those voting yea were: Senators Charette, Connor, Cooney, Dore, Foley, Gallagher, Hanna, Herr, Herrmann, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Sandison, Thompson, Jr., Washington, Williams—23.

Those voting nay were: Senators Atwood, Bailey, Chytil, Cowen, Donohue, Freise, Gissberg, Greive, Guess, Hallauer, Keefe, Lennart, McMillan, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Riley, Ryder, Talley, Woodall—22.

Absent or not voting: Senators Durkan, England, Henry, Stender—4.

#### PARLIAMENTARY INQUIRY

Senator Petrich:

"Mr. President, do I understand that we are now on second reading with House Bill No. 713?"

#### REPLY BY THE PRESIDENT

The President:

"No, Senator Petrich. The Senate is still on the first order of business. The Highways Committee has just been relieved of further consideration of the bill. Therefore, unless the Senate wishes to take other action, House Bill No. 713 will be passed to second reading. In essence, it would be referred to the Committee on Rules and Joint Rules."

#### MOTIONS

It was moved by Senator Petrich that the rules be suspended, that House Bill No. 713 be advanced to second reading and take its place on the second reading calendar for today, immediately following consideration of House Bill No. 137.

The motion was carried.

It was moved by Senator Hallauer that the Committee on Constitution, Elections and Legislative Processes be relieved of further consideration of Reengrossed House Joint Resolution No. 25.

Debate ensued.

#### POINT OF INQUIRY

Senator Mardesich:

"Mr. President, would Senator McCutcheon yield?"

"Senator McCutcheon, having heard from Senator Washington on his position with respect to being relieved of further consideration of a bill, I was inclined to go along with him since he had no objection, but before I vote on this motion proposed by Senator Hallauer, I would like to hear from you as chairman of the committee what your position is?"

Senator McCutcheon:

"Thank you, Senator Mardesich, for asking this question. I am positive Senator Washington will go along with me on this and vote not to discharge the committee

in view of the fact while he was in favor of having the Narrows bridge bill brought out of his committee, he stated in a most persuasive manner, and his argument was unanswerable, that it hadn't reached his committee yet. It was in limbo or on the fly, and he didn't mind if it never got there.

"As far as I am concerned, I am not acquiescing and my position is totally different from that of Senator Washington. I do want to make a speech like Senator Hallauer did. May I have the floor?"

Debate ensued.

Senators Thompson, Jr., Williams and Peterson (Ted) demanded the previous question and the demand was sustained.

Senators Greive, Kupka and Gallagher demanded a Call of the Senate and the demand was sustained.

It was moved by Senator Hallauer that the Senate dispense with the Call of the Senate.

The motion was carried on a rising vote.

The President declared the question before the Senate to be the motion by Senator Hallauer that the Committee on Constitutions, Elections and Legislative Processes be relieved of further consideration of Reengrossed House Joint Resolution No. 25.

Senator Hallauer demanded a roll call and the demand was sustained by Senators Hanna, Charette, Rasmussen, Williams, Peterson (Ted), Atwood, Moriarty, Jr. and McCutcheon.

#### ROLL CALL

The Secretary called the roll and the motion by Senator Hallauer was lost by the following vote: Yeas, 13; nays, 28; absent or not voting, 8.

Those voting yea were: Senators Atwood, Charette, Freise, Hallauer, Hanna, Moriarty, Jr., Neill, Peterson (Ted), Rasmussen, Ryder, Washington, Williams, Woodall—13.

Those voting nay were: Senators Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Gallagher, Greive, Guess, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Raugust, Redmon, Sandison, Talley, Thompson, Jr.—28.

Absent or not voting: Senators Bailey, Durkan, Foley, Gissberg, Henry, McCormack, Riley, Stender—8.

#### PARLIAMENTARY INQUIRY

Senator Woodall:

"Point of parliamentary inquiry, Mr. President:

"When a bill is referred to a committee under specific instructions with a time limit, if the chairman of that committee, after due diligence, cannot obtain any action by his members, does not the prior mandate of the body automatically return the bill to the body to the end that the chairman cannot be deemed to have been deficient in his duties and so that he need not appear to be dilatory and be blamed for the failure of his members? Does not the bill automatically return at the end of the stipulated period?"

Senator Herrmann:

"Mr. President, point of parliamentary inquiry:

"Would not the action of the Senate now make this a moot question as far as this particular matter is concerned? I think the full body has decided."

## MOTIONS

Senator Thompson, Jr.:

"Mr. President:

"I move that the Chair take this under advisement and report back on the parliamentary inquiry at a proper time."

The motion was carried.

On motion of Senator Dore, the Senate advanced to the seventh order of business.

## SECOND READING OF BILLS

**Engrossed House Bill No. 137**, by Representatives Litchman, Kink, Andersen (James A.), Lux, King (Richard "Dick"), Chatalas, Moon, Leland, Ahlquist, Johnson (Doris), Garrett, Taylor, Gallagher, Marzano, Kirk, Smith, O'Donnell, Brouillet, Olsen, Pritchard, Bottiger, Valle, Sawyer, Uhlman, Whetzel, Radcliffe, Copeland, O'Brien, Witherbee, Pierre, Haussler, Bozarth and Backstrom:

Authorizing the establishment of five additional community colleges.

## REPORT OF STANDING COMMITTEE

**Engrossed House Bill No. 137:**

Senate Chamber,  
Olympia, Wash., April 3, 1965.

Authorizing the establishment of five additional community colleges (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 11, chapter 198, Laws of 1961, as amended by section 9, chapter 2, Laws of 1963 first extraordinary session, and RCW 28.84.260 are each amended to read as follows:

"[The following named institutions are hereby recognized as community colleges within the meaning of this chapter: (1) Centralia Junior College, (2) Clark College, (3) Columbia Basin College, (4) Everett Junior College, (5) Grays Harbor College, (6) Lower Columbia Junior College, (7) Olympic College, (8) Skagit Valley College, (9) Wenatchee Valley College, (10) Yakima Valley Junior College, (11) Peninsula College, (12) Highline College, and (13) Big Bend Community College. The state board of education may authorize the establishment and determine the location of four additional community colleges, two of which shall not begin active operation until the commencement of the 1965-1966 community college school year: *Provided*, That the state board shall determine the location of the four community colleges prior to July 1, 1964. Thereafter additional community colleges shall be established only by express action of the legislature after consideration of the recommendations of the state board of education.] *The following named institutions are hereby recognized as community colleges within the meaning of this chapter: (1) Centralia Community College, (2) Clark Community College, (3) Columbia Basin Community College, (4) Everett Community College, (5) Grays Harbor Community College, (6) Lower Columbia Community College, (7) Olympic Community College, (8) Skagit Valley Community College, (9) Wenatchee Valley Community College, (10) Yakima Valley Community College, (11) Peninsula Community College, (12) Highline Community College, (13) Big Bend Community College, (14) Green River Community College, (15) Shoreline Community College, (16) Spokane Community College, (17) Tacoma Community College, (18) Seattle Community College, (19) Bellevue Community College, (20) Edmonds Community College, (21) Clover Park Community College, and (22) Walla Walla Community College: PROVIDED, That Edmonds Community College, Clover Park Community College, and Walla Walla Community College shall not commence operations prior to September 1, 1967.*

**NEW SECTION.** Sec. 2. From any amounts which may be appropriated for the operation of community colleges in the general appropriations act of the state, the state board of education may allocate not more than one hundred fifty thousand dollars

to the Seattle, Bellevue, Edmonds, Clover Park, and Walla Walla school districts to be used by them for the purpose of performing the necessary preliminary planning and organization essential to the commencement of operations of the community colleges in said districts: *Provided*, That the allocation to any one of the foregoing districts shall not exceed fifty thousand dollars."

FRANK W. FOLEY, *Chairman*.

FRED H. DORE, *Chairman*,

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,

Committee on Revenue and Regulatory.

We concur in this report: Robert C. Bailey, Frank Connor, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, William A. Gissberg, R. R. Bob Greive, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, John A. Petrich, A. L. Rasmussen, Edward F. Riley, Gordon Sandison, Albert C. Thompson, Jr., Walter B. Williams.

The bill was read the second time by sections.

It was moved by Senator Dore that the committee amendment be adopted.

It was moved by Senator Thompson, Jr. that the following amendment be adopted: Senators Thompson, Jr., Riley and Neill to the committee amendment be adopted:

Amend the Senate committee amendment by inserting the following after the first paragraph appearing on page 2 thereof:

"Sec. 2. Section 1, chapter 198, Laws of 1961 and RCW 28.84.170 are each amended to read as follows:

A community college shall be an institution established with the approval of the state board of education and maintained and operated by a school district, offering two years post high school curricula of general education [or] and vocational-technical education [, or both]. The community college program shall offer

[: (1) Curricula designed as preparatory to admission to an institution of higher learning with advanced standing, or (2) Curricula designed as preparatory and/or as an extension to vocational-technical pursuits, or both, and may offer in addition thereto either or both of the following:

(a) Curricula designed for adult education, or

(b) A continuing course of activities designed to fulfill the cultural needs of the community, including, but not limited to, lectures and lecture forums, art, science and natural history exhibits, seminars, discussion groups, library discussion groups and consultative use of members of the faculty in the community] *curricula designed (1) as preparatory to admission to an institution of higher learning with advanced standing;*

*(2) as vocational-technical pursuits; and*

*(3) as an extension of vocational-technical pursuits.*

*In addition thereto community college program may offer curricula designed for*

*(a) adult education; and*

*(b) a continuing course of activities designed for community service and to fulfill the cultural needs of the community."*

Renumber existing section 2 as section 3.

Debate ensued.

#### POINT OF INQUIRY

Senator Atwood:

"Mr. President, would Senator Thompson yield to a question?

"Senator, this amendment would not have the effect, would it, of forcing a district that just has a vocational-technical school to go into a community college program?"

Senator Thompson, Jr.:

"Senator Atwood, in Bellingham you have a very fine vocational and technical school. It is my understanding the Bellingham school board has never even discussed or requested community college consideration. It is also my understanding that the bill directs itself only to those districts that have a community college and would not affect the vocational or technical program that exists without a community college. Further, it is a different section of the law, so I can assure you that it would do nothing to impair the vocational-technical school you have in Bellingham."

Senator Atwood:

"One further question:

"It would not force the Bellingham school district to go into an educational curricula in conjunction with the vocational-technical school?"

Senator Thompson, Jr.:

"In my judgment, it would not."

Senator McCutcheon:

"Would Senator Thompson yield?"

"Putting that in reverse, would it force the community college, for instance in Tacoma, to have another vocational school?"

Senator Thompson, Jr.:

"I certainly don't think the Tacoma school district in developing its community college would go into the type of vocational-technical education that they have handled so well in the technical school with the equipment that is necessary and so forth. But there are many subject areas which could be identified as vocational-technical education that are not going to require a great deal of machinery. For example, data processing would be a subject that could be taught in a classroom and not require machinery and equipment that exists in a technical school today. I do not see this as duplicating the very fine program that you have in your technical school, but rather offering a vocational-technical education to all children."

Senator McCutcheon:

"Well, one more question: Don't we have a Board of Vocational Education as well as a Board of Education?"

Senator Thompson, Jr.:

"Yes, sir, we do, and this bill reads that a community college shall be an institution established with the approval of the state Board of Education, separate and apart from the state Board of Education, and maintained and appropriated by the school district."

Senator McCutcheon:

"Well, there is an overlapping here. You're trying to consolidate."

Senator Thompson, Jr.:

"Senator McCutcheon, I don't feel it is an overlapping actually. You and I know that the state Board of Education has exactly the same membership as the state Board of Vocational Education and I feel there is complete harmony in the current administration and this is merely to establish that community colleges in areas where they do not have the opportunity of vocational-technical training, will be assured of this because of the requirement that they offer both academic and vocational training. I repeat again, I do not feel that it impairs or jeopardizes the existing fine vocational-technical programs that exist in some nine vocational schools in our state."

#### MOTION

It was moved by Senator Rasmussen that Engrossed House Bill No. 137 hold its place on the second reading calendar for tomorrow.

Debate ensued.

The motion was lost.

The President declared the question before the Senate to be the adoption of the amendment to the amendment.

The motion was carried and the amendment by Senators Thompson, Jr., Riley and Neil to the committee amendment was adopted.

The President declared the question before the Senate to be the adoption of the committee amendment as amended.

The motion was carried and the committee amendment as amended was adopted.



On motion of Senator Thompson, Jr. the following amendment to the title was adopted:

In line 1 of the title of the printed and engrossed bills, after "colleges;" and before "amending" insert "amending section 1, chapter 198, Laws of 1961 and RCW 28.84.170;"

On motion of Senator Dore, the rules were suspended, Engrossed House Bill No. 137, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator McCutcheon:

"Mr. President, would Senator Petrich yield to a question?"

"Senator Petrich, were you on the subcommittee that drafted some of the legislation with reference to Edmonds, Clover Park and Walla Walla? I know you were."

Senator Petrich:

"Yes, Senator."

Senator McCutcheon:

"What is the purpose and intent of this act as you understand it as to the authorizing of community colleges in the districts of Edmonds, Clover Park and Walla Walla?"

Senator Petrich:

"Senator McCutcheon, members of the Senate, as chairman of the special subcommittee which handled this particular matter, as I understand it, it was the purpose and intent of this act, as presently amended, that there would be authorized upon the effective date of this measure, five new community colleges, namely; Seattle, Bellevue, Edmonds, Clover Park and Walla Walla. This was in accordance with the recommendation of five new community colleges by the interim Committee on Education. However, due to the fact that Seattle and Bellevue were further ahead in their program and planning and financing, and further due to the fact of the limitation of state funds available for this program throughout the state in support of the program, it was deemed in the wisdom of the committee and it was the purpose of this particular measure that these three, namely; Edmonds, Clover Park and Walla Walla, be authorized by this particular act as community colleges effective the date thereof, but would postpone their full operation and the commencement of their operation as schools."

Senator Freise:

"Mr. President, would Senator Petrich yield?"

"To carry on the questioning started by the Senator, when are those last three colleges to start: Edmonds, Clover Park and Walla Walla?"

Senator Petrich:

"Well, Senator, they are authorized now on the effective date of the act. They are to commence operations some time just immediately after September 1st, 1967."

Senator Rasmussen:

"Mr. President, would Senator Petrich yield?"

"Senator Petrich, wasn't it also thought that Clover Park would be able to get 240 acres free for this purpose?"

Senator Petrich:

"The purpose, Senator Rasmussen, was to authorize these starts because of the need and demand for community colleges throughout the area and specifically in Pierce county. As an aside, I expect that this will assist the community in Clover Park school district to acquire some surplus land from the federal government which they will need for their community college."

Further debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed House Bill No. 137, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Wood—all—44.

Absent or not voting: Senators Foley, Gissberg, Herr, Herrmann, Stender—5.

Engrossed House Bill No. 137, as amended by the Senate, having received the constitutional majority, was declared passed.

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

On motion of Senator Thompson, Jr. Engrossed House Bill No. 137 was ordered immediately transmitted to the House.

There being no objection, the Senate returned to the fifth order of business. The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., April 28, 1965.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 489 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF FREE CONFERENCE COMMITTEE**

Olympia, Wash., April 28, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Engrossed Senate Bill No. 489, creating a temporary advisory council on public higher education and setting forth its powers and duties, have had the same under consideration, and we recommend that Engrossed Senate Bill No. 489 be amended to read as follows:

"An Act creating a temporary advisory council on public higher education and setting forth its powers and duties; making an appropriation; providing an expiration date; and declaring an emergency.

*Be It Enacted by the Legislature of the State of Washington:*

**NEW SECTION.** Section 1. As used in this act unless the context indicates otherwise, the following words and phrases shall have the following meaning:

(1) "Council" means the temporary advisory council on public higher education; and

(2) "Institutions of public higher education" means the state universities, state colleges and public community colleges, including vocational, technical, and other programs beyond high school.

**NEW SECTION.** Sec. 2. There is hereby created the temporary advisory council on public higher education which shall meet, act, and conduct its business at any place within the state of Washington.

**NEW SECTION.** Sec. 3. The council shall have the following membership:

(1) The presidents of each of the state universities and each of the state colleges;

(2) The presidents of two of the public community colleges of the state who shall be appointed by the governor;

(3) Five senators to be selected by the president of the senate, not more than three from the same political party, and five representatives to be appointed by the speaker of the house, not more than three from the same political party; and

(4) Seven members to be appointed by the governor, one from each United States congressional district in the state, no more than four of whom shall be members of the same political party.

**NEW SECTION.** Sec. 4. The members of the council shall receive no compensation but shall receive per diem in an amount not to exceed twenty-five dollars per day while attending to the business of the council, and their necessary travel and subsistence expenses. Payment of per diem and expenses shall be made upon vouchers approved by persons designated by the council.

**NEW SECTION.** Sec. 5. The council shall, by majority vote, select from among the members a chairman, who shall be a legislator, and shall, by majority vote, appoint and fix salary for a full time executive secretary, who shall not be a member of the council, but who shall serve as secretary to the council. The executive secretary shall employ such staff as the council shall deem appropriate. The council is authorized to retain professional consultants as deemed necessary to further the purposes set forth herein.

**NEW SECTION.** Sec. 6. The council shall, by majority vote, select appropriate subcommittees, and prescribe rules of procedure for itself and its subcommittees which are not inconsistent with this act. Both the council and any subcommittees shall be authorized to conduct hearings throughout the state and shall have power to require data from all public institutions and agencies concerned with education in the state of Washington and from such other public agencies as may provide information helpful to the council in carrying out its functions. In furthering the purposes of this act, the council shall have authority to select and consult with interested citizen groups, but such groups shall not receive expenses.

**NEW SECTION.** Sec. 7. The council, after consultation with the respective institutions of public higher education and the central budget agency shall make recommendations for the establishment of a uniform and standardized system of reporting statistical and financial information for institutions of public higher education. The council shall have power to require the institutions of public higher education to submit data on costs, selection and retention of students, enrollments, plant capacities, and other matters pertinent to effective planning and coordination.

**NEW SECTION.** Sec. 8. The council is hereby directed to study the problems and needs of public higher education in the state of Washington, and shall have the following functions, advisory to the governing boards of the institutions of public higher education, to appropriate state officials, and to the legislature:

(1) To review the functions, facilities, and programs of the institutions of public higher education so that there will be efficient use of resources and avoidance of unnecessary duplication;

(2) To submit to the governor and to the legislature, not less than sixty days prior to the 1967 regular session of the legislature, a report which describes problems and needs of public higher education and contains recommendations as to necessary or desirable changes, if any, in the functions and programs of the institutions of public higher education;

(3) To develop plans for the orderly growth of public higher education and to make specific recommendations on the need for and location of new facilities and programs, including therein a recommendation as to a new institution of public higher education within the state. If the finding by at least three-fourths of the members of the council is that an institution of public higher education should be immediately initiated, the council is authorized by a vote of at least two-thirds of the members of the council, who are not legislators, to locate a specific site for a new four-year state college and so inform the governor before October, 1966.

**NEW SECTION.** Sec. 9. The council from time to time shall consult with the representatives of private institutions of higher education in the state regarding any recommendations they may develop under section 8 subsection (3) above.

**NEW SECTION.** Sec. 10. The council may add to the funds made available by the legislature for the administration of this act any federal funds which may be available to the state of Washington for research in higher education under the terms of an act or acts of congress or any private grants or gifts, provided such federal or private funds may be allocated and expended in accordance with the authority, powers, and procedures given or authorized to the council in this act.

**NEW SECTION.** Sec. 11. There is hereby appropriated out of the general fund to the temporary advisory council on public higher education for the biennium ending June 30, 1967 to carry out the purposes of this act the sum of one hundred thousand dollars, or so much thereof as may be necessary.

*NEW SECTION.* Sec. 12. This act shall be of no further effect upon the convening of the fortieth regular session of the legislature and the committee herein created shall be deemed abolished at such time.

*NEW SECTION.* Sec. 13. If any provision of this act, or its application to any person or circumstances is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

*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."

*Senate Members*

GORDON SANDISON  
WILBUR G. HALLAUER  
R. FRANK ATWOOD

*House Members*

FRANK B. BROUILLET  
CHARLES MOON  
HELMUT L. JUELING

On motion of Senator Sandison, the report of the Free Conference Committee was adopted.

**POINT OF INQUIRY**

Senator Petrich:

"Would Senator Sandison yield to a question?"

"Senator, it is my understanding that if the non-legislative members decide as to the location of the college that the legislature is then precluded from reviewing or making a decision as to the location of the college?"

Senator Sandison:

"No, that is not correct. That will be part of the committee report as to its recommendation, but of course it would have to be authorized or ratified in the manner of an appropriation by the next session of the legislature."

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 489, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 41; nays, 2; absent or not voting, 6.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Washington, Williams, Woodall—41.

Those voting nay were: Senators McMillan, Petrich—2.

Absent or not voting: Senators Foley, Gissberg, Herr, Stender, Talley, Thompson, Jr.—6.

Engrossed Senate Bill No. 489, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

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

On motion of Senator Atwood, Senator Stender was excused.

There being no objection, the Senate advanced to the seventh order of business.

**SECOND READING OF BILLS**

**House Bill No. 713**, by Representatives Sawyer, Swayze, Humiston, Wang, Marzano, Brouillet, Sheridan, Bottiger, Gallagher, Rogers, Beck, Newschwander and Jueling (by Executive request):

Removing tolls from Narrows bridge.

The bill was read the second time by sections.

It was moved by Senator Talley that the following amendment be adopted:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 47.20.010, chapter 13, Laws of 1961 as amended by section 5, chapter 3, Laws of 1963 extraordinary session and RCW 47.20.010 are each amended to read as follows:

Secondary state highways as branches of primary state highway No. 1 are established as follows:

Secondary state highway No. 1A; beginning at a junction with the Mt. Baker branch of primary state highway No. 1 in the vicinity of Lawrence, thence in a northerly direction to the international boundary at Sumas; also beginning at a junction with secondary state highway No. 1A in the vicinity of Nooksack, thence southwesterly by way of Everson to a junction with secondary state highway No. 1B in the vicinity of Wiser Lake; also beginning at a junction with the Mt. Baker branch of primary state highway No. 1 in the vicinity of Deming, thence in a southerly direction by way of Sedro Woolley, Arlington and Snohomish to a junction with primary state highway No. [2 in the vicinity] 15 north of Woodinville;

Secondary state highway No. 1B; beginning at Bellingham on primary state highway No. 1, thence in a northerly direction to the international boundary in the vicinity east of Delta; also beginning at a junction with secondary state highway No. 1B approximately 2.7 miles south of the international boundary, thence easterly by way of Van Buren to a junction with secondary state highway No. 1A.

Sec. 2. Section 47.20.320, chapter 13, Laws of 1961 and RCW 47.20.320 are each amended to read as follows:

Secondary state highways as branches of primary state highway No. 7 are established as follows:

Secondary state highway No. 7C; beginning in the vicinity of the east end of the Vantage bridge on primary state highway No. 7, thence in a southerly direction parallel to the east bank of the Columbia river for a distance of approximately two and one-half miles, thence southeasterly in the vicinity of Othello, thence easterly to a junction with primary state highway No. 11, thence easterly to a junction with secondary state highway No. 11B in the vicinity of Washtucna; also, beginning at a junction with secondary state highway No. 7C south of the Columbia river bridge at Vantage, thence southerly and easterly by way of Beverly and Arrowsmith to a junction with secondary state highway No. 11A north of its crossing of the Columbia river [ : *Provided*, That until such time as secondary state highway No. 7C is actually constructed on the location adopted by the highway commission, no existing county roads shall be maintained or improved by the highway commission as a temporary route of said secondary state highway No. 7C].

Sec. 3. Section 41, chapter 21, Laws of 1961 extraordinary session and RCW 47.20.351 are each amended to read as follows:

[Upon the completion of reconstruction of primary state highway No. 8 between Maryhill and Paterson, that portion of primary state highway No. 8 beginning at a junction with primary state highway No. 8 in the vicinity south of Goldendale, thence in an easterly direction via Goodnoe Hills to a junction with the new location of primary state highway No. 8 west of Roosevelt, shall revert to Klickitat county. At such time] Secondary state highway No. 8E shall be established as a branch of primary state highway No. 8 as follows:

Secondary state highway No. 8E; beginning at a junction with primary state highway No. 8 in the vicinity of Lyle, thence northeasterly by way of Klickitat to a junction with primary state highway No. 8 in the vicinity of Goldendale.

Sec. 4. Section 47.20.440, chapter 13, Laws of 1961 as amended by section 14, chapter 3, Laws of 1963 extraordinary session and RCW 47.20.440 are each amended to read as follows:

Secondary state highways as branches of primary state highway No. 12 are hereby established according to designation and description as follows:

Secondary state highway No. 12A; beginning at a junction with primary state highway No. 12 at Seaview, thence in a northerly direction by the most feasible route by way of Long Beach to Ocean Park;

Secondary state highway No. 12B; beginning at [Megler] Point Ellice on primary state highway No. 12, thence in an easterly and northerly direction to a junction with primary state highway No. 12 in the vicinity north of Naselle.

Sec. 5. Section 47.16.010, chapter 13, Laws of 1961 as last amended by section 21, chapter 3, Laws of 1963 extraordinary session and RCW 47.16.010 are each amended to read as follows:

A primary state highway to be known as primary state highway No. 1, or the Pacific highway, is established as follows: Beginning at the international boundary

line in the vicinity of Blaine, in Whatcom county, thence in a southerly direction by way of Bellingham, thence to the east of Lake Samish, thence in a southerly direction by way of Mt. Vernon, Everett, Seattle, Tacoma, Olympia, Centralia, Chehalis, Kelso, and Vancouver to the Washington-Oregon boundary line on the interstate bridge over the Columbia river; also beginning at Bellingham on primary state highway No. 1, thence in an easterly direction to a point in the vicinity of Austin Pass in Whatcom county; also beginning at Bellingham on primary state highway No. 1, thence in a southerly direction by way of Blanchard to a junction with primary state highway No. 1, in the vicinity of Mt. Vernon; also beginning at Mt. Vernon on primary state highway No. 1, thence in a westerly direction to Anacortes; [also beginning at Everett in the vicinity of Broadway avenue, thence in a southwesterly direction to a junction with primary state highway No. 1, in the vicinity south of Everett;] also beginning at a junction of primary state highway No. 1 south of Marysville to Marysville; also beginning at a junction with primary state highway No. 1 in the vicinity of Marysville, thence easterly to a junction with secondary state highway No. 1A: *Provided*, That until such time as the branch of primary state highway No. 1 from Marysville to a junction with secondary state highway No. 1A is actually constructed on the location adopted by the state highway commission, no existing city streets or county roads shall be maintained or improved by the state highway commission as a temporary route of said primary state highway No. 1; also beginning on primary state highway No. 1 in the vicinity south of Seattle, thence in a northeasterly direction to Renton, thence northerly east of Lake Washington to primary state highway No. 1 north of Seattle; and also until the federal aid interstate route No. 1 through Seattle is open to through traffic, beginning on primary state highway No. 1 in the vicinity south of Seattle, thence in a northwesterly direction west of the Duwamish river to Seattle, also beginning at Seattle on primary state highway No. 1, thence via the Evergreen Point bridge to a junction with [primary state highway No. 1 east of Lake Washington] *primary state highway No. 2 in the vicinity of Redmond*; also beginning on primary state highway No. 1 in the vicinity of Salmon Creek, north of Vancouver, thence in a southeasterly direction to the Washington-Oregon boundary line in the vicinity east of Vancouver.

**NEW SECTION.** Sec. 6. There is appropriated from the motor vehicle fund to the Washington state highway commission the sum of two hundred fifty-three thousand dollars, or so much thereof as may be necessary for the cost of preliminary engineering, including location surveys and preparation of plans for extending the present Evergreen Point bridge highway route of PSH No. 1 easterly from its junction with primary state highway No. 1 (FAI 405) to a junction with primary state highway No. 2 (SR 522) vicinity of Redmond.

Sec. 7. Section 47.16.030, chapter 13, Laws of 1961 and RCW 47.16.030 are each amended to read as follows:

A primary state highway to be known as primary state highway No. 3, or the Inland Empire highway, is hereby established according to description as follows: Beginning at a junction with primary state highway No. 2 in the vicinity east of Cle Elum, thence southeasterly by the most feasible route by way of Ellensburg, Yakima, Pasco and Wallula to Walla Walla, thence in a northerly direction by the most feasible route by way of Dayton, Dodge, Colfax, Rosalia, Spokane and Colville to the international boundary line in the vicinity of Laurier; *with a spur from a point on primary state highway No. 3 as herein described in the vicinity of Union Gap, southeasterly to a suitable crossing of the Columbia river to connect with interstate highway No. 80-N in Oregon*; also beginning at a junction with primary state highway No. 3, as herein described, in the vicinity of Dodge, thence in an easterly direction by the most feasible route by way of Pomeroy and Clarkston to the Washington-Idaho boundary line; also beginning at Clarkston on primary state highway No. 3, as herein described, thence in a southerly direction by the most feasible route by way of Asotin to the Washington-Oregon boundary line, also beginning at Wallula on primary state highway No. 3, as herein described, thence in a southwesterly direction to the Washington-Oregon boundary line; also beginning at Walla Walla on primary state highway No. 3, as herein described, thence in a southerly direction to the Washington-Oregon boundary line; also beginning at a junction with primary state highway No. 3, as herein described, in the vicinity south of Rosalia, thence in a southerly direction by the most feasible route by way of Pullman to a point of junction southeast of Uniontown, thence in an easterly direction by two most feasible routes to two points on the Washington-Idaho boundary line; also beginning at Colfax on primary state highway No. 3,

as herein described, thence in a southeasterly direction by the most feasible route to Pullman on primary state highway No. 3, as herein described, thence in an easterly direction by the most feasible route to a point on the Washington-Idaho boundary line, also beginning at Palouse on primary state highway No. 3, as herein described, thence in a northeasterly direction by the most feasible route to a point on the Washington-Idaho boundary line.

Sec. 8. Section 47.16.080, chapter 13, Laws of 1961 as amended by section 2, chapter 21, Laws of 1961 extraordinary session and RCW 47.16.080 are each amended to read as follows:

A primary state highway to be known as primary state highway No. 8, or the Evergreen highway, is established as follows: Beginning at Vancouver on primary state highway No. 1, thence in an easterly direction by way of Stevenson to Goldendale, thence in a northeasterly direction by way of Satus Pass to junction with primary state highway No. 3, southeast of Yakima; also beginning at a junction with primary state highway No. 8, in the vicinity of Maryhill, thence in a southerly direction to connect with the approach to the Biggs Rapids toll bridge across the Columbia river; also, beginning in the vicinity of Maryhill, running thence easterly along the north bank of the Columbia river to a point in the vicinity of Plymouth, thence in a northeasterly direction to a junction with primary state highway No. 3, in the vicinity of Kennewick; also, beginning at a junction with primary state highway No. 8 in the vicinity of Paterson, thence in a northerly direction to a junction with secondary state highway No. 3A in the vicinity of Prosser.

[The route of primary state highway No. 8 beginning at a junction with primary state highway No. 8, in the vicinity of Maryhill, thence in a southerly direction to the ferry landing of the Maryhill ferry on the Columbia river shall remain a part of such highway until the Biggs Rapids toll bridge and approaches are connected and open to traffic.]

Sec. 9. Section 47.16.120, chapter 13, Laws of 1961 as amended by section 2, chapter 3, Laws of 1963 extraordinary session and RCW 47.16.120 are each amended to read as follows:

A primary state highway to be known as primary state highway No. 12, or the Ocean Beach highway, is hereby established according to description as follows: Beginning at Chehalis on primary state highway No. 1, thence in a westerly direction by the most feasible route by way of Raymond to South Bend, thence southerly by the most feasible route to the vicinity of a location known as Johnson's Landing, thence southeasterly by the most feasible route by way of Kelso to primary state highway No. 1; also beginning at a junction with primary state highway No. 12, as herein described, in the vicinity of a location known as Johnson's Landing, thence southwesterly by the most feasible route to Ilwaco, thence southeasterly by the most feasible route to [Megler] the Oregon boundary on the interstate bridge at Point Ellice; also from a junction with primary state highway No. 12, as herein described, in the vicinity northeast of Ilwaco, thence southerly by the most feasible route to a junction with primary state highway No. 12, as herein described, at a point east of Ilwaco; also beginning at Longview on primary state highway No. 12, as herein described, thence in a southeasterly direction by the most feasible route to a junction with primary state highway No. 1, south of Kelso; also from a junction with primary state highway No. 12, in Kelso, northeasterly to a junction with primary state highway No. 1; also beginning at a junction with primary state highway No. 12, as herein described, at a point where it intersects with Oregon Way in the city of Longview, thence in a southerly direction by the most feasible route to [a point approximately fifty feet north of the center line of the Columbia river dike and adjacent to the easterly side of the approach to the Longview bridge, as the same is defined in RCW 47.56.370] the Oregon boundary on the interstate bridge at Longview.

[The joint committee on highways and state highway commission are directed to confer with the proper agencies of the state of Oregon relative to the addition of both the Washington and Oregon portions of the Longview bridge to the respective state highway systems.]

NEW SECTION. Sec. 10. There is added to chapter 13, Laws of 1961 and to chapter 47.56 RCW a new section to read as follows:

Upon the retirement of all Longview toll bridge revenue bonds, the Longview bridge shall become toll free. The Washington state highway commission shall thereafter maintain the approaches and that portion of said bridge lying within the state of Washington as a part of the state highway system.

**NEW SECTION.** Sec. 11. There is added to chapter 13, Laws of 1961 and to chapter 47.56 RCW a new section to read as follows:

The Washington state highway commission is directed to confer with the proper agencies of the state of Oregon to arrange for the maintenance of that part of the Longview bridge lying within the boundaries of Oregon by the state of Oregon or one of its political subdivisions. In the event that neither the state of Oregon nor any of its political subdivisions will maintain that part of the Longview bridge lying within Oregon, then, upon the retirement of the Longview toll bridge revenue bonds, the Washington state highway commission is authorized to maintain all of the bridge using regular highway maintenance funds in order to protect the life and usefulness of the entire bridge.

Sec. 12. Section 47.16.190, chapter 13, Laws of 1961 as amended by section 7, chapter 21, Laws of 1961 extraordinary session and RCW 47.16.190 are each amended to read as follows:

A primary state highway to be known as primary state highway No. 21, or the Kitsap Peninsula highway, is hereby established according to description as follows: Beginning at a junction with primary state highway No. 9 near the mouth of the Skokomish river, thence in a northeasterly direction along the southeast shore of Hood Canal to the vicinity of Belfair, thence northeasterly by the most feasible route to Bremerton, thence northerly and easterly by the most feasible route in the vicinity of Poulsbo to Port Gamble, thence southerly and easterly to Kingston; also beginning on primary state highway No. 21 at Bremerton easterly to the ferry terminal in Bremerton; also beginning at Keyport, thence in a westerly direction by the most feasible route to a junction with primary state highway No. 21, as herein described.

[The route of primary state highway No. 21, beginning at Lofall established by section 4, chapter 383, Laws of 1955 shall remain a part of such highway to service ferry traffic and shall not be superseded by this section until the Hood Canal bridge and approaches are constructed and opened to traffic.]

**NEW SECTION.** Sec. 13. The joint committee on highways, jointly with the Washington state highway commission, shall consider the following highway additions by undertaking a comprehensive study with reconnaissance surveys as may be necessary, including location, reconstruction costs and roadway design to accomplish an evaluation with respect to their being a part of the modern integrated state highway system. Unless otherwise specified, all studies shall be completed by June 1, 1966:

(1) A highway beginning at a point on primary state highway No. 1, west of Mountlake Terrace, thence southerly to a point on secondary state highway No. 2B at the King-Snohomish county line.

(2) A new section of primary state highway No. 3 in Asotin county beginning at the north end at the Grande Ronde river bridge on primary state highway No. 3, thence northeasterly to the vicinity of Rogersburg. The study shall include the feasibility of ultimately relocating primary state highway No. 3 through Rogersburg northerly to Asotin.

(3) An extension of primary state highway No. 3 to form a loop beginning at a point on existing primary state highway No. 3 west of Walla Walla, thence easterly and southerly by way of College Place to a point on primary state highway No. 3 south of College Place.

(4) An extension of secondary state highway No. 1S beginning at an intersection of old primary state highway No. 1 and secondary state highway No. 1S near the north city limits of Woodland, thence in a northwesterly direction along the route of old primary state highway No. 1 to the Burke Road Interchange (Log Dump Road Interchange) on existing primary state highway No. 1 (U.S. No. 99).

(5) A new section of secondary state highway No. 5-C from its junction with primary state highway No. 2 northerly, by the most feasible route, to a junction with primary state highway No. 1 which is the approved route of federal-aid interstate and defense highway No. 405 at the North Renton interchange.

(6) A new secondary state highway branch to primary state highway No. 3 beginning at a junction with primary state highway No. 3 southeast of Chewelah, thence in a westerly direction to a junction with secondary state highway No. 3J in the vicinity south of Valley.

**NEW SECTION.** Sec. 14. There is hereby appropriated from the motor vehicle fund to King county the sum of seven hundred thousand dollars. No money shall be available under this appropriation, unless King county shall by resolution of the board of county commissioners assign to the motor vehicle fund all of its right, title and interest in the initial deposit of seven hundred thousand dollars in the King county contribution



account in the Second Lake Washington toll bridge reserve fund, which deposit was made pursuant to the terms of an agreement executed by King county and the Washington toll bridge authority dated November 9, 1959 and the provisions of Resolution No. 341 of the Washington toll bridge authority adopted November 9, 1959. Nothing in this section shall be construed to relieve the county of its obligation to maintain the King county contribution account at the level required by the agreement of November 9, 1959 nor shall anything in this section be construed to relieve the Washington toll bridge authority of its obligation to repay the county for any such additional contribution.

**NEW SECTION.** Sec. 15. The Washington state highway commission is hereby authorized and directed to locate, construct, and pave a suitable highway on the most feasible route beginning at the intersection of Hill street and twenty-first street at the South entrance to the Western Washington State College campus and extending southerly and easterly around Sehome Hill to a connection with the Bellingham freeway (interstate route 5) at its intersection with Byron Avenue.

**NEW SECTION.** Sec. 16. The Washington state highway commission is authorized and directed to acquire by purchase, gift, condemnation, or otherwise, any and all private real estate rights and interests necessary to carry out the purpose of section 15 of this act. No action shall be taken by the commission under this act until the city of Bellingham shall adopt an ordinance providing that upon completion, the city will maintain such highway. The state highway commission may agree with the city of Bellingham to convey to the city the right of way which the city shall be required to maintain.

**NEW SECTION.** Sec. 17. There is hereby appropriated from the motor vehicle fund the sum of two hundred fifty-five thousand dollars or so much thereof as may be necessary to be expended by the state highway commission to carry out the provisions of sections 15 and 16 of this act.

**NEW SECTION.** Sec. 18. There is hereby reappropriated from the motor vehicle fund to the Washington state highway commission, for the biennium ending June 30, 1967, and for obligations incurred and not yet paid, the sum of two hundred fifty-five thousand dollars, the same being the unexpended balance of the appropriation contained in section 17 of this act, to carry out the provisions of sections 15 and 16 of this act.

**NEW SECTION.** Sec. 19. There is appropriated from the motor vehicle fund to the Washington state highway commission for the biennium ending June 30, 1967, the sum of two hundred forty thousand dollars or so much thereof as may be necessary for the construction of an approach road to the Central Washington State College campus on the most feasible route beginning at the intersection of North A Street and the Chicago, Milwaukee, St. Paul and Pacific Railroad in Ellensburg; thence northeasterly to Fourteenth Avenue; thence easterly on Fourteenth Avenue; thence southerly to the intersection of primary state highway No. 7. No construction authorized by this section shall be commenced by the state highway commission until the city of Ellensburg shall adopt an ordinance providing that upon completion, the city will maintain the approach road. The state highway commission may agree with the city of Ellensburg to convey to the city the right of way which the city of Ellensburg shall be required to maintain.

**NEW SECTION.** Sec. 20. There is reappropriated from the motor vehicle fund to the Washington state highway commission, for the biennium ending June 30, 1967, and for obligations incurred and not yet paid, the sum of five thousand dollars, the same being the unexpended balance of the appropriation contained in section 19, chapter 3, Laws of 1963, extraordinary session, for location and acquisition of right of way for the road described in section 19 of this act: *Provided*, That no expenditure authorized by this section shall exceed the unexpended balance of this appropriation as shown on the records of the central budget agency as of June 30, 1965.

**NEW SECTION.** Sec. 21. The Washington state highway commission is hereby authorized and directed to locate, construct, and pave a suitable highway on the most feasible route beginning in the vicinity of the field house of Eastern Washington State College and extending in a northeasterly direction to a connection with primary state highway No. 11 in the vicinity of the Northern Pacific Railway crossing.

**NEW SECTION.** Sec. 22. The Washington state highway commission is authorized and directed to acquire by purchase, gift, condemnation, or otherwise, any and all private real estate rights and interests necessary to carry out the purpose of section 21 of this act. No action shall be taken by the commission under this act until the city of Cheney shall adopt an ordinance providing that upon completion, the city

will maintain that part of the highway within its boundaries, and the county of Spokane shall adopt a similar ordinance with relation to that part of the highway lying in unincorporated area. The commission may agree with the county to convey to the county the right of way which the county shall be required to maintain and the commission may agree with the city of Cheney to convey to the city the right of way which the city of Cheney shall be required to maintain.

**NEW SECTION.** Sec. 23. There is hereby appropriated from the motor vehicle fund the sum of two hundred sixty thousand dollars or so much thereof as may be necessary to be expended by the state highway commission to carry out the provisions of sections 21 and 22 of this act.

**NEW SECTION.** Sec. 24. There is hereby reappropriated from the motor vehicle fund to the Washington state highway commission, for the biennium ending June 30, 1967, and for obligations incurred and not yet paid, the sum of two hundred sixty thousand dollars, the same being the unexpended balance of the appropriation contained in section 23 of this act, to carry out the provisions of sections 21 and 22 of this act.

**NEW SECTION.** Sec. 25. There is appropriated from the motor vehicle fund to the state highway commission the sum of one million five hundred seven thousand dollars or so much thereof as may be necessary to complete the construction of the four lanes on West Marginal Way from First Avenue South in Seattle to primary state highway No. 1.

**NEW SECTION.** Sec. 26. There is appropriated from the motor vehicle fund to the Washington state highway commission the sum of thirty thousand dollars or so much thereof as may be necessary to complete the design of an additional bridge crossing the Duwamish river at First Avenue South in Seattle.

**NEW SECTION.** Sec. 27. The state highway commission is authorized and directed to expend for maintenance of the Puget Island-Westport ferry a sum not to exceed four hundred dollars per month through June 30, 1967 for operation of said ferry as a temporary alternate route: *Provided*, That not more than fifty percent of the total monthly cost of operation and amortization costs of said ferry shall be paid by the highway commission and the balance of such cost shall be borne by Wahkiakum county. The monthly payments provided for herein shall be disbursed by warrant to Wahkiakum board of county commissioners and approved by the state highway commission.

There is hereby appropriated from the motor vehicle fund to the Washington state highway commission for the biennium ending June 30, 1967 the sum of nine thousand six hundred dollars, or so much thereof as may be necessary to carry out the provisions of this section.

Sec. 28. Section 47.20.180, chapter 13, Laws of 1961 and RCW 47.20.180 are each amended to read as follows:

Secondary state highways as branches of primary state highway No. 3 are established as follows:

Secondary state highway No. 3D; beginning at a junction with primary state highway No. 3 in the vicinity of Burbank, thence in a northeasterly direction by the most feasible route to a point in the vicinity of Eureka, thence in an easterly direction by the most feasible route to a junction with secondary state highway No. 3E in the vicinity of Prescott, *that portion of secondary state highway No. 3D lying between the junction with primary state highway No. 3 and the county road to Ice Harbor Dam to be known as "Ice Harbor Drive"*.

Sec. 29. Section 47.01.160, chapter 13, Laws of 1961 and RCW 47.01.160 are each amended to read as follows:

The state highway commission shall have the power and it shall be its duty:

(1) To conduct, control and supervise the state department of highways, and to designate and establish such department of highway district or branch offices as may be necessary and convenient, and, *subject to the provisions of chapter 41.06 RCW*, to appoint and employ and to determine the powers and duties together with the salaries and other expenses of such engineering, clerical, mechanical, and any and all other assistants as may be necessary or convenient in the exercise of the powers and in the discharge of its duties as the state highway commission.

(2) To keep at the office of the commission in the highway building at the state capitol a record of all proceedings and orders pertaining to the matters under its direction and copies of all maps, plans and specifications prepared by it, and to prepare and submit to the governor thirty days before each regular session of the legislature of the state of Washington a report of work constructed or under construction and

to make recommendations as to needed state highways and improvements of the state highway system, together with estimated cost thereof.

(3) To acquire property as authorized by law and to construct and maintain thereon any buildings or structures necessary and convenient for the exercise of the powers and the discharge of the duties of the commission and to construct and maintain any buildings or structures and appurtenances and facilities necessary or convenient to the health and safety and for the accommodation of persons traveling upon the state highways.

(4) To employ such qualified engineers who shall be registered professional engineers under the laws of the state of Washington, assistants and such other services and to provide such superintendents of construction, repair or maintenance work on any state highways as may be necessary to accomplish the completion thereof, and the expense so incurred together with the cost of any right of way necessary therefor, or land incidental thereto, shall be charged against the funds appropriated for the construction, repair or maintenance of state highways.

(5) To exercise all the powers and perform all the duties necessary, convenient, or incidental to the laying out, locating, relocating, surveying, constructing, altering, repairing, improving, and maintaining of any state highway, and of any bridges, culverts and embankments necessary or important therefor or for the protection or preservation thereof, and channel changes therefor and to examine and allow or disallow bills for any work done or materials furnished and to certify all claims allowed to the state auditor.

(6) To publish biennially and before the end of each even numbered year a report of the commission with such cumulative information as may be deemed important and such recommendations as may be deemed desirable for the future operation of the commission.

[(7) To devise and place in operation in the department of highways of the state of Washington a practical and workable merit system for the rating of employees of the department of highways and the same shall by it be followed as closely as possible in the classification of employees, setting of wages and the determination of eligibility for promotion, to effect the most efficient and economical conduct of the department of highways.]

[(8)] (7) To collect and compile and to publish, if it is deemed advisable, statistics relative to public highways throughout the state; to collect such information in regard thereto as is deemed expedient; to investigate and determine upon various methods of highway construction adaptable to different sections of the state; to investigate and determine the best methods of construction and maintenance of highways, roads and bridges; to gather and compile such other information relating thereto as shall be deemed appropriate, and to employ highway funds for the purpose of constructing test roads within the state of Washington and conducting investigations and research thereof in the state of Washington or elsewhere; to conduct on any highways, roads, or streets of this state, physical, traffic or other nature of inventory or survey considered of value in determining highway, road or street uses and needs.

[(9) To appoint, with the approval of the governor, a qualified assistant to act temporarily in the capacity of director of highways in his absence which assistant shall exercise all the powers and discharge all the duties of the director of highways during such absence.]

[(10)] (8) To exercise all powers and to perform all duties by any law granted to or imposed upon the state highway board, the state highway commission, the state highway committee, the director of public works by and through the division of highways, the supervisor of highways, and the state highway engineer.

[(11)] (9) To exercise all other powers and perform all other duties now or hereafter provided by law.

Sec. 30. Section 10, chapter 278, Laws of 1961 and RCW 47.56.034 are each amended to read as follows:

There shall be in the state highway commission a division of toll facilities. [The director of highways shall appoint, with the approval of the state highway commission, an assistant to be designated assistant director of toll facilities who shall have supervision of the division of toll facilities.] *The division of toll facilities shall perform all functions vested by law in the state highway commission relating to the acquisition, operation, design, construction, improvement, maintenance and repair of all toll bridges and other toll facilities, including the Washington state ferries.*

Sec. 31. Section 47.01.040, chapter 13, Laws of 1961 and RCW 47.01.040 are each amended to read as follows:

Each member of the state highway commission shall receive [twenty-five] *forty* dollars per diem for each day actually spent in the performance of his duties and his actual necessary traveling and other expenses in going to, attending and returning from meetings of the commission, and his actual and necessary traveling and other expenses incurred in the discharge of such duties as may be requested of him by a majority vote of the commission, but in no event shall a [commissioner's per diem payments exceed three thousand dollars in any one year] *commissioner be paid per diem in any one year in excess of one hundred fifty days, except the chairman of the commission who may be paid per diem for not more than one hundred eighty days.*

Sec. 32. Section 4, chapter 278, Laws of 1961 and RCW 47.56.023 are each amended to read as follows:

The appointive members and the highway commission members of the Washington toll bridge authority shall receive [twenty-five] *forty* dollars per diem for each day actually spent in performance of his duties, but in no event shall such a member's per diem payment exceed three thousand dollars in any one year; nor shall a highway commission member's total per diem pay for serving on the highway commission and on the authority exceed [forty-five hundred dollars] *the maximum per diem payments specified in RCW 47.01.040* in any one year. Each member of the authority shall receive his actual necessary traveling and other expenses in going to, attending, and returning from meetings of the authority, and his actual and necessary traveling and other expenses incurred in the discharge of such duties as may be requested of him by a majority vote of the authority.

Sec. 33. Section 3, chapter 173, Laws of 1963 and RCW 47.05.030 are each amended to read as follows:

The state highway commission shall adopt a long range plan for highway improvements, specifying highway planning objectives to be accomplished by [1975] *1981*, within the framework of revenue estimates for such period. The plan [initially] shall be based upon the construction needs for state highways as [reported in "A Report on Needs of the State Highway System" by] *contained in the current needs study report of the Washington state highway commission [dated July 1, 1960].* The long range objectives for the period ending in [1975] *1981* shall be as follows:

(1) One hundred percent completion of the presently established national system of interstate and defense highways;

(2) One hundred percent completion of the construction needs of those highways classified as a part of the principal state highway system;

(3) Declining percentages of completion of construction needs of those highways classified respectively as the major state highway system, the collector state highway system and the other state highway system.

**NEW SECTION.** Sec. 34. There is added to chapter 13, Laws of 1961 and to chapter 47.04 RCW a new section to read as follows:

Unless otherwise provided, whenever by statute a new highway or extension is added to either the primary or secondary state highway system, no existing city street or county road shall be maintained or improved by the state highway commission as a temporary route of such new highway or extension pending the construction of the new highway or extension on the location adopted by the state highway commission.

**NEW SECTION.** Sec. 35. There is added to chapter 19.28 RCW a new section to read as follows:

The provisions of this chapter shall not apply within the rights of way of state highways, provided the Washington state highway commission maintains and enforces an equal, higher or better standard of construction and of materials, devices, appliances and equipment than is required by this chapter.

Sec. 36. Section 81.53.260, chapter 14, Laws of 1961 and RCW 81.53.260 are each amended to read as follows:

Whenever the director of highways or the governing body of any city, town or county shall deem that the public safety requires signals or other warning devices, other than sawbuck signs, at any crossing of a railroad at common grade by any state or county highway, road, street, alley, avenue, boulevard, parkway or other public place actually open and in use or to be opened and used for travel by the public, he or it shall file with the utilities and transportation commission a petition in writing, alleging that the public safety requires the installation of specified signals or other warning devices at such crossing or specified changes in the method and manner of existing crossing warning devices. Upon receiving such petition, the commission shall set the matter for hearing, giving at least ten days' notice to the railroad company

or companies and the county or municipality affected thereby, or the director of highways in the case of a state highway, of the time and place of such hearing. At the time and place fixed in the notice, all persons and parties interested shall be entitled to be heard and introduce evidence, which shall be reduced to writing and filed by the commission. If the commission shall find from the evidence that public safety does not require the installation of the signal, other warning device or change in the existing warning device specified in the petition, it shall make findings to that effect and enter an order denying said petition in toto. If the commission shall find from the evidence that public safety requires the installation of such signals or other warning devices at such crossing or such change in the existing warning devices at said crossing, it shall make findings to that effect and enter an order directing the installation of such signals or other warning devices or directing that such changes shall be made in existing warning devices. The commission shall also at said hearing receive evidence as to the benefits to be derived by the railroad and the public, respectively, and shall on the basis of such benefits apportion the entire cost, including installation of such signals or other warning devices, other than sawbuck signs, between the railroad, municipality or county affected, or if the highway is a state road or parkway, between the railroad and the state: *Provided*, That the commission shall in no case apportion more than fifty percent of the cost of such installation or change in existing warning devices to the public body involved *unless the public body admits and makes a formal finding that benefit to the public exceeds fifty percent of the total cost and agrees to a greater apportionment measured by such benefit*, nor shall the commission require the public body involved to pay its share of the cost so apportioned sooner than one year from the date of the order: [*And*] *Provided further*, That no railroad shall be required to install any such signal or other warning device until the public body involved has either paid or executed its promise to pay to the railroad its portion of the estimated cost thereof. Nothing herein shall be deemed to foreclose the right of the interested parties to enter into an agreement providing for the installation of signals or other warning devices at any such crossing or for the apportionment of the cost thereof.

The investigation herein authorized may be instituted by the commission on its own motion, and the proceedings, hearing and determination thereon shall be the same as herein provided for the hearing and determination of any petition authorized by this section.

No part of the record, or a copy thereof, of the investigation herein provided for and no finding, conclusion or order made pursuant thereto shall be used as evidence in any trial, civil or criminal, arising out of an accident at or in the vicinity of any crossing prior to installation of signals or other warning devices pursuant to an order of the commission as a result of any such investigation.

Any order entered by the utilities and transportation commission under this section shall be subject to review, supersedeas and appeal as provided in RCW 81.04.170 through RCW 81.04.190.

Nothing in this section shall be deemed to relieve any railroad from liability on account of failure to provide adequate protective devices at any such crossing.

*"Public body" as used in this section shall mean city, town, county or state.*

Sec. 37. Section 46.44.037, chapter 12, Laws of 1961 as amended by section 53, chapter 3, Laws of 1963 extraordinary session and RCW 46.44.037 are each amended to read as follows:

Notwithstanding the provisions of RCW 46.44.036 and subject to such rules and regulations governing their operation as may be adopted by the state highway commission operation of the following combinations shall be lawful:

(1) A combination consisting of a truck tractor, a semitrailer, and a full trailer. In this connection a converter gear used to convert a semitrailer into a full trailer shall be considered to be a part of the full trailer and not a separate vehicle. A converter gear being pulled without load and not used to convert a semitrailer into a full trailer may be substituted in lieu of a full trailer or a semitrailer in any lawful combination.

(2) A combination consisting of three trucks or truck tractors used in driveaway service where two of the vehicles are towed by the third in double saddle mount position.

A combination consisting of a truck tractor, a semitrailer, and a full trailer when licensed for a total gross weight of seventy-two thousand pounds may be entitled to [a] *either an annual or temporary* special permit authorizing the combination to carry not more than four thousand pounds of gross weight in excess of the maximum allowed in RCW 46.44.044 upon the payment of the fees set forth in RCW 46.44.095

and on such highways and subject to such terms and conditions as the state highway commission shall prescribe pursuant to the provisions of RCW 46.44.095: *Provided*, That any state [highway] patrol officer who shall find any person operating a vehicle in violation of the conditions of a special permit issued under this section may confiscate such permit and forward it to the state highway commission which may return it to the permittee or revoke, cancel, or suspend it.

Sec. 38. Section 46.44.095, chapter 12, Laws of 1961, as amended by section 15, chapter 7, Laws of 1961 extraordinary session and RCW 46.44.095 are each amended to read as follows:

When fully licensed to the maximum gross weight permitted under RCW 46.44.040, a three-axle truck operated as a solo unit and not in combination shall be eligible to carry gross weight in excess of that permitted for such a vehicle in RCW 46.44.040 upon the payment to the state highway commission of a fee of sixty dollars for each two thousand pounds of excess weight: *Provided*, That the axle loads of such vehicles shall not exceed the limits specified in RCW 46.44.040 and the tire limits specified in RCW 46.44.042 or the wheelbase requirements specified in RCW 46.44.044.

When fully licensed to the maximum gross weight permitted under RCW 46.44.040 and when operated in combination with another vehicle, a three or more axle truck-tractor, a three or more axle truck and a three or more axle dromedary truck-tractor may be eligible under a special permit to be issued by the highway commission to carry additional gross loads beyond the limit specified for such vehicles in RCW 46.44.040 upon the payment of a fee of sixty dollars per two thousand pounds in excess weight but not to exceed one hundred and twenty dollars for the total excess weight: *Provided*, That the axle loads of such vehicles shall not exceed the limits specified in RCW 46.44.040 and the tire limits specified in RCW 46.44.042: *And provided further*, That the gross weight of a three or more axle truck operated in combination with a two or three-axle trailer shall not exceed seventy-six thousand pounds, and the gross weight for a three or more axle truck-tractor operated in combination with a semitrailer shall not exceed seventy-three thousand two hundred eighty pounds.

The special permits provided for in this section shall be issued under such rules and regulations and upon such terms and conditions as may be prescribed by the state highway commission. Such special permits shall entitle the permittee to carry such additional load in such an amount and upon such highways or sections of highways as may be determined by the state highway commission to be capable of withstanding such increased gross load without undue injury to the highway.

The fee for such additional gross weight shall be payable for a twelve month period beginning and ending on April 1st of each calendar year. The additional gross weight provided for herein can be purchased at any time and if purchased on or after July 1st of any year, the fee shall be seventy-five percent of the full annual fee and if purchased on or after October 1st the fee shall be fifty percent of the full annual fee and if purchased on or after January 1st the fee shall be twenty-five percent of the full annual fee.

*The state highway commission shall issue such special permits on a temporary basis for periods not less than five days nor more than ten days at a fee of one dollar per day.*

The fees levied in RCW 46.44.094 and this section shall not apply to any vehicles owned and operated by the state of Washington, any county within the state or any city or town within the state, or by the federal government.

In the case of fleets prorating license fees under the provisions of chapter 46.84 the fees provided for in RCW 46.44.037 and 46.44.095 shall be computed by the state highway commission by applying the proportion of the Washington mileage of the fleet in question to the total mileage of the fleet as reported pursuant to chapter 46.84 to the fees that would be required to purchase the additional weight allowance for all eligible vehicles or combinations of vehicles for which the extra weight allowance is requested.

The state highway commission shall prorate the fees provided in RCW 46.44.037 and 46.44.095 only if the name of the operator or owner is submitted on official listings of authorized fleet operators furnished by the department of licenses. Listings furnished shall also include the percentage of mileage operated in Washington, which shall be the same percentage as determined by the department of licenses for purposes of prorating license fees.

Sec. 39. Section 46.44.092, chapter 12, Laws of 1961 as amended by section 54, chapter 3, Laws of 1963 extraordinary session, and RCW 46.44.092 are each amended to read as follows:

No special permit shall be issued for movement on any two lane state highway outside the limits of any city or town where the overall width of load exceeds fourteen feet, or on any multiple lane state highway where the overall width of load exceeds thirty-two feet; except that on multiple lane state highways where a physical barrier serving as a median divider separates the oncoming and opposing traffic lanes, no special permit shall be issued for width in excess of twenty feet: *Provided*, That (1) these width limitations may be exceeded on state highways where the latest available traffic figures show that the highway or section of highway carries less than one hundred vehicles per day: *Provided further*, That in the case of buildings, the limitations referred to in this section for movement on any two lane state highway other than the national system of interstate and defense highways may be exceeded under the following conditions: (a) Uninterrupted vehicular traffic shall be maintained in one direction at all times; (b) maximum distance of movement shall not exceed five miles; additional contiguous permits shall not be issued to exceed the five mile limit; (c) prior to issuing a permit a qualified highway department employee shall make a visual inspection of the building and route involved determining that the conditions listed herein shall be complied with and that structures or overhead obstructions may be cleared or moved in order to maintain a constant and uninterrupted movement; (d) special escort or other precautions may be imposed to assure movement is made under the safest possible conditions, and the Washington state patrol shall be advised when and where the movement is to be made; (2) permits may be issued for widths of vehicles in excess of the preceding limitations on highways or sections of highway which have been designed and constructed for width in excess of such limitations; (3) these limitations may be rescinded when certification is made by military officials or by officials of public or private power facilities, when in the opinion of the highway commission, the movement or action is a necessary emergency movement or action: *Provided further*, That the structures and highway surfaces on the routes involved are determined to be capable of sustaining widths in excess of such limitation; (4) these limitations shall not apply to farmers moving farm machinery between farms during daylight hours if the movement does not pass along and upon any primary or secondary state highway for a distance greater than thirty-five miles, if properly patrolled and flagged; (5) these limitations shall not apply to movement during daylight hours on any two lane state highway where the gross weight, including load, does not exceed forty thousand pounds and the overall width of load does not exceed sixteen feet: *Provided*, That the minimum and maximum speed of such movements, prescribed routes of such movements, the times of such movements, limitation upon frequency of trips (which limitation shall be not less than one per week), and conditions to assure safety of traffic may be prescribed by the highway commission or local authority issuing such special permit.

The applicant for any special permit shall specifically describe the vehicle or vehicles and load to be operated or moved and the particular state highways for which permit to operate is requested and whether such permit is requested for a single trip or for continuous operation.

Sec. 40. Section 81.80.060, chapter 14, Laws of 1961 and RCW 81.80.060 are each amended to read as follows:

Every person who engages for compensation to perform a combination of services which includes transportation of property of others upon the public highways shall be subject to the jurisdiction of the commission as to such transportation and shall not engage upon the same without first having obtained a common carrier or contract carrier permit to do so. Every person engaging in such a combination of services shall advise the commission what portion of the consideration is intended to cover the transportation service and if the agreement covering the combination of services is in writing, the rate and charge for such transportation shall be set forth therein. The rates or charges for the transportation services included in such combination of services shall be subject to control and regulation by the commission in the same manner that the rates of common and contract carriers are now controlled and regulated. Any person engaged in extracting, processing and hauling materials exclusively for the maintenance, construction or improvement of a public highway shall not be deemed to be performing a combination of services.

**NEW SECTION.** Sec. 41. The director of motor vehicles is the successor in interest to the director of licenses and is vested with all powers, duties and functions formerly vested in the director of licenses pursuant to Title 18 RCW, Title 21 RCW and chapter 43.24 RCW.

**NEW SECTION.** Sec. 42. The director of motor vehicles may delegate to the administrative head of the division of professional licensing of the department of motor vehicles authority to promulgate rules and regulations relating to the licensing of persons engaged in businesses and professions and to the administration of laws pertaining to the regulation of securities. The director may delegate the authority to issue and sign licenses, certificates, permits and renewals thereof pertaining to those activities transferred to the professional licensing division of the department of motor vehicles pursuant to section 5, chapter 156, Laws of 1965.

Sec. 43. Section 46.20.100, chapter 12, Laws of 1961 and RCW 46.20.100 are each amended to read as follows:

The [director of licenses] *department of motor vehicles* shall not consider the application of any minor under the age of [twenty-one] *eighteen* years for a [vehicle operator's] *driver's* license unless the application is also signed by the father of the applicant, if the father is living and has custody of the applicant, otherwise by the mother or guardian having the custody of such minor, or in the event a minor under the age of [twenty-one] *eighteen* has no father, mother, or guardian, then a [vehicle operator's] *driver's* license shall not be issued to the minor unless his application is also signed by his employer.

**NEW SECTION.** Sec. 44. The department of motor vehicles is authorized to accept checks and money orders for payment of drivers' licenses, certificates of ownership and registration, motor vehicle excise taxes, gross weight fees and other fees and taxes collected by the department, in accordance with regulations adopted by the director. The director's regulations shall duly provide for the public's convenience consistent with sound business practice and shall encourage the annual renewal of vehicle registrations by mail to the department, authorizing checks and money orders for payment. Such regulations shall contain provisions for cancellation of any registrations, licenses or permits paid for by checks or money orders which are not duly paid and for the necessary accounting procedures in such cases.

Sec. 45. Section 46.08.120, chapter 12, Laws of 1961 and RCW 46.08.120 are each amended to read as follows:

The director, in his discretion, may destroy applications for vehicle licenses, copies of vehicle licenses issued, applications for [vehicle operators'] *drivers'* licenses, [and] copies of issued [vehicle operators'] *drivers'* licenses, [after they have been on file in his office for a period of two years and] certificates of title [or] *and* registration or other documents, records or supporting papers [,] on file in his office which have been *microfilmed or photographed.* [or reproduced on film for a period of not less than thirty days: *Provided,* That there shall be retained and filed with the director, as a permanent record or otherwise, any records deemed necessary or convenient for use in completing the case record of any motor vehicle operator, or for any other purpose.]

Sec. 46. Section 17, chapter ....., Laws of 1965, extraordinary session (S. B. 334) is amended to read as follows:

Every driver's license shall expire on the *second anniversary of the* licensee's birthdate [in the second calendar year] following the issuance of such license. Every such license shall be renewable on or before its expiration upon application prescribed by the department and the payment of a fee of four dollars.

**NEW SECTION.** Sec. 47. There is added to chapter 12, Laws of 1961 and to chapter 46.20 RCW a new section to read as follows:

Any police officer who has received notice of the suspension or revocation of a driver's license from the department of motor vehicles, may, during the reported period of such suspension or revocation, stop any motor vehicle identified by its vehicle license number as being registered to the person whose driver's license has been suspended or revoked. The driver of such vehicle shall display his driver's license upon request of the police officer.

Sec. 48. Section 46.82.140, chapter 12, Laws of 1961 and RCW 46.82.140 are each amended to read as follows:

Examinations for a driving instructor's certificate shall be prepared and conducted by a driving instructor's examination committee to be composed of a representative from the Washington state department of education, a representative of the [Washington state patrol] *department of motor vehicles* and a representative of the commercial driving schools. Members shall be appointed by the governor for a one year term and shall receive compensation not to exceed twenty-five dollars for each day spent on official business and necessary expenses: *Provided,* That any member who is receiving a salary from the state of Washington shall not receive compensation for such services



but shall receive any travel and other expenses incurred in such service. The director shall arrange for the examination of each applicant for an instructor's certificate and furnish the necessary clerical help to the examining committee.

Sec. 49. Section 43.60.050, chapter 8, Laws of 1965 and RCW 43.60.050 are each amended to read as follows:

The executive board shall be composed of [the director of highways, the chief of the state patrol, the director of licenses, the superintendent of public instruction, the director of labor and industries, and six] *fifteen* members to be appointed by the governor from among citizens of the state who are not officers, officials or employees of the state or any department or unit thereof, [or] *and* who are not officers, officials or employees of any city, town, county or other minor civil subdivision of the state.

Sec. 50. Section 43.60.060, chapter 8, Laws of 1965 and RCW 43.60.060 are each amended to read as follows:

Within thirty days after [June 6, 1951] *the effective date of this amendatory act*, the governor shall appoint [the citizen] *nine new* members of the executive board, [two] *three* to serve for terms of two years, [two] *three* to serve for terms of four years, [two] *three* to serve for terms of six years; the terms to begin as of January 1, [1951] *1965*. In each second year thereafter the governor shall appoint [two] *five* members of the board to serve for terms of six years.

From among its citizen members the executive board shall elect a chairman and a vice chairman of the board to serve in such capacities during their respective terms of office.

Sec. 51. Section 46.37.340, chapter 12, Laws of 1961 as amended by section 21, chapter 154, Laws of 1963 and RCW 46.37.340 are each amended to read as follows:

Every motor vehicle, trailer, semitrailer and pole trailer, and any combination of such vehicle operating upon a highway within this state shall be equipped with brakes in compliance with the requirements of this chapter.

(1) Service brakes—adequacy. Every such vehicle and combination of vehicles, except special mobile equipment as defined in RCW 46.04.552, shall be equipped with service brakes complying with the performance requirements of RCW 46.37.351 and adequate to control the movement of and to stop and hold such vehicle under all conditions of loading, and on any grade incident to its operation.

(2) Parking brakes—adequacy. Every such vehicle and [.] combination of vehicles, except motorcycles and motor-driven cycles, shall be equipped with parking brakes adequate to hold the vehicle on any grade on which it is operated, under all conditions of loading, on a surface free from snow, ice, or loose material. The parking brakes shall be capable of being applied in conformance with the foregoing requirements by the driver's muscular effort or by spring action or by equivalent means. Their operation may be assisted by the service brakes or other source of power provided that failure of the service brake actuation system or other power assisting mechanism will not prevent the parking brakes from being applied in conformance with the foregoing requirements. The parking brakes shall be so designed that when once applied they shall remain applied with the required effectiveness despite exhaustion of any source of energy or leakage of any kind. The same brake drums, brake shoes and lining assemblies, brake shoe anchors and mechanical brake shoe actuation mechanism normally associated with the wheel brake assemblies may be used for both the service brakes and the parking brakes. If the means of applying the parking brakes and the service brakes are connected in any way, they shall be so constructed that failure of any one part shall not leave the vehicle without operative brakes.

(3) Brakes on all wheels. Every vehicle shall be equipped with brakes acting on all wheels except:

(a) Trailers, semitrailers, or pole trailers of a gross weight not exceeding three thousand pounds, provided that:

(i) The total weight on and including the wheels of the trailer or trailers shall not exceed forty percent of the gross weight of the towing vehicle when connected to the trailer or trailers, and

(ii) The combination of vehicles, consisting of the towing vehicle and its total towed load, is capable of complying with the performance requirements of RCW 46.37.351.

(b) *Trailers, semitrailers, or pole trailers manufactured and assembled prior to July 1, 1965 shall not be required to be equipped with brakes when the total weight on and including the wheels of the trailer or trailers does not exceed two thousand pounds.*

[(b)] (c) Any vehicle being towed in driveaway or towaway operations, provided the combination of vehicles is capable of complying with the performance requirements of RCW 46.37.351.

[(c)] (d) Trucks and truck-tractors having three or more axles need not have brakes on the front wheels, except that when such vehicles are equipped with at least two steerable axles, the wheels of one steerable axle need not have brakes. However, such trucks and truck-tractors must be capable of complying with the performance requirements of RCW 46.37.351.

[(d)] (e) Special mobile equipment as defined in RCW 46.04.552.

[(e)] (f) The wheel of a sidecar attached to a motorcycle or to a motor-driven cycle, or the front wheel of a motor-driven cycle need not be equipped with brakes, provided that such motorcycle or motor-driven cycle is capable of complying with the performance requirements of RCW 46.37.351.

(4) Automatic trailer brake application upon breakaway. Every trailer, semitrailer, and pole trailer equipped with air or vacuum actuated brakes and every trailer, semitrailer and pole trailer with a gross weight in excess of three thousand pounds, manufactured or assembled after January 1, 1964, shall be equipped with brakes acting on all wheels and of such character as to be applied automatically and promptly, and remain applied for at least fifteen minutes, upon breakaway from the towing vehicle.

(5) Tractor brakes protected. Every motor vehicle manufactured or assembled after January 1, 1964, and used to tow a trailer, semitrailer or pole trailer equipped with brakes, shall be equipped with means for providing that in case of breakaway of the towed vehicle, the towing vehicle will be capable of being stopped by the use of its service brakes.

(6) Trailer air reservoirs safeguarded. Air brake systems installed on trailers manufactured or assembled after January 1, 1964, shall be so designed that the supply reservoir used to provide air for the brakes shall be safeguarded against backflow of air from the reservoir through the supply line.

(7) Two means of emergency brake operation.

(a) Air brakes. After January 1, 1964, every towing vehicle, when used to tow another vehicle equipped with air controlled brakes, in other than driveaway or towaway operations, shall be equipped with two means for emergency application of the trailer brakes. One of these means shall apply the brakes automatically in the event of a reduction of the towing vehicle air supply to a fixed pressure which shall be not lower than twenty pounds per square inch nor higher than forty-five pounds per square inch. The other means shall be a manually controlled device for applying and releasing the brakes, readily operable by a person seated in the driving seat, and its emergency position or method of operation shall be clearly indicated. In no instance may the manual means be so arranged as to permit its use to prevent operation of the automatic means. The automatic and the manual means required by this section may be, but are not required to be, separate.

(b) Vacuum brakes. After January 1, 1964, every towing vehicle used to tow other vehicles equipped with vacuum brakes, in operations other than driveaway or towaway operations, shall have, in addition to the single control device required by subsection (8) of this section, a second control device which can be used to operate the brakes on towed vehicles in emergencies. The second control shall be independent of brake air, hydraulic and other pressure, and independent of other controls, unless the braking system be so arranged that failure of the pressure upon which the second control depends will cause the towed vehicle brakes to be applied automatically. The second control is not required to provide modulated braking.

(8) Single control to operate all brakes. After January 1, 1964, every motor vehicle, trailer, semitrailer and pole trailer, and every combination of such vehicles, except motorcycles and motor-driven cycles, equipped with brakes shall have the braking system so arranged that one control device can be used to operate all service brakes. This requirement does not prohibit vehicles from being equipped with an additional control device to be used to operate brakes on the towed vehicles. This regulation does not apply to driveaway or towaway operations unless the brakes on the individual vehicles are designed to be operated by a single control in the towing vehicle.

(9) Reservoir capacity and check valve.

(a) Air brakes. Every bus, truck or truck-tractor with air operated brakes shall be equipped with at least one reservoir sufficient to insure that, when fully charged to the maximum pressure as regulated by the air compressor governor cut-out setting, a full service brake application may be made without lowering such reservoir pressure

by more than twenty percent. Each reservoir shall be provided with means for readily draining accumulated oil or water.

(b) Vacuum brakes. After January 1, 1964, every truck with three or more axles equipped with vacuum assistor type brakes and every truck-tractor and truck used for towing a vehicle equipped with vacuum brakes shall be equipped with a reserve capacity or a vacuum reservoir sufficient to insure that, with the reserve capacity or reservoir fully charged and with the engine stopped, a full service brake application may be made without depleting the vacuum supply by more than forty percent.

(c) Reservoir safeguarded. All motor vehicles, trailers, semitrailers and pole trailers, when equipped with air or vacuum reservoirs or reserve capacity as required by this section, shall have such reservoirs or reserve capacity so safeguarded by a check valve or equivalent device that in the event of failure or leakage in its connection to the source of compressed air or vacuum, the stored air or vacuum shall not be depleted by the leak or failure.

(10) Warning devices.

(a) Air brakes. Every bus, truck or truck-tractor using compressed air for the operation of its own brakes or the brakes on any towed vehicle, shall be provided with a warning signal, other than a pressure gauge, readily audible or visible to the driver, which will operate at any time the air reservoir pressure of the vehicle is below fifty percent of the air compressor, governor cut-out pressure. In addition, each such vehicle shall be equipped with a pressure gauge visible to the driver, which indicates in pounds per square inch the pressure available for braking.

(b) Vacuum brakes. After January 1, 1964, every truck-tractor and truck used for towing a vehicle equipped with vacuum operated brakes and every truck with three or more axles using vacuum in the operation of its brakes, except those in driveaway or towaway operations, shall be equipped with a warning signal, other than a gauge indicating vacuum, readily audible or visible to the driver, which will operate at any time the vacuum in the vehicle's supply reservoir or reserve capacity is less than eight inches of mercury.

(c) Combination of warning devices. When a vehicle required to be equipped with a warning device is equipped with both air and vacuum power for the operation of its own brakes or the brakes on a towed vehicle, the warning devices may be, but are not required to be, combined into a single device which will serve both purposes. A gauge or gauges indicating pressure or vacuum shall not be deemed to be an adequate means of satisfying this requirement.

Sec. 52. Section 9, chapter 77, Laws of 1963 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 one hundred 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 one hundred 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;

(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.*

**NEW SECTION.** Sec. 53. There is added to chapter 3, Laws of 1963, extraordinary session, a new section to read as follows:

The joint committee on highways is authorized and directed to study, analyze, report on and make recommendations to the 1967 Legislature prior to its convening concerning:

(1) The development of a comprehensive policy relating to freeways and expressways, including the desirability of constructing a state-wide system of urban and rural freeways to meet future transportation needs, methods of financing such a system of freeways, the related role of the state, cities and counties in constructing urban and rural freeways and expressways, standards of construction, the financing of adequate connecting approach roads and streets and methods to protect interchanges from undue traffic congestion.

(2) A continuation of the cost allocation study commenced in the 1963-1965 biennium including a consideration of weight limits and highway design. This study shall take into account the impact of federal highway taxes.

(3) The most desirable method of licensing commercial drivers including a review of special commercial driver licensing practices used in other states; an examination of policy relating to the suspension and revocation of licenses of commercial drivers, possible restrictions on the disclosure of traffic violations of commercial drivers, and occupational licensing of commercial drivers.

(4) Highway planning and construction practices of the department of highways, including planning, engineering, and hearing procedures, competitive bidding practices, penalty provisions for construction delays by contractors, policy relating to the prequalification of contractors; and the inspection of work performed by contractors.

(5) Legal procedures for the disposition of abandoned vehicles.

(6) Methods of financing the comprehensive long range plan for cross sound transportation to be prepared by state highway commission pursuant to section 23, chapter 3, Laws of 1963, extraordinary session.

(7) Traffic safety including an evaluation of traffic signs and signals erected and maintained by the state, the cities and the counties.

(8) Methods of improving the reporting of accidents and traffic convictions.

(9) Criteria and policy for the use of bond financing of city streets, county roads and state highways.

(10) Reciprocity in the licensing and taxation of motor vehicles including the feasibility of placing license and weight fees on motor vehicle power units only.

(11) Highway and transportation needs between Washington and Alaska and to this end the committee may formulate recommendations concerning the same to federal agencies and the Congress of the United States.

(12) The development of policy for the state of Washington regarding the most desirable federal-aid highway program after 1972 when the interstate system of highways is completed, including the possibility of adding more miles of interstate highways within the state of Washington.

(13) The feasibility of reestablishing a program of vehicle safety inspection.

(14) An examination of methods of improving intergovernmental cooperation in road and street administration.

(15) A continuing study of the system of priority programing for state highways with special consideration of the legislature's role in developing highway construction priorities.

(16) An analysis of existing methods now used for spreading assessments over local improvement districts (for roads and bridges only) with recommendations for making LID financing a more practicable procedure for financing the improvement of highway facilities.

(17) An examination of fuel tax collection costs and handling losses as a basis for a refund allowance to motor vehicle fuel retailers.

(18) The future role of mass transit in the urban areas and its relation to highway planning and construction.

**NEW SECTION. Sec. 54.** (1) the joint committee on highways is authorized and directed to conduct a study with the cooperation of the department of highways, the department of motor vehicles, the Washington state patrol and the Washington utilities and transportation commission to devise procedures by which persons wishing to qualify a commercial vehicle for operation on our state highways may make application on a single form to the department of motor vehicles with such additional copies as may be required for distribution to the several agencies responsible for taxing and regulating commercial vehicles. Under such procedures the vehicle operator upon meeting all regulatory requirements and paying all required fees will be issued a single document certifying to the scope and duration of the qualification of the vehicle therein identified.

(2) The study shall include methods of reducing the evidence of qualification and identification required to be displayed on the outside of the vehicle to the minimum consistent with sound law enforcement.

(3) The study shall include a consideration of all means of promoting the standardization of vehicle qualification requirements between this and other states.

(4) To facilitate the study and accurately determine the administrative and enforcement problems connected with the use of a single application form and a single qualification form, the joint committee on highways and the departments named in subsection (1) are authorized and directed to implement the procedures described in subsection (1) and (2) for the qualification and identification of not more than three of the larger interstate commercial fleets, for the license year 1966. For the purposes of this pilot program and with respect to the vehicle fleets selected, each of the departments of state government is authorized and directed to adjust the qualification and permit period to a calendar year, adjusting fees accordingly and giving such credits or assessing such additional fees as may be necessary.

**NEW SECTION. Sec. 55.** There is hereby appropriated from the motor vehicle fund to the joint committee on highways for the biennium ending June 30, 1967, the sum of fifty thousand dollars, or so much thereof as shall be necessary.

**Sec. 56. Sec. 47.56.245, chapter 13, Laws of 1961 and RCW 47.56.245 are each amended to read as follows:**

The authority shall retain toll charges on all existing and future facilities until all costs of investigation, financing, acquisition of property, and construction [, maintenance, management, operation, repayment of past advances] advanced from the motor vehicle fund, and obligations incurred under RCW 47.56.250 and chapter 16, Laws of 1945 have been fully paid. With respect to every [future] facility completed after March 19, 1953, costs of maintenance, management and operation shall be paid periodically out of the revenues of the facility in which such costs were incurred. [with respect to each existing facility, costs of maintenance, management and operation together with an amortized payment upon advances from the motor vehicle fund in an amount reasonably anticipated to retire such advances during the toll life of

the facility shall be similarly paid to the extent that such payments shall not breach the obligation of any contract.]

**NEW SECTION.** Sec. 57. To the extent that revenues from the imposition of tolls and franchise fees for use of the second Lake Washington bridge authorized and constructed under the provisions of RCW 47.56.281 are insufficient to meet costs of maintenance and operation and required payments of principal, interest, and other charges incidental to the issuance, sale, and retirement of the bonds issued pursuant to the provisions of RCW 47.56.282 or on any subsequent refunding bond issues, the Washington state highway commission shall use moneys in the motor vehicle fund to pay such deficits.

**NEW SECTION.** Sec. 58. Any funds required to pay such deficits shall be from the proceeds of state excise taxes on motor vehicle fuels and shall be taken from that portion of the motor vehicle fund which is or may be appropriated for state highway purposes, and shall never constitute a charge against any allocations of such funds to counties, cities and towns unless and until the amount of the motor vehicle fund arising from the excise taxes on motor vehicle fuels and available for state highway purposes proves insufficient to meet such deficits.

The proceeds of such excise taxes are hereby pledged to the payment of any such deficits in the costs of maintenance and operation of the bridge and in the payment of principal and interest which may arise on account of the bonds issued under the provisions of RCW 47.56.282, and the legislature hereby agrees to continue to impose the same excise taxes on motor vehicle fuels in amounts sufficient to pay, when due, such deficits.

Sec. 59. Section 47.56.282, chapter 13, Laws of 1961 and RCW 47.56.282 are each amended to read as follows:

The authority is hereby authorized by resolution to issue and sell its revenue bonds in an amount sufficient to provide funds to pay all costs of construction of an additional Lake Washington bridge and approaches and all costs of construction or any alterations to the existing Lake Washington bridge or its approaches as a result of the construction of the additional bridge, including but not limited to all costs of survey, acquisition of rights of way, design, engineering, all expenses of issuance and sale of such bonds, and to pay interest on said bonds during construction and for six months after tolls are first imposed.

Said revenue bonds shall constitute obligations only of the Washington toll bridge authority and shall be payable both principal and interest [solely] from the tolls and revenues derived from the operation of said toll facility as hereinbefore constituted *and from any other moneys or funds available therefor*. Said bonds shall not constitute an indebtedness of the state of Washington and shall contain a recital on the face thereof to that effect, and shall be negotiable instruments under the law merchant. Such bonds shall include a covenant that the payment or redemption thereof and the interest thereon are secured by a first and direct charge and lien on all of the tolls and other revenues received from the operation of said toll facility and from any interest which may be earned from the deposit or investment of any such revenues, except for payment of costs of operation, maintenance and necessary repairs of said facility. The tolls and charges to be imposed shall be fixed in such amounts so that when collected they will produce revenues that shall be at least equal to expenses of operating, maintaining and repairing said toll facility, including all insurance costs, amounts for adequate reserves and coverage of annual debt service on said bonds, and all payments necessary to pay the principal thereof and interest thereon.

**NEW SECTION.** Sec. 60. Notwithstanding the provisions of RCW 47.56.220, the Washington state highway commission is authorized to design and construct an additional bridge across Lake Washington at a site in the vicinity of the first Lake Washington bridge.

Sec. 61. Section 47.60.140, chapter 13, Laws of 1961 and RCW 47.60.140 are each amended to read as follows:

The authority is empowered to operate such ferry system, including all operations, whether intrastate or international, upon any route or routes, and toll bridges as a revenue producing and self-liquidating undertaking. The highway commission shall have full charge of the construction, rehabilitation, rebuilding, enlarging, improving, operation and maintenance of the ferry system, including toll bridges, approaches and roadways incidental thereto that may be authorized by the authority, including the collection of tolls and other charges for the services and facilities of the undertaking: *Provided*, That the authority shall have the exclusive right to enter into leases and contracts for use and occupancy by other parties of the concessions and space located

on the ferries, wharves, docks, approaches and landings, but no such leases or contracts shall be entered into for more than [five] ten years, nor without public advertisement for bids as may be prescribed by the authority: *Provided further*, That the authority may accept and continue leases and contracts for a period of ten years without advertisement or bid, if such leases or contracts were in effect or entered into at the time of the purchase of the Puget Sound ferry system, and any leases or contracts so made are hereby validated.

**NEW SECTION.** Sec. 62. The state highway commission in cooperation with the joint committee on highways, is authorized and directed to conduct a study of the feasibility and cost of constructing a limited access highway by the most feasible route from primary state highway No. 9 in the vicinity of Shelton to primary state highway No. 14 in the vicinity of Purdy.

**NEW SECTION.** Sec. 63. The state highway commission and the joint committee on highways are authorized and directed to undertake a survey and prepare a program for the utilization of federal aid funds available under 23 U.S.C. sec. 319, or any other similar federal program, providing for highway landscaping, safety rest areas and acquisition of strips of land adjacent to our highways for the preservation of its natural beauty. The program shall be submitted to the 1967 Legislature prior to its convening.

**NEW SECTION.** Sec. 64. Sections 11 and 12, chapter 278, Laws of 1961 and RCW 47.56.036 and 47.56.038 are each hereby repealed.

**NEW SECTION.** Sec. 65. 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. 66. 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 sections 15, 16, 17, 21, 22, 23 and 56 shall take effect immediately. Sections 41 and 42 shall take effect July 1, 1965.

**POINT OF ORDER**

Senator Moriarty, Jr.:

"Point of order, Mr. President:

"I think maybe we have an amendment which expands the scope and object of the bill."

**RULING BY THE PRESIDENT**

The President:

"The President believes, in ruling upon the point of order as presented by Senator Moriarty, that the amendment as offered by Senator Talley pertains to highways and for that reason does not change the scope and object of the bill. In other words, highways are becoming broader every day."

**POINT OF ORDER**

Senator Mardesich:

"Mr. President, point of order:

"As I understand it, this amendment is in the exact form of the omnibus bill passed earlier. Having passed on that matter in that exact form, are we not now precluded from taking action on this amendment in this form?"

**RULING BY THE PRESIDENT**

The President:

"Senator Mardesich, there is the possibility that this amendment may not be the same as the highway omnibus bill in that there are amendments to the amendment being offered."

Senator Mardesich:

"In its present form, are we not now precluded from consideration?"

**REPLY BY THE PRESIDENT**

The President:

"Senator Mardesich, this subject is being offered in the form of an amendment, not in the form of a bill; therefore, the President believes it is in order."

Debate ensued.

It was moved by Senator Hanna that the following amendment to the amendment by Senator Talley be adopted:

On page 46, line 28, insert a new section to be known as section 66 as follows, and renumber section 66 of the printed bill as section 67, renumber any following sections consecutively.

Sec. 66. Section 10, chapter 96, Laws of 1961 as amended by section 55, chapter 3, Laws of 1963 extraordinary session, and RCW 47.42.100 are each amended to read as follows:

(1) No sign lawfully erected in a protected area prior to March 11, 1961, within a commercial or industrial zone within the boundaries of any city or town, as such boundaries existed on September 21, 1959, wherein the use of real property adjacent to the interstate system is subject to municipal regulation or control but which does not comply with the provisions of this chapter or any regulations promulgated hereunder, shall be maintained by any person after March 11, 1965.

(2) No sign lawfully erected in a protected area prior to March 11, 1961, other than within a commercial or industrial zone within the boundaries of a city or town as such boundaries existed on September 21, 1959, wherein the use of real property adjacent to the interstate system is subject to municipal regulation or control but which does not comply with the provisions of this chapter or any regulations promulgated hereunder, shall be maintained by any person after three years from March 11, 1961.

(3) No sign lawfully erected in a scenic area prior to the effective date of the designation of such area as a scenic area shall be maintained by any person after three years from the effective date of the designation of any such area as a scenic area.]

*Except as provided in subsection 3 of this section:*

(1) *No sign lawfully erected in a protected area where the entire width of the right of way was acquired by the state subsequent to July 1, 1956, which sign was erected prior to March 11, 1961, and which sign does not conform to requirements of this chapter or any regulations promulgated thereunder, shall be maintained by any person after March 1, 1966.*

(2) *No sign lawfully erected inside a scenic area or in a protected area where a portion of the right of way was acquired by the state prior to July 1, 1956, which sign was erected prior to March 11, 1961, and which sign does not conform to the requirements of this chapter or any regulations promulgated thereunder, shall be maintained by any person after March 11, 1967.*

(3) *No sign lawfully erected in a protected area where land use was clearly established by or pursuant to state law as of September 21, 1959, as industrial or commercial, which sign was erected prior to March 11, 1961, and which sign does not conform to requirements of this chapter or any regulation promulgated thereunder, shall be maintained by any person after March 11, 1967.*

Debate ensued.

#### POINT OF ORDER

Senator Greive:

"Mr. President, point of order:

"In my opinion, this constitutes two subjects under a single title and is, therefore, not properly before us. I ask for a ruling."

Senator Henry:

"Mr. President:

"I believe that Senator Greive is basing his objection upon the fact that he still believes that this bill pertains only to the Tacoma Narrows Bridge. I would remind him that the amendment as proposed by Senator Talley is the omnibus bill and the Chair has already ruled that highways are getting broader all the time. I cannot see why this cannot be encompassed within the amendment as offered by Senator Talley."

Senator Greive:

"Mr. President:

"If we were to follow this reasoning, a person could amend it to be the omnibus bill and then the sky would be the limit. It seems to me the constitutional provision



is such that you have to go back to the original bill and see whether or not this particular amendment fairly fits within the scope and object of that particular title, which it does not."

The President declared the Senate to be at ease.

The President called the Senate to order at 5:40 p. m.

#### RULING BY THE PRESIDENT

The President:

"The President, ruling upon the point of order as raised by Senator Greive wherein he suggests that House Bill No. 713 and the amendments are two subjects, rules:

"The President believes that the question can best be resolved by first explaining that the subjects before the Senate are House Bill No. 713, the adoption of the amendment as proposed by Senator Talley and the amendment to this amendment as proposed by Senator Hanna.

"The President has already ruled that the Talley amendment is germane to the title of House Bill No. 713, both relating to highways. The amendment to the amendment as proposed by Senator Hanna is in effect a part of Substitute House Bill No. 198 of the 1961 Session (Chapter 96, Laws of 1961), which is also an act relating to certain state highways.

"The President believes that the bill and the two proposed amendments relate to the subject of highways and are therefore properly before the Senate.

"The question before the Senate is the adoption of the amendment by Senator Hanna to the amendment by Senator Talley."

Debate ensued.

Senators Washington, Peterson (Ted) and Greive demanded a Call of the Senate.

Senator Greive demanded a roll call and the demand was sustained by Senators Washington, Morgan, Herrmann, Knoblauch, Petrich, Peterson (Ted), Hallauer and Rasmussen.

#### ROLL CALL

The Secretary called the roll, and the demand for a Call of the Senate was not sustained by the following vote: Yeas, 18; nays, 23; absent or not voting, 7; excused, 1.

Those voting yea were: Senators Bailey, Charette, Cooney, Donohue, Dore, Freise, Greive, Hallauer, Knoblauch, Lewis, Mardesich, Morgan, Neill, Peterson (Ted), Petrich, Rasmussen, Talley, Washington—18.

Those voting nay were: Senators Atwood, Chytil, Connor, Cowen, England, Gallagher, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Kupka, Lennart, McCormack, McCutcheon, McMillan, Moriarty, Jr., Peterson (Lowell), Redmon, Ryder, Thompson, Jr., Williams—23.

Absent or not voting: Senators Durkan, Foley, Gissberg, Raugust, Riley, Sandison, Woodall—7.

Excused: Senator Donohue—1.

#### MOTIONS

It was moved by Senator Hallauer that House Bill No. 713 on second reading be made a special order of business for 11:00 a. m., tomorrow.

Debate ensued.

The motion was carried on a rising vote.

At 5:55 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Thursday, April 29, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**FORTY-SIXTH DAY**

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**MORNING SESSION**

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SENATE CHAMBER,  
OLMPIA, WASH., Thursday, April 29, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

Due to the emergency of the earthquake and damage to the Capitol building, there being no objections, the President declared the Senate to have given its permission to the House to adjourn until Monday, May 3, 1965.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., April 29, 1965.

MR. PRESIDENT:

Due to the earthquake damage to the Capitol the House has given consent to the Senate to adjourn until noon, Monday, May 3, 1965.

S. R. HOLCOMB, *Chief Clerk.*

The President placed the Senate at ease subject to the Call of the Chair and announced that should it be necessary to reconvene the Senate prior to noon, Monday, May 3, 1965, that he would notify each member.

The President called the Senate to order at 12:00 noon, Monday, May 3, 1965.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate, ladies and gentlemen:

"The President being concerned about the welfare and safety of the members of the Senate, in addition to the ladies and gentlemen present in the gallery, asked for and received a report from the Governor's office as to the structural soundness and safety of the Capitol building.

"The Governor's Office has advised the President that after consultation with competent structural engineers, it has been determined that the Capitol building is a safe place in which to conduct the business of the legislature. Specifically, it was pointed out that the floor of the Senate and the House of Representatives is safe.

"However, the President is further advised that the Rotunda area between the two houses should remain closed because of a possible danger from falling plaster. Furthermore the use of the galleries in the Senate and in the House of Representatives should be restricted in such a manner that large groups are not brought into the galleries.

"The President believes that by and with the consent of the members, that attendance in each gallery should be limited to twenty-five visitors."

**MOTION**

At 12:03 p. m., on motion of Senator Greive, the Senate adjourned until 12:10 p. m., Monday, May 3, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## FIFTIETH DAY

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### AFTERNOON SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Monday, May 3, 1965.

The Senate was called to order at 12:10 p. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Donohue, Kupka, McMillan and Stender.

On motion of Senator McCutcheon, Senator Donohue was excused.

On motion of Senator Hanna, Senators Kupka and McMillan were excused.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Teresa Hallauer, presented the Colors.

Reverend Walter A. MacArthur, pastor of the First Methodist Church of Olympia, offered prayer as follows:

"Our Father, in this troubled time when all mankind stands in the valley of decision, we turn to Thee with hearts that are heavy with anxiety, with minds clouded with perplexity, with spirits dismayed by the world's distress. We come sobered by great issues, faced with great decisions. We have the awful consciousness that we are being died for in far-off alien lands.

"Lift us then, in this moment of prayer, to see the total scene. Set our hearts on high things. May no cherished resentments, no camouflaged selfishness, no ingrained prejudices choke and clog the channels of our public service. We pray in the Name of Christ. Amen."

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

### PERSONAL PRIVILEGES

Senator Knoblauch:

"Mr. President and members of the Senate:

"Last Wednesday in the Senate Chamber I was sort of ridiculing the lady Senator from Bremerton, Mrs. Morgan, because she had called a committee meeting for May 4th at 2:00 p. m. I should have known that the ladies always have the last word.

"Then I heard a remark in the men's lounge by another fellow Senator bemoaning the fact this will be the first year in many years he would have to miss the Wenatchee Apple Blossom Festival parade, and I learned today Senator Hanna was able to go to Wenatchee over the weekend. I especially want to apologize to Senator Morgan about the meeting on the 4th of May."

Senator Morgan:

"Mr. President and gentlemen of the Senate:

"Senator Knoblauch, I heard you on the radio as I left Olympia. You were on a Puyallup radio station being interviewed and I was brought up-to-date on what had happened to the legislative building during the quake. I would like to say women have an intuition and the notice on the committee meeting still stands."

Senator Lennart:

"Mr. President, I should like to say a few words on personal privilege, too. First of all, I should relate that I had a very pleasant weekend. I was invited to stay overnight with Representative Beck from Port Orchard and then I had breakfast

with Senator McCutcheon. In retrospect, I penned these thoughts down this morning:

"If we had for one day escaped from the passionate unreasonableness along the political frontier, we would all have come out of the conflict less battered on both sides, each side blaming the other for the unnecessary delay, with a 'loner' now and then injecting blackmail. When we get home and settle down to maturity, the people may have cause to rejoice. I hope the homefolks will come to see that the wild oats sown down here will produce a tamer variety of tares. We hope, too, that the ultimate Recording Angel will have the charity to erase as well as to preserve, and that the guardian of the State's archives will not destroy one single map and trial balloon of the redistricting farce.

"In what has been in various ways recorded for posterity, too little has been said of our efforts; too much of political conniving and much too little about the dilemma. The press, for instance, only played the drums and left the orchestra out. Their fiffing made a monumental discord and became the Dominant's persistence. The television cameras, with their mikes and cords, were major distractions.

"On the comical side, and humor is so needed here, there was the eminent Senator who neatly laid down his frying pan and choppers for a fresh air rally, after approved Indian method, a gull flew away with the treasure—in a manner like the majority party itself, all sail and no anchor.

"Well, anyway, here we have been sitting, like interrogation marks, the unsolved riddle of a bewildered and bewildering session, incapable to adjust to circumstances, or to the uncharted course toward which we are drifting. And our drift is slow and clumsy. When something disastrous is about to happen we call a caucus. These caucuses are called by some trivia or presumed party advantage—or to be specific—a caucus is a party convulsion. Somewhere, it seems incredible, there is a maladjustment, somewhere we have gone wrong—as they term it when someone's awareness of failure drives him to drink. Since the tragedy is understandable, for us who inhabit this chamber, that is, that an eight-cylinder motor is doomed when it's firing on three cylinders, and that repairs should be made before it comes to a grinding halt. We ought to have done something about it.

"There is the \$42 million lemon, dangling like a mirage. This riddle has a parallel in the daylight savings time—the cosmic phenomenon of time—the relationship between physical events which inexorably move toward an end—when autumn sets in.

"But now the majority party has proved, beyond a doubt, that it can outfast Ghandi and come out with a grin—or should we term it affectionate toleration for the down-trodden Governor.

"And then this earthquake! Well, this empty, howling waste was here before the earthquake came. We have been lazily occupied in doing nothing, and each of us fulfills the most exalted requirement of laziness. Well, if this is to continue, Heaven, itself, may step in and take charge—an inverted visitation of one of those so-called judgments of God which now and then overtakes men!"

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate, Ladies and Gentlemen:

"It is with great sadness that the President announces the passing of Glenn Nysoe, son-in-law of Senator Donohue and husband of Janis Nysoe. The funeral services will be held today in Dayton.

"Members of the Senate and ladies and gentlemen:

"The Honorable Verne Sawyer, who has performed as 'Chief-Leather-Lungs' so well in the Senate has found it necessary to return to his place of employment in Toppenish. Mr. Sawyer's position will be filled by Mr. Joe Zaspel, who has been a bill clerk and who performed his work in that particular capacity in a highly commendable fashion. The President thought the members of the Senate might wish to greet Mr. Zaspel with a warm applause. Joe has made a very auspicious start and I am sure everyone agrees he will continue doing the job well."

#### POINT OF INFORMATION

Senator Lennart:

"Mr. President:

"Will this be a prolonged employment?"

**REPLY BY THE PRESIDENT**

The President:

"Joe, being dedicated, hopes perhaps it won't be too long. He wishes to return to his regular work as soon as possible."

**MOTION**

At 12:30 p. m., on motion of Senator Greive, the Senate recessed until 2:00 p. m.

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**AFTERNOON SESSION**

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

The Secretary called the roll and announced to the President that all Senators were present except Senators Donohue, Kupka, McMillan, Sandison and Stender, Senators Donohue and Kupka having been excused.

On motion of Senator Bailey, Senator McMillan was excused.

**SPECIAL ORDER OF BUSINESS**

The time having arrived, the Senate resumed consideration of House Bill No. 713 on second reading and the pending amendment by Senator Talley and the amendment to the amendment by Senator Hanna.

The President declared the question before the Senate to be the adoption of the amendment to the amendment by Senator Hanna.

Debate ensued.

The President called upon Senator Gissberg to preside.

Further debate ensued.

Senators Gallagher, Hanna and Atwood demanded the previous question and the demand was sustained.

Senators Washington, Rasmussen, and Petrich demanded a Call of the Senate.

The demand was not sustained on a rising vote.

Senator Washington demanded a roll call and the demand was sustained by Senators Redmon, Peterson (Ted), Williams, Petrich, Talley, Mardesich, Henry, Gallagher and Hanna.

The President resumed the Chair.

**ROLL CALL**

The Secretary called the roll and the amendment by Senator Hanna to the amendment by Senator Talley was not adopted by the following vote: Yeas, 16, nays, 26; absent or not voting, 4; excused, 3.

Those voting yea were: Senators Atwood, Bailey, Connor, Cooney, England, Gallagher, Guess, Hanna, Henry, Herrmann, Keefe, Lewis, Morgan, Peterson (Lowell), Raugust, Riley—16.

Those voting nay were: Senators Charette, Chytil, Cowen, Dore, Durkan, Freise, Gissberg, Greive, Hallauer, Knoblauch, Lennart, McCormack, McCutcheon, Mardesich, Moriarty, Jr., Neill, Peterson (Ted) Petrich, Rasmussen, Redmon, Ryder, Talley, Thompson, Jr., Washington, Williams, Woodall—26.

Absent or not voting: Senators Foley, Herr, Sandison, Stender—4.

Excused: Senators Donohue, Kupka, McMillan—3.

On motion of Senator Mardesich, the following amendment to the amendment by Senator Talley was adopted:

Strike "NEW SECTION. Sec. 55." and renumber the remaining sections consecutively.

It was moved by Senator Mardesich that the following amendment to the amendment by Senator Talley be adopted:

Strike all of section 33 and renumber the remaining sections consecutively.

Debate ensued.

On motion of Senator Guess, the amendment to the amendment was laid upon the table.

It was moved by Senator Rasmussen that the following amendment by Senators Knoblauch and Rasmussen to the amendment by Senator Talley be adopted:

In section 13 following subsection (6), add a new subsection as follows:  
 "(7) An extension of secondary state highway No. 5N, southerly from Eatonville to a junction with primary state highway No. 5 in the vicinity of Elbe."

Debate ensued.

#### POINT OF INQUIRY

Senator Washington:

"Would Senator Rasmussen yield to a question?

"This only provides for a study, is that correct?"

Senator Rasmussen:

"This merely provides for a study. This is in the same section where you have the other studies. They tell me that is the way you have to do it. You have to have a study first and then the recommendation."

Senator Washington:

"Was this presented to the Highway Committee in bill form?"

Senator Rasmussen:

"No, it wasn't, Senator Washington. During the rush of the regular session, I completely neglected to check on it. After the omnibus bill had passed, I had the highway engineer advise me as to why it wasn't in the highway system. He said the law provided they go as far as Eatonville, and he said also it would be a good idea to have a study."

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

It was moved by Senator Gissberg that the following amendment by Senators Gissberg and Greive to the amendment by Senator Talley be adopted:

Add two new sections following Sec. 66 as follows:  
 "NEW SECTION. Sec. 67. Section 35, chapter 3, Laws of Extraordinary Session, 1963, are amended to read as follows:

The joint fact-finding committee on highways, streets and bridges originally created by chapter 111, Laws of 1947, is hereby recreated and renamed the joint committee on highways. The renaming of said committee shall not affect any powers vested in it or duties imposed upon it by any other statute. All appropriations made to the committee under its former name shall continue to be available to said committee as renamed, the joint committee on highways. The committee shall consist of [seven] nine senators to be appointed by the president of the Senate and [eight] ten members of the House of Representatives to be appointed by the speaker thereof. A list of appointees shall be submitted before the close of each regular legislative session or extraordinary session following a regular session for confirmation of Senate members, by the Senate, and House members, by the House. Vacancies occurring shall be filled by the appointing authority.

*NEW SECTION.* Sec. 68. Membership authorized by this act on the joint committee on highways is hereby ratified, even though appointments are made prior to the effective date of this act."

Debate ensued.

#### POINT OF INQUIRY

Senator Moriarty, Jr.:

"Mr. President, would Senator Gissberg yield?"

"Senator Gissberg, the language of the existing statute does not specify the ratio of membership. Under your amendment, would the ratio of membership in the Senate be six from the majority and three from the minority? Is that the intention?"

Senator Gissberg:

"Would you restate your question as to what the existing law is?"

Senator Moriarty, Jr.:

"As I understand it, the existing law does not specify the ratio of membership and in your remarks you stated the ratio of membership would be the same. At the present time there are seven members, five from the majority party and two from the minority party, if my understanding is correct, then my question to you is this: If the Senate membership is expanded to nine, will the ratio then be six from the majority and three from the minority?"

Senator Gissberg:

"Mr. President, I'm still a little confused in that I spoke of a ratio. I can't directly answer your question, Senator Moriarty, because it is my understanding it is not a political ratio now with respect to the choice of the committee. The ratio that I was speaking of was the ratio of membership between the House and the Senate. That ratio would remain the same. I am not aware of a political ratio in any shape or form."

Senator Moriarty, Jr.:

"Perhaps Senator Greive could answer my question?"

On motion of Senator Greive, further consideration of the amendment to the amendment was deferred until after consideration of all other amendments to the amendment.

It was moved by Senator Thompson, Jr., that the following amendment to the amendment by Senator Talley be adopted:

Following new section, "Sec. 65." add a new paragraph as follows:

*NEW SECTION.* Sec. 66. The highway commission is empowered to join financially or otherwise with any public agency or any county, city, or town in the state of Washington or any other state, or with the federal government or any agency thereof, or with any or all thereof for the planning, development and establishment of area-wide urban mass transportation systems in conjunction with new or existing highway facilities."

Debate ensued.

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

It was moved by Senator Morgan that the following amendment to the amendment by Senator Talley be adopted:

On page — of the amendment by Senator Talley, add a new section following section — to read as follows:

*NEW SECTION.* Sec. —. There is hereby appropriated from the motor vehicle fund to the Washington state highway commission for the biennium ending June 30, 1967, the sum of seventy-five thousand dollars, or so much thereof as may be necessary for preliminary engineering for a bridge at Rich Pass in Kitsap county."

Debate ensued.

Senator Greive demanded a roll call and the demand was sustained by

Senators Morgan, Petrich, Mardesich, Lewis, Knoblauch, Kupka, Cooney and Dore.

#### ROLL CALL

The Secretary called the roll, and the amendment by Senator Morgan to the amendment by Senator Talley was not adopted by the following vote: Yeas, 15; nays, 19; absent or not voting, 14; excused, 1.

Those voting yea were: Senators Chytil, Connor, Cooney, Cowen, Dore, Gallagher, Greive, Knoblauch, Kupka, McMillan, Morgan, Moriarty, Jr., Peterson (Ted), Petrich, Talley—15.

Those voting nay were: Senators Atwood, Charette, Freise, Gissberg, Guess, Hallauer, Hanna, Keefe, Lennart, Lewis, McCormack, McCutcheon, Mardesich, Redmon, Riley, Ryder, Thompson, Jr., Washington, Williams—19.

Absent or not voting: Senators Bailey, Durkan, England, Foley, Henry, Herr, Herrmann, Neill, Peterson (Lowell), Rasmussen, Raugust, Sandison, Stender, Woodall—14.

Excused: Senator Donohue—1.

It was moved by Senator Mardesich that the following amendment to the amendment by Senator Talley be adopted:

Strike "Sec. 61" and renumber the remaining sections consecutively.

#### POINT OF INQUIRY

Senator Washington:

"Mr. President, would Senator Mardesich yield to a question?

"Would you have any objection to making an exception to the concessions on the Colman Dock? This is the area where the Highway Commission was particularly concerned in being able to get concessionaires to put in the necessary improvements that should be amortized over a period of ten years, at least in this one instance."

Senator Mardesich:

"I understood the Colman Dock problem was one with which we were particularly concerned at this time. I was aware of that, which was, in fact, the reason I offered the amendment. I could see no reason, since the five year limitation was in effect in the past, why it should not remain in effect today. I grant that it may have a tendency to cause a faster write-off. However, the second time around it should then result in equal adjustment in the lease. I see no reason for an exception of the Colman Dock or anyone else."

Debate ensued.

The motion was carried on a rising vote and the amendment to the amendment was adopted.

On motion of Senator Thompson, Jr., the Senate returned to the fifth order of business.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., May 3, 1965.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to Engrossed House Bill No. 137 and asks the Senate to recede therefrom, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Thompson, Jr., the Senate refused to recede from its amendments to Engrossed House Bill No. 137 and asked the House for a conference thereon.



**APPOINTMENT OF CONFERENCE COMMITTEE**

The President appointed Senators Bailey, Knoblauch and Thompson, Jr. as members of the Conference Committee on Engrossed House Bill No. 137 and the Senate amendments thereto.

On motion of Senator Cowen, the Conference Committee appointments were confirmed.

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 489.**

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., May 3, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 586 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 3, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 489, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SECOND READING OF BILLS**

There being no objection, the Senate advanced to the seventh order of business and further consideration of House Bill No. 713 on second reading.

It was moved by Senator Greive that the following amendment to the amendment by Senator Talley be adopted:

Add a new section following new section numbered Sec. 64, as follows:

*"NEW SECTION.* Sec. 65. The state highway commission is authorized to acquire title to or any interests or rights in real property adjacent to state highways for the preservation of natural beauty, historic sites or viewpoints or for safety rest areas."

Debate ensued.

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

It was moved by Senator Charette that the following amendment to the amendment by Senator Talley be adopted:

Add a new section following section 66, renumbered section 63, to read as follows:

*"NEW SECTION.* Sec. 64. It shall be unlawful for any person to lease for hire or permit the use of any vehicle with soft tires commonly used upon the beach and referred to as a dune buggy unless such vehicle has been inspected by and approved by the state commission on equipment, which commission may charge a reasonable fee therefor to go into the state patrol highway account."

Debate ensued.

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

It was moved by Senator Knoblauch that the following amendment to the amendment by Senator Talley be adopted:

On page 1 after the enacting clause and before section 1, insert the following:

*"NEW SECTION.* Section 1. We, the Legislature, find that:

(1) The Washington state highway commission and the Washington toll bridge authority were authorized and directed to act jointly with the joint fact-finding committee on highways, streets and bridges to determine the feasibility of undertaking construction of a Naches cutoff and tunnel on primary state highway No. 5 through the Cascade mountains; and

(2) The authority and direction were conferred upon the state highway commission, the toll bridge authority, and the joint fact-finding committee on highways, streets and bridges in 1959; and

(3) The state highway commission, toll bridge authority, and the joint fact-finding committee were further authorized and directed to engage and retain an independent engineering firm to prepare traffic, engineering and financial studies, and surveys; and

(4) The state highway commission has been previously granted the necessary authority to acquire rights of way and to proceed with the construction of the Naches tunnel; and

(5) The increased volume of intermountain cross-state automotive traffic in the past six years and future projected increases in traffic point up the desirability and imperative nature of having a rapid cross-state highway through Naches Pass.

*NEW SECTION.* Sec. 2. The Washington state highway commission is authorized and directed to complete its plans for a Naches Pass tunnel with dispatch, and is authorized and directed to commence immediate construction of a Naches Pass tunnel and cut-off on primary state highway No. 5 through the Cascade mountains.

*NEW SECTION.* Sec. 3. The state highway commission shall forthwith select and acquire, by purchase or condemnation, such lands as may be necessary to accomplish the directive given in section 2 of this act, and shall forthwith do all other acts and things necessary to carry out the purposes of this act, immediately and without delay."

Debate ensued.

The motion was lost and the amendment to the amendment was not adopted.

The Senate resumed consideration of the amendment by Senators Greive and Gissberg to the amendment by Senator Talley.

Debate ensued.

#### POINT OF INQUIRY

Senator Moriarty, Jr:

"Will Senator Greive yield?"

"I am going to direct the same question to you, Senator Greive, that I directed to Senator Gissberg earlier. Is it the intention or the understanding that the political membership will be six members from the majority and three from the minority party?"

Senator Greive:

"Yes, that is correct."

The motion was carried and the amendment by Senators Greive and Gissberg to the amendment by Senator Talley was adopted.

The President declared the Senate to be at ease.

The President called the Senate to order at 4:20 p. m.

It was moved by Senator Mardesich that the following amendment to the amendment by Senator Talley be adopted:

Strike all of "Sec. 36" and renumber the remaining sections consecutively.

Debate ensued.

#### POINT OF INQUIRY

Senator Rasmussen:

"Would Senator Washington yield to a question?"

Senator Washington:

"Yes."

Senator Rasmussen:

"Who requested this change in the law?"

Senator Washington:

"It was requested jointly by the Public Service Commission and people who came to us. The railroads, of course, are interested."

Senator Rasmussen:

"The Highway Commission did not request this change?"

Senator Washington:

"The Highway Commission was agreeable to the change."

The motion was carried and the amendment by Senator Mardesich to the amendment by Senator Talley was adopted.

On motion of Senator Petrich, the following amendment to the amendment by Senator Talley was adopted:

In *NEW SECTION*. Sec. 63, line 4, strike "56" and insert "54".

The President declared the question before the Senate to be the adoption of the amendment by Senator Talley as amended.

Th motion was carried and the amendment as amended was adopted.

On motion of Senator Talley, the following amendment to the title was adopted:

On page 1, beginning on line 1, strike all of the title and insert the following:

AN ACT Relating to highways and the operation of vehicles thereon; describing powers, duties and organizations of the Washington state highway commission, the Washington toll bridge authority, the director and the department of motor vehicles, the Washington state safety council and the joint committee on highways; establishing and designating certain highways and alternate routes; relating to transportation toll facilities and the financing thereof; providing for surveys and studies of proposed highway additions; prescribing fees, size, weight, load, permits, license plate and equipment restrictions for certain motor vehicles; relating to the licensing of drivers and driving instructors; and amending section 9, chapter 77, Laws of 1963 and RCW 18.27.090; amending sections 43.60.050 and 43.60.060, chapter 8, Laws of 1965 and RCW 43.60.050 and 43.60.060; amending section 46.08.120 and 46.20.100, chapter 12, Laws of 1961 and RCW 46.08.120 and 46.20.100; amending section 46.37.340, chapter 12, Laws of 1961 as amended by section 21, chapter 154, Laws of 1963 and RCW 46.37.340; amending section 46.44.037, chapter 12, Laws of 1961 as amended by section 53, chapter 3, Laws of 1963 extraordinary session and RCW 46.44.037; amending section 46.44.092, chapter 12, Laws of 1961 as amended by section 54, chapter 3, Laws of 1963 extraordinary session and RCW 46.44.092; amending section 46.44.095, chapter 12, Laws of 1961 as amended by section 15, chapter 7, Laws of 1961, extraordinary session and RCW 46.44.095; amending section 46.82.140, chapter 12, Laws of 1961 and RCW 46.82.140; amending section 47.01.040, chapter 13, Laws of 1961 and RCW 47.01.040; amending section 47.01.160, chapter 13, Laws of 1961 and RCW 47.01.160; amending section 3, chapter 173, Laws of 1963 and RCW 47.05.030; amending section 47.16.010, chapter 13, Laws of 1961 as last amended by section 21, chapter 3, Laws of 1963 extraordinary session and RCW 47.16.010; amending section 47.16.030, chapter 13, Laws of 1961, and RCW 47.16.030; amending section 47.16.080, chapter 13, Laws of 1961 as amended by section 2, chapter 21, Laws of 1961 extraordinary session and RCW 47.16.080; amending section 47.16.120, chapter 13, Laws of 1961 as amended by section 2, chapter 3, Laws of 1963 extraordinary session and RCW 47.16.120; amending section 47.16.190, chapter 13, Laws of 1961 as amended by section 7, chapter 21, Laws of 1961 extraordinary session and RCW 47.16.190; amending section 47.20.010, chapter 13, Laws of 1961 as amended by section 5, chapter 3, Laws of 1963 extraordinary session and RCW 47.20.010; amending section 47.20.180, chapter 13, Laws of 1961 and RCW 47.20.180; amending section 47.20.320, chapter 13, Laws of 1961 and RCW 47.20.320; amending section 41, chapter 21, Laws of 1961 extraordinary session and RCW 47.20.351; amending section 47.20.440, chapter 13, Laws of 1961 as amended by section 14, chapter 3, Laws of 1963 extraordinary session and RCW 47.20.440; amending section 4, chapter 278, Laws of 1961 and RCW 47.56.023; amending section 10, chapter 278, Laws of 1961 and RCW 47.56.034; amending section 47.56.245, chapter 13, Laws of 1961 and RCW 47.56.245; amending section 47.56.282, chapter 13, Laws of 1961 and RCW 47.56.282; amending section 35, chapter 3, Laws of 1963 extraordinary session; amending section 81.80.060, chapter 14, Laws of 1961 and RCW 81.80.060; amending section 17, chapter ....., Laws of 1965 extraordinary session (Senate Bill

No. 334); adding new sections to chapters 12 and 13, Laws of 1961 and to chapters 19.28 RCW, 46.16 RCW, 46.20 RCW, 47.04 RCW and 47.56 RCW; repealing sections 11 and 12, chapter 278, Laws of 1961 and RCW 47.56.036 and 47.56.038; making appropriations; providing effective dates; and declaring an emergency.

On motion of Senator Talley, the rules were suspended, House Bill No. 713, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 713, as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 39; nays, 5; absent or not voting, 4; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Guess, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Talley, Thompson, Jr., Washington, Williams, Woodall—39.

Those voting nay were: Senators Gissberg, Greive, Hallauer, Henry, Moriarty, Jr.—5.

Absent or not voting: Senators Morgan, Ryder, Sandison, Stender—4.

Excused: Senator Donohue—1.

House Bill No. 713, as amended by the Senate, having received the constitutional majority, was declared passed.

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

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., April 28, 1965.  
MR. PRESIDENT: Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 489, have inspected same, and find it correctly enrolled and certified.

....., *Chairman.*

We concur in this report: Martin J. Durkan, R. R. Bob Greive, Marshall A. Neill.

#### Senate Joint Resolution No. 31:

Senate Chamber,  
Olympia, Wash., April 14, 1965.

Proposing amendment to Constitution permitting constitutional amendments by initiative to the people (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass.

JOHN T. MCCUTCHEON, *Chairman.*

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, Gordon Herr, James Keefe, Ernest W. Lennart, W. C. Raugust, Fred G. Redmon, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

#### Substitute House Bill No. 655:

Senate Chamber,  
Olympia, Wash., April 27, 1965.

Increasing gas tax and providing for disposition of proceeds (reported by Committee on Highways):

MAJORITY reports said bill out of committee as amended, without recommendation.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice Chairman*.

We concur in this report: Fred H. Dore, Martin J. Durkan, Frank W. Foley, Wilbur G. Hallauer, H. B. Hanna, Gordon Herr, Reuben A. Knoblauch, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Don L. Talley, Walter B. Williams.

**Substitute House Bill No. 655:**

Senate Chamber,  
Olympia, Wash., April 27, 1965.

Increasing gas tax and providing for disposition of proceeds (reported by Committee on Highways):

MINORITY recommends that it do not pass.

....., *Chairman*,  
....., *Vice Chairman*.

We concur in this report: Dewey C. Donohue, Herbert H. Freise, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, April 28, 1965.

LADY AND GENTLEMEN:

I am returning herewith, without my approval as to one item, **Substitute Senate Bill No. 42** entitled:

"AN ACT Adopting the capital budget and making appropriations for capital improvements; and declaring an emergency."

I have no objection to the appropriations contained in this bill, but I am concerned that it should take effect on July 1, 1965 when the next biennium commences.

This bill contains appropriations and reappropriations for capital improvement projects. The allotment of funds pursuant to this bill is intended to occur during the biennium commencing July 1, 1965; however with the exception of certain projects at the state universities and state colleges which take effect immediately, this bill will not take effect until ninety days after adjournment of this legislative session. It is difficult to predict the effective date of the bill; however it is obvious that it will be a month or more after the commencement of the next biennium.

This delay in making funds available could work a hardship with respect to projects previously authorized for which reappropriations have been made in this bill. It is unfortunate that the emergency clause in Section 10 was not expanded to make all portions of the bill effective no later than July 1, 1965. However, to relieve this problem, I have vetoed the language in Section 10 which restricts the operation of the emergency clause to appropriations from the building and capital projects accounts of the state universities and state colleges. By striking this language the entire act will become effective immediately. However, this does not mean that funds will be expended prior to the time intended by the legislature. Under Section 3 of the bill the Budget Director, with the approval of the Governor, must allot funds before any project can begin or any obligation can be incurred. The power to make such allotments can be used to give effect to the legislative intent that appropriations from the building and capital projects accounts of the state universities and colleges shall take effect immediately and that other appropriations shall take effect July 1, 1965.

With the exception of a certain item in Section 10, which I have vetoed for the reasons stated above, the remainder of the bill is approved.

Respectfully submitted,  
DANIEL J. EVANS, *Governor*.

It was moved by Senator Gissberg that the veto message of the Governor be referred to the Committee on Rules and Joint Rules.

Debate ensued.

## POINT OF INQUIRY

Senator Dore:

"Mr. President, would Senator Neill yield to a question?"

"Senator Neill, from your remarks I take it you believe Governor Evans has usurped the legislative process in vetoing this bill in the manner in which he did?"

Senator Neill:

"No, Senator, I do not agree. I started my remarks by saying I accept the remarks of Senator Gissberg on a plane which I am sure they were intended."

Senator Dore:

"Then, Senator Neill, I am confused. As I understood the remarks of Senator Gissberg, they were extremely critical of the method Governor Evans used in applying the red ink and actually changing the intent of this bill. You say you agree with him, but you said you agreed on the high plane of which he meant these remarks. Now I am a little country boy from Seattle and, of course, you are from the big city of Pullman, but I don't understand if you agree or disagree. If you agree with him, then Senator Gissberg has said in fact that the Governor has usurped the legislative process for which we alone have the responsibility. Do you agree with that? Please answer yes or no and then you can explain your answer later."

Senator Neill:

"Neither Senator Dore nor Senator Neill are going to attempt to answer for Senator Gissberg and if he would like to rise and put a different connotation on his remarks than I have placed on them, he is perfectly free to do so and then we can go from there."

Senator Dore:

"Would Senator Gissberg yield to a question?"

Senator Gissberg:

"My remarks speak for themselves and the press and everyone else can place such interpretation on them as they wish to make."

Senator Dore:

"I think the question was whether you would yield?"

The President:

"Evidently the answer is no, Senator Dore."

Debate ensued.

The motion was carried and the veto message of the Governor was referred to the Committee on Rules and Joint Rules.

## MESSAGES FROM THE GOVERNOR

State of Washington, Executive Department,  
Olympia, April 28, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bills, entitled:

**Senate Bill No. 160:**

Providing an exemption from business and occupation tax, admission charges by agricultural fairs.

**Senate Bill No. 535:**

Making appropriations, reappropriations for operations, capital improvements of highway commission and toll bridge authority.

**Senate Bill No. 552:**

Relating to student fees at state colleges.

**Senate Bill No. 555:**

Increasing community college fees.

**Senate Bill No. 566:**

Providing for increase in membership of legislative council.

Very truly yours,

RAYMOND W. HAMAN,

*Legal Counsel to the Governor.*

State of Washington, Executive Department,

Olympia, April 30, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bill entitled:

**Senate Bill No. 451:**

Enabling public utility districts to continue payment of premiums of contracts for the benefit of employees after retirement.

Very truly yours,

RAYMOND W. HAMAN,

*Legal Counsel to the Governor.*

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., May 3, 1965.

MR. PRESIDENT:

The House has granted the request of the Senate for a conference on Engrossed House Bill No. 137 and the Senate amendments thereto and the Speaker has appointed as members of the Conference Committee thereon:

Representatives Brouillet, Andersen (James A.) and Sheridan.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 3, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 387 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF CONFERENCE COMMITTEE**

Olympia, Wash., May 3, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Engrossed House Bill No. 137, authorizing the establishment of five additional community colleges, have had the same under consideration, and we report that we are unable to agree and request the powers of free conference.

*Senate Members*

ROBERT C. BAILEY

REUBEN A. KNOBLAUCH

ALBERT C. THOMPSON, JR.

*House Members*

FRANK B. BROUILLET

JAMES A. ANDERSEN

GEORGE P. SHERIDAN

On motion of Senator Thompson, Jr., the Conference Committee report was adopted and the committee was granted the powers of free conference.

**INTRODUCTION AND FIRST READING OF BILLS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 568, by Senator Morgan:**

An Act relating to revenue and taxation; amending section 82.08.080, chapter 15, Laws of 1961 as amended by section 2, chapter 244, Laws of 1963 and RCW 82.08.080; and making an appropriation.

Referred to Committee on Ways and Means.

**Senate Bill No. 569**, by Senators Greive and McCutcheon:

An Act relating to the redistricting and reapportionment of the state into congressional districts; and adding new sections to chapter 29.68 RCW and to chapter 9, Laws of 1965; and repealing section 29.68.005, chapter 9, Laws of 1965 and RCW 29.68.005; and repealing section 29.68.007, chapter 9, Laws of 1965 and RCW 29.68.007; and repealing section 29.68.011, chapter 9, Laws 1965 and RCW 29.68.011; and repealing section 29.68.021, chapter 9, Laws of 1965 and RCW 29.68.021; and repealing section 29.68.030, chapter 9, Laws of 1965 and RCW 29.68.030; and repealing section 29.68.040, chapter 9, Laws of 1965 and RCW 29.68.040; and repealing section 29.68.062, chapter 9, Laws of 1965 and RCW 29.68.062; and repealing section 29.68.066, chapter 9, Laws of 1965 and RCW 29.68.066; and providing for submission of this act to a vote of the people.

It was moved by Senator Greive that the rules be suspended and that Senate Bill No. 569 be advanced to second reading and read the second time by sections.

The motion was lost on a rising vote.

Senate Bill No. 569 was referred to the Committee on Constitution, Elections and Legislative Processes.

**MOTION**

It was moved by Senator McCutcheon that the Committee on Constitution, Elections and Legislative Processes be relieved of further consideration of Senate Bill No. 569.

Debate ensued.

Senator Greive demanded a roll call and the demand was sustained by Senators Connor, Bailey, Washington, Greive, McCutcheon, McMillan, Henry, Herrmann, Gallagher and Kupka.

**ROLL CALL**

The Secretary called the roll and the motion by Senator McCutcheon was lost by the following vote: Yeas, 17; nays, 24; absent or not voting, 7; excused, 1.

Those voting yea were: Senators Bailey, Connor, Cooney, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Peterson (Lowell), Talley, Washington—17.

Those voting nay were: Senators Atwood, Charette, Chytil, Cowen, Dore, England, Foley, Freise, Guess, Hallauer, Keefe, Lennart, Lewis, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Williams, Woodall—24.

Absent or not voting: Senators Durkan, Herr, Petrich, Ryder, Sandison, Stender, Thompson, Jr.—7.

Excused: Senator Donohue—1.

**PERSONAL PRIVILEGE**

Senator McCutcheon:

"Mr. President and members of the Senate:

"Your vote of confidence is overwhelming. I accept it with due appreciation. I am deeply grateful. Thanks, but honestly and without any humor, I do appreciate the confidence and accept it."



**MOTION**

It was moved by Senator Freise that the rules be suspended and that he be permitted to sign the minority report on Substitute House Bill No. 655.

Debate ensued.

The motion was carried.

**MOTION**

At 5:40 p. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Tuesday, May 4, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**FIFTY-FIRST DAY**

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**MORNING SESSION**

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SENATE CHAMBER,

OLYMPIA, WASH., Tuesday, May 4, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Donohue and Stender.

On motion of Senator Bailey, Senator Donohue was excused.

The Color Guard, consisting of Pages John Turner, Color Bearer, and Verita Brazle, presented the Colors.

Reverend Walter A. MacArthur, pastor of the First Methodist Church of Olympia, offered prayer as follows:

"Great God, our Father, into the calm and confidence of Thy presence we would bring our drained and driven souls, that the benediction of Thy peace and power may fall upon us.

"We come deeply concerned that our personal attitudes must be part of the answer and not remain part of the problem of our social order. Help us then in all things to be masters of ourselves that in turn we may be servants of all. Help us to command this new day, meeting its joys with gratitude, its difficulties with fortitude, its doubts with faith.

"Direct our steps, guard us from error and deliver us from evil. What dost Thou require of us but to do justly, to love mercy, to walk humbly with Thee. Let it be so this day as we begin these hours in Thy presence. Amen."

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

**APPOINTMENT OF SPECIAL COMMITTEE**

The President appointed a special committee consisting of Senators Knoblauch and Freise to escort Page Teresa Hallauer to a place of honor upon the rostrum.

The Secretary read:

**SENATE RESOLUTION**  
No. 1965 EX -29

By Senator Knoblauch:

WHEREAS, Teresa Hallauer, Senate Page and daughter of the esteemed Senator Wilbur G. Hallauer and Mrs. Hallauer from the First Legislative District, has served continuously as a Senate Page for more than 110 days; and

WHEREAS, Teresa, during the past 110 days by her untiring and devoted work has earned the respect and admiration of the members of the Senate who wish to pay tribute to her; and

WHEREAS, The members of the Senate realize that some of the past 110 days have been very long and tedious to this lovely young page, who at all times has been extremely courteous and respectful; and

WHEREAS, Teresa is recognized as being one of the most dedicated and competent pages in the history of the Washington State Legislature; and

WHEREAS, The members of the Senate wish to have Teresa designated as Page Emeritus of the Washington State Senate;

Now, Therefore, *Be It Resolved*, That the members of the Senate do hereby express their appreciation and gratitude to Teresa Hallauer for the excellent work which she has done during the Thirty-ninth Legislative Session and the Extraordinary Session immediately following; and

*Be It Further Resolved*, That Teresa Hallauer be and she is hereby designated Page Emeritus of the Washington State Senate; and

*Be It Further Resolved*, That the Secretary of the Senate be and he is hereby instructed to send copies of this resolution to Teresa Hallauer and to her parents, Senator and Mrs. Hallauer.

On motion of Senator Knoblauch, the resolution was adopted.

With leave of the Senate, business was suspended to permit the President to present Teresa Hallauer with a copy of the resolution.

The committee of honor escorted Page Teresa Hallauer from the rostrum.

The Secretary read:

**SENATE RESOLUTION**  
No. 1965 EX -30

By Senators Washington, Hallauer, Raugust, McCormack and Hanna:

*To the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate and Speaker of the House of Representatives of the United States, and to the Senate and House of Representatives of the United States, in Congress Assembled:*

WHEREAS, The construction of the third powerhouse at Grand Coulee Dam is necessary to utilize the upriver storage which is to be provided pursuant to the recent treaty between the United States and Canada; and

WHEREAS, The electric power from this huge project will be needed to serve rapidly increasing demands in the Pacific Northwest; and

WHEREAS, The \$400,000,000 project will produce an additional 3,600,000 K.W., making Grand Coulee the largest producer of electric power in the world, and will again move the United States ahead of the Soviet Union in this important field; and

WHEREAS, The construction of the project will provide additional employment and will provide a great economic boost to the immediate area and to the entire state;

Now, Therefore, *Be It Resolved*, By the Washington State Senate that the Congress of the United States and those committees concerned with appropriations be requested to provide funds so that the construction of the third powerhouse at Grand Coulee can be commenced at the earliest practical date; and

*Be It Further Resolved*, That the Secretary of the Senate transmit copies of this resolution to the Honorable Lyndon B. Johnson, President of the United States, to the President of the Senate and Speaker of the House of Representatives of the United States, to each member of Congress from the state of Washington, and to the Secretary of the Department of the Interior.

It was moved by Senator Washington that the resolution be adopted.  
Debate ensued.

**POINT OF INQUIRY**

Senator Peterson (Ted):

"Mr. President, would Senator Raugust yield to a question?"

Senator Raugust:

"I yield."

Senator Peterson (Ted):

"In the last twenty years you have diminished our fisheries resources and salmon by thirty-five million pounds. What is this going to do to our future fish?"

Senator Raugust:

"Well, I'm not a fisherman so as I said to you yesterday, I always ask you for advise. I do think we have to progress and build these dams. Evidently they are worth more to our economy than the fish, but I am always willing to help you out with the fish."

Debate ensued.

The motion was carried and the resolution was adopted.

The President declared the Senate to be at ease for a meeting of the Committee on Rules and Joint Rules.

The President called the Senate to order at 11:50 a. m.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., May 3, 1965.

MR. PRESIDENT:

The House refuses to recede from its amendments to Senate Concurrent Resolution No. 25 and asks the Senate for a conference thereon, and has named as the House conferees on Senate Concurrent Resolution No. 25 and the House amendments thereto: Representatives Andersen (James A.), O'Brien and Day.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Ryder, the Senate granted the request of the House for a conference on Senate Concurrent Resolution No. 25 and the House amendments thereto.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The President appointed as members of the Conference Committee on Senate Concurrent Resolution No. 25 and the House amendments thereto, Senators Dore, Lewis and Herr.

On motion of Senator Ryder, the Conference Committee appointments were confirmed.

At 11:55 a. m., on motion of Senator Greive, the Senate recessed until 1:30 p. m.

**AFTERNOON SESSION**

The President called the Senate to order at 1:30 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Donohue and Stender, Senator Donohue having been excused.

On motion of Senator Moriarty, Jr., Senator Stender was excused from the roll call votes on the second reading calendar for today.

Senators Greive, Gallagher and Moriarty, Jr. demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senators Donohue and Stender, who were excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

The Secretary read:

#### SENATE RESOLUTION No. 1965 EX -31

By Senator Riley:

WHEREAS, The Children's Orthopedic Hospital in Seattle is renowned for the services it performs for children requiring medical and surgical care and treatment; and

WHEREAS, Such care and treatment is often expensive and is sometimes beyond the means of the parents of such children, but is not denied for this reason; and

WHEREAS, Much of the support for these charitable services is derived through the annual penny envelope campaign and other fund raising activities of the many orthopedic guilds and junior orthopedic guilds located throughout this state; and

WHEREAS, The annual penny envelope drive is currently being conducted, from May first through May fourteenth;

Now, Therefore, Be It Resolved, By the Senate of the state of Washington that we hereby express our appreciation for the skillful and loving treatment accorded to the children of the Northwest by the Children's Orthopedic Hospital; and

Be It Further Resolved, That we extend best wishes for an eminently successful penny drive for 1965 and express our hope these worthwhile activities will continue to be widely and generously supported.

On motion of Senator Riley, the resolution was adopted.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., May 3, 1965.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Engrossed House Bill No. 137, and has granted said committee the powers of free conference.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary commenced the reading of the Free Conference Committee report on Engrossed House Bill No. 137.

On motion of Senator Bailey, Engrossed House Bill No. 137 as amended by the Free Conference Committee was made a special order of business at the end of the second reading calendar for today.

#### INTRODUCTION AND FIRST READING OF RESOLUTION AND MEMORIAL

The following were introduced, read first time by title and acted upon as indicated:

**Senate Concurrent Resolution No. 26**, by Senators Charette, Hallauer, Bailey, Moriarty, Jr., Neill and Gallagher:

Requesting the attorney general to determine effect of chapter 127, Laws of 1965 extraordinary session relating to terms and salaries of legislators.

On motion of Senator Greive, the rules were suspended, Senate Concurrent

Resolution No. 26 was advanced to second reading and read the second time in full.

On motion of Senator Charette, the rules were suspended, Senate Concurrent Resolution No. 26 was advanced to third reading, the second reading considered the third, the resolution placed on final passage and adopted.

**Senate Joint Memorial No. 24**, by Senators Guess, Hanna, Hallauer, Cooney, Herrmann, Washington, Moriarty, Jr., Lennart, Freise, Woodall, Lewis, Marsdesich, Neill, Henry, Ryder and Redmon:

Requesting delay in raising power rates by Bonneville Power Administration.

It was moved by Senator Guess that the rules be suspended to permit additional sponsors to Senate Joint Memorial No. 24.

The motion was carried.

On motion of Senator Guess, the rules were suspended, Senate Joint Memorial No. 24 was advanced to second reading and read the second time in full.

It was moved by Senator Guess that the rules be suspended and that Senate Joint Memorial No. 24 be advanced to third reading, the second reading considered the third, and the memorial placed on final passage.

Debate ensued.

On motion of Senator Gallagher, Senate Joint Memorial No. 24 and the motion by Senator Guess were made a special order of business for today following consideration of the Free Conference Committee report on Engrossed House Bill No. 137.

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

**CONFIRMATION OF GUBERNATORIAL APPOINTMENT**

State of Washington, Executive Department,  
Olympia, March 10, 1965.

*To the Honorable, The Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to submit the following appointment to the position of Chairman of the Tax Commission, subject to your confirmation:

GEORGE C. KINNEAR, appointed January 14, 1965, succeeding Charles W. Hodde.

Very truly yours,

DANIEL J. EVANS, *Governor.*

**REPORT OF STANDING COMMITTEE**

Senate Chamber,

Olympia, Wash., April 16, 1965.

GEORGE C. KINNEAR, to the position of chairman of the Tax Commission, appointed January 14, 1965, succeeding Charles W. Hodde (reported by Committee on Ways and Means):

MAJORITY recommends that said appointment be confirmed:

FRANK W. FOLEY, *Chairman.*

FRED H. DORE, *Chairman,*

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*

Committee on Revenue & Regulatory.

We concur in this report: Robert C. Bailey, Joe Chytil, David C. Cowen, Jack England, William A. Gissberg, Sam C. Guess, David E. McMillan, Charles P. Moriarty, Jr., Marshall A. Neill, Edward F. Riley, John N. Ryder, Albert C. Thompson, Jr., Walter B. Williams, Perry B. Woodall.

It was moved by Senator Moriarty, Jr. that the rules be suspended and the appointment of George C. Kinnear to the position of chairman of the Washington State Tax Commission be now confirmed by the Senate.

**PERSONAL PRIVILEGE**

Senator Moriarty, Jr.:

"Mr. President and members of the Senate:

"I don't think I need to give you too much detail or history on George Kinnear. He served with distinction as a member of the House of Representatives for some years. I might add that he was a Representative from the Thirty-sixth District and is one of my predecessors. His father before him was a member of the House of Representatives. I am sure many, if not all of the members of the Senate, know him personally and have had an opportunity to talk with him and know him as a fine, outstanding, reputable man who left a very fine law practice in Seattle to accept the position as chairman of the State Tax Commission. I sincerely urge you vote favorably upon his confirmation."

Senator Rasmussen:

"Mr. President:

"I wish to state that I think George Kinnear will do a good job as chairman of the Tax Commission, but I was waiting. I thought Senator Moriarty would say he had come to the aid of the Republican Party, but he missed out on the last few words."

Senator Moriarty, Jr.:

"Mr. President:

"He has been helping the Republican Party for a good many years."

The motion was carried.

**APPOINTMENT OF GEORGE C. KINNEAR**

The Secretary called the roll and the appointment of George C. Kinnear to the position of Chairman of the Washington State Tax Commission was confirmed by the Senate by the following vote: Yeas, 47; nays, 0; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Excused: Senators Donohue, Stender—2.

Having received the approval of the Senate, the appointment of George C. Kinnear to the position of chairman of the Washington State Tax Commission was confirmed.

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

The Secretary read:

**MESSAGE FROM THE HOUSE**

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., May 3, 1965.

The House has passed: Substitute Senate Bill No. 41, with the following amendment: On page 5, section 6, beginning on line 3 strike all of the matter down to and including "basin" on line 4 and insert "To renovate and improve existing, surveyed and partially developed fish farms" and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

It was moved by Senator Greive that the Senate refuse to concur in the House amendment to Substitute Senate Bill No. 41, and ask the House to recede therefrom.

Debate ensued.

It was moved by Senator Peterson (Ted) that the Senate do concur in the House amendment to Substitute Senate Bill No. 41.

Debate ensued.

Senators Hanna, Greive and Charette demanded the previous question and the demand was sustained.

The President declared the question before the Senate to be the motion by Senator Peterson (Ted) that the Senate do concur in the House amendment to Substitute Senate Bill No. 41.

Senator Moriarty, Jr. demanded a roll call and the demand was sustained by Senators Chytil, Peterson (Ted), Guess, Talley, Sandison, Greive, Herrmann, Charette, Gallagher and Kupka.

#### ROLL CALL

The Secretary called the roll, and the motion by Senator Peterson (Ted) was lost by the following vote: Yeas, 18; nays, 29; excused, 2.

Those voting yea were: Senators Atwood, Chytil, Cowen, England, Freise, Guess, Herrmann, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Thompson, Jr., Williams, Woodall—18.

Those voting nay were: Senators Bailey, Charette, Connor, Cooney, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—29.

Excused: Senators Donohue, Stender—2.

The President called upon Senator Cowen to preside.

The motion to concur was lost, the Senate refused to concur in the House amendment to Substitute Senate Bill No. 41 and asked the House to recede therefrom.

#### SECOND READING OF BILLS

**Engrossed House Joint Resolution No. 7**, by Representatives Anderson (Eric O.), Burtch, May, Moon, Marsh, Olsen, Chatalas, Haussler, Beck, Bozarth, Sheridan, Conner, Marzano, Grant, McDougall, Elder, Warnke, Mahaffey, Gallagher, Jastad, King (Chet), Taplin, Kull, Hawley, Litchman, Smith, Traylor and Backstrom:

Exempting taxation of real property of certain people sixty-five years of age or older.

The resolution was read the second time in full.

It was moved by Senator Ryder that the following amendment be adopted:

In line 19 after "requirements." insert the following:

Except as hereinafter provided and not withstanding any other provisions of this Constitution, the aggregate of all tax levies upon real and personal property by the state and all taxing districts now existing or hereafter created, shall not in any year exceed forty mills on the dollar of assessed valuation, which assessed valuation shall be [fifty] thirty per centum of the true and fair value of such property in money: *PROVIDED, That notwithstanding any other provision of this Constitution, whenever the state board of equalization, or other state agency authorized by law to equalize assessed valuations of property for state property tax purposes, shall determine that the assessed valuation of property in any county is less than twenty-eight per centum of true and fair value of such property in money, upon action of the legislative body of any school district in the county, the school levy of the district shall be adjusted so that each mill of the regular school levy of the district shall yield an amount equal to each mill of the state levy: Provided, however, That nothing herein shall*

prevent levies at the rates now provided by law by or for any port or public utility district. The term "taxing district" for the purposes of this section shall mean any political subdivision, municipal corporation, district, or other governmental agency authorized by law to levy, or have levied for it, ad valorem taxes on property, other than a port or public utility district. Such aggregate limitation or any specific limitation imposed by law in conformity therewith may be exceeded only

(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the electors thereof voting on the proposition to levy such additional tax submitted not more than twelve months prior to the date on which the proposed levy is to be made and not oftener than twice in such twelve month period, either at a special election or at the regular election of such taxing district, at which election the number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election;

(b) By any taxing district otherwise authorized by law to issue general obligation bonds for capital purposes, for the sole purpose of making the required payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment, when authorized so to do by majority of at least three-fifths of the electors thereof voting on the proposition to issue such bonds and to pay the principal and interest thereon by an annual tax levy in excess of the limitation herein provided during the term of such bonds, submitted not oftener than twice in any calendar year, at an election held in the manner provided by law for bond elections in such taxing district, at which election the total number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election: *Provided*, That any such taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitation provided for herein, *And provided further*, That the provisions of this section shall also be subject to the limitations contained in Article VIII, section 6, of this Constitution;

(c) By the state or any taxing district for the purpose of paying the principal or interest on general obligation bonds outstanding on December 6, 1934; or for the purpose of preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort.

#### Debate ensued.

It was moved by Senator McMillan that the following amendment by Senators Dore and McMillan to the amendment by Senator Ryder be adopted:

In line 19 after "requirements." strike Senator Ryder's amendment and insert the following:

*"Be It Further Resolved*, That at the next general election to be held in this state there shall be submitted to the qualified voters of the state for their approval and ratification, or rejection, an amendment to Article VII, section 2 of the Constitution of the state of Washington, to read as follows:

"Except as hereinafter provided and notwithstanding any other provision of this Constitution, the aggregate of all tax levies upon real and personal property by the state and all taxing districts now existing or hereafter created, shall not in any year exceed forty mills on the dollar of assessed valuation, which assessed valuation shall be [fifty] *twenty-five* per centum of the true and fair value of such property in money: *Provided, however*, That nothing herein shall prevent levies at the rates now provided by law by or for any port or public utility district. The term "taxing district" for the purposes of this section shall mean any political subdivision, municipal corporation, district, or other governmental agency authorized by law to levy, or have levied for it, ad valorem taxes on property, other than a port or public utility district. Such aggregate limitation or any specific limitation imposed by law in conformity therewith may be exceeded only

(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the electors thereof voting on the proposition to levy such additional tax submitted not more than twelve months prior to the date on which the proposed levy is to be made and not oftener than twice in such twelve month period, either at a special election or at the regular election of such taxing district, at which election the number of persons voting on the proposition shall constitute



not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election;

(b) By any taxing district otherwise authorized by law to issue general obligation bonds for capital purposes, for the sole purpose of making the required payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment, when authorized so to do by majority of at least three-fifths of the electors thereof voting on the proposition to issue such bonds and to pay the principal and interest thereon by an annual tax levy in excess of the limitation herein provided during the term of such bonds, submitted not oftener than twice in any calendar year, at an election held in the manner provided by law for bond elections in such taxing district, at which election the total number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election: *Provided*, That any such taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes thereof by annual levies in excess of the tax limitation provided for herein, only, and to provide for the interest thereon and amortization. *And provided further*, That the provisions of this section shall also be subject to the limitations contained in Article VIII, Section 6, of this Constitution;

(c) By the state or any taxing district for the purpose of paying the principal or interest on general obligation bonds outstanding on December 6, 1934; or for the purpose of preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort."

The President resumed the Chair.

#### PARLIAMENTARY INQUIRY

Senator Ryder:

"Mr. President, parliamentary inquiry:

"I was a little inattentive at the time the amendment was read, but I believe that it strikes my full amendment and substitutes the amendment by Senators Dore and McMillan."

Senator Greive:

"Mr. President:

"Reed's Rule 130 provides that you can strike and insert. It seems to me that this would be proper."

Senator Ryder:

"Mr. President:

"I think we should vote on my amendment first and if it fails, then their amendment is in order."

Senator McMillan:

"Mr. President, I feel that the membership should have the opportunity of comparing these two resolutions. Now is the time and here is the place. Time is growing very near to adjournment, for which we are all hoping. Here is an opportunity this afternoon to discuss on the floor the relative merits of these two proposed amendments. I think now is the time to do it and to have a vote on that very matter. Certainly it is not injurious to the success of Senate Joint Resolution No. 24 to consider the amendment that we have proposed."

Senator Moriarty, Jr.:

"Mr. President, speaking on the point of order:

"I would like to refer the President to Reed's Rule 132 which states amendments can be made in three ways: First, by inserting words; second, by striking out words; third, by striking out words and inserting others. Here we have what is in fact a substitute amendment. I have lost the next reference, but in a later rule—I believe it is 140—it describes the amendment by striking out and inserting consists of a proposition to strike out certain words in the main question or pending question and insert certain other words. My point is that of course Senator Ryder's point is well taken and it is not proper for this amendment to be considered. Senator McMillan

would be correct in striking for instance the word 'thirty' and inserting the word 'twenty-five,' but he is not correct in striking the entire amendment and substituting his amendment."

Senator Greive:

"Mr. President:

"I think we have to read three rules together. I pointed out Rule 130 which says in effect once a paragraph is gone, that it would be hardly proper to strike and insert, and I think we had this once before in the session. Then we have to read Reed's Rule 133, amendment to the amendment, which provides that you can amend an amendment, and then you go to Reed's Rule 140, amendments by striking out and inserting, which provides the means by which this is to be done. In effect, we have to amend the amendment before it is adopted. At least that is the proper procedure and then you have an amendment to the amendment, and the method which Senator McMillan has employed here is an amendment to strike and insert, so it seems to me he is perfectly in order."

Senator Hallauer:

"Mr. President:

"Looking at Reed's Rules, the rule that strikes my eye and I think it should be given some attention, is Rule 134. It says amendments can only be considered one at a time, and when an amendment is pending, all other amendments must be confined to that. I find it very difficult to think that Senator McMillan's amendment, which strikes the first amendment, is confining itself to Senator Ryder's amendment, because it is a totally different amendment; and, further on in the rule it says the one amendment originally presented must be disposed of before another can be entertained."

#### RULING BY THE PRESIDENT

The President:

"The President, in ruling upon the point of inquiry:

"The President believes that Reed's Rule 140 applies, that portion which states: 'It is in most cases the substitution of one set of words for another.' The President believes that both Senator McMillan's amendment to the amendment and Senator Ryder's amendment should be considered. The President believes that it would be a more orderly process to consider Senator McMillan's amendment to the amendment first. If it is adopted, obviously the Senate would not care to adopt Senator Ryder's amendment. If Senator McMillan's amendment is not adopted, the Senate may then take Senator Ryder's amendment under consideration."

Debate ensued.

On motion of Senator Gallagher, Engrossed House Joint Resolution No. 7 was ordered to retain its place at the end of the second reading calendar for today.

On motion of Senator Greive, the Secretary was instructed to provide each Senator with a copy of the amendments by Senators Ryder and McMillan.

**House Joint Memorial No. 21**, by Representatives O'Donnell, Marsh, Sheridan, Grant and Johnson (Doris):

Repealing Taft-Hartley act, section 14-b.

The memorial was read the second time in full.

On motion of Senator Rasmussen, the rules were suspended, House Joint Memorial No. 21 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Joint Memorial No. 21 and the memorial passed the Senate by the following vote: Yeas, 37; nays, 10; excused, 2.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington—37.

Those voting nay were: Senators Atwood, Cowen, Guess, Lewis, Moriarty, Jr., Neill, Raugust, Redmon, Williams, Woodall—10.

Excused: Senators Donohue, Stender—2.

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

#### MOTION

On motion of Senator Greive, the rules were suspended and Senators Gissberg, Dore and Woodall were excused.

**Engrossed House Bill No. 190**, by Representatives Bergh, Uhlman and Smith:

Allowing property tax exemption for certain retired persons.

On motion of Senator Greive, Engrossed House Bill No. 190 was ordered to retain its place on the second reading calendar for today immediately following consideration of Engrossed House Joint Resolution No. 7.

**House Concurrent Resolution No. 13**, by Representatives Goldsworthy, Jolly and Bozarth:

Directing legislative council study to make current use of certain lands the basis of taxation.

The resolution was read the second time in full.

On motion of Senator Bailey, the rules were suspended, House Concurrent Resolution No. 13 was advanced to third reading, the second reading considered the third, the resolution placed on final passage and adopted.

**Engrossed Substitute House Concurrent Resolution No. 27**, by Ways and Means Committee (Subcommittee on Revenue):

Providing for an interim committee to study matters relating to taxation of property within state.

#### REPORT OF STANDING COMMITTEE

**Engrossed Substitute House Concurrent Resolution No. 27:**

Senate Chamber,  
Olympia, Wash., April 23, 1965.

Providing for an interim committee to study matters relating to taxation of property within state (reported by Committee on Ways and Means):

MAJORITY recommends that it do pass with the following amendment:

On page 2, beginning on line 10 of the printed and engrossed bills strike all of the material down to and including "consideration." on page 3, line 10 of the printed bill, being line 12 of the engrossed bill, and insert:

*"Now, Therefore, Be It Resolved*, By the House of Representatives, the Senate concurring, that the legislative council be directed to study the status of exemptions from property taxes, including but not limited to the exemptions contained in chapter 84.36 RCW, and the adequacy of the definitions of real property and personal property for property tax purposes, and the status of leasehold estates in relation thereto; and

*Be It Further Resolved*, That the state tax commission and the county assessors, are

directed to cooperate with and give information and advice to the legislative council during the course of such study; and

*Be It Further Resolved*, That the results of this study shall be presented to the fortieth regular session of the legislature for its consideration."

FRANK W. FOLEY, *Chairman*.

....., *Chairman*,

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,

Committee on Revenue & Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, Jack England, William A. Gissberg, R. R. Bob Greive, Wilbur G. Hallauer, Ernest W. Lennart, Charles P. Moriarty, Jr., Marshall A. Neill, John N. Ryder, Albert C. Thompson, Jr., Walter B. Williams.

The resolution was read the second time in full.

On motion of Senator Bailey, the committee amendments were adopted.

On motion of Senator Riley, the rules were suspended, Engrossed Substitute House Concurrent Resolution No. 27 as amended by the Senate, was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

#### MOTION

On motion of Senator Greive, Senators Durkan and Neill were excused.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Concurrent Resolution No. 27, as amended by the Senate, and the resolution passed the Senate by the following vote: Yeas, 43; nays, 0; excused, 6.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, England, Foley, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams—43.

Excused: Senators Donohue, Durkan, Gissberg, Neill, Stender, Woodall—6.

Engrossed Substitute House Concurrent Resolution No. 27, as amended by the Senate, having received the constitutional majority, was declared passed.

#### SPECIAL ORDER OF BUSINESS

The time having arrived, the Senate resumed consideration of the Free Conference Committee Report on Engrossed House Bill No. 137.

#### REPORT OF FREE CONFERENCE COMMITTEE

Olympia, Wash., May 3, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Engrossed House Bill No. 137, authorizing the establishment of five additional community colleges, have had the same under consideration, and we recommend that the Senate amendment by Senators Thompson, Jr., Riley and Neill to the title be adopted.

We further recommend that the Senate committee amendment by Committee on Ways and Means, as amended by Senators Thompson, Jr., Riley and Neill be adopted, with the following addition:

On page 3, section 2, line 5 of the mimeographed amendment, after "community" strike the period and insert ": PROVIDED, That a community college shall not be

*required to offer a program of vocational-technical training when such program as approved by the state board of vocational education is already operating in the district."*

*Senate Members*

ROBERT C. BAILEY  
REUBEN A. KNOBLAUCH  
ALBERT C. THOMPSON, JR.

*House Members*

FRANK B. BROUILLET  
JAMES A. ANDERSEN  
GEORGE P. SHERIDAN

Debate ensued.

**MOTION**

On motion of Senator Greive, Senator Foley was excused.

On motion of Senator Bailey, the report of the Free Conference Committee was adopted.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed House Bill No. 137, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; excused, 8.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, England, Freise, Gallagher, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams—41.

Those excused were: Senators Donohue, Dore, Durkan, Foley, Gissberg, Neill, Stender, Woodall—8.

Engrossed House Bill No. 137, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

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

**SPECIAL ORDER OF BUSINESS**

The time having arrived, the Senate resumed consideration of Senate Joint Memorial No. 24 on second reading.

The memorial was read the second time in full.

On motion of Senator Washington, the following amendment was adopted:

On page 1, beginning on line 19, strike all material through line 23.

**POINT OF INQUIRY**

Senator Freise:

"Mr. President, would Senator Washington yield to a question?"

"Senator Washington, since putting my name on this measure as a sponsor or co-sponsor, it seems to me that one of the arguments in favor of the intertie was to the effect that the Bonneville Power Administration was losing about \$14 million a year and this would give the Bonneville Power Administration authority to dump a lot of power in California when we had a surplus. Some of the arguments, for instance lines 16 and 17 talks about \$100 million surplus. Is there any contradiction between the argument on the intertie and the statements set forth in lines 16 and 17?"

Senator Washington:

"I am not familiar with the exact figures of surplus they would have, but it is clear that the intertie was promoted and one of the basic reasons, as you state, was so that power wouldn't be going to waste over the dams, but we would be able to use water to generate electric power in California, Arizona and Nevada, and the money then could be used to amortize. I think on that basis we are going to be able to move ahead without having an increase in the Bonneville Power Administration rate. Certainly from everything I can gather, they have been very successful in making contracts for delivery of power at the present time and for the future, so I really strongly feel that we don't need to have an increase."

On motion of Senator McCormack, the following amendment was adopted:

On page 2, line 4, after "citizens; and" insert "that, instead, the payout period for the Bonneville Power Administration department be lengthened; and".

On motion of Senator Guess, the rules were suspended, Engrossed Senate Joint Memorial No. 24 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

It was moved by Senator Washington that Engrossed Senate Joint Memorial No. 24 be ordered to retain its place on the third reading calendar for tomorrow.

Debate ensued.

The motion was lost on a rising vote.

Further debate ensued.

Senators Hanna, Cooney and Guess demanded the previous question and the demand was sustained.

#### PARLIAMENTARY INQUIRY

Senator Gallagher:

"Mr. President, would a motion that the vote on final passage of this measure to a time certain be not in order?"

#### RULING BY THE PRESIDENT

The President:

"The demand for the previous question has been sustained. The President believes that the rules require that the main question be now put."

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Joint Memorial No. 24 and the memorial failed to pass the Senate by the following vote: Yeas, 23; nays, 18; excused, 8.

Those voting yea were: Senators Atwood, Cooney, Cowen, England, Freise, Greive, Guess, Hanna, Henry, Herr, Herrmann, Keefe, Lewis, McMillan, Mardesich, Moriarty, Jr., Peterson (Ted), Raugust, Redmon, Riley, Ryder, Thompson, Jr., Williams—23.

Those voting nay were: Senators Bailey, Charette, Chytil, Connor, Gallagher, Hallauer, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Morgan, Peterson (Lowell), Petrich, Rasmussen, Sandison, Talley, Washington—18.

Excused: Senators Donohue, Dore, Durkan, Foley, Gissberg, Neill, Stender, Woodall—8.

Engrossed Senate Joint Memorial No. 24, having failed to receive the constitutional two-thirds majority, was declared lost.

#### PERSONAL PRIVILEGES

Senator McCormack:

"Mr. President and members of the Senate, point of personal privilege:

"I wish to say that I do not believe that this issue was a public power-private power issue nor should it have been a party line issue. I think it was a matter of our opinion on what the Bonneville Power Administration should do with its rates. I wanted to make this clear. Senator Guess and I had a difference of opinion on this issue. I, for one, am pleased that the memorial was defeated. I do not think, however, that it should have been in our minds that this was a private-public power issue."

Senator Washington:

"Mr. President and members of the Senate:

"I voted 'no' on this particular measure because I think we should have had time to study it until tomorrow. There were matters brought up by Senator McCormack that deserved study. This was a highly important matter and one which I felt did not need to be rushed through this afternoon."

**PARLIAMENTARY INQUIRY**

Senator Moriarty, Jr.:

"Mr. President, point of parliamentary inquiry:

"Would it be permissible under the rules of the Senate to resubmit Senate Joint Memorial No. 24 in slightly different form tomorrow?"

**REPLY BY THE PRESIDENT**

The President:

"The President believes that it would be in order for a Senate joint memorial to be introduced tomorrow in a different nature."

**MOTIONS**

On motion of Senator Greive, Engrossed House Joint Resolution No. 7 and Engrossed House Bill No. 190 were ordered to retain their places on the second reading calendar for tomorrow.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

On motion of Senator Greive, the Senate returned to the second order of business.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**Senate Bill No. 569:**

Senate Chamber,  
Olympia, Wash., May 3, 1965.

Providing for congressional redistricting (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommends that it do pass as amended.

JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Robert C. Bailey, John L. Cooney, Michael J. Gallagher, R. R. (Bob) Greive, Wilbur G. Hallauer, Al Henry, Gordon Herr, Karl Herrmann, James Keefe, David E. McMillan, Frances Haddon Morgan.

**Senate Bill No. 569:**

Senate Chamber,  
Olympia, Wash., May 3, 1965.

Providing for congressional redistricting (reported by Committee on Constitution, Elections and Legislative Processes):

MINORITY recommends that it do not pass.

....., *Chairman.*

We concur in this report: Ernest W. Lennart, Marshall A. Neill, W. C. Raugust, Fred G. Redmon, John N. Ryder, Walter B. Williams.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., May 4, 1965.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 387; also House Bill No. 586, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*

**SIGNED BY THE PRESIDENT**

**The President signed: House Bill No. 387; also,  
House Bill No. 586.**

**MOTION**

At 4:45 p. m., on motion of Senator Greive, the Senate adjourned until 9:30 a. m., Wednesday, May 5, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

**FIFTY-SECOND DAY****MORNING SESSION**

SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, May 5, 1965.

The Senate was called to order at 9:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Herr, Mardesich, and Stender, Senator Stender having been excused.

On motion of Senator Peterson (Lowell), Senators Herr and Mardesich were excused.

The Color Guard, consisting of Pages John Turner, Colorer Bearer, and Verita Brazle, presented the Colors.

Reverend Walter A. MacArthur, pastor of the First Methodist Church of Olympia, offered prayer as follows:

"Almighty God, our Father, in these days that test our faith and souls as well as our minds and bodies, we pause to refresh our hearts with the remembrance of One Who was tempted in all things, like as we are, yet without falling victim to His own whims or fancies or selfish desires.

"We recognize that our insights are not deep enough for the solving of the tangled problems of our society, thus we pray for Divine wisdom and perspective.

"Heal the divisions amongst us which shorten the arm of our endeavor. Override the errors of our faulty judgments, challenge the best that is in us, and reward us with Thy strength and courage and the blessing of Thy constant presence this day, through Christ our Lord. Amen."

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

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, May 4, 1965.

*To the Honorable, the Senate of the State of Washington.*

LADY AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following Senate Bill entitled: Substitute Senate Bill No. 504, completing capitol campus plan.

Very truly yours,

RAYMOND W. HAMAN,

*Legal Counsel to the Governor.*



MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., May 4, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 498, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 4, 1965.

MR. PRESIDENT:

The House has passed: Substitute House Bill No. 709, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 5, 1965.

MR. PRESIDENT:

The House has adopted: Senate Concurrent Resolution No. 26, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 4, 1965.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed House Bill No. 137 and has passed the bill as amended by the Free Conference Committee.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 5, 1965.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 137; also House Joint Memorial No. 21; also House Concurrent Resolution No. 13, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 4, 1965.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Senate Concurrent Resolution No. 25, and has granted said committee the powers of free conference, and the report of the Conference Committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., May 4, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Senate Concurrent Resolution No. 25, establishing a joint interim legislative committee on facilities and operations, have had the same under consideration, and we report that we are unable to agree and request the powers of free conference.

*Senate Members*

FRED H. DORE  
HARRY B. LEWIS  
GORDON HERR

*House Members*

JAMES A. ANDERSEN  
JOHN L. O'BRIEN  
WILLIAM S. DAY

On motion of Senator Lewis, the committee report was adopted and the Conference Committee on Senate Concurrent Resolution No. 25 was granted the powers of free conference.

**FIRST READING OF HOUSE BILLS**

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 498**, by Representatives Grant, Elder and Bottiger:

An Act relating to the legislature; providing for the redistricting and reapportionment thereof; amending sections 26, 27, 36, 4, 5, 6, 7, 16, 22, 40, 46, 12, 44, 32, 35, 37, and 38, chapter 6, Laws of 1965 (uncodified); adding new sections to chapter 6, Laws of 1965; repealing sections 31, 42, 48, and 49, chapter 6, Laws of 1965; and declaring an emergency.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Substitute House Bill No. 709**, by Committee on Ways and Means:

An Act relating to revenue and taxation; and declaring an emergency.

On motion of Senator Greive, the rules were suspended, Substitute House Bill No. 709 was advanced to second reading and read the second time by sections.

On motion of Senator Greive, Substitute House Bill No. 709 was ordered to retain its place on the second reading calendar for today.

**MOTION**

At 9:50 a. m., on motion of Senator Greive, the Senate was placed at ease subject to the Call of the President.

The President called the Senate to order at 11:55 a. m.

The President declared the Senate to be at ease subject to the Call of the President for the purpose of a meeting of the Committee on Rules and Joint Rules.

The President called the Senate to order at noon.

The Secretary called the roll and announced to the President that all Senators were present except Senators Mardesich, Stender and Thompson, Jr., Senators Mardesich and Stender having been previously excused.

**SIGNED BY THE PRESIDENT**

**The President signed: House Bill No. 137; also,**

**House Joint Memorial No. 21; also,**

**House Concurrent Resolution No. 13.**

**MOTION**

It was moved by Senator Gissberg that the rules be suspended and that the Senate do now consider Senate Bill No. 544 on second reading.

The motion was carried.

**SECOND READING OF BILLS**

**Senate Bill No. 544**, by Senators Moriarty, Jr., Ryder, Thompson, Jr. and Neill (by Executive request):

Providing for apportionment of common school funds to counties.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, Senate Bill No. 544 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 544 and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 3; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Peterson (Lowell), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Washington, Williams, Woodall—44.

Absent or not voting: Senators Morgan, Peterson (Ted), Thompson, Jr.—3.

Excused: Mardesich, Stender—2.

Senate Bill No. 544 having received the constitutional majority, was declared passed.

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

On motion of Senator Cowen, Senate Bill No. 544 was ordered immediately transmitted to the House.

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Concurrent Resolution No. 26.**

**MOTION**

At 12:05 p. m., on motion of Senator Greive, the Senate recessed until 1:30 p. m.

**AFTERNOON SESSION**

The President called the Senate to order at 1:30 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senator Stender.

On motion of Senator Atwood, Senator Stender was excused from the second reading calendar for today.

Senators Greive, Bailey, and Connor demanded a Call of the Senate. A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Stender, who was excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

The Secretary read:

**REPORT OF STANDING COMMITTEE**

Senate Chamber,  
Olympia, Wash., May 5, 1965.

**MR. PRESIDENT:**

Your Committee on Claims and Auditing, to whom was referred Senate Concurrent Resolution No. 26, have inspected same, and find it correctly enrolled and certified.

....., *Chairman.*

We concur in this report: Fred H. Dore, Michael J. Gallagher, R. R. (Bob) Greive, John A. Petrich.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., May 5, 1965.

**MR. PRESIDENT:**

The House has passed: Engrossed House Concurrent Resolution No. 37, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**FIRST READING OF HOUSE RESOLUTION**

The following was read first time by title and acted upon as indicated:

**Engrossed House Concurrent Resolution No. 37**, by Representatives Mahaffey, King (Richard "Dick"), Juelling, Hawley, Cunningham, Kirk, Saling, Radcliffe, Bottiger, Whetzel, Wolf and Uhlman:

Providing for study on state aid to schools for remodeling existing facilities.

On motion of Senator Greive, the rules were suspended, Engrossed House Concurrent Resolution No. 37 was advanced to second reading and read the second time in full.

On motion of Senator McCormack, the rules were suspended, Engrossed House Concurrent Resolution No. 37 was advanced to third reading, the second reading considered the third, the resolution placed on final passage and adopted.

**SECOND READING OF BILLS**

**Engrossed House Joint Resolution No. 7**, by Representatives Anderson (Eric O.), Burtch, May, Moon, Marsh, Olsen, Chatalas, Haussler, Beck, Bozarth, Sheridan, Conner, Marzano, Grant, McDougall, Elder, Warnke, Mahaffey, Gallagher, Jastad, King (Chet), Taplin, Kull, Hawley, Litchman, Smith, Traylor and Backstrom:

Exempting taxation of real property of certain people sixty-five years of age or older.

The Senate resumed consideration of Engrossed House Joint Resolution No. 7 on second reading, the amendment by Senator Ryder and the amendment to the amendment by Senators McMillan and Dore.

The President declared the question before the Senate to be the adoption of the amendment by Senators McMillan and Dore to the amendment by Senator Ryder.

Debate ensued.

Senator Ryder demanded a roll call and the demand was sustained by Senators Moriarty, Jr., Peterson (Ted), Chytil, Henry, Dore, Herr, Washington, Connor, Donohue and Gallagher.

**ROLL CALL**

The Secretary called the roll, and the amendment by Senators McMillan and Dore to the amendment by Senator Ryder was adopted by the following vote: Yeas, 34; nays, 14; excused, 1.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Neill, Peterson (Lowell), Rasmussen, Raugust, Redmon, Riley, Sandison, Talley, Woodall—34.

Those voting nay were: Senators Atwood, Chytil, Durkan, England, Hallauer, Herrmann, Lewis, Moriarty, Jr., Peterson (Ted), Petrich, Ryder, Thompson, Jr., Washington, Williams—14.

Excused: Senator Stender—1.

The President declared the question before the Senate to be the adoption of the amendment as amended.

The motion was carried and the amendment as amended was adopted.

#### MOTION

It was moved by Senator Gissberg that the rules be suspended and that the members of the Free Conference Committee on the tax package be excused from under the Call of the Senate.

The motion was lost.

On motion of Senator Greive, the rules were suspended, Engrossed House Joint Resolution No. 7 as amended by the Senate, was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

Senators Kupka, Gallagher and Connor demanded the previous question and the demand was sustained.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Joint Resolution No. 7, as amended by the Senate, and the resolution passed the Senate by the following vote: Yeas, 37; nays, 11; excused, 1.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Neill, Peterson (Lowell), Rasmussen, Raugust, Redmon, Riley, Sandison, Talley, Woodall—37.

Those voting nay were: Senators Atwood, Chytil, Durkan, Lewis, Moriarty, Jr., Peterson (Ted), Petrich, Ryder, Thompson, Jr., Washington, Williams—11.

Excused: Senator Stender—1.

Engrossed House Joint Resolution No. 7, as amended by the Senate, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Senator Neill, the rules were suspended and Senators Gissberg, Durkan and Woodall were excused from under the Call of the Senate.

#### PARLIAMENTARY INQUIRY

Senator Woodall:

"Mr. President, parliamentary inquiry:

"Mr. President, am I correct that that portion of Engrossed House Joint Resolution No. 7 which deals with the right of the legislature to grant relief to people who are property owners on account of age was stricken by the amendment which was adopted?"

Senator Greive:

"Mr. President:

"Since we will need some clarification of this, I would like to give my understanding. Senator McMillan's amendment amended the Ryder amendment. The Ryder amendment made no reference to the part that dealt with those over sixty-five, so it seems to me it isn't stricken and, if it is, I would like to know."

Senator Ryder:

"Mr. President, the amendment which I offered merely added a new section to the resolution as it came from the House. As I understood, Senator McMillan's amendment struck all of my amendment and substituted his, so it would now be substituted instead of mine."

Senator Moriarty, Jr.:

"Mr. President:

"The reason I ask the question, the Senate amendment by Senator Ryder read that on line 8, after new section, insert the following. Thus it would have stricken everything that was originally in the bill. When Senator McMillan's amendment was adopted in lieu of Senator Ryder's amendment, the only thing that we voted on was Senator McMillan's amendment, because Senator Ryder's amendment has stricken everything relating to the age proposition."

#### REPLY BY THE PRESIDENT

The President:

"The President believes, Senator Moriarty, that the amendment is in addition to Engrossed House Joint Resolution No. 7, and that no material was stricken."

#### NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Greive gave notice that he would, at the proper time, move to reconsider the vote by which Engrossed House Joint Resolution No. 7 passed the Senate.

#### POINT OF ORDER

Senator Moriarty, Jr.:

"Mr. President, point of order:

"My point of order is that the joint resolution is out of the Senate and in the House, and under previous rulings of the Chair, the matter is no longer before us. The reason that I am raising this point, Mr. President, is that if this matter is no longer before us and if that language be out of the amendment, then there is no reason to consider House Bill No. 190."

Senator Greive:

"Mr. President:

"Senator Moriarty's memory fails him. The President has ruled consistently that a motion to reconsider is of a higher rank than a motion to transmit."

Senator Moriarty, Jr.:

"My point of order is that the motion to transmit immediately to the House was put and passed and the Chair has previously ruled, if my memory is correct, that a motion to reconsider cannot be put after that motion has passed."

Senator Greive:

"Mr. President:

"If you will look at Rule 20, a motion to suspend the rules, which is what the other motion was, is under subsidiary motions and a motion to reconsider is second."

#### RULING BY THE PRESIDENT

The President:

"Members of the Senate, the President believes that a ruling would resolve the situation, to wit: That nothing was stricken from the measure and that the amendment by Senators McMillan and Dore is in addition to the measure."

**Engrossed House Bill No. 190**, by Representatives Bergh, Uhlman, and Smith:

Allowing property tax exemption for certain retired persons.

The bill was read the second time by sections.

It was moved by Senator Ryder that the following amendment be adopted:

On page 2, after subsection (6) of the House amendment to the printed bill by the Committee on Ways and Means, being line 10 of the engrossed bill, add a new subsection (7) to read as follows:

"(7) The combined income of the head of the household and his spouse, from all sources whatsoever, shall not be in excess of three thousand dollars (\$3,000) for the calendar year immediately preceding the year in which the real property is assessed and the taxes levied thereon."

Renumber the remaining subsections consecutively.

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Greive, the rules were suspended, Engrossed House Bill No. 190, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 190, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—47.

Those voting nay were: Senator Raugust—1.

Excused: Senator Stender—1.

Engrossed House Bill No. 190, as amended by the Senate, having received the constitutional majority, was declared passed.

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

**Substitute House Bill No. 709**, by Committee on Ways and Means:

Prescribing limitations on property tax revenue.

The bill was read the second time by sections.

It was moved by Senator Williams that the following amendment be adopted:

On page 4, section 5, line 17, after the period following "section" add the following sentence:

"Nothing in this section shall permit a vote on a proposition submitted by petition to lower the regular property tax revenue for any taxing district to an amount less than the regular property tax revenue for that taxing district for the year 1965."

Debate ensued.

#### POINT OF INQUIRY

Senator Riley:

"Mr. President, would Senator Williams yield to a question?"

"Senator Williams, is this in effect what we thought of as the Williams bill, number five hundred and something?"

Senator Williams:

"A part of it, yes. The major part of it."

Senator Riley:

"Mr. President, one further question:

"In effect we are saying that if the millage is changed, it will not result in additional dollars? You might lower the millage but you could not change the dollar level?"

Senator Williams:

"Yes, Senator Riley. To amplify on this particular amendment, you are correct. The millage, if assessed values go up by other than new construction, drops proportionately. The voters of a district, if they want, can use part of that drop to increase their millage. We also provided that they can, by petition, reduce their millage by amendment if they go the petition route, but they cannot reduce it below the present dollar value for the district."

Senator Petrich:

"Mr. President, would Senator Williams yield?

"Senator, would the governing authority, assuming that in its wisdom it did not need the additional millage for the subsequent year, be under any limitation as to the lowering of the taxes to operate this particular phase of government if it so desired? In other words, is there any limitation in the wisdom of the junior taxing district not to ask for its millage if they don't need it?"

Senator Williams:

"They can go as low as they want. The amendment merely prevents the voters by petition from dropping far below the present level. We felt no taxing area should allow the voters to cut it way down and so they shouldn't drop below the level that they are collecting this year."

#### MOTIONS

On motion of Senator Gallagher, Substitute House Bill No. 709 was made a special order of business for 4:30 p. m. today.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 3:10 p. m., on motion of Senator Greive, the Senate recessed until 4:30 p. m.

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### SECOND AFTERNOON SESSION

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The President called the Senate to order at 4:30 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Connor, Durkan, Foley, Gissberg, Lewis, Mardesich and Stender; Senator Stender having been excused.

#### MOTIONS

It was moved by Senator Greive that Substitute House Bill No. 709 be ordered to retain its place on the second reading calendar for tomorrow.

Debate ensued.

#### POINT OF INQUIRY

Senator Moriarty, Jr.:

"Senator Greive, it's possible, is it not, that the Senate might not be around here tomorrow? Couldn't this be made a special order of business for this evening?"

Senator Greive:

"I think we will be here tomorrow."

Debate ensued.



**MOTION**

At 4:40 p. m., on motion of Senator Greive, the Senate recessed until 8:00 p. m.

**EVENING SESSION**

The President called the Senate to order at 8:00 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senator Stender, who was excused.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., May 5, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed Substitute House Concurrent Resolution No. 27 and has adopted the resolution as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., May 5, 1965.

MR. PRESIDENT:

The House has passed: Senate Bill No. 544, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., May 5, 1965.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 714, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

The Secretary read:

**LETTERS OF APPOINTMENT**

Senate Chamber,  
Olympia, Wash., May 5, 1965.

LADY AND GENTLEMEN:

Pursuant to the provisions of Chapter 1.08 RCW I do herewith submit and appoint Senator Robert L. Charette and Senator Marshall A. Neill as members of the Statute Law Committee for the two-year term commencing April 1, 1965.

Respectfully submitted,

JOHN A. PETRICH, *Chairman*,  
Senate Judiciary Committee.

On motion of Senator Riley, the appointments of Senators Robert L. Charette and Marshall A. Neill as members of the Statute Law Committee were confirmed.

Senate Chamber,  
Olympia, Wash., May 5, 1965.

LADY AND GENTLEMEN:

Pursuant to the provisions of Chapter 2.52 RCW I designate and appoint Senator Herbert H. Freise as a member of the Judicial Council for the present term ending with the convening of the regular session of the 40th Legislature.

Respectfully submitted,

JOHN A. PETRICH, *Chairman*,  
Senate Judiciary Committee.

On motion of Senator Riley, the appointment of Senator Freise as a member of the Judicial Council was confirmed.

**INTRODUCTION AND FIRST READING OF RESOLUTION**

The following was introduced, read first time by title and acted upon as indicated:

**Senate Concurrent Resolution No. 27**, by Senators McCormack, Sandison, Neill, Williams, Freise, Petrich, Gissberg, Riley, Guess, Hallauer, and Atwood: Relating to University of Washington graduate center at Hanford.

On motion of Senator McCormack, the rules were suspended, Senate Concurrent Resolution No. 27 was advanced to second reading and read the second time in full.

On motion of Senator McCormack, the rules were suspended, Senate Concurrent Resolution No. 27 was advanced to third reading, the second reading considered the third, the resolution placed on final passage and adopted.

On motion of Senator McCormack, the rules were suspended and Senate Concurrent Resolution No. 27 was ordered immediately transmitted to the House.

The President declared the Senate to be at ease.

The President called the Senate to order at 8:45 p. m.

Senators Greive, Bailey and Moriarty, Jr. demanded a Call of the Senate. A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Stender, who was excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 544.**

The Secretary read:

**REPORT OF STANDING COMMITTEE**

Senate Chamber,  
Olympia, Wash., May 5, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 544, have inspected same, and find it correctly enrolled and certified.

....., *Chairman.*

We concur in this report: R. R. Bob Greive, Marshall A. Neill, Perry B. Woodall.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., May 5, 1965.

MR. PRESIDENT:

The House refuses to recede from its amendment to Substitute Senate Bill No. 41 and asks the Senate for a conference thereon, and the Speaker has appointed as the House conferees on Substitute Senate Bill No. 41 and the House amendment thereto: Representatives Uhlman, Clark and Radcliffe.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Greive, the Senate granted the request of the House for a conference on Substitute Senate Bill No. 41 and the House amendment thereto.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The President appointed Senators Peterson (Lowell), Lewis and Gallagher as members of the Conference Committee on Substitute Senate Bill No. 41 and the House amendment thereto.

On motion of Senator Greive, the Conference Committee appointments were confirmed.

**MOTION**

It was moved by Senator Greive that the Senate do now consider Engrossed<sup>d</sup> Senate Bill No. 565 and the House amendment thereto.

The motion was carried.

The Secretary read:

**HOUSE AMENDMENT TO SENATE BILL**

House of Representatives,  
Olympia, Wash., May 3, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 565 with the following amendment: On page 1, beginning on line 22 of the printed bill, being line 19 of the engrossed bill, strike everything down to and including the semicolon in line 24 of the printed bill, being line 21 of the engrossed bill, and insert the following: *(1) Eighty-five percent of the amount of revenues which would be produced by a levy of fourteen mills on the assessed valuation of taxable property within the school district adjusted to twenty-five percent of true and fair value thereof as determined by the State Tax Commission's indicated county ratio.*" and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

It was moved by Senator Greive that the Senate concur in the House amendment to Engrossed Senate Bill No. 565.

Debate ensued.

**POINT OF INQUIRY**

Senator Greive:

"Mr. President, would Senator Woodall yield to a question?"

"Senator Woodall, I'm speaking for myself. I think others feel the same way. If we were to vote against the amendment and put this measure into a conference committee, and if it came to pass that the House appointed a stubborn conferee who wanted to kill the bill, where would we be then? I think that's the thing that worries us."

Senator Woodall:

"Mr. President:

"I have no idea who might be appointed in the House. You know me well enough to know that when I say something, I say it with all sincerity and I personally would urge any members of my party who might be appointed to this committee to go for the proposition with a two year future extension to give us a chance to go through one election of county assessors. I would do everything within my power to make it come to pass that the bill would not be killed."

Senator Greive:

"Would you be willing to sound out sentiments and, if a conferee wasn't going along, bring the entire matter out before it went to free conference so that we could have a vote?"

Senator Woodall:

"I don't know who I would approach to sound out sentiment. Apparently it passed somewhat overwhelmingly in the House and I can only say, Senator Greive, with whatever influence I might have, I would sincerely go along with the proposition which supported this move but gave it a fixed, future date of two years from now. I will personally support that move."

Further debate ensued.

Senator Washington:

"Mr. President, would Senator Woodall or Senator Ryder or someone who is a little more familiar than I with procedures regarding money going to school districts yield to a question? It strikes me as being very possible that in the normal course of events, there would be a one year warning period and this bill couldn't go into effect in the next school year. Is that correct?"

Senator Ryder:

"Mr. President, Senator Washington:

"I believe that this act would take effect immediately and that the apportionment for the school starting with September would be effected by whatever is in this bill at the present time."

Further debate ensued.

Senators Durkan, Greive and Charette demanded the previous question and the demand was sustained.

Senator Washington demanded a roll call and the demand was sustained by Senators Greive, Bailey, Rasmussen, Talley, Mardesich, Peterson (Ted), Moriarty, Jr., and Raugust.

#### ROLL CALL

The Secretary called the roll and the Senate voted not to concur in the House amendment to Engrossed Senate Bill No. 565 by the following vote: Yeas, 23; nays, 25; excused, 1.

Those voting yea were: Senators Connor, Cooney, Cowen, Dore, England, Foley, Gallagher, Guess, Hallauer, Herr, Knoblauch, Kupka, McCormack, McCutcheon, Morgan, Moriarty, Jr., Peterson (Ted), Petrich, Rasmussen, Riley, Thompson, Jr., Washington, Williams—23.

Those voting nay were: Senators Atwood, Bailey, Charette, Chytil, Donohue, Durkan, Freise, Gissberg, Greive, Hanna, Henry, Herrmann, Keefe, Lennart, Lewis, McMillan, Mardesich, Neill, Peterson (Lowell), Raugust, Redmon, Ryder, Sandison, Talley, Woodall—25.

Excused: Senator Stender—1.

#### PARLIAMENTARY INQUIRY

Senator Woodall:

"Mr. President, point of parliamentary inquiry:

"Having failed to concur, do we now need the motion that we do not concur and ask the House to recede from its amendment to get this matter into conference? If so, I would so move."

Senator Greive:

"Mr. President:

"When I inquired earlier today, I was told that motion would not be necessary."

#### REPLY BY THE PRESIDENT

The President:

"The President believes that when the Senate refuses to concur, in essence it is also asking the House to recede therefrom. The President believes that the situation is covered by Reed's Rule 254:

"The motions to concur and to non-concur, being the opposite and sole alternative each of the other, a negative vote on the one is the same as an affirmative vote on the other."

"In essence, the Senate has refused to concur in the House amendment to the bill and has asked the House to recede therefrom. The President does not believe a motion is necessary."

It was moved by Senator Greive that the Senate immediately consider Senate Bill No. 558 and the House amendment thereto.

The motion was carried.

#### MOTION

On motion of Senator Woodall, Senator Neill was excused.

The Secretary read:

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives.  
Olympia, Wash., May 5, 1965.

MR. PRESIDENT:

The House has passed Senate Bill No. 558 with the following amendment:

On page 1, section 1, line 12, after the semicolon following "chapter" strike all of the material down to and including the period on line 17 and insert "the term of office of said commissioners shall be from June 11, 1953, until an agreement or compact binding on the state of Washington under the provisions of RCW 43.57.030 has been entered into: *PROVIDED, HOWEVER, That when a member of the commission is a member of the House of Representatives, his term on the commission shall expire when he ceases to be a member of the House, and when a member of the commission is a member of the Senate, his term on the commission shall expire when he ceases to be a member of the Senate.*" and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

It was moved by Senator Hallauer that the Senate concur in the House amendment to Senate Bill No. 558.

#### POINT OF INQUIRY

Senator Moriarty, Jr.:

"Mr. President:

"May I ask Senator Hallauer what would happen if a man died in the interim period who was serving on this commission? How would his successor be appointed?"

Senator Hallauer:

"Senator Moriarty and members of the Senate:

"The Speaker appoints the two House members and the President would have to appoint the Senate members. This was the prior situation and it would be the same in this situation. All we did was add the proviso in the House version."

The motion was carried.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 558, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 42; nays, 5; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Sandison, Talley, Washington, Woodall—42.

Those voting nay were: Senators Freise, Guess, Ryder, Thompson, Jr., Williams—5.

Excused: Senators Neill, Stender—2.

Senate Bill No. 558, as amended by the House, having received the constitutional majority, was declared passed.

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

**MOTION**

It was moved by Senator Greive that the Senate immediately consider the House message and the report of the Free Conference Committee on Senate Concurrent Resolution No. 25.

The motion was carried.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., May 5, 1965.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Senate Concurrent Resolution No. 25 and has passed the resolution as amended by the Free Conference Committee, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF FREE CONFERENCE COMMITTEE**

Olympia, Wash., May 5, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Senate Concurrent Resolution No. 25, establishing a joint interim legislative committee on facilities and operations, have had the same under consideration, and we recommend that the following resolution be substituted for the original resolution, as follows:

"WHEREAS, Studies of the State Capitol Committee have emphasized the urgent requirements of the legislature and of a number of state agencies for more building space than the existing capitol buildings can provide; and

WHEREAS, All outstanding bonds for the construction of existing buildings on the capitol site have been retired, and the income from the capitol grant lands set aside by law for this purpose is and will be sufficient to service bonded indebtedness for new construction and remodeling at the rate of five hundred thousand dollars per annum, which is greatly in excess of normal or anticipated requirements;

Now, *Therefore, Be It Resolved*, By the Senate, the House of Representatives concurring, that a joint interim legislative committee on facilities and operations is hereby created, to consist of six senators (three from each political party) to be appointed by the President of the Senate, and six representatives (three from each political party) to be appointed by the Speaker of the House; the offices of chairman, vice chairman and secretary shall be elected from their number by majority vote of the committee members; and vacancies or resignations from the committee shall be filled by the chairman by the appointment of a new member who shall be from the same house and political party as the person he is replacing; and

*Be It Further Resolved*, That such joint interim committee shall inquire into and formulate recommendations concerning:

(1) Improved facilities for the various branches of state government including the legislature and its members; and

(2) Immediate, intermediate and long range plans as to how best to handle the workload of the legislature and to facilitate economies and efficiency in legislative operations; and

*Be It Further Resolved*, That such joint interim committee is authorized, empowered and directed to advise and consult with the State Capitol Committee on the need for construction and remodeling of the buildings contemplated under Substitute Senate Bill No. 504 of the 1965 Session and to give particular attention to so much of the construction and remodeling as will be designed to better enable the work of the legislature to be accomplished in a more efficient, effective and economical manner and to this end maintain a formal liaison relationship with the Legislative Council;

*Be It Further Resolved*, That the members appointed to the joint legislative facilities and operations committee shall be reimbursed for their expenses incurred while attending sessions of the committee and the State Capitol Committee in the amount of twenty-five dollars per day plus ten cents per mile in going to and coming from any such meetings, conferences, or hearings or in carrying out any business of the

committee as provided for in this resolution, whether within or without the state, the same to be paid upon their individual vouchers, approved by the chairman of the committee, from any moneys appropriated for the expense of the legislature, or from such other funds as may be made available therefor; and that the salaries and expenses of any expert, clerical, and other assistants employed by the committee shall be paid upon vouchers approved by the chairman of the committee from such funds."

*Senate Members*

FRED H. DORE  
HARRY B. LEWIS  
GORDON HERR

*House Members*

JAMES A. ANDERSEN  
JOHN L. O'BRIEN  
WILLIAM S. DAY

On motion of Senator Dore, the Secretary read the last of the report of the Free Conference Committee.

It was moved by Senator Dore that the report of the Free Conference Committee be adopted.

Debate ensued.

**POINT OF INQUIRY**

Senator Riley:

"Mr. President, would Senator Dore yield to a question?"

"Senator Dore, while I did not have the opportunity to have the resolution read in full, you in your brief report made reference to the fact that a liaison will be made with the legislative council. My question specifically is: When this report is finished, in what form will it be finished and to whom will this report be made?"

Senator Dore:

"Being an interim committee, it will report to the legislature. There is a sentence providing for that. I think the language reads in the bill that they will maintain a formal liaison, whatever that means, between the committee and the legislative council. They will keep them advised of their activities. I presume they will send a member to meetings and be advised of their progress."

Senator Riley:

"Would Senator Dore yield to another question?"

"Senator, at the conclusion of this committee hearing, whenever that will be, will there be a written report available to the fortieth session of the legislature?"

Senator Dore:

"That will be up to the committee members, but I assume as all other interim committees have done, they will make a formal, written report to the legislature, together with recommendations."

**POINT OF INQUIRY**

Senator England:

"Would Senator Dore yield to another question?"

"Senator Dore, since we were not afforded the opportunity to listen to all of the Conference Committee report, could you tell us how much this will cost?"

Senator Dore:

"There is no money in this particular resolution, but the budget bill which you have on your desk, provides \$25,000 for this committee."

The motion was carried and the report of the Free Conference Committee was adopted.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Concurrent Resolution No. 25, as amended by the Free Conference Committee, and the resolution passed the Senate by the following vote: Yeas, 41; nays, 7; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Sandison, Talley, Washington, Williams, Woodall—41.

Those voting nay were: Senators Cowen, Herrmann, Lennart, Morgan, Riley, Ryder, Thompson, Jr.—7.

Excused: Senator Stender—1.

Senate Concurrent Resolution No. 25, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Senator Greive, the Senate proceeded to consideration of the Free Conference Committee report on Substitute House Bill No. 608.

The Secretary read:

#### REPORT OF FREE CONFERENCE COMMITTEE

Olympia, Wash., May 5, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Substitute House Bill No. 608, defining terms of and providing exemptions from certain excise taxes, have had the same under consideration, and we recommend that Substitute House Bill No. 608 be amended to read as follows:

AN ACT Relating to revenue and taxation; amending section 82.04.050, chapter 15, Laws of 1961 as last amended by section 1, chapter 7, Laws of 1963, and RCW 82.04.050; amending section 82.04.100, chapter 15, Laws of 1961, and RCW 82.04.100; amending section 82.04.120, chapter 15, Laws of 1961, and RCW 82.04.120; amending section 82.04.190, chapter 15, Laws of 1961, and RCW 82.04.190; amending section 82.04.240, chapter 15, Laws of 1961, and RCW 82.04.240; amending section 82.04.260, Chapter 15, Laws of 1961, and RCW 82.04.260; amending section 82.04.330, chapter 15, Laws of 1961, and RCW 82.04.330; amending section 82.04.400, chapter 15, Laws of 1961 as amended by section 1, chapter 136, Laws of 1963, and RCW 82.04.400; amending section 82.04.425, chapter 15, Laws of 1961, and RCW 82.04.425; amending section 82.04.430, chapter 15, Laws of 1961 as amended by section 5, chapter 293, Laws of 1961, and RCW 82.04.430; amending section 82.04.440, chapter 15, Laws of 1961, and RCW 82.04.440; amending section 82.08.020, chapter 15, Laws of 1961 as amended by section 6, chapter 293, Laws of 1961, and RCW 82.08.020; amending section 82.08.030, chapter 15, Laws of 1961, as last amended by section 3, chapter 28, Laws of 1963 extraordinary session, and RCW 82.08.030; amending section 82.08.050, chapter 15, Laws of 1961, and RCW 82.08.050; amending section 82.08.150, chapter 15, Laws of 1961, as last amended by section 1, chapter 42, Laws of 1965, and RCW 82.08.150; amending section 82.12.010, chapter 15, Laws of 1961 as amended by section 15, chapter 293, Laws of 1961, and RCW 82.12.010; amending section 82.12.020, chapter 15, Laws of 1961 as amended by section 9, chapter 293, Laws of 1961, and RCW 82.12.020; amending section 82.12.030, chapter 15, Laws of 1961 and section 1, chapter 76, Laws of 1963, as last amended by section 4, chapter 28, Laws of 1963 extraordinary session, and RCW 82.12.030; amending section 82.16.010, chapter 15, Laws of 1961 as amended by section 12, chapter 293, Laws of 1961, and RCW 82.16.010; amending section 82.16.020, chapter 15, Laws of 1961, as amended by section 13, chapter 293, Laws of 1961, and RCW 82.16.020; amending section 82.16.050, chapter 15, Laws of 1961, and RCW 82.16.050; amending section 82.24.020, chapter 15, Laws of 1961 as amended by section 3, chapter 24, Laws of 1961 extraordinary session, and RCW 82.24.020; amending section 82.24.070, chapter 15, Laws of 1961 as amended by section 4, chapter 24, Laws of 1961 extraordinary session, and RCW 82.24.070; amending section 82.26.020, chapter 15, Laws of 1961, and RCW 82.26.020; amending section 82.32.060, chapter 15, Laws of 1961, as amended by section 1, chapter 22, Laws of 1963, and RCW 82.32.060; amending section 82.48.100, chapter 15, Laws of 1961, and RCW 82.48.100; amending section 82.50.030, chapter 15, Laws of 1961 as amended by



section 7, chapter 199, Laws of 1963, and RCW 82.50.030; amending section 24, chapter 62, Laws of 1933 extraordinary session and RCW 66.24.290; adding new sections to chapter 15, Laws of 1961 and to chapter 82.04 RCW; adding a new section to chapter 15, Laws of 1961 and to chapter 84.36 RCW; prescribing penalties; and declaring an emergency and prescribing an effective date.

*Be It Enacted by the Legislature of the State of Washington:*

Section 1. Section 82.04.050, chapter 15, Laws of 1961, as last amended by section 1, chapter 7, Laws of 1963, and RCW 82.04.050 are each amended to read as follows:

"Sale at retail" or "retail sale" means every sale of tangible personal property (including articles produced, fabricated, or imprinted) to all persons irrespective of the nature of their business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than a sale to [one] a person who (a) purchases for the purpose of resale as tangible personal property in the regular course of business without intervening use by such person, or (b) installs, repairs, cleans, alters, imprints, improves, constructs, or decorates real or personal property of or for consumers, if such tangible personal property becomes an ingredient or component of such real or personal property without intervening use by such person, or (c) purchases for the purpose of consuming the property purchased in producing for sale a new article of tangible personal property or substance, of which such property becomes an ingredient or component or [as] is a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale. The term shall include every sale of tangible personal property which is used or consumed or to be used or consumed in the performance of any activity classified as a "sale at retail" or "retail sale" even though such property is resold or utilized as provided in (a), (b), or (c) above following such use. The term also means every sale of tangible personal property to persons engaged in any business which is taxable under RCW 82.04.280, subsection (2), and 82.04.290.

The term "sale at retail" or "retail sale" shall include the sale of or charge made for tangible personal property consumed and/or for labor and services rendered in respect to the following: (a) The installing, repairing, cleaning, altering, imprinting, or improving of tangible personal property of or for consumers, including charges made for the mere use of facilities in respect thereto, but excluding [, however,] services rendered in respect to live animals, birds and insects; (b) the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for consumers, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, and shall also include the sale of services or charges made for the clearing of land and the moving of earth excepting the mere leveling of land used in commercial farming or agriculture; (c) the sale of or charge made for labor and services rendered in respect to the cleaning, fumigating, razing or moving of existing buildings or structures, but shall not include the charge made for janitorial services; (d) the sale of or charge made for labor and services rendered in respect to automobile towing [, armored car service] and similar automotive transportation services, but not in respect to those required to report and pay taxes under chapter 82.16; (e) the sale of and charge made for the furnishing of lodging and all other services by a hotel, rooming house, tourist court, motel, trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, and it shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same; (f) the sale of or charge made for tangible personal property, labor and services to persons taxable under (a), (b), (c), (d), and (e) above when such sales or charges are for property, labor and services which are used or consumed in whole or in part by such persons in the performance of any activity defined as a "sale at retail" or "retail sale" even though such property, labor and services may be resold after such use or consumption. Nothing contained in this paragraph shall be construed to modify the first paragraph of this section and nothing contained in the first paragraph of this section shall be construed to modify this paragraph.

The term "sale at retail" or "retail sale" shall include the sale of or charge made for personal business or professional services, including amounts designated as interest,

rents, fees, admission, and other service emoluments however designated, received by persons engaging in the following business activities: (a) amusement and recreation businesses including but not limited to golf, pool, billiards, skating, bowling, ski lifts and tows and others [but excluding bowling and excluding admission charges which may be subject to county or city admissions taxes levied under authority granted in RCW 35.21.280 or chapter 36.38]; (b) abstract, title insurance and escrow businesses; (c) credit bureau businesses; (d) automobile parking and storage garage businesses.

The term shall also include the renting or leasing of tangible personal property to consumers.

The term shall not include the sale of or charge made for labor and services rendered in respect to the building, repairing, or improving of any publicly owned street, place, road, highway, bridge, or trestle which is used or to be used primarily for foot or vehicular traffic, nor shall it include sales of feed, seed, fertilizer, and spray materials to persons for the purpose of producing for sale any agricultural product whatsoever, including milk, eggs, wool, fur, meat, honey, or other substances obtained from animals, birds, or insects.

Sec. 2. Section 82.04.100, chapter 15, Laws of 1961 and RCW 82.04.100 are each amended to read as follows:

"Extractor" means every person who from his own land or from the land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services, for sale or for commercial or industrial use mines, quarries, takes or produces coal, oil, natural gas, ore, stone, sand, gravel, clay, mineral or other natural resource product, or fells, cuts or takes timber, *Christmas trees* or other natural products, or takes, cultivates, or raises fish, shellfish, or other sea or inland water foods or products. It does not include persons performing under contract the necessary labor or mechanical services for others.

Sec. 3. Section 82.04.120, chapter 15, Laws of 1961 and RCW 82.04.120 are each amended to read as follows:

"To manufacture" embraces all activities of a commercial or industrial nature wherein labor or skill is applied, by hand or machinery, to materials so that as a result thereof a new, different or useful substance or article of tangible personal property is produced for sale or commercial or industrial use, and shall include the production or fabrication of special made or custom made articles, and the *generation or production of electrical energy for resale or consumption outside the state.*

Sec. 4. Section 82.04.190, chapter 15, Laws of 1961 and RCW 82.04.190 are each amended to read as follows:

"Consumer" means the following:

(1) Any person who purchases, acquires, owns, holds, or uses any article of tangible personal property *irrespective of the nature of his business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than for the purpose (a) of resale as tangible personal property in the regular course of business or (b) of incorporating such property as an ingredient or component of real or personal property when installing, repairing, cleaning, altering, imprinting, improving, constructing, or decorating such real or personal property of or for consumers or (c) of consuming such property in producing for sale a new article of tangible personal property or a new substance, of which such property becomes an ingredient or component or as a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale;*

(2) Any person engaged in any business activity taxable under RCW 82.04.290;

(3) Any person engaged in the business of contracting for the building, repairing or improving of any publicly owned street, place, road, highway, bridge or trestle which is used or to be used primarily for foot or vehicular traffic as defined in RCW 82.04.280, in respect, however, only to tangible personal property used or consumed in such business;

(4) Any person who is an owner, lessee or has the right of possession to or an easement in real or personal property which is being constructed, repaired, improved, cleaned, imprinted, or otherwise altered by a person engaged in business, excluding only the United States, the state, and its political subdivisions in respect to labor and services rendered to their real property which is used or held for public road purposes. *Nothing contained in this or any other subsection of this definition shall be construed to modify any other definition of "consumer".*

Sec. 5. Section 82.04.240, chapter 15, Laws of 1961 and RCW 82.04.240 are each amended to read as follows:

Upon every person except persons taxable under subsections (2), [or], (3), (4), or (5) of RCW 82.04.260 engaging within this state in business as a manufacturer; as to such persons the amount of the tax with respect to such business shall be equal to the value of the products, including byproducts, manufactured, multiplied by the rate of one-quarter of one percent.

The measure of the tax is the value of the products, including byproducts, so manufactured regardless of the place of sale or the fact that deliveries may be made to points outside the state.

Sec. 6. Section 82.04.260, chapter 15, Laws of 1961 and RCW 82.04.260 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of buying wheat, oats, *dry peas*, corn, and barley, but not including any manufactured or processed products thereof, and selling the same at wholesale; the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of one one-hundredth of one percent.

(2) Upon every person engaging within this state in the business of manufacturing wheat into flour; as to such persons the amount of tax with respect to such business shall be equal to the value of the flour manufactured, multiplied by the rate of one-eighth of one percent.

(3) Upon every person engaging within this state in the business of manufacturing seafood products which remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; as to such persons the amount of tax with respect to such business shall be equal to the value of the products manufactured, multiplied by the rate of one-eighth of one percent.

(4) Upon every person engaging within this state in the business of manufacturing by canning, preserving, freezing or dehydrating fresh fruits and vegetables; as to such persons the amount of tax with respect to such business shall be equal to the value of the products canned, preserved, frozen or dehydrated multiplied by the rate of three-tenths of one percent.

(5) Upon every person engaging within this state in the business of manufacturing aluminum pig, ingot, billet, plate, sheet (flat or coiled), rod, bar, wire, cable or extrusions; as to such persons the amount of the tax with respect to such business shall be equal to the value of the products manufactured multiplied by the rate of four-tenths of one percent.

(6) Upon every nonprofit corporation and nonprofit association engaging within this state in research and development, as to such corporations and associations, the amount of tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of forty-four one-hundredths of one percent.

Sec. 7. Section 82.04.330, chapter 15, Laws of 1961 and RCW 82.04.330 are each amended to read as follows:

This chapter shall not apply to any person in respect to the business of growing or producing for sale upon his own lands or upon land in which he has a present right of possession, any agricultural or horticultural produce or crop, including the raising for sale of any animal, bird, or insect, or the milk, eggs, wool, fur, meat, honey, or other substance obtained therefrom, or in respect to the sale of such products at wholesale by such grower, producer, or raiser thereof. This exemption shall not apply to any person selling such products at retail or using such products as ingredients in a manufacturing process; nor to the sale of any animal or substance obtained therefrom by a person in connection with his business of operating a stockyard or a slaughter or packing house; nor to any person in respect to the business of taking, cultivating, or raising Christmas trees or timber; nor to any association of persons whatever, whether mutual, cooperative or otherwise, engaging in any business activity with respect to which tax liability is imposed under the provisions of this chapter.

Sec. 8. Section 82.04.400, chapter 15, Laws of 1961 as amended by section 1, chapter 136, Laws of 1963, and RCW 82.04.400 are each amended to read as follows:

This chapter shall not apply to national banks, state banks, trust companies, production credit associations organized under the Farm Credit Act of 1933, mutual savings banks, building and loan and savings and loan associations with respect to their banking, trust, or savings and loan business and to credit companies and corporations with respect to loans made for the purpose of financing the growing, harvesting, processing, storing, and marketing of horticulture and agriculture products

but shall apply with respect to their engaging in any other business taxable hereunder, even though such other business is conducted primarily for the purpose of liquidating the assets thereof. *This chapter shall also not apply to United States federal housing administration approved mortgagees with respect to their activities of the same type as those hereunder exempted for banks and savings and loan associations.*

Sec. 9. Section 82.04.425, chapter 15, Laws of 1961 and RCW 82.04.425 are each amended to read as follows:

This chapter shall not apply to sales for resale by persons regularly engaged in the business of making sales of the type of property so sold to other persons similarly engaged in the business of selling such property where (1) the amount paid by the buyer does not exceed the amount paid by the seller to his vendor in the acquisition of the article and (2) the sale is made as an accommodation to the buyer to enable him to fill a bona fide existing order of a customer or is made within fourteen days to reimburse in kind a previous accommodation sale by the buyer to the seller [ : *Provided, That where the seller holds himself out as being regularly engaged in the business of making sales at wholesale of such property, such sales shall be incidental to his principal business activity* ] ; *nor to sales by a wholly owned subsidiary of a person making sales at retail which are exempt under RCW 82.08.030(11) when the parent corporation shall have paid the tax imposed under this chapter.*

**NEW SECTION.** Sec. 10. There is added to chapter 15, Laws of 1961 and to chapter 82.04 RCW a new section to read as follows:

This chapter shall not apply to:

(1) The cost of or charges made for labor and services performed in respect to the mining, sorting, crushing, screening, washing, hauling, and stockpiling of sand, gravel, and rock, when such sand, gravel, or rock is taken from a pit or quarry which is owned by or leased to a county or city and such sand, gravel, or rock is either stockpiled in said pit or quarry for placement or is placed on the street, road, place, or highway of the county or city by the county or city itself; or

(2) The cost of or charges for such labor and services if any such sand, gravel, or rock is sold by the county or city to a county, or a city at actual cost for placement on a publicly owned street, road, place, or highway.

The exemption provided for in this section shall not apply to the cost of or charges for such labor and services if the sand, gravel, or rock is used for other than public road purposes or is sold otherwise than as provided for in this section.

Sec. 11. Section 82.04.430, chapter 15, Laws of 1961 as amended by section 5, chapter 293, Laws of 1961 and RCW 82.04.430 are each amended to read as follows:

In computing tax there may be deducted from the measure of tax the following items:

(1) Amounts derived by persons, other than those engaging in banking, loan, security, or other financial businesses, from investments or the use of money as such;

(2) Amounts derived from bona fide initiation fees, dues, contributions, donations, tuition fees, *charges made for operation of privately operated kindergartens*, and endowment funds. This paragraph shall not be construed to exempt any person, association, or society from tax liability upon selling tangible personal property or upon providing facilities or services for which a special charge is made to members or others. Dues which are for, or graduated upon, the amount of service rendered by the recipient thereof are not permitted as a deduction hereunder;

(3) The amount of cash discount actually taken by the purchaser. This deduction is not allowed in arriving at the taxable amount under the extractive or manufacturing classifications with respect to articles produced or manufactured, the reported values of which, for the purposes of this tax, have been computed according to the provisions of RCW 82.04.450;

(4) The amount of credit losses actually sustained by taxpayers whose regular books of account are kept upon an accrual basis;

(5) So much of the sale price of motor vehicle fuel as constitutes the amount of tax imposed by the state or the United States government upon the sale thereof;

(6) Amounts derived from business which the state is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States;

(7) Amounts derived by any person as compensation for the receiving, washing, sorting, and packing of fresh perishable horticultural products and the material and supplies used therein when performed for the person exempted in RCW 82.04.330, either as agent or as independent contractor;

(8) Amounts derived as compensation for services rendered or to be rendered to patients by a hospital, as defined in chapter 70.41, devoted to the care of human

beings with respect to the prevention or treatment of disease, sickness, or suffering, when such hospital is operated by the United States or any of its instrumentalities, or by the state, or any of its political subdivisions;

(9) Amounts derived as compensation for services rendered to patients by a hospital, as defined in chapter 70.41, which is operated as a nonprofit corporation, nursing homes and homes for unwed mothers operated as religious or charitable organizations, but only if no part of the net earnings received by such an institution inures directly or indirectly, to any person other than the institution entitled to deduction hereunder. In no event shall any such deduction be allowed, unless the hospital building is entitled to exemption from taxation under the property tax laws of this state.

Sec. 12. Section 82.04.440, chapter 15, Laws of 1961 and RCW 82.04.440 are each amended to read as follows:

Every person engaged in activities which are within the purview of the provisions of two or more of sections RCW 82.04.230 to 82.04.290, inclusive, shall be taxable under each paragraph applicable to the activities engaged in: *Provided*, That persons taxable under RCW 82.04.250 or 82.04.270 shall not be taxable under RCW 82.04.230, 82.04.240 or subsection (2) [or], (3), (4), or (5) of RCW 82.04.260 with respect to extracting or manufacturing of the products so sold, and that persons taxable under RCW 82.04.240 shall not be taxable under RCW 82.04.230 with respect to extracting the ingredients of the products so manufactured.

Sec. 13. Section 82.08.020, chapter 15, Laws of 1961 as amended by section 6, chapter 293, Laws of 1961, and RCW 82.08.020 are each amended to read as follows:

There is levied and there shall be collected a tax on each retail sale in this state equal to three and one-third percent of the selling price: *Provided*, That from [April 1, 1959] *June 1, 1965* the tax imposed by this section shall be equal to four and *two-tenths* percent of the selling price. The tax imposed under this chapter shall apply to successive retail sales of the same property and to the retail sale of intoxicating liquor by the Washington state liquor stores.

Sec. 14. Section 82.08.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 28, Laws of 1963 extraordinary session and RCW 82.08.030 are each amended to read as follows:

The tax hereby levied shall not apply to the following sales:

(1) Casual and isolated sales of property or service, unless made by a person who is engaged in a business activity taxable under chapters 82.04, 82.16 or 82.28: *Provided*, That the exemption provided by this paragraph shall not be construed as providing any exemption from the tax imposed by chapter 82.12;

(2) Sales made by persons in the course of business activities with respect to which tax liability is specifically imposed under chapter 82.16, when the gross proceeds from such sales must be included in the measure of the tax imposed under said chapter;

(3) The distribution and newsstand sale of newspapers;

(4) Sales which the state is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States;

(5) Sales of motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes and sales of motor vehicle fuel taxable under chapter 82.36: *Provided*, That the use of any such fuel upon which a refund of the motor vehicle fuel tax has been obtained shall be subject to the tax imposed by chapter 82.12;

(6) Sales (including transfers of title through decree of appropriation) heretofore or hereafter made of the entire operating property of a publicly or privately owned public utility, or of a complete operating integral section thereof, to the state or a political subdivision thereof for use in conducting any business defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), (9), (10) or (11) of RCW 82.16.010;

(7) Auction sales made by or through auctioneers of tangible personal property (including household goods) which have been used in conducting a farm activity, when the seller thereof is a farmer and the sale is held or conducted upon a farm and not otherwise;

(8) Sales to corporations which have been incorporated under any act of the congress of the United States and whose principal purposes are to furnish volunteer aid to members of armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other national calamities and to devise and carry on measures for preventing the same;

(9) Sales of purebred livestock for breeding purposes where the animals are registered in a nationally recognized breed association; sales of cattle and milk cows used on the farm;

(10) Sales of tangible personal property (other than the type referred to in subdivision (11) hereof) for use by the purchaser in connection with the business of operating as a private or common carrier by air, rail, or water in interstate or foreign commerce: *Provided*, That any actual use of such property in this state shall, at the time of such actual use, be subject to the tax imposed by chapter 82.12;

(11) Sales of airplanes, locomotives, railroad cars, or watercraft for use in conducting interstate or foreign commerce by transporting therein or therewith property and persons for hire or for use in conducting commercial deep sea fishing operations outside the territorial waters of the state; also sales of tangible personal property which becomes a component part of such airplanes, locomotives, railroad cars, or watercraft, and of motor vehicles or trailers used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state, in the course of constructing, repairing, cleaning, altering, or improving the same; also sales of or charges made for labor and services rendered in respect to such constructing, repairing, cleaning, altering, or improving;

(12) Sales of motor vehicles and trailers to be used for the purpose of transporting therein persons or property for hire in interstate or foreign commerce: *Provided*, That the purchaser must be the holder of a carrier permit issued by the Interstate Commerce Commission and that the vehicles will first move upon the highways of this state from the point of delivery in this state to a point outside of this state under the authority of a one-transit permit issued by the director of licenses pursuant to the provisions of RCW 46.16.100;

(13) Sales of motor vehicles and trailers to nonresidents of this state for use outside of this state, even though delivery be made within this state, but only when (a) the vehicles or trailers will be taken from the point of delivery in this state directly to a point outside this state under the authority of a one-transit permit issued by the director of licenses pursuant to the provisions of RCW 46.16.100, or (b) said motor vehicles and trailers will be registered and licensed immediately under the laws of the state of the purchaser's residence, will not be used in this state more than three months, and will not be required to be registered and licensed under the laws of this state;

(14) Sales to nonresidents of this state for use outside of this state of tangible personal property which becomes a component part of any machinery or other article of personal property belonging to such nonresident, in the course of installing, repairing, cleaning, altering, or improving the same and also sales of or charges made for labor and services rendered in respect to any installing, repairing, cleaning, altering, or improving, of personal property of or for a nonresident, but this subsection (14) shall apply only when the seller agrees to, and does, deliver the property to the purchaser at a point outside this state, or delivers the property to a common or bona fide private carrier consigned to the purchaser at a point outside this state;

(15) Sales to nonresidents of this state for use outside of this state of watercraft requiring coast guard registration or registration by the state of principal use according to the Federal Boating Act of 1958, even though delivery to be made within this state, but only when (a) the watercraft will not be used within this state for more than forty-five days and (b) an appropriate exemption certificate supported by identification ascertaining residence as provided by the tax commission and signed by the purchaser or his agent establishing the fact that the purchaser is a nonresident and that the watercraft is for use outside of this state, one copy to be filed with the tax commission with the regular report and a duplicate to be retained by the dealer.

(16) Sales of poultry for use in the production for sale of poultry or poultry products.

(17) Sales to nonresidents of this state for use outside of this state of machinery and implements for use in conducting a farming activity, when such machinery and implements will be transported immediately outside the state. As proof of exemption, an affidavit or certification in such form as the tax commission shall require shall be made for each such sale, to be retained as a business record of the seller.

(18) Sales for use in states, territories and possessions of the United States which are not contiguous to any other state, but only when, as a necessary incident to the contract of sale, the seller delivers the subject matter of the sale to the purchaser or

his designated agent at the usual receiving terminal of the carrier selected to transport the goods, under such circumstances that it is reasonably certain that the goods will be transported directly to a destination in such noncontiguous states, territories and possessions.

(19) Sales to municipal corporations, the state, and all political subdivisions thereof of tangible personal property consumed and/or of labor and services rendered in respect to contracts for watershed protection and/or flood prevention. This exemption shall be limited to that portion of the selling price which is reimbursed by the United States government according to the provisions of the Watershed Protection and Flood Prevention Act, Public Laws 566, as amended;

(20) Sales of semen for use in the artificial insemination of livestock;

(21) Sales to nonresidents of this state of tangible personal property for use outside this state when the purchaser has applied for and received from the tax commission a permit certifying (1) that he is a bona fide resident of a state or possession other than the state of Washington, or of a foreign country, and (2) that he does agree, when requested, to grant the tax commission access to such records and other forms of verification at his place of residence to assure that such purchases are not first used substantially in the state of Washington.

Any person claiming exemption from retail sales tax under the provisions of this subsection must display a nonresident permit as herein provided, and any vendor making a sale to a nonresident without collecting the tax must examine such permit, identify the purchaser as the person to whom the nonresident permit was issued, and maintain records which shall show the permit number attributable to each nontaxable sale.

Permits shall be personal and nontransferable and shall be issued by the tax commission upon payment of a fee of one dollar. The commission may in its discretion designate independent agents for the issuance of permits, according to such standards and qualifications as the commission may prescribe. Such agents shall pay over and account to the commission for all permit fees collected, after deducting as a collection fee the sum of fifty cents for each permit issued.

Any person making fraudulent statements in order to secure a permit shall be guilty of perjury. Any person making tax exempt purchases by displaying a permit not his own, or a counterfeit permit, with intent to violate the provisions of this subsection shall be guilty of a misdemeanor and, in addition, may be subject to a penalty not to exceed the amount of the tax due on such purchases. Any vendor who makes sales without collecting the tax to a person who does not hold a valid permit, and any vendor who fails to maintain records of permit numbers as provided in this section shall be personally liable for the amount of tax due.

The exemption provided in this subsection shall be effective June 1, 1965, to July 1, 1967.

(22) Sales of form lumber to any person engaged in the constructing, repairing, decorating or improving of new or existing buildings or other structures under, upon or above real property of or for consumers: PROVIDED, That such lumber is used or to be used first by such person for the molding of concrete in a single such contract, project or job and is thereafter incorporated into the product of that same contract, project or job as an ingredient or component thereof.

(23) Sales of, cost of, or charges made for labor and services performed in respect to the mining, sorting, crushing, screening, washing, hauling, and stockpiling of sand, gravel and rock when such sand, gravel, or rock is taken from a pit or quarry which is owned by or leased to a county or a city, and such sand, gravel, or rock is (1) either stockpiled in said pit or quarry for placement or is placed on the street, road, place, or highway of the county or city by the county or city itself, or (2) sold by the county or city to a county, or a city at actual cost for placement on a publicly owned street, road, place, or highway. The exemption provided for in this subsection shall not apply to sales of, cost of, or charges made for such labor and services, if the sand, gravel, or rock is used for other than public road purposes or is sold otherwise than as provided for in this subsection.

Sec. 15. Section 82.08.050, chapter 15, Laws of 1961 and RCW 82.08.050 are each amended to read as follows:

The tax hereby imposed shall be paid by the buyer to the seller, and each seller shall collect from the buyer the full amount of the tax payable in respect to each taxable sale in accordance with the schedule of collections adopted by the tax commission pursuant to the provisions of RCW 82.08.060. The tax required by this chapter,

to be collected by the seller, shall be deemed to be held in trust by the seller until paid to the commission, and any seller who appropriates or converts the tax collected to his own use or to any use other than the payment of the tax to the extent that the money required to be collected is not available for payment on the due date as prescribed in this chapter shall be guilty of a misdemeanor.

In case any seller fails to collect the tax herein imposed or having collected the tax, fails to pay it to the commission in the manner prescribed by this chapter, whether such failure is the result of his own acts or the result of acts or conditions beyond his control, he shall nevertheless, be personally liable to the state for the amount of the tax.

The amount of tax, until paid by the buyer to the seller or to the commission, shall constitute a debt from the buyer to the seller and any seller who fails or refuses to collect the tax as required with intent to violate the provisions of this chapter or to gain some advantage or benefit, either direct or indirect, and any buyer who refuses to pay any tax due under this chapter shall be guilty of a misdemeanor. *The tax required by this chapter to be collected by the seller shall be stated separately from the selling price and for purposes of determining the tax due from the buyer to the seller and from the seller to the commission it shall be presumed that the selling price quoted in any price list, sales document, contract or other agreement between the parties does not include the tax imposed by this chapter.*

Where a buyer has failed to pay to the seller the tax imposed by this chapter and the seller has not paid the amount of the tax to the commission, the commission may, in its discretion, proceed directly against the buyer for collection of the tax, in which case a penalty of ten percent may be added to the amount of the tax for failure of the buyer to pay the same to the seller, regardless of when the tax may be collected by the commission; and all of the provisions of chapter 82.32, including those relative to interest and penalties, shall apply in addition; and, for the sole purpose of applying the various provisions of chapter 82.32, the fifteenth day of the month following the [bimonthly] tax period in which the purchase was made shall be considered as the due date of the tax.

Sec. 16. Section 82.08.150, chapter 15, Laws of 1961 as last amended by section 1, chapter 42, Laws of 1965 and RCW 82.08.150 are each amended to read as follows:

(1) There is levied and shall be collected from and after the first day of November, 1951, a tax upon each retail sale of spirits, wine, or strong beer in the original package at the rate of ten percent of the selling price, and the term "retail sale" as used herein shall include, in addition to the meaning ascribed thereto in chapter 82.04, any sale to a consumer or for resale by a retailer in such original package. The tax imposed in this section shall apply to all sales of spirits, wine, or strong beer by the Washington state liquor stores and agencies, including sales to licensees. The tax imposed in RCW 82.08.020 as now or hereafter amended shall not apply to sales by the Washington state liquor control board stores and agencies of products subject to the tax imposed by this section.

(2) There is levied and shall be collected from and after the first day of April, 1959, an additional tax upon each retail sale of spirits, wine, or strong beer in the original package at the rate of five percent of the selling price, and the term "retail sale" as used herein shall include the meaning ascribed thereto in chapter 82.04. The additional tax imposed in this paragraph shall apply to the sale of spirits, wine, or strong beer by the Washington state liquor stores and agencies, excluding sales to Class H licensees. The tax imposed in RCW 82.08.020 as now or hereafter amended shall not apply to sales by the Washington state liquor control board stores and agencies of products subject to the tax imposed by this paragraph.

(3) There is levied and shall be collected from and after the [fifteenth day of April, 1961] *first day of June, 1965*, an additional tax upon each retail sale of spirits in the original package at the rate of [one and one-tenth] *two cents per fluid ounce or fraction thereof contained in such original package*, and the term "retail sale" as used herein shall include the meaning ascribed thereto in chapter 82.04: *PROVIDED, That this nine-tenths of a cent increase as provided for in this 1965 amendatory act shall not apply to manufacturers as defined under RCW 66.24.150.* The additional tax imposed in this paragraph shall apply to the sale of spirits by the Washington state liquor stores and agencies, including sales to Class H licensees. The tax imposed in RCW 82.08.020 as now or hereafter amended shall not apply to sales subject to the tax imposed by this paragraph. On or before the twenty-fifth day of each month beginning with the month of July, 1961, the Washington state liquor control board shall remit to



the state tax commission, to be deposited with the state treasurer, all moneys collected by it under this paragraph during the preceding month on sales made and subject to this paragraph. Upon receipt of such moneys the state treasurer shall deposit them in the state general fund and the provisions of RCW 82.08.160 and 82.08.170, and the provisions of chapter 43.66 relating to deposits, apportionment and distribution, shall have no application to the collections under this paragraph.

(4) The additional five percent tax enacted in subdivision (2) of this section shall not be levied upon or applied to sales of wine which have been subjected to the tax imposed by RCW 66.24.220.

(5) As used in this section, the terms, "spirits," "wine," "strong beer," and "package" shall have the meaning ascribed to them in chapter 66.04.

Sec. 17. Section 82.12.010, chapter 15, Laws of 1961 as amended by section 15, chapter 293, Laws of 1961, and RCW 82.12.010 are each amended to read as follows:

For the purposes of this chapter:

(1) "Value of the article used" shall mean the consideration, whether money, credit, rights, or other property, expressed in terms of money, paid or given or contracted to be paid or given by the purchaser to the seller for the article of tangible personal property, the use of which is taxable under this chapter. The term includes, in addition to the consideration paid or given or contracted to be paid or given, the amount of any tariff or duty paid with respect to the importation of the article used. In case the article used is acquired by lease or by gift or is extracted, produced, or manufactured by the person using the same or is sold under conditions wherein the purchase price does not represent the true value thereof, the value of the article used shall be determined as nearly as possible according to the retail selling price at place of use of similar products of like quality and character under such rules and regulations as the tax commission may prescribe.

In case the articles used are acquired by bailment, the value of the use of the articles so used shall be in an amount representing a reasonable rental for the use of the articles so bailed, determined as nearly as possible according to the value of such use at the places of use of similar products of like quality and character under such rules and regulations as the tax commission may prescribe;

*In the case of articles manufactured or produced by the user and used in the manufacture or production of products sold or to be sold to the department of defense of the United States, the value of the articles used shall be determined according to the value of the ingredients of such articles.*

(2) "Use," "used," "using," or "put to use" shall have their ordinary meaning, and shall mean the first act within this state by which the taxpayer takes or assumes dominion or control over the article of tangible personal property (as a consumer), and include installation, storage, withdrawal from storage, or any other act preparatory to subsequent actual use or consumption within this state;

(3) "Taxpayer" and "purchaser" include all persons included within the meaning of the word "buyer" and the word "consumer" as defined in chapters 82.04 and 82.08;

(4) "Retailer" means every person engaged in the business of selling tangible personal property at retail and every person required to collect from purchasers the tax imposed under this chapter;

(5) The meaning ascribed to words and phrases in chapters 82.04 and 82.08, insofar as applicable, shall have full force and effect with respect to taxes imposed under the provisions of this chapter. "Consumer," in addition to the meaning ascribed to it in chapters 82.04 and 82.08 insofar as applicable, shall also mean any person who distributes or displays, or causes to be distributed or displayed, any article of tangible personal property, except newspapers, the primary purpose of which is to promote the sale of products or services.

Sec. 18. Section 82.12.020, chapter 15, Laws of 1961 as amended by section 9, chapter 293, Laws of 1961 and RCW 82.12.020 are each amended to read as follows:

There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using within this state as a consumer any article of tangible personal property purchased at retail, or acquired by lease, gift, or bailment, or extracted or produced or manufactured by the person so using the same. This tax will not apply with respect to the use of any article of tangible personal property purchased, extracted, produced or manufactured outside this state until the transportation of such article has finally ended or until such article has become commingled with the general mass of property in this state. This tax shall apply to the use of every article of tangible personal property, including property acquired at a casual or isolated sale, and including byproducts used by the manufacturer thereof,

except as hereinafter provided, irrespective of whether the article or similar articles are manufactured or are available for purchase within this state. Except as provided in subdivision (2) of RCW 82.12.030, payment by one purchaser or user of tangible personal property of the tax imposed by chapter 82.08 or 82.12 shall not have the effect of exempting any other purchaser or user of the same property from the taxes imposed by such chapters. The tax shall be levied and collected in an amount equal to the value of the article used by the taxpayer multiplied by the rate of [three and one-third percent: *Provided*, That from April 1, 1959 the tax levied in this section shall be in an amount equal to the value of the article used by the taxpayer multiplied by the rate of] four and two-tenths percent.

Sec. 19. Section 82.12.030, chapter 15, Laws of 1961 and section 1, chapter 76, Laws of 1963, as last amended by section 4, chapter 28, Laws of 1963 extraordinary session, and RCW 82.12.030 are each amended to read as follows:

The provisions of this chapter shall not apply:

(1) In respect to the use of any article of tangible personal property brought into the state by a nonresident thereof for his use or enjoyment while temporarily within the state unless such property is used in conducting a nontransitory business activity within the state; or in respect to the use by a nonresident of this state of a motor vehicle which is registered or licensed under the laws of the state of his residence and is not used in this state more than three months, and which is not required to be registered or licensed under the laws of this state; or in respect to the use of household goods, personal effects and private automobiles by a bona fide resident of this state, if such articles were acquired and used by such person in another state while a bona fide resident thereof and such acquisition and use occurred more than thirty days prior to the time he entered this state;

(2) In respect to the use of any article of tangible personal property purchased at retail or acquired by lease, gift or bailment if the sale thereof to, or the use thereof by, the present user or his bailor or donor has already been subjected to the tax under chapter 82.08 or 82.12 and such tax has been paid by the present user or by his bailor or donor; *or in respect to the use of property acquired by bailment and such tax has once been paid based on reasonable rental as determined by RCW 82.12.060 measured by the value of the article at time of first use multiplied by the tax rate imposed by chapter 82.08 or 82.12 as of the time of first use; or in respect to the use of any article of tangible personal property acquired by bailment, if the property was acquired by a previous bailee from the same bailor for use in the same general activity and such original bailment was prior to June 9, 1961;*

(3) In respect to the use of any article of tangible personal property the sale of which is specifically taxable under chapter 82.16;

(4) In respect to the use of any airplane, locomotive, railroad car, or watercraft used primarily in conducting interstate or foreign commerce by transporting therein or therewith property and persons for hire or used primarily in commercial deep sea fishing operations outside the territorial waters of the state, and in respect to use of tangible personal property which becomes a component part of any such airplane, locomotive, railroad car, or watercraft, and in respect to the use by the holder of a carrier permit issued by the Interstate Commerce Commission of any motor vehicle or trailer used [primarily] *in substantial part in the normal and ordinary course of the user's business* for transporting therein persons or property for hire across the boundaries of this state if the first use of which within this state is actual use in conducting interstate or foreign commerce; and in respect to the use of any motor vehicle or trailer while being operated under the authority of a one-transit permit issued by the director of licenses pursuant to RCW 46.16.100 and moving upon the highways from the point of delivery in this state to a point outside this state; and in respect to the use of tangible personal property which becomes a component part of any motor vehicle or trailer used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state;

(5) In respect to the use of any article of tangible personal property which the state is prohibited from taxing under the Constitution of the state or under the Constitution or laws of the United States;

(6) In respect to the use of motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes and motor vehicle fuel taxable under chapter 82.36: *Provided*, That the use of such fuel upon which a refund of the motor vehicle fuel tax is obtained shall not be exempt, and the director of licenses

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 tax commission;

(7) In respect to the use of any article of tangible personal property included within the transfer of the title to the entire operating property of a publicly or privately owned public utility, or of a complete operating integral section thereof, by the state or a political subdivision thereof in conducting any business defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), or (11) of RCW 82.16.010;

(8) In respect to the use of tangible personal property (including household goods) which have been used in conducting a farm activity, if such property was purchased from a farmer at an auction sale held or conducted by an auctioneer upon a farm and not otherwise;

(9) In respect to the use of tangible personal property by corporations which have been incorporated under any act of the congress of the United States and whose principal purposes are to furnish volunteer aid to members of the armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, flood, and other national calamities and to devise and carry on measures for preventing the same;

(10) In respect to the use of purebred livestock for breeding purposes where said animals are registered in a nationally recognized breed association; sales of cattle and milk cows used on the farm;

(11) In respect to the use of poultry in the production for sale of poultry or poultry products;

(12) In respect to the use of fuel by the extractor or manufacturer thereof when used directly in the operation of the particular extractive operation or manufacturing plant which produced or manufactured the same;

(13) In respect to the use of motor vehicles, equipped with dual controls, which are loaned to and used exclusively by a school [districts] in connection with its driver training program [and used by such districts exclusively in connection with their high school driver training program] : *PROVIDED, That this exemption and the term "school" shall apply only to (a) the University of Washington, Washington State University and the state colleges or (b) any public, private or parochial school accredited by either the state board of education or by the Universty of Washington (the state accrediting station) or (c) any public vocational school meeting the standards, courses and requirements established and prescribed or approved by the state board for vocational education;*

(14) In respect to the use by a bailee of any article of tangible personal property which is entirely consumed in the course of research, development, experimental and testing activities conducted by the user, provided the acquisition or use of such articles by the bailor was not subject to the taxes imposed by chapter 82.08 or chapter 82.12;

(15) In respect to the use by residents of this state of motor vehicles and trailers acquired and used while such persons are members of the armed services and are stationed outside this state pursuant to military orders, *but this exemption shall not apply to members of the armed services called to active duty for training purposes for periods of less than six months and [but this exemption] shall not apply to the use of motor vehicles or trailers acquired less than thirty days prior to the discharge or release from active duty of [such] any person from the armed services.*

(16) *In respect to the use of semen in the artificial insemination of livestock;*

(17) *In respect to the use of form lumber by any person engaged in the constructing, repairing, decorating or improving of new or existing buildings or other structures under, upon or above real property of or for consumers: PROVIDED, That such lumber is used or to be used first by such person for the molding of concrete in a single such contract, project or job and is thereafter incorporated into the product of that same contract, project or job as an ingredient or component thereof.*

(18) *In respect to the use of any sand, gravel, or rock to the extent of the cost of or charges made for labor and services performed in respect to the mining, sorting, crushing, screening, washing, hauling, and stockpiling such sand, gravel, or rock, when such sand, gravel, or rock is taken from a pit or quarry which is owned by or leased to a county or a city, and such sand, gravel, or rock is (1) either stockpiled in said pit or quarry for placement or is placed on the street, road, place, or highway of the county or city by the county or city itself, or (2) sold by the county or city to a county, or a city at actual cost for placement on a publicly owned street, road, place,*

or highway. The exemption provided for in this subsection shall not apply to the use of such material to the extent of the cost of or charge made for such labor and services, if the material is used for other than public road purposes or is sold otherwise than as provided for in this subsection.

Sec. 20. Section 82.16.010, chapter 15, Laws of 1961, as amended by section 12, chapter 293, Laws of 1961, and RCW 82.16.010 are each amended to read as follows:

For the purposes of this chapter, unless otherwise required by the context:

(1) "Railroad business" means the business of operating any railroad, by whatever power operated, for public use in the conveyance of persons or property for hire. It shall not, however, include any business herein defined as an urban transportation business;

(2) "Express business" means the business of carrying property for public hire on the line of any common carrier operated in this state, when such common carrier is not owned or leased by the person engaging in such business;

(3) "Railroad car business" means the business of *renting, leasing or operating* stock cars, furniture cars, refrigerator cars, fruit cars, poultry cars, tank cars, sleeping cars, parlor cars, buffet cars, tourist cars, or any other kinds of cars used for transportation of property or persons upon the line of any railroad operated in this state when such railroad is not owned or leased by the person engaging in such business.

(4) "Water distribution business" means the business of operating a plant or system for the distribution of water for hire or sale;

(5) "Light and power business" means the business of operating a plant or system for the generation, production or distribution of electrical energy for hire or sale;

(6) "Telephone business" means the business of operating or managing any telephone line or part of a telephone line and exchange or exchanges used in the conduct of the business of affording telephonic communication for hire. It includes cooperative or farmer line telephone companies or associations operating an exchange;

(7) "Telegraph business" means the business of affording telegraphic communication for hire;

(8) "Gas distribution business" means the business of operating a plant or system for the production or distribution for hire or sale of gas, whether manufactured or natural;

(9) "Motor transportation business" means the business (except urban transportation business) of operating any motor propelled vehicle by which persons or property of others are conveyed for hire, and includes, but is not limited to, the operation of any motor propelled vehicle as an auto transportation company (except urban transportation business), common carrier or contract carrier as defined by RCW 81.68.010 and 81.80.010; *Provided*, That "motor transportation business" shall not mean or include the transportation of logs or other forest products exclusively upon private roads or private highways.

(10) "Urban transportation business" means the business of operating any vehicle for public use in the conveyance of persons or property for hire, insofar as (a) operating entirely within the corporate limits of any city or town, or within five miles of the corporate limits thereof, or (b) operating entirely within and between cities and towns whose corporate limits are not more than five miles apart or within five miles of the corporate limits of either thereof. Included herein, but without limiting the scope hereof, is the business of operating passenger vehicles of every type and also the business of operating cartage, pickup, or delivery services, including in such services the collection and distribution of property arriving from or destined to a point within or without the state, whether or not such collection or distribution be made by the person performing a local or interstate line-haul of such property;

(11) "Public service business" means any of the businesses defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), (9), and (10) or any business subject to control by the state, or having the powers of eminent domain and the duties incident thereto, or any business hereafter declared by the legislature to be of a public service nature. It includes, among others, without limiting the scope hereof: Airplane transportation, boom, dock, ferry, *log patrol*, pipe line, [public] warehouse, toll bridge, toll logging road, water transportation and wharf businesses;

(12) "*Tugboat business*" means the business of operating tugboats, towboats, wharf boats or similar vessels in the towing or pushing of vessels, barges or rafts for hire;

[(12)] (13) "Gross income" means the value proceeding or accruing from the performance of the particular public service or transportation business involved, including operations incidental thereto, but without any deduction on account of the cost of the commodity furnished or sold, the cost of materials used, labor costs, interest,

discount, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses;

[(13)] (14) The meaning attributed, in chapter 82.04, to the term "tax year," "person," "value proceeding or accruing," "business," "engaging in business," "in this state," "within this state," "cash discount" and "successor" shall apply equally in the provisions of this chapter.

Sec. 21. Section 82.16.020, chapter 15, Laws of 1961, as amended by section 13, chapter 293, Laws of 1961, and RCW 82.16.020 are each amended to read as follows:

There is levied and there shall be collected from every person a tax for the act or privilege of engaging within this state in any one or more of the businesses herein mentioned. The tax shall be equal to the gross income of the business, multiplied by the rate set out after the business, as follows:

(1) Railroad, express, railroad car, water distribution, light and power, telephone and telegraph businesses: Three percent: *Provided*, That a common carrier railroad operating as a plant facility to the extent of eighty percent or more of its business shall pay a tax of one-fourth of one percent on such eighty percent or more of its business and three percent on all other business;

(2) Gas distribution business: Two percent;

(3) Urban transportation business: One-half of one percent;

(4) Vessels under sixty-five feet in length, *except tugboats*, operating upon the waters within the state: one-half of one percent;

(5) Motor transportation *and tugboat businesses* and all public service businesses other than ones mentioned above: One and one-half percent.

Sec. 22. Section 82.16.050, chapter 15, Laws of 1961, and RCW 82.16.050 are each amended to read as follows:

In computing tax there may be deducted from the gross income the following items:

(1) Amounts derived by municipally owned or operated public service businesses, directly from taxes levied for the support or maintenance thereof: *Provided*, That this section shall not be construed to exempt service charges which are spread on the property tax rolls and collected as taxes;

(2) Amounts derived from the sale of commodities to persons in the same public service business as the seller, for resale as such within this state. This deduction is allowed only with respect to water distribution, light and power, gas distribution or other public service businesses which furnish water, electrical energy, gas or any other commodity in the performance of public service businesses;

(3) Amounts actually paid by a taxpayer to another person taxable under this chapter as the latter's portion of the consideration due for services furnished jointly by both, if the total amount has been credited to and appears in the gross income reported for tax by the former;

(4) The amount of cash discount actually taken by the purchaser or customer;

(5) The amount of credit losses actually sustained by taxpayers whose regular books of accounts are kept upon an accrual basis;

(6) Amounts derived from business which the state is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States;

(7) Amounts derived from the distribution of water through an irrigation system, for irrigation purposes;

(8) Amounts derived from the transportation of commodities from points of origin in this state to final destination outside this state, or from points of origin outside this state to final destination in this state, with respect to which the carrier grants to the shipper the privilege of stopping the shipment in transit at some point in this state for the purpose of storing, manufacturing, milling, or other processing, and thereafter forwards the same commodity, or its equivalent, in the same or converted form, under a through freight rate from point of origin to final destination; and amounts derived from the transportation of commodities to an export elevator, wharf, dock or ship side on tidewater or navigable tributaries thereto, from points of origin in the state, and thereafter forwarded by water carrier, in their original form, to interstate or foreign destinations: *Provided*, That no deduction will be allowed when the point of origin and the point of delivery to such an export elevator, wharf, dock, or ship side are located within the corporate limits of the same city or town;

(9) Amounts derived from the production, sale, or transfer of electrical energy for resale or consumption outside the state if the production or generation of such energy is subject to tax under the manufacturing classification of chapter 82.04 RCW: *PROVIDED*, That the exemption set forth in RCW 82.04.310 shall not be applicable to the generation or production of the electrical energy so produced, sold, or transferred:

AND PROVIDED FURTHER, That no credit has been claimed as an offset to taxes imposed under RCW 82.04.240.

Sec. 23. Section 82.24.020, chapter 15, Laws of 1961 as amended by section 3, chapter 24, Laws of 1961 extraordinary session and RCW 82.24.020 are each amended to read as follows:

There is levied and there shall be collected as hereinafter provided, a tax upon the sale, use, consumption, handling or distribution of all cigarettes, in an amount equal to the rate of [two] four mills per cigarette.

Sec. 24. Section 82.24.070, chapter 15, Laws of 1961 as amended by section 4, chapter 24, Laws of 1961 extraordinary session, and RCW 82.24.070 are each amended to read as follows:

Wholesalers and retailers subject to the provisions of this chapter shall be allowed compensation for their services in affixing the stamps herein required a sum equal to [three and three-quarters] two percent of the value of the stamps purchased or affixed by them.

Sec. 25. Section 82.26.020, chapter 15, Laws of 1961 and RCW 82.26.020 are each amended to read as follows:

(1) From and after [July 1, 1959] *June 1, 1965*, there is levied and there shall be collected a tax upon the sale, use, consumption, handling, or distribution of all tobacco products in this state at the rate of [twenty-five] *thirty* percent of the wholesale sales price of such tobacco products. Such tax shall be imposed at the time the distributor (a) brings, or causes to be brought, into this state from without the state tobacco products for sale, (b) makes, manufactures, or fabricates tobacco products in this state for sale in this state, or (c) ships or transports tobacco products to retailers in this state, to be sold by those retailers.

(2) A floor stocks tax is hereby imposed upon every distributor of tobacco products at the rate of twenty-five percent of the wholesale sales price of each tobacco product in his possession or under his control on July 1, 1959.

Each distributor, within twenty days after July 1, 1959 shall file a report with the commission, in such form as the commission may prescribe, showing the tobacco products on hand on July 1, 1959 and the amount of tax due thereon.

The tax imposed by this subdivision shall be due and payable within twenty days after July 1, 1959 and thereafter shall bear interest at the rate of one percent per month.

NEW SECTION. Sec. 26. There is added to chapter 15, Laws of 1961 and to chapter 82.04 RCW a new section to read as follows:

In computing tax under this chapter there may be credited against the amount of the tax the following items:

As to persons engaging in activities defined in RCW 82.04.120 (the definition of the term "to manufacture"), an amount not to exceed the tax actually paid under chapter 82.08 RCW (Retail Sales Tax) or chapter 82.12 RCW (Use Tax) by such persons or their lessors or their contract vendors, on materials, labor and services in the construction or major improvement of buildings, structures or other improvements to real property that is, to the extent of eighty-five percent or more of the value of the improvements, used or to be used in or related to the business of manufacture for sale or commercial or industrial use of any articles, substances or commodities: *Provided*, That this credit shall be allowable only against tax payable by the manufacturer and measured by the value of products or gross proceeds of sales of articles, substances or commodities manufactured in this state: *Provided further*, That this credit shall be allowable only against any tax payable which is attributable to manufacturing which involves the use of such construction or improvements: *And provided further*, That this credit shall not be allowable for tax paid on purchases of material, labor or services on which the supplier thereof became entitled to compensation prior to July 1, 1964.

Sec. 27. Section 82.32.060, chapter 15, Laws of 1961, as amended by section 1, chapter 22, Laws of 1963 and RCW 82.32.060 are each amended to read as follows:

If, upon application by a taxpayer for a refund or for an audit of his records, or upon an examination of the returns or records of any taxpayer, it is determined by the tax commission that within the two years immediately preceding the receipt of the commission of the application by the taxpayer for a refund or for an audit, or, in the absence of such an application, within the two years immediately preceding the commencement by the commission of such examination, a tax has been paid in excess of that properly due, the excess amount paid within such period of two years shall be credited to the taxpayer's account or shall be refunded to the taxpayer, at his option. *Except as to the credits in computing tax authorized by section 26 of*

this 1965 amendatory act, no refund or credit shall be allowed with respect to any payments made to the commission more than two years before the date of such application or examination. Where a refund or credit may not be made because of the lapse of said two year period, the amount of the refund or credit which would otherwise be allowable for the portion of the statutory assessment period preceding the two year period may be offset against the amount of any tax deficiency which may be determined by the commission for such statutory assessment period. Notwithstanding the foregoing, no refund or credit shall be granted with respect to taxes paid prior to May 1, 1950, but where a refund or credit may not be made because the tax was paid prior to May 1, 1950, the amount of the refund or credit which would otherwise be allowable for the portion of the statutory assessment period preceding May 1, 1950, may be offset against the amount of any tax deficiency which may be determined by the commission for such preceding period.

Notwithstanding the foregoing limitations there shall be refunded or credited to taxpayers engaged in the performance of United States government contracts or subcontracts the amount of any tax paid, measured by that portion of the amounts received from the United States, which taxpayer is required by contract or applicable federal statute to refund or credit to the United States, if claim for such refund is filed by the taxpayer with the tax commission within one year of the date that the amount of the refund or credit due to the United States is finally determined and filed within four years of the date on which the tax was paid: *Provided*, That no interest shall be allowed on such refund.

Any such refunds shall be made by means of vouchers approved by the tax commission and by the issuance of state warrants drawn upon and payable from such funds as the legislature may provide.

Any judgment for which a recovery is granted by any court of competent jurisdiction, not appeal from, for tax, penalties, and interest which were paid by the taxpayer, and costs, in a suit by any taxpayer shall be paid in like manner, upon the filing with the tax commission of a certified copy of the order or judgment of the court. *Except as to the credits in computing tax authorized by section 26 of this 1965 amendatory act*, interest at the rate of three percent per annum shall be allowed by the tax commission and by any court on the amount of any refund or recovery allowed to a taxpayer for taxes, penalties, or interest paid by him after May 1, 1949, and interest at the same rate shall be allowed on any judgment recovered by a taxpayer for taxes, penalties, or interest paid after such date.

Sec. 28. Section 82.48.100, chapter 15, Laws of 1961 and RCW 82.48.100 are each amended to read as follows:

This chapter shall not apply to:

Aircraft owned by and used exclusively in the service of any government or any political subdivision thereof, including the government of the United States, any state, territory, or possession of the United States, or the District of Columbia, which are not engaged in carrying persons or property for commercial purposes;

Aircraft registered under the laws of a foreign country;

Aircraft which are owned by a nonresident and registered in another state: *Provided*, That if any such aircraft shall remain in and/or be based in this state for a period of ninety [consecutive] days or longer it shall not be exempt under this section;

Aircraft engaged principally in commercial flying which constitutes interstate or foreign commerce; and aircraft owned by the manufacturer thereof while being operated for test or experimental purposes, or for the purpose of training crews for purchasers of the aircraft;

Aircraft being held for sale, exchange, delivery, test, or demonstration purposes solely as stock in trade of an aircraft dealer licensed under RCW Title 14.

Sec. 29. Section 82.50.030, chapter 15, Laws of 1961 as amended by section 7, chapter 199, Laws of 1963 and RCW 82.50.030 are each amended to read as follows:

The rate and measure of tax imposed by this chapter for each calendar year shall be one *and one-half* percent of the fair market value of the house trailer, as determined in the manner provided in this chapter: *Provided*, That the calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the excise tax upon a house trailer used for the first time in this state after the last day of any month shall only be levied for the remaining months of the calendar year including the month in which the house trailer is first used: *Provided further*, That the minimum amount of tax payable shall be two dollars.

A house trailer shall be deemed used for the first time in this state when such vehicle was not previously licensed by this state for the year immediately preceding the year in which application for license is made.

Sec. 30. Section 24, chapter 62, Laws of 1933 extraordinary session, and RCW 66.24.290 are each amended to read as follows:

Any brewer or beer wholesaler licensed under this title may sell and deliver beer to holders of authorized licenses direct, but to no other person, other than the board; and every such brewer or beer wholesaler shall report all sales to the board monthly, pursuant to the regulations, and shall pay to the board as an added tax for the privilege of manufacturing and selling the beer within the state a tax of one dollar per barrel of thirty-one gallons on sales to licensees within the state and on [the sale] sales to licensees within the state of bottled and canned beer shall pay a tax [on the same basis] computed in gallons at the rate of one dollar and fifty cents per barrel of thirty-one gallons. Each such brewer or wholesaler shall procure from the board revenue stamps representing such tax in form prescribed by the board and shall affix the same to the barrel or package in such manner and in such denominations as required by the board, and shall cancel the same prior to commencing delivery from his place of business or warehouse of such barrels or packages. Beer shall be sold by brewers and wholesalers in sealed barrels or packages. The revenue stamps herein provided for need not be affixed and canceled in the making of resales of barrels or packages already taxed by the affixation and cancellation of stamps as provided in this section.

The above tax shall not apply to "strong beer" as defined in this title.

**NEW SECTION.** Sec. 31. There is added to chapter 15, Laws of 1961 and to chapter 84.36 RCW a new section to read as follows:

The following property shall be exempt from taxation:

All property, whether real or personal belonging to any nonprofit corporation or cooperative association and used exclusively for the distribution of water to its shareholders or members.

**NEW SECTION.** Sec. 32. If any phrase, clause, subsection or section of this act shall be declared unconstitutional or invalid by any court of competent jurisdiction, it shall be conclusively presumed that the legislature would have enacted this act without the phrase, clause, subsection or section so held unconstitutional or invalid and the remainder of the act shall not be affected as a result of said part being held unconstitutional or invalid.

**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 June 1, 1965.

*Senate Members*

MARTIN J. DURKAN  
WILLIAM A. GISSBERG  
PERRY B. WOODALL

*House Members*

HENRY BACKSTROM  
TOM COPELAND  
LEONARD A. SAWYER

It was moved by Senator Durkan that the report of the Free Conference Committee on Substitute House Bill No. 608 be adopted.

Debate ensued.

Senators Keefe, Moriarty, Jr. and Bailey demanded the previous question and the demand was sustained.

The motion was carried.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 608 as amended by the Free Conference Committee.

Further debate ensued.

**POINT OF INQUIRY**

Senator Ryder:

"Mr. President, I would like to ask Senator Durkan a question.

"Senator Durkan, I know that this may hurt you a little, but I would like to get the answer to this question. I understand that some of the taxes in this bill are to take effect on June 1st of this year. Is this correct? Would this raise about \$2 million before the end of the biennium?"



Senator Durkan:

"Mr. President:

"We moved the collection date up to June 1st. That is the answer to your question."

Senator Ryder:

"Mr. President, Senator Durkan:

"I found it on the sales tax and the liquor tax, but I did not find it on the use tax. Is this an oversight?"

Senator Durkan:

"No, there were some of the taxes that could not be collected, but as far as the drafting is concerned, it was June 1st."

Senator Ryder:

"On the use tax?"

Senator Durkan:

"That was my understanding."

#### PERSONAL PRIVILEGE

Senator Morgan:

"Mr. President, personal privilege, and I would like to have my remarks in the record:

"I am voting against the report of the Free Conference Committee on Substitute House Bill No. 608 which enacts nearly \$60 million taxes on some and removes taxation on others. I consider it inequitable and unjust. Most certainly I feel that special consideration for the gasoline industry as compared to the much larger taxes on the oil industry, is scandalous. Taxation removed from many, and larger taxes imposed on other businesses is totally unacceptable to this Senator and to my 84,000 constituents. The lack of a five cent cigarette tax and \$5 million from that, and the lack of a tax on gas dealers and nearly \$2 million from that have resulted in cuts for those who cannot lobby or speak for themselves.

"I shall be here as a Senator next time. I do not run this time. Next session and during the interim period, I shall tell all who ask the truth about this bill as I see it: Inequities in taxation in Washington state."

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 608, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 26; nays, 22; excused, 1.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Donohue, Durkan, England, Freise, Gallagher, Gissberg, Guess, Hanna, Herr, Knoblauch, Kupka, Lennart, Moriarty, Jr., Neill, Petrich, Raugust, Redmon, Ryder, Sandison, Washington, Williams, Woodall—26.

Those voting nay were: Senators Connor, Cooney, Cowen, Dore, Foley, Greive, Hallauer, Henry, Herrmann, Keefe, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Peterson (Ted), Rasmussen, Riley, Talley, Thompson, Jr.—22.

Excused: Senator Stender—1.

Substitute House Bill No. 608, as amended by Free Conference Committee, having received the constitutional majority, was declared passed.

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

It was moved by Senator Woodall that Substitute House Bill No. 608 as amended by the Free Conference Committee, be immediately transmitted to the House.

**NOTICE OF RECONSIDERATION**

Senator Gallagher:

"Mr. President:

"Having voted on the prevailing side, I do now serve notice that some time this evening I will move for reconsideration of the vote by which Substitute House Bill No. 608 passed the Senate."

Debate ensued.

On motion of Senator Greive, the rules were suspended and Senators Bailey, Neill, Woodall, Moriarty, Jr. and Greive were excused from under the Call of the Senate.

At 10:55 p. m., on motion of Senator Greive, the Senate was put at ease, subject to the call of the President.

The President called the Senate to order at 11:20 p. m.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., May 5, 1965.

**MR. PRESIDENT:**

The House refuses to recede from its amendment to Engrossed Senate Bill No. 565 and asks the Senate for a conference thereon, and the Speaker has appointed as the House conferees on Engrossed Senate Bill No. 565 and the House amendment thereto: Representatives Flanagan, Moon, Brouillet.

S. R. HOLCOMB, *Chief Clerk.*

It was moved by Senator Greive that the Senate grant the request of the House for a conference on Engrossed Senate Bill No. 565 and the House amendment thereto.

The motion was carried.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 565 and the House amendment thereto Senators McCormack, Charette and Williams.

It was moved by Senator Rasmussen that the appointments be confirmed.

Debate ensued.

The motion was carried.

**MOTION**

It was moved by Senator Gallagher that the rules be suspended and that Substitute House Bill No. 608 as amended by the Free Conference Committee be immediately transmitted to the House.

**PARLIAMENTARY INQUIRY**

Senator Gallagher:

"Mr. President, is this motion debatable?"

**REPLY BY THE PRESIDENT**

The President:

"Suspension of the rules is not debatable, although a word of explanation is in order."

Senator Gallagher:

"Mr. President, it would appear that we are not going to accomplish the thing I wanted to accomplish and in order to expedite the business of the evening, I would like to withdraw my notice of reconsideration and have the bill transmitted to the House."

The motion was carried.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., May 5, 1965.

MR. PRESIDENT:

The Speaker has signed Senate Concurrent Resolution No. 26, and the same is herewith transmitted.

House of Representatives,  
Olympia, Wash., May 5, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 190 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 5, 1965.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Substitute Senate Bill No. 41, and has granted said committee the powers of free conference, and the report of the Conference Committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF CONFERENCE COMMITTEE**

Olympia, Wash., May 5, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Substitute Senate Bill No. 41, providing bond issue for new buildings for state institutions and departments, have had the same under consideration, and we report that we are unable to agree and request the powers of free conference.

*Senate Members*

LOWELL PETERSON  
MICHAEL J. GALLAGHER  
HARRY B. LEWIS

*House Members*

WESLEY C. UHLMAN  
NEWMAN H. CLARK  
W. O. E. "BILL" RADCLIFFE

On motion of Senator Riley, the committee report was adopted and the Conference Committee on Substitute Senate Bill No. 41 was granted the powers of free conference.

At 11:30 p. m., on motion of Senator Greive, the Senate was placed at ease subject to the Call of the President.

The President called the Senate to order at 12:05 a. m.

It was moved by Senator Keefe that the Senate dispense with the Call of the Senate.

Debate ensued.

With the consent of the Senate, the motion was withdrawn.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., May 5, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 558, also Senate Concurrent Resolution No. 25, have inspected same, and find them correctly engrossed.

....., *Chairman.*

We concur in this report: R. R. Bob Greive, Marshall A. Neill, John A. Petrich, Perry B. Woodall.

Senate Chamber,  
Olympia, Wash., May 5, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 558; also Senate Concurrent Resolution No. 25, have inspected same, and find them correctly enrolled and certified.

....., *Chairman.*

We concur in this report: R. R. Bob Greive, Marshall A. Neill, John A. Petrich, Perry B. Woodall.

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 558; also,**

**Senate Concurrent Resolution No. 25.**

The President declared the Senate to be at ease.

The President called the Senate to order at 12:40 a. m.

**MOTIONS**

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 12:40 a. m., on motion of Senator Greive, the Senate adjourned until 11:00 a. m., Thursday, May 6, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## FIFTY-THIRD DAY

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**MORNING SESSION**

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SENATE CHAMBER,  
OLYMPIA, WASH., Thursday, May 6, 1965.

The Senate was called to order at 11:00 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Freise and Stender, Senator Stender having been excused.

The Color Guard, consisting of Pages Michael Dougherty, Color Bearer, and Verita Brazle, presented the Colors.

Reverend Walter A. MacArthur, pastor of the First Methodist Church of Olympia, offered prayer as follows:

"Eternal God, to Whom there is no far or near, no great or small, Thy goodness and mercy have been with us all the days of this most unusual session—through sunny hours and gloomy trials. Often we would have fainted unless we had believed to see the goodness of Thy hand in the midst of our endeavor, guiding and shaping, lifting and sustaining our spirits.

"Thus, being our present help, continue to bless us this day. Enable us to fill the swift hours with mighty deeds, to bear the fret of care, the sting of criticism, the drudgery of unapplauded toil.

"Help us this day, and every day to live more nearly as we pray, through Christ our Lord. Amen."

**MOTIONS**

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

At 11:10 a. m., on motion of Senator Greive, the Senate was placed at ease subject to the Call of the President.

The President called the Senate to order at 12:15 p. m.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 544; also  
Senate Bill No. 558; also  
Senate Concurrent Resolution No. 25, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 190; also  
Substitute House Concurrent Resolution No. 27; also  
House Concurrent Resolution No. 37, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 5, 1965.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Engrossed Senate Bill No. 565, and has granted said committee the powers of free conference, and the report of the Conference Committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF CONFERENCE COMMITTEE**

Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Engrossed Senate Bill No. 565, relating to the apportionment of funds for educational purposes, have had the same under consideration, and we report that we are unable to agree and request the powers of free conference.

*Senate Members*

ROBERT L. CHARETTE  
MIKE McCORMACK  
WALTER B. WILLIAMS

*House Members*

S. E. FLANAGAN  
CHARLES MOON  
FRANK BUSTER BROUILLET

On motion of Senator Charette, the Conference Committee Report was adopted and the committee was granted the powers of free conference.

**SIGNED BY THE PRESIDENT**

**The President signed: House Bill No. 190; also**

**Substitute House Concurrent Resolution No. 27; also**

**House Concurrent Resolution No. 37.**

**MOTION**

At 12:15 p. m., on motion of Senator Greive, the Senate recessed until 1:45 p. m.

### AFTERNOON SESSION

The President called the Senate to order at 1:45 p. m.

On motion of Senator Knoblauch, the President declared the Senate to be at ease subject to the call of the President.

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

The President declared the Senate to be at ease.

The President called the Senate to order at 2:50 p. m.

Senators Greive, Gallagher and Guess demanded a Call of the Senate.

A Call of the Senate was ordered.

### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll of the Senate, all members being present except Senators Freise and Stender, who were excused.

The President declared the Senate to be at ease.

The President called the Senate to order at 3:50 p. m.

### MOTION

On motion of Senator Knoblauch, the Senate dispensed with the Call of the Senate.

The President declared the Senate to be at ease.

The President called the Senate to order at 4:20 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Freise and Stender, who were excused.

The Secretary read:

### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

The House has passed: House Bill No. 716, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Substitute House Bill No. 608 and has passed the bill as amended by the Free Conference Committee.

S. R. HOLCOMB, *Chief Clerk*.

### PERSONAL PRIVILEGE

Senator Riley:

"Mr. President, speaking on personal privilege:

"Now that Substitute House Bill No. 608 is passed, I think it is appropriate and timely to say publicly from my point of view at least that I would like to pay a word of compliment to the conferees, Senators Durkan, Gissberg and Woodall, on the tax measure and, likewise, to Senators Foley, Dore and Neill on the appropriation bill. Mr. President and members of the Senate, having served on that type of committees in the past, I want to say it takes time, knowledge, patience, tolerance and all six of those Senators, in my opinion, are now receiving from me a warm handshake."

### MOTION

On motion of Senator Greive, the Senate proceeded with consideration of Senate Bill No. 564 and the House amendments thereto.

The Secretary read:

**HOUSE AMENDMENT TO SENATE BILL**

House of Representatives,  
Olympia, Wash., April 23, 1965.

MR. PRESIDENT:

The House has passed: Senate Bill No. 564 with the following amendments:  
On page 1, strike the title and insert:

"AN ACT Relating to industrial insurance; revising the schedule of benefits; providing for the payment of certain awards and benefits; pertaining to the board of industrial insurance appeals and prescribing procedures in relation thereto; creating a committee on industrial insurance appeals and prescribing powers, duties, and procedures in relation thereto; amending section 51.32.040, chapter 23, Laws of 1961, and RCW 51.32.040; amending section 51.32.080, chapter 23, Laws of 1961, as amended by section 3, chapter 274, Laws of 1961, and RCW 51.32.080; amending section 51.52.010, chapter 23, Laws of 1961, as amended by section 8, chapter 307, Laws of 1961, and RCW 51.52.010; amending section 51.52.106, chapter 23, Laws of 1961, as amended by section 7, chapter 148, Laws of 1963, and RCW 51.52.106; making an appropriation; and declaring an emergency and an effective date."

On page 1, line 8, strike everything after the enacting clause through line 33, page 5, and insert:

"Section 1. Section 51.32.080, chapter 23, Laws of 1961 as amended by section 3, chapter 274, Laws of 1961 and RCW 51.32.080 are each amended to read as follows:

(1) For the permanent partial disabilities here specifically described, the injured workman shall receive compensation as follows:

**LOSS BY AMPUTATION**

[Of one leg at the hip or the upper half of the thigh.....	\$9,750.00
Of one leg at the knee or the lower half of the thigh.....	8,250.00
Of one leg below the knee.....	5,200.00
Of great toe with metatarsal bone thereof.....	1,450.00
Of great toe at the proximal joint.....	975.00
Of great toe at the second joint.....	350.00
Of one other toe other than the great toe with the metatarsal bone thereof.....	975.00
Of second toe at proximal joint.....	350.00
Of third toe at proximal joint.....	350.00
Of fourth toe at proximal joint.....	350.00
Of fifth toe at proximal joint.....	225.00
Of one metatarsal bone on toe other than great toe.....	475.00
Of one arm so near the shoulder that an artificial arm cannot be worn.....	9,750.00
Of the major arm at or above the elbow.....	8,250.00
Of the forearm at upper third.....	6,825.00
Of the major hand at wrist.....	6,350.00
Of thumb with metacarpal bone thereof.....	2,425.00
Of thumb with proximal joint.....	1,950.00
Of thumb at second joint.....	510.00
Of index or first finger at proximal joint.....	1,400.00
Of index or first finger at second joint.....	975.00
Of index or first finger at distal joint.....	450.00
Of middle or second finger at proximal joint.....	810.00
Of middle or second finger at second joint.....	720.00
Of middle or second finger at distal joint.....	360.00
Of ring or third finger at proximal joint.....	720.00
Of ring or third finger at second joint.....	540.00
Of ring or third finger at distal joint.....	360.00
Of little or fourth finger at proximal joint.....	450.00
Of little or fourth finger at second joint.....	270.00
Of little or fourth finger at distal joint.....	180.00
Of metacarpal bone in finger except thumb.....	270.00

## MISCELLANEOUS

Loss of one eye by enucleation.....	4,875.00
Loss of sight of one eye.....	3,900.00
Complete loss of hearing in both ears.....	6,825.00
Complete loss of hearing in one ear.....	1,950.00
Complete broken arch in foot.....	1,950.00]
Of leg above the knee joint with short thigh stump (3" or less below tuberosity of ischium) .....	\$15,000
Of leg at or above knee joint with functional stump.....	13,500
Of leg below knee joint.....	12,000
Of leg at ankle (Syme) .....	10,500
Of foot at mid-metatarsals .....	5,250
Of great toe with resection of metatarsal bone.....	3,150
Of great toe at metatarsophalangeal joint .....	1,890
Of great toe at interphalangeal joint.....	1,000
Of lesser toe (2nd to 5th) with resection of metatarsal bone.....	1,150
Of lesser toe at metatarsophalangeal joint.....	560
Of lesser toe at proximal interphalangeal joint.....	415
Of lesser toe at distal interphalangeal joint .....	105
Of arm at or above the deltoid insertion or by disarticulation at the shoulder..	15,000
Of arm at any point from below the deltoid insertion to below the elbow joint at the insertion of the biceps tendon.....	14,250
Of arm at any point from below the elbow joint distal to the insertion of the biceps tendon to and including midmetacarpal amputation of the hand.....	13,500
Of all fingers except the thumb at metacarpophalangeal joint.....	8,100
Of thumb at metacarpophalangeal joint or with resection of carpometacarpal bone .....	5,400
Of thumb at interphalangeal joint .....	2,700
Of index finger at metacarpophalangeal joint or with resection of metacarpal bone .....	3,375
Of index finger at proximal interphalangeal joint.....	2,700
Of index finger at distal interphalangeal joint.....	1,485
Of middle finger at metacarpophalangeal joint or with resection of metacarpal bone .....	2,700
Of middle finger at proximal interphalangeal joint.....	2,160
Of middle finger at distal interphalangeal joint.....	1,215
Of ring finger at metacarpophalangeal joint or with resection of metacarpal bone .....	1,350
Of ring finger at proximal interphalangeal joint .....	1,080
Of ring finger at distal interphalangeal joint .....	675
Of little finger at metacarpophalangeal joint or with resection of metacarpal bone .....	675
Of little finger at proximal interphalangeal joint.....	540
Of little finger at distal interphalangeal joint.....	270

## MISCELLANEOUS

Loss of one eye by enucleation .....	6,000
Loss of central visual acuity in one eye.....	5,000
Complete loss of hearing in both ears.....	12,000
Complete loss of hearing in one ear.....	2,000

(2) Compensation for amputation of a member or part thereof at a site other than those above specified, and for loss of central visual acuity and loss of hearing other than complete, shall be in proportion to that which such other amputation or partial loss of visual acuity or hearing most closely resembles and approximates. Compensation for any other permanent partial disability not involving amputation shall be in an amount equal to eighty-five percent of the proportion which the extent of such other disability, called unspecified disability, shall bear to that above specified, which most closely resembles and approximates in degree of disability such other disability, but not in any case to exceed the sum of [eight thousand seven hundred and fifty] twelve thousand seven hundred and fifty dollars: *Provided*, That the total compensation for all unspecified permanent partial disabilities resulting from the same injury shall not exceed the sum of [eight thousand seven hundred and fifty] twelve thousand seven hundred and fifty dollars [For disability to a member not involving amputation, not more than nine tenths of the foregoing respective specified sums shall be paid: *Provided further*, That payment for any injury to minor hand or arm or any part thereof, shall not exceed



ninety-five percent of the amounts hereinbefore enumerated]: *Provided further*, That in case permanent partial disability compensation is followed by permanent total disability compensation, any portion of the permanent partial disability compensation which exceeds the amount that would have been paid the injured workman if permanent total disability compensation had been paid in the first instance, shall be deducted from the pension reserve of such injured workman and his monthly compensation payments shall be reduced accordingly.

(3) [If the injured workman is under the age of twenty-one years and unmarried, the parents or parent shall also receive a lump sum payment equal to the ten percent of the amount awarded to the minor workman.

(4) Should a workman receive an injury to a member or part of his body already, from whatever cause, permanently partially disabled, resulting in the amputation thereof or in an aggravation or increase in such permanent partial disability but not resulting in the permanent total disability of such workman, his compensation for such partial disability shall be adjudged with regard to the previous disability of the injured member or part and the degree or extent of the aggravation or increase of disability thereof.

[(5)] (4) When the compensation provided for in subsections (1) and (2) exceeds one thousand dollars, payment shall be made in monthly payments in accordance with the schedule of temporary total disability payments set forth in RCW 51.32.090 until such compensation is paid to the injured workman in full, except that the first monthly payment shall be in the amount of one thousand dollars and interest shall be paid at the rate of five percent on the unpaid balance of such compensation commencing with the second monthly payment: *Provided*, That interest so paid shall not be charged to the cost experience of any employer but shall be borne wholly by the applicable class account: *Provided further*, That upon application of the injured workman the monthly payment may be converted, in whole or in part, into a lump sum payment, in which event the monthly payment shall cease in whole or in part. Such conversion may be made only upon written application of the injured workman to the department and shall rest in the discretion of the department depending upon the merits of each individual application: *Provided further*, That upon death of a workman all unpaid installments accrued, less interest, shall be paid in a lump sum amount to the widow or widower, or if there is no widow or widower surviving, to the dependent children of such claimant, and if there are no such dependent children, then to such other dependents as defined by this title.

Sec. 2. Section 51.32.040, chapter 23, Laws of 1961, and RCW 51.32.040 are each amended to read as follows:

No money paid or payable under this title out of the accident fund or out of the medical aid fund shall, prior to the issuance and delivery of the warrant therefor, be capable of being assigned, charged, or ever be taken in execution or attached or garnished, nor shall the same pass, or be paid, to any other person by operation of law, or by any form of voluntary assignment, or power of attorney. Any such assignment or charge shall be void: *Provided*, That if any workman suffers a permanent partial injury, and dies from some other cause than the accident which produced such injury before he shall have received payment of his award for such permanent partial injury, or if any workman suffers any other injury and dies from some other cause than the accident which produced such injury before he shall have received payment of any monthly installment covering any period of time prior to his death, the amount of such permanent partial award, or of such monthly payment or both, shall be paid to his widow, if he leaves a widow, or to his child or children if he leaves a child or children and does not leave a widow: *Provided further*, That, if any workman suffers an injury and dies therefrom before he shall have received payment of any monthly installment covering time loss for any period of time prior to his death, the amount of such monthly payment shall be paid to his widow, if he leaves a widow, or to his child or children, if he leaves a child or children and does not leave a widow: *Provided further*, That if the injured workman resided in the United States as long as three years prior to the date of the injury, such payment shall not be made to any widow or child who was at the time of the injury a non-resident of the United States: **PROVIDED FURTHER**, That any workman receiving benefits under this act who is subsequently confined in, or who subsequently becomes eligible therefor while confined in any institution under conviction and sentence shall have all payment of such compensation canceled by the department during the period of confinement but after discharge from the institution payment of benefits thereafter due shall be paid if such workman would, but for the provisions of this proviso, otherwise be entitled thereto: **PROVIDED FURTHER**,

*That if such incarcerated workman has during such confinement period, any beneficiaries, they shall be paid directly the monthly benefits which would have been paid to him for himself and his beneficiaries had he not been so confined. Any lump sum benefits to which the workman would otherwise be entitled but for the provisions of this proviso shall be paid on a monthly basis to his beneficiaries.*

Sec. 3. Section 51.52.010, chapter 23, Laws of 1961, as amended by section 8, chapter 307, Laws of 1961, and RCW 51.52.010 are each amended to read as follows:

There shall be a "board of industrial insurance appeals," hereinafter called the "board," consisting of three members appointed by the governor as hereinafter provided. One shall be a representative of the public and a lawyer, appointed from a mutually agreed to list of not less than three active members of the Washington state bar association, submitted to the governor by the two organizations defined below, and such member shall be the chairman of said board. The second member shall be a representative of the majority of workmen engaged in extrahazardous employment and selected from a list of not less than three names submitted to the governor by an organization, state-wide in scope, which through its affiliates embraces a cross section and a majority of the organized labor of the state. The third member shall be a representative of employers engaged in extrahazardous industry, and appointed from a list of at least three names submitted to the governor by a recognized state-wide organization of employers, representing a majority of employers who are substantial contributors to the industrial insurance and accident fund. The initial terms of office of the members of the board shall be for six, four, and two years respectively. Thereafter all terms shall be for a period of six years. Each member of the board shall be eligible for reappointment and shall hold office until his successor is appointed and qualified. In the event of a vacancy the governor is authorized to appoint a successor to fill the unexpired term of his predecessor. All appointments to the board shall be made in conformity with the foregoing plan. *Whenever the workload of the board and its orderly and expeditious disposition shall necessitate, the governor may appoint two additional pro-tem members in addition to the regular members. Such appointments shall be for a definite period of time, and shall be made from lists submitted respectively by labor and industry as in the case of regular members. One pro-tem member shall be a representative of labor and one shall be a representative of industry.* Members shall devote their entire time to the duties of the board and shall receive for their services a salary as fixed by the governor in accordance with the provisions of RCW 43.03.040 which shall be in addition to reasonable travel allowance. Headquarters for the board shall be located in Olympia. The board shall adopt a seal which shall be judicially recognized.

Sec. 4. Section 51.52.106, chapter 23, Laws of 1961, as amended by section 7, chapter 148, Laws of 1963, and RCW 51.52.106 are each amended to read as follows:

After the filing of a statement or statements of exceptions as provided for in RCW 51.52.104 the record before the board shall be considered by a panel of at least two of the members of the board, *on which not more than one industry and one labor member serve. The chairman may be a member of any panel.* [and] The decision and order of [the majority of the members] *any such panel* shall be the decision and order of the board. Every final decision and order rendered by the board shall be in writing and shall contain findings and conclusions as to each contested issue of fact and law, as well as the board's order based thereon. A copy of the decision and order, including the findings and conclusions, shall be mailed to each party to the appeal and to his attorney of record.

**NEW SECTION.** Sec. 5. There is hereby created a committee on industrial insurance appeals. As used in this act unless the context indicates otherwise the term "committee" shall mean the committee on industrial insurance appeals.

**NEW SECTION.** Sec. 6. The committee shall have the following membership:

- (1) Two senators to be appointed by the president of the senate, not more than one from the same political party, and two representatives to be appointed by the speaker of the house, not more than one from the same political party;
- (2) Three members to represent labor, to be appointed by the governor from lists submitted by major state-wide labor organizations;
- (3) Three members to represent industry to be appointed by the governor from lists submitted by organizations of employers engaged in extrahazardous industries;
- (4) Two members who shall be active members of the Washington state bar association and who have had experience in handling appeals in industrial insurance cases, one of whom shall be selected by the members of the committee representing

labor and one of whom shall be selected by the members of the committee representing industry; and

(5) A judge of the superior court to be selected by the members of the committee designated in paragraphs (1) through (4) above.

**NEW SECTION.** Sec. 7. The committee, by majority vote, shall select from among the members a chairman and such other officers as the committee shall deem appropriate. The committee, by majority vote, may prescribe rules of procedure for itself and take such other action as it shall deem appropriate to accomplish its purposes. The legislative members of the committee shall serve as liaison members to the legislative council. The staff of the legislative council shall serve as the staff of the committee and shall provide such clerical, research and other assistance as the committee shall deem appropriate to accomplish its purposes.

**NEW SECTION.** Sec. 8. The members of the committee shall receive no compensation but shall be reimbursed for their expenses while attending meetings of the committee in the same manner as legislators engaged in interim committee business as in 44.04.120 RCW. Payment of expenses shall be made by vouchers approved in the same manner as other expenses of the legislative council.

**NEW SECTION.** Sec. 9. The committee shall review the handling of appeals in industrial insurance cases from the entry of the first appealable order to the entry of a final order of the board of industrial insurance appeals or a judgment of the superior court, and shall study and review methods of improving and expediting the processing of industrial insurance cases. The department of labor and industries, the board of industrial insurance appeals and the superior courts of the state shall cooperate with the committee and supply such information to the committee as it may require to accomplish its purposes. The committee shall submit to the governor and to the legislative council prior to November 1, 1966 a report which shall contain specific recommendations as to necessary or desirable changes, if any, in the laws and procedures applicable to industrial insurance appeals. The report also shall include any proposed legislation necessary to implement the recommendations of the committee.

**NEW SECTION.** Sec. 10. There is hereby appropriated out of the medical aid fund to the legislative council for the biennium ending June 30, 1967 to carry out the purposes of sections 5, 6, 7, 8 and 9 of this act the sum of twenty thousand dollars, or so much thereof as may be necessary.

**NEW SECTION.** Sec. 11. The committee herein created shall be deemed abolished upon the convening of the fortieth regular session of the legislature and sections 5, 6, 7, 8 and 9 of this act shall be of no further effect at such time.

**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 July 1, 1965." and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Moriarty, Jr., the Senate concurred in the House amendments to Engrossed Senate Bill No. 564.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 564, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 0; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—46.

Those voting nay were: Senator Guess—1.

Excused: Senators Freise, Stender—2.

Engrossed Senate Bill No. 564, as amended by the House, having received the constitutional majority, was declared passed.

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

## HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
 Olympia, Wash., May 5, 1965.

MR. PRESIDENT:

The House has passed Senate Concurrent Resolution No. 12 with the following amendment:

On page 2, line 5, after "shall appoint" strike everything down to and including "two" on line 6, and insert the following: "seven House members, four from the majority party and three", and the same is herewith transmitted. S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Greive, the Senate concurred in the House amendment to Senate Concurrent Resolution No. 12.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Concurrent Resolution No. 12, as amended by the House, and the resolution passed the Senate by the following vote: Yeas, 33; nays, 13; absent or not voting, 1; excused, 2.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lennart, Lewis, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Raugust, Sandison, Talley, Washington, Woodall—33.

Those voting nay were: Senators Atwood, Chytil, Donohue, Guess, Moriarty, Jr., Neill, Peterson (Ted), Rasmussen, Redmon, Riley, Ryder, Thompson, Jr., Williams—13.

Absent or not voting: Senator McCormack—1.

Excused: Senators Freise, Stender—2.

Senate Concurrent Resolution No. 12, as amended by the House, having received the constitutional majority was declared passed.

## SIGNED BY THE PRESIDENT

**The President has signed: Senate Bill No. 564.**

## FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 714**, by Representative Klein:

An Act relating to the redistricting and reapportionment of the state into congressional districts; and adding new sections to chapter 29.68 RCW and to chapter 9, Laws of 1965; and repealing section 29.68.005, chapter 9, Laws of 1965 and RCW 29.68.005; and repealing section 29.68.007, chapter 9, Laws of 1965 and RCW 29.68.007; and repealing section 29.68.011, chapter 9, Laws of 1965 and RCW 29.68.011; and repealing section 29.68.021, chapter 9, Laws of 1965 and RCW 29.68.021; and repealing section 29.68.030, chapter 9, Laws of 1965 and RCW 29.68.030; and repealing section 29.68.040, chapter 9, Laws of 1965 and RCW 29.68.040; and repealing section 29.68.062, chapter 9, Laws of 1965 and RCW 29.68.062; and repealing section 29.68.066, chapter 9, Laws of 1965 and RCW 29.68.066; and providing for submission of this act to a vote of the people.

It was moved by Senator Greive that the rules be suspended and that Engrossed House Bill No. 714 be advanced to second reading and read the second time by sections.

**POINT OF ORDER**

Senator Moriarty, Jr.:

"Mr. President, I rise to a point of order. The point of order is that this bill is not properly before us under the concurrent resolution which limits us to consideration of revenue and redistricting measures. This is a referendum which is not included in the concurrent resolution."

Senator Greive:

"Mr. President:

"For Senator Moriarty's information, this is a redistricting bill."

Senator Moriarty, Jr.:

"Mr. President:

"This is a referendum bill."

**RULING BY THE PRESIDENT**

The President:

"The President, in ruling upon the point of order as presented by Senator Moriarty, the President believes Engrossed House Bill No. 714 is a measure that deals with Congressional redistricting. Senate Concurrent Resolution No. 16 states: 'Be it further resolved that after 5:00 p. m. on Thursday, the twenty-fifth day of March, 1965, the only matters which will be considered by either house shall be legislative measures relating to revenue and taxation, appropriations, and congressional redistricting.'

"The President believes the measure falls within the purview of Senate Concurrent Resolution No. 16; therefore, the point of order presented by Senator Moriarty is not well taken."

The motion was carried and the bill was read the second time by sections.

On motion of Senator Greive, the rules were suspended, Engrossed House Bill No. 714 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed House Bill No. 714 and the bill passed the Senate by the following vote: Yeas, 30; nays, 15; absent or not voting, 2; excused, 2.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—30.

Those voting nay were: Senators Atwood, Chytil, England, Guess, Lennart, Lewis, Moriarty, Jr., Neill, Peterson (Ted), Raugust, Redmon, Ryder, Thompson, Jr., Williams, Woodall—15.

Absent or not voting: Senators Durkan, Morgan—2.

Excused: Senators Freise, Stender—2.

Engrossed 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 Bill No. 716**, by Representatives Gallagher, O'Brien and Copeland:

An Act appropriating moneys for the support of the legislative special interim committee for oversight with regard to federal grant programs; and declaring an emergency.

On motion of Senator Greive, the rules were suspended, House Bill No. 716 was advanced to second reading and read the second time by sections.

On motion of Senator Greive, the rules were suspended, House Bill No. 716 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued .

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 716 and the bill passed the Senate by the following vote: Yeas, 33; nays, 10; absent or not voting, 4; excused, 2.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Petrich, Sandison, Talley, Washington—33.

Those voting nay were: Senators Atwood, Guess, Peterson (Ted), Rasmussen, Raugust, Redmon, Riley, Ryder, Thompson, Jr., Williams—10.

Absent or not voting: Senators Greive, Lennart, Neill, Woodall—4.

Excused: Senators Freise, Stender—2.

House Bill No. 716 having received the constitutional majority, was declared passed.

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

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

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed a special committee consisting of Senators Raugust, Riley, Cowen, Lennart and Keefe to escort Senator John T. McCutcheon to a place of honor upon the rostrum.

The Secretary read:

#### SENATE RESOLUTION

No. 1965 EX -28

By Senators Keefe, Cowen, Lennart, Raugust and Riley:

WHEREAS, As this, the Thirty-ninth regular and special session of the Legislature draws near to adjournment it is particularly fitting that we, the members of this Senate body, pay particular tribute to the learned gentleman and attorney from Pierce county whose continued presence in this body with each new legislative session proclaims for all that more perfect integrity and ability which we deem this House of the Legislature to possess, Senator John T. McCutcheon; and

WHEREAS, John McCutcheon, having given freely of his time and service in both major political parties, has elevated, as few others in this state's history, the status of "politics," his loyalty being above everything else to his constituents, but when the time and circumstances warranted, serving in that party wherein he felt those constituents' needs could best be served, and giving of himself wholly to that party and its causes; whether as Assistant United States Attorney, member of the House of Representatives, candidate for state treasurer, for governor, or for Congress, or as a member of this body, whether as a Republican or Democrat, John McCutcheon, able to an extent realized but by few of his contemporaries, stands forth indeed as a leader among his fellow men; and

WHEREAS, Each of us in this chamber today may in truth testify to those particular attainments of Senator McCutcheon, his considerable education, both at the University of Washington and at the University of Indiana, reflected in his brilliant career in

the legal field, coupled with a broad background of knowledge obtainable only through years of diligent, tireless seeking of the truth in the solving of the day's problems, his warmth of character reflected perhaps at best when speaking upon the floor of this chamber, when his humor, his great wit and forensic ability is foreshadowed only by the honesty and integrity with which he speaks; his is a voice listened to, a voice heeded and respected, a voice that we, the members of this chamber, recollect with that degree of fondness reserved only for dear and good friends;

*Now, Therefore, Be It Resolved*, By the members of this Thirty-ninth regular and special session of the Senate, That we hereby extend to John McCutcheon the singular title of "Senator Extraordinary", that Senator McCutcheon's great contribution to the growth of this state is hereby acknowledged and commended, certainly that this state, during this session, was the first in this nation to successfully redistrict itself under the standard laid down by the Supreme Court of the land is in itself further proof of the capable determined leadership of Senator McCutcheon in meeting and facing the tasks at hand; whether as a boy growing up on a farm in the Chehalis valley, whether as a vice consul in Europe before World War I and noted world traveler, or whether as mayor of Stellacoom and life-time friend and resident among us, this day we do commend for all to know our fellow Senator, "John T. McCutcheon, Senator Extraordinary".

*And Be It Further Resolved*, That the Secretary of the Senate shall have suitably inscribed copies of this Senate Resolution and present sufficient copies of the same for him and his three fine children with our heartfelt compliments to the great Senator from Pierce county, John T. McCutcheon, Senator Extraordinary.

It was moved by Senator Raugust that the resolution be adopted.

#### PERSONAL PRIVILEGE

Senator Lennart:

"Mr. President and Senators:

"This is for me a great delight to come pay a tribute to a man whom I have known so many years. Legislators come and legislators go. Senators come and senators go. We observe that even governments come and governments go. But man is more than that. He is the founder of government.

"We have in this Great Northwest, in this great state, the means of great material prosperity. We have among us many people extracted from many races and mixtures of races from which the people have extracted the best that each county and district can give.

"We have in this Senate peace loving people and adventurous people, people who like to go over the strange trail into the unknown, and we have wise men, and Senator McCutcheon is one of those wise men that we like to touch to catch up some crumbs of the wisdom that he bestows upon us.

"I mentioned the other day that it was a very, very great statesman in ancestral times called Daniel. This man Daniel we know would rather be in the lion's den with God, than without the lion's den without God. He always reminds me of Senator McCutcheon.

"Well, you know Senator McCutcheon, and we are probably going over the hill into the undiscovered country pretty soon, but I am sure he will go down in flying colors, even if I don't. And, Senator, I have often thought—I have a beautiful summer home out in the islands here, and I have often thought, as I sit there and watch with delight beyond all words the sunset, and the deep, long lines of purple cloud edged with intolerable radiance and reflected below in light purple colors upon the sea, and the dying of it all away—then I have thought and often think of those lines of Shakespeare, and, often-quoted as they are, the poet would have us in touch with the sunset, and the sunset the way the poet meant it by these lines: 'We are such stuff as dreams are made of, and our little life is rounded with a sleep.'

"I know, Senator McCutcheon, you will go down in flying colors, but before that, we want you back here."

Senator Knoblauch:

"Mr. President and members of the Senate:

"I am only sorry that, being from Pierce county, I didn't have the privilege of being one of those who sponsored this resolution, because the Senator Extraordinary has been an idol of mine for a good many years. I had always hoped that I could base

my experience and ability in Olympia here along the lines of Senator John McCutcheon. No finer man has ever served Pierce county nor the state of Washington, and this is shown by the many, many years of service granted to him by the people whom he has served so well. How I wish I had the ability of John McCutcheon! I wish I had, Senator Extraordinary, your sharp wit and your ability on the floor as a debator. I wish I had your ability and your many years of experience of service to the people of your own community and to your district and to your state, and I want to assure you, Senator John, that this is not meant to be words of eulogy because we know that you have many, many years of public service ahead of you.

"In closing may I say that when I finish my term of public service, I hope that I will have earned the respect that everyone here in Olympia pays to that great man from Pierce county, Senator Extraordinary, John McCutcheon, today."

Senator McMillan:

"Mr. President and members of the Senate:

"I think that on occasions of this kind, after a long, frustrating period such as we have had in session here, it is most appropriate and it is greatly therapeutic to our nerves and makes us feel that service in the state Senate indeed has value.

"Now, when I returned to Olympia and service in the state Senate, after a long vacation, I came down here first in 1935. I was retired, but temporarily, happily, in the 1942 election, running again in 1958. One of the first pleasant experiences that was my privilege was greeting Senator McCutcheon.

"You know, I wondered how it was going to be here after such a long vacation. I remembered how it was in the old days when I was a much younger man and I wondered how I was going to fit in with those young fellows, those sharp politicians, fellows that have been up against the gun recently and I was somewhat of a retiree. I wondered: 'How are you going to get by down there?'

"But let me tell you, lady and gentlemen of the Senate, I was immediately put at ease by my good and valued friend, Senator McCutcheon. I wasn't long in feeling at home and that I belonged, and as time went on, I experienced a growing sense of fellowship with the membership of both sides of the aisle. Let me say my return to the Senate has been most rewarding and certainly it got off to a fine start from my valued friend, Senator McCutcheon."

Senator Moriarty, Jr.:

"Mr. President and members of the Senate:

"There are only one or two things that I would like to add to the compliments that are being directed toward our good friend from Pierce county. First, he is a fine man and a gentleman. Second, he is an outstanding Senator, and, third but not least, when he is on the other side, he is a fierce but noble adversary."

Senator Rasmussen:

"Mr. President:

"I, too, want to join with Senator Knoblauch. We younger members of the Pierce county delegation appreciate Senator McCutcheon's efforts, both in past sessions and during this session, and it is certainly with deep regret that we will sometimes cross swords and will cross swords again, but John and I have always managed to stay friends throughout the years. I think his service has been outstanding and I am sure that's the feeling of all of the members from Pierce county and we have so indicated."

Senator Morgan:

"Mr. President, Senator McCutcheon, gentlemen of the Senate:

"Speaking as the only woman in here, when I came into the Senate in 1961, it was pretty lonely and sometimes it is today, and never once have I been in the restaurant but what I felt free to go sit by Senator McCutcheon, because he regarded me, not as a woman, but as a Senator.

"I recall two years ago, the battle of the budget, when we had all become pretty overwrought. I left the committee room at about one in the morning, and I tore downstairs and I was going to cash in my chips and say, 'There's just no use.' And who was down there but Senator John. He said to me, 'You're a Senator. You go back up and fight, Senator Morgan.' I'll never forget that.

"Senator John, my mother loved you. She admired you. It has been a great pleasure for me to serve with you, Senator John McCutcheon."

The motion was carried and the resolution was adopted.



**PRESIDENT'S PRIVILEGE****The President:**

"The President at this time should like to request of the lovely and gracious daughter of Senator McCutcheon, Katherine McCutcheon, to please stand in order that the members of the Senate may properly recognize her. (Applause.)

"Senator McCutcheon, the Senate in its wisdom and keen judgment, has conferred upon you the title of Senator Extraordinary, which is, in all likelihood the first time in the history of the state of Washington that such a magnificent honor has been bestowed upon a member of the Senate.

"The members of the Senate and the President and the staff join in congratulating you and wishing you well in the years to come. The people present today would be delighted and honored to hear from you, Senator John McCutcheon."

**Senator McCutcheon:**

"Mr. President, Senator Riley, Senator Dixon, Senator Keefe, and to go right on down the line, Senator Raugust, Senator Lennart, Senator Cowen, Senator Rasmussen, Senator Morgan, Senator McMillan, Senator Knoblauch, Senator Moriarty, and everyone else:

"When I looked over here at that baldheaded man near the front row, I felt when I heard all these speeches that: Surely they're not talking about me. I thought maybe I was a little like the colored lady at her husband's funeral. You see, he really wasn't much of a man, and when she heard the speeches, she walked up to the casket to see if it was really him they were talking about.

"But I have always been, all my life, ambitious to be effective in public affairs, particularly in the affairs of my native state. I have tried for many offices, won some, lost many others, aspired far beyond my depth, and yet if I had gained every one of them, I wouldn't have been half as proud as I am standing here today before you people after hearing this. No man on this earth could feel or have a greater feeling of satisfaction.

"I am not deserving of this at all. I know this. And I am astounded that after all the pulling and hauling and all the screams—we all fight hard; we all forgive; some lose and some gain—things will come out.

"I walked out this morning among the trees and blossoms and looked up at that blue sky and those clouds, and I thought: Washington; oh, Washington, what a wonderful state we have here.

"We'll make our mistakes. We have economic prosperity, or will have. We will have our fights. We will have our government. It will always belong to the people.

"By the way, this was a great surprise to me, Mr. President, so I have a few notes here. You'll understand that I still have friends that tipped me off a little bit, but I didn't expect anything like this. There are many on this floor far more worthy than I for such an honor as this. We have all done our part. We all have our good sessions and we all have our bad sessions. We all do what we think we ought to do. That's all a man ever can do. I came down to this session and I wanted to upgrade the legislature. I've become very fond of this parliamentary body and have done my very best in that regard.

"I was thinking of all our weaknesses and all our good points. I was thinking in this session how you younger people—and I would mention a few—I see them on both sides of the aisle, but if I started mentioning names, I might overlook some—but I have read in the last two, three days when we have served on these conference committees, of these men working long and hard and with great capability. There are men on this floor who could easily be governor of the state of Washington and handle that job with a great deal of ability and dispatch.

"We all do our best that we can and we all do it with the brains that God has given us. I made a couple of moves this session that made me wonder whether I had any brains at all or not. If my votes on small matters on occasions have sometimes been a puzzle to my friends who have seen me on other occasions fighting like a bulldog, and then acting like I didn't know what was going on, I would remind you to remember that we are sometimes just guarding our rear, you know, for when we go back home. There is always the big battle coming up, and may I say at this time, I am seventy-three years old. I do not intend to retire at this time, but I am going to retire very, very soon. I hope to be back.

"I stood there a minute ago beside Bill Raugust and Ernie Lennart and I thought to myself, us three old grenadiers have been through the storm of fighting for our

health the last two or three years. Now of course I'll have to step out of the way, because soon or later—but, you know "Slim" can't live forever either, and you'll notice I used the term that his friends like to call him as a personal term of endearment.

"Now I could not leave this body with any hard feeling toward anybody at any time. When you enter the political battle you enter the battle of your life in this body. You divest yourself of all impediment so that you can gird your loins and you fight hard and you don't flinch and you don't foul, and you hit the line hard, as Teddy Roosevelt said.

"I'm very proud of my state. I'm proud of this body, and I'm proud of every one of you who have served here with me. A while ago I stood there for a moment and I had tears in my eyes. I'm ashamed, really. I've made so many mistakes. We all have. We have all done some good things and if I had anything to say, I want to encourage you younger men: Try and be courteous and considerate of each other at all times. Never give up your opinions if you think you are right, and don't be talked out of anything. I admire a good, strong adversary.

"With these few remarks—and I suppose I won't be back up here to make another speech like this, but I bid you an affectionate and warm good evening, and let's get back to work and get the work done and go home. Thank you."

The President:

"Senator Gerald Dixon, the President and all of the members of the Senate would be pleased to hear from you."

Senator Dixon:

"Mr. President and all of the members of the Senate:

"It is a great privilege to me to come up here today and say a few words. In the old days, I used to sit down there at the desk and say quite a few words, and I made a good record with the public of the state of Washington, a record wherein the last time I ran, nobody ran against me at all!

"I have known Senator McCutcheon, his wife and his daughter. They are lovely people, and, Senator McCutcheon, I wish you well, and to all the Senators I want to say that the public of the state of Washington are more aware today of what is going on in Olympia than they used to be twenty years ago. The newspapers are making a better spread of the news. What happens here is pretty well known to all of the electorate of the state of Washington.

"Now, to the younger men down here I say we need the young men because of their ideas and wars. It seems as though we are always fighting wars with somebody or something. But to the older men and women, we need counsel, and that is what you get from experience of the years as they go by.

"Now it has been a wonderful experience to me and has taken me back ten years just to come back here and be among the seats and the furniture and the place where I served for twenty-four years, and I have enjoyed every moment of it. I love you all, both sides of the aisle, and we need both parties, too. Don't forget that. God help us if we ever get into a one party system. We need both parties.

"Study what is going on. Keep up both parties. Listen to the voice of the public.

"Thank you very much."

The committee of honor escorted Senator McCutcheon to his seat.

#### SIGNED BY THE PRESIDENT

The President signed: Senate Concurrent Resolution No. 12.

#### MOTION

It was moved by Senator Greive that the rules be suspended and that the Senate do now consider Engrossed Substitute Senate Bill No. 374.

The motion was carried.

There being no objection, the Senate advanced to the fifth order of business.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed

Substitute Senate Bill No. 374 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF FREE CONFERENCE COMMITTEE**

MR. PRESIDENT:

Olympia, Wash., May 6, 1965.

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Engrossed Substitute Senate Bill No. 374, adopting budget and making appropriation for the operation of state agencies for next fiscal biennium, have had the same under consideration, and we recommend that the attached bill be substituted therefor and that it do pass.

"AN ACT Adopting the budget; making appropriations for the operation of state agencies for the fiscal biennium beginning July 1, 1965, and ending June 30, 1967; and declaring an emergency.

*Be it enacted by the Legislature of the State of Washington:*

**NEW SECTION.** Section 1. That a budget is hereby adopted and subject to the provisions hereinafter set forth the several amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for salaries, wages, and other expenses of the agencies and officers of the state and for other specified purposes for the fiscal biennium beginning July 1, 1965, and ending June 30, 1967, out of the several funds of the state hereinafter named.

**STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

General Fund Appropriation for fire insurance premiums tax distribution...	\$ 646,650
General Fund Appropriation for public utility district excise tax distribution...	5,889,600
General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution .....	296,010
Liquor Excise Tax Fund Appropriation for Liquor excise tax distribution...	8,811,000
Motor Vehicle Excise Fund Appropriation for motor vehicle excise tax distribution .....	11,239,465
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution .....	78,725,034
Liquor Board Revolving Fund Appropriation for liquor profits distribution...	22,375,000

**STATE TREASURER—FEDERAL REVENUES FOR DISTRIBUTION**

Forest Reserve Fund Appropriation for forest reserve fund distribution.....	\$ 10,211,140
General Fund Appropriation for federal flood control funds distribution.....	12,000
General Fund Appropriation for federal grazing fees distribution.....	9,400

**STATE TREASURER—BOND RETIREMENT AND INTEREST**

Highway Bond Retirement Fund Appropriation.....	\$ 18,666,866
Public School Building Bond Redemption Fund of 1949 Appropriation.....	5,102,300
Public School Building Bond Redemption Fund of 1955 Appropriation.....	4,488,500
Public School Building Bond Redemption Fund of 1957 Appropriation.....	9,212,800
Public School Building Bond Redemption Fund of 1959 Appropriation.....	4,728,776
Public School Building Bond Redemption Fund of 1961 Appropriation.....	6,981,548
Public School Building Bond Redemption Fund of 1963 Appropriation.....	3,465,684
University of Washington Bond Redemption Fund Appropriation.....	2,552,233
Washington State University Bond Retirement Fund Appropriation.....	1,220,918
Central Washington State College Bond Retirement Fund Appropriation....	215,748
Eastern Washington State College Bond Retirement Fund Appropriation....	196,680
Western Washington State College Bond Retirement Fund Appropriation....	301,890
Institutional Building Bond Redemption Fund of 1949 Appropriation.....	2,551,140
Institutional Building Bond Redemption Fund of 1957 Appropriation.....	3,353,680
State Building Construction Bond Redemption Fund Appropriation.....	7,564,435
Juvenile Correctional Institution Building Bond Redemption Fund Appropriation .....	615,160
General Administration Bond Retirement Fund Appropriation.....	679,987
War Veterans' Compensation Bond Retirement Fund Appropriation.....	8,945,138
World Fair Bond Redemption Fund Appropriation.....	1,720,375
Outdoor Recreational Bond Redemption Fund Appropriation.....	210,000

## PERMANENT STATUTE LAW COMMITTEE

General Fund Appropriation: *Provided*, That legislators are to be furnished upon request with a copy of the administrative code.....\$ 244,975

## SUPREME COURT

General Fund Appropriation: *Provided*, That \$80,000 shall be used only for appeal costs for indigents pursuant to Chapter 133, Laws of 1965.....\$ 1,126,058

## COURT ADMINISTRATOR

General Fund Appropriation.....\$ 85,000

General Fund Appropriation for Superior Court Judges.....\$ 1,185,700

## General Fund Appropriation

Judges' Retirement Fund Contributions.....\$ 172,300

Additional Judges' Retirement Fund Contributions in accordance with RCW 2.12.070 .....\$ 175,826

## JUDICIAL COUNCIL

General Fund Appropriation .....\$ 13,500

## LAW LIBRARY

General Fund Appropriation .....\$ 225,957

## OFFICE OF THE GOVERNOR

## General Fund Appropriation

Executive Operations .....\$ 306,906

Investigation and Emergency Purposes—to be distributed on vouchers approved by the Governor.....\$ 16,000

Extradition Expenses (Including prior claims).....\$ 60,000

Mansion Maintenance .....\$ 32,000

## SPECIAL APPROPRIATIONS TO THE GOVERNOR

## General Fund Appropriation

Governor's Emergency, to be allocated for the carrying on of the critically necessary work of any agency: *Provided*, That \$275,000 may be allotted for surveys and installations to the Governor: *Provided*, That not to exceed \$350,000 may be allocated for payments of tort claims in accordance with RCW 4.92.160 and 4.92.170: *Provided*, That not to exceed \$300,000 may be allocated by the Governor for mental hospitals or to carry out the purposes of Chapter 11, Laws of 1965, Chapter 75, Laws of 1965, or for other community services for mental retardation or mental illness authorized by law.....\$ 2,400,000

Council of State Governments.....\$ 22,000

For salary adjustments including classified and exempt positions and employee benefits, to be allotted to the agencies, including agencies headed by elected officials .....\$ 7,500,000

## LIEUTENANT GOVERNOR

General Fund Appropriation .....\$ 44,158

## SECRETARY OF STATE

General Fund Appropriation: *Provided*, That \$86,944 shall be available only for the maintenance of the permanent registration records; *Provided further*, That \$8,500 shall be available only for preparation, printing and distribution of legislative district maps.....\$ 586,674

## STATE TREASURER

General Fund Appropriation .....\$ 495,993

## STATE AUDITOR

## General Fund Appropriation

State Auditor .....\$ 884,976

Payment for supplies and services furnished in previous biennium.....\$ 100,000

Criminal cost bills .....\$ 17,500

Motor Vehicle Fund Appropriation.....\$ 75,812

<b>ATTORNEY GENERAL</b>	
General Fund Appropriation .....	\$ 1,058,150
<b>CENTRAL BUDGET AGENCY</b>	
General Fund Appropriation .....	\$ 942,271
General Fund Appropriation to carry out the provisions of RCW 79.44 relating to assessments against state-owned lands: <i>Provided</i> , That any expenditure from this appropriation on behalf of an agency which is financed by other than General Fund moneys shall be repaid to the General Fund from any balances in the fund or funds which finance such agency and no appropriation shall be necessary to effect such repayment.....	\$ 100,000
General Fund Appropriation to carry out the provisions of RCW 41.40.370 relating to employers' contributions to state employees' retirement.....	\$ 2,000
<b>CAPITOL COMMITTEE</b>	
General Fund—Capitol Building Construction Account Appropriation.....	\$ 10,000
<b>CENSUS BOARD</b>	
General Fund Appropriation.....	\$ 52,500
Motor Vehicle Excise Fund Appropriation.....	\$ 44,500
<b>BOARD AGAINST DISCRIMINATION</b>	
General Fund Appropriation.....	\$ 152,812
<b>STATE EMPLOYEES' RETIREMENT SYSTEM</b>	
Retirement System Expense Fund Appropriation.....	\$ 755,432
<b>PUBLIC PENSION COMMISSION</b>	
General Fund Appropriation.....	\$ 26,400
<b>FINANCE COMMITTEE</b>	
General Fund—Investment Reserve Account Appropriation.....	\$ 74,209
Motor Vehicle Fund Appropriation.....	\$ 42,800
General Fund—Public School Building Construction Account Appropriation.....	\$ 44,000
<b>TAX COMMISSION</b>	
General Fund Appropriation: <i>Provided</i> , That funds received as reimbursements pursuant to chapter 84.41 RCW are hereby appropriated to the Tax Commission in excess of this amount, and such funds as are contracted to be paid into the General Fund prior to June 30, 1967, may be allotted in advance of receipts.....	\$ 7,159,455
<b>UNIFORM LAW COMMISSION</b>	
General Fund Appropriation .....	\$ 5,473
<b>DEPARTMENT OF GENERAL ADMINISTRATION</b>	
General Fund Appropriation.....	\$ 3,876,176
General Fund—State Capitol Vehicle Parking Account Appropriation.....	\$ 69,788
<b>DEPARTMENT OF INSTITUTIONS—HEADQUARTERS</b>	
General Fund Appropriation .....	\$ 2,703,267
General Fund—Transfer to Probation Service Account.....	\$ 35,000
General Fund—Probation Service Account Appropriation for grants to counties for juvenile probation services.....	\$ 35,000
General Fund Appropriation to carry out the provisions of RCW 72.33.800 through 72.33.820 .....	\$ 140,000
<b>INSURANCE COMMISSIONER</b>	
General Fund Appropriation.....	\$ 1,249,756
<b>ACCOUNTANCY BOARD</b>	
General Fund Appropriation.....	\$ 85,811

<b>AERONAUTICS COMMISSION</b>	
General Fund Appropriation.....	\$ 113,500
<b>ATHLETIC COMMISSION</b>	
General Fund Appropriation.....	\$ 19,642
<b>CEMETERY BOARD</b>	
General Fund—Cemetery Account Appropriation.....	\$ 11,900
<b>BOARD OF INDUSTRIAL INSURANCE APPEALS</b>	
Accident Fund Appropriation.....	\$ 649,688
Medical Aid Fund Appropriation.....	\$ 649,688
<b>LIQUOR CONTROL BOARD</b>	
Liquor Board Revolving Fund Appropriation.....	\$ 15,327,729
<b>PHARMACY BOARD</b>	
General Fund Appropriation.....	\$ 200,634
<b>PUGET SOUND PILOTAGE COMMISSION</b>	
General Fund—Puget Sound Pilotage Account Appropriation.....	\$ 6,878
<b>POLLUTION CONTROL COMMISSION</b>	
General Fund Appropriation.....	\$ 599,776
<b>UTILITIES AND TRANSPORTATION COMMISSION</b>	
Public Service Revolving Fund Appropriation.....	\$ 3,157,098
<b>BOARD FOR VOLUNTEER FIREMEN</b>	
Volunteer Firemen's Relief and Pension Fund Appropriation.....	\$ 20,350
<b>DEPARTMENT OF CIVIL DEFENSE</b>	
General Fund Appropriation.....	\$ 1,128,584
<b>DEPARTMENT OF LABOR AND INDUSTRIES</b>	
General Fund Appropriation .....	\$ 11,862,853
General Fund—Electrical License Account Appropriation.....	\$ 1,009,484
Accident Fund Appropriation .....	\$ 2,137,092
Medical Aid Fund Appropriation.....	\$ 5,961,315
<b>MILITARY DEPARTMENT</b>	
General Fund Appropriation.....	\$ 1,810,292
Armory Fund Appropriation.....	\$ 530,808
<b>LAW ENFORCEMENT OFFICERS' TRAINING COMMISSION</b>	
General Fund—Law Enforcement Officers' Training Fund Appropriation.....	\$ 50,000
<b>DEPARTMENT OF MOTOR VEHICLES</b>	
Motor Vehicle Fund Appropriation.....	\$ 4,945,115
Highway Safety Fund Appropriation.....	\$ 3,690,298
Motor Vehicle Operators' Revolving Fund Appropriation.....	\$ 778,551
General Fund—Commercial Automobile Driver Training Schools Account Appropriation .....	\$ 3,124
General Fund—Park and Parkways Account Appropriation.....	\$ 50,000
General Fund Appropriation.....	\$ 871,646
General Fund Appropriation for the Medical Disciplinary Board.....	\$ 21,300
General Fund—Optometry Account Appropriation.....	\$ 13,163
General Fund—Opticians' Account Appropriation.....	\$ 7,276
General Fund—Real Estate Commission Account Appropriation.....	\$ 621,570
General Fund—Architects' License Account Appropriation.....	\$ 51,923
General Fund—Professional Engineers' Account Appropriation.....	\$ 90,210
General Fund—Sanitarians' Licensing Account Appropriation.....	\$ 6,099
General Fund—Board of Psychological Examiners Appropriation.....	\$ 4,700

STATE PATROL

General Fund Appropriation.....	\$	48,388
Highway Safety Fund Appropriation.....	\$	1,076,882
Motor Vehicle Fund—State Patrol Highway Account Appropriation.....	\$	15,196,445

BOARD OF PRISON TERMS AND PAROLES

General Fund Appropriation.....	\$	1,914,520
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DEPARTMENT OF INSTITUTIONS—ADULT CORRECTIONAL INSTITUTIONS

General Fund Appropriation.....	\$	16,670,610
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DEPARTMENT OF INSTITUTIONS—JUVENILE REHABILITATION INSTITUTIONS

General Fund Appropriation .....	\$	13,025,685
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DEPARTMENT OF INSTITUTIONS—JUVENILE PAROLE SERVICE

General Fund Appropriation .....	\$	1,026,598
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DEPARTMENT OF INSTITUTIONS—JUVENILE DELINQUENCY PREVENTION AND CONTROL

General Fund Appropriation .....	\$	757,381
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VETERANS' REHABILITATION COUNCIL

General Fund Appropriation .....	\$	500,303
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DEPARTMENT OF INSTITUTIONS—VETERANS' HOMES

General Fund Appropriation.....	\$	3,047,139
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DEPARTMENT OF PUBLIC ASSISTANCE

General Fund Appropriation for surplus food and food stamp program administration .....	\$	2,045,237
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General Fund Appropriation to be used exclusively to reduce so far as feasible in 1965-1966 and to eliminate entirely in 1966-67 the ratable reduction in the Aid to Dependent Children, General Assistance and Disability Assistance programs .....	\$	7,485,994
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General Fund Appropriation: <i>Provided</i> , That \$37,931,074 shall be available exclusively for administration including salaries, wages and operations: <i>Provided</i> , That should Congress approve a new medical care program which would either require additional administrative costs or which would indicate a financial benefit to the State to increase administrative costs, the Budget Director, upon request of the Director of the Department and with the approval of the Governor, may transfer funds, the maximum herein notwithstanding, between assistance programs and administration: <i>Provided</i> , That no more than \$58,950 shall be available for use in providing temporary foster home care or receiving home care for children between the ages of 6 and 18 who are neglected and dependent and who are detained by the Juvenile Court prior to an adjudication by the court that the child is a dependent child: <i>Provided</i> , That not more than \$58,650 shall be expended to provide any foster home care authorized under the provisions of the Juvenile Court Act .....	\$	252,253,272
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The Department of Public Assistance is hereby directed to administer the programs for which funds are herein appropriated in such a manner as to strictly comply with the existing statutes relating to public assistance, to adjust assistance payment if necessary, and to effect all economies possible in the administration of such programs during the 1965-1967 biennium in order that expenditures for said biennium shall not exceed the funds herein appropriated: *Provided*, That payments to applicants or recipients from this appropriation shall not be increased due to increased costs of living unless funds are available: *Provided*, That the Department shall not pay increased rates for supplies or services unless it has been clearly determined that adequate funds are available to provide for the increased rates during the remainder of the biennium: *Provided*, That no payments of general assistance shall be made from this appropriation un-

less the applicant or recipient for general assistance has resided in the state of Washington for three out of the last four years immediately preceding the date of application: *Provided*, That the Director may make payments of emergency general assistance to an applicant or recipient notwithstanding the residence provision above for a period of not to exceed ninety days if a denial of assistance would cause undue hardship: *Provided*, That the amount paid from this appropriation to or on behalf of a recipient in a nursing home or a hospital for clothing and personal incidentals shall not exceed fifty percent of the amount which would be paid to such recipient if he were living in his own home: *Provided*, That where a dependent child lives with his mother and a stepfather or an adult male person assuming the role of a spouse to the mother although not legally married to her, the amount of the grant shall be computed after consideration is given to the income and resources of the stepfather or such adult male person and the State Department of Public Assistance shall determine if the stepfather or such adult male person is able to support the child either wholly or in part; said determination shall be based upon a standard which takes into account the stepfather's or such adult male person's income, resources, and expenses under regulations set forth by the Department of Public Assistance; a natural father is not relieved of any legal obligation to support his children by the liability for their support imposed upon their stepfather or adult male person by this proviso: *Provided*, That county hospitals and infirmaries shall be required to report all their revenue and expenditures as required by the Department of Public Assistance: *Provided*, That county hospitals and infirmaries shall not transfer funds between major classes of expenditures without consulting with the Director of the Department of Public Assistance: *Provided*, That a commission composed of representatives of the King County Commissioners, King County Hospital, Department of Public Assistance, University of Washington Medical School, City of Seattle and the Central Budget Agency is hereby created to study the problem of financing the various programs carried on at King County Hospital; the representative of the Central Budget Agency shall serve as chairman; such commission shall make its findings and recommendations to the Governor by September 1, 1966: *Provided*, That if the cost of administration is no greater, the state shall act as carrier for the insurance provisions of any federal health benefits program: *Provided*, That 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.

General Fund Appropriation for medical services and supplies not in excess of the unexpended balance of the 1963-1965 appropriation or allotment for this purpose .....	\$	100,000
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DEPARTMENT OF INSTITUTIONS  
SCHOOL FOR THE BLIND

General Fund Appropriation .....	\$	1,027,852
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DEPARTMENT OF INSTITUTIONS  
SCHOOL FOR THE DEAF

General Fund Appropriation .....	\$	2,070,879
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WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION

General Fund Appropriation .....	\$	30,000
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SUPERINTENDENT OF PUBLIC INSTRUCTION

(Including Board of Education)

General Fund Appropriations		
Office of the Superintendent of Public Instruction and Board of Education .....	\$	2,222,001



To carry out the provisions of Public Law 85-864 (National Defense Education Act of 1958) .....	\$ 5,116,748
Education of Indian Children .....	\$ 183,000
Assistance to Blind Students (RCW 28.76.130).....	\$ 54,400
Grants to Teachers of the Handicapped.....	\$ 200,000
School lunch and school milk programs.....	\$ 6,410,000
Allocation to County Superintendents of Schools: <i>Provided</i> , That any county wherein the office of county superintendent has been abolished pursuant to RCW 28.19.180 shall receive an allotment from this appropriation commensurate with the amount said county would have received had the office of county superintendent not been abolished.....	\$ 1,100,000
Elementary and Secondary Education Act of 1965.....	\$ 26,389,510
Distribution to counties for school districts: <i>Provided</i> , That from the several amounts specified, \$42,308,216 of the General Fund appropriation shall be reserved and shall be available only for reappropriation and disbursement in July and August, 1967: handicapped children, \$23,413,197: <i>Provided</i> , That \$100,000 of the foregoing amount will be appropriated to the State Office of Public Instruction for administration and research in conducting the program of education for the handicapped; vocational-technical schools, \$12,067,400; for adult education classes approved by the Board of Education, \$2,847,300; programs in state institutions, \$2,899,560; all other, \$445,679,639, which shall be distributed in accordance with Chapter ....., Laws of 1965 Extraordinary Session, (Engrossed Senate Bill No. 522) as amended: <i>Provided</i> , That the weighting schedule to be used in computing the apportionment of funds for each district for 1965-1967 shall be based on the following factors:	
1. Each full time student enrolled.....	1.0
2. Each student, grades 7-12, an added.....	.3
3. Each full time student enrolled in an approved vocational class in grades 7 through 12, added.....	1.0
4. Each identified culturally disadvantaged child receiving an approved program, an added.....	.1
5. A factor, established by the Superintendent of Public Instruction, designed to reimburse each district for costs resulting from staff education and experience greater than the minimums in the average salary schedule in use by Washington school districts	
6. For school districts enrolling fewer than 225 students in grades 9-12 and for non-high districts which are judged remote and necessary by the State Board of Education and which enroll fewer than 100 students, a weighting factor equivalent to the 1964-1965 average apportionment for such districts: <i>Provided</i> , That no school district shall be allocated less than the amount as provided in the proviso of subsection 7 of section 1, of Chapter ....., Laws of 1965 Extraordinary Session (Engrossed Senate Bill No. 522):	
<i>Provided</i> , That not to exceed \$50,000 annually may be allocated to the Pacific Science Center: <i>Provided</i> , That of this amount Forty Nine Million Two Hundred Thousand dollars is the estimated cost of improvements in salaries at an average level of five percent in 1965-1966 and six percent additional in 1966-1967 for certificated school personnel and of five percent in 1965-1966 and five percent additional in 1966-1967 for non-certificated school personnel: <i>Provided further</i> , That it is the intent of the legislature that subject to availability of funds for all district functions, school districts shall improve salaries by said percentages and the Superintendent of Public Instruction is directed to report to the 1967 Legislature on the average salary increase granted by each district under this provision.	
General Fund Appropriation .....	\$ 476,907,096
Current School Fund Appropriation.....	\$ 10,000,000
General Fund Appropriation—Civil Defense Education.....	\$ 90,800
General Fund—Driver Education Account	
Appropriation .....	\$ 2,418,278
General Fund Appropriation, for distribution to Community Colleges in accordance with Chapter 2, Laws of 1963, Extraordinary Session; <i>Provided</i> , That up to \$1,100,000 shall be available only for allocation to Community Colleges authorized by the 1965 legislature; <i>Provided further</i> , That not	

more than \$150,000, or as much thereof as necessary, may be used in carrying out the responsibilities assigned to the Superintendent of Public Instruction in Chapter 98, Laws of 1965, Extraordinary Session; <i>Provided further</i> , That if funds are not otherwise provided by the 1965 legislature for the study of needs for additional community colleges, the Superintendent of Public Instruction may use monies from this appropriation to assist the State Board of Education and local school districts in planning additional community colleges and to prepare recommendations for the 1967 legislature .....	\$ 29,441,819
<b>STATE BOARD FOR VOCATIONAL EDUCATION</b>	
General Fund Appropriation .....	\$ 13,877,378
<b>TEACHERS' RETIREMENT SYSTEM</b>	
Teachers' Retirement Fund Appropriation.....	\$ 468,947
General Fund Appropriation Contribution to Teachers' Retirement Fund .....	\$ 37,745,373
<b>UNIVERSITY OF WASHINGTON</b>	
General Fund Appropriation: <i>Provided</i> , That \$20,000 shall be made available to carry out the provisions of Chapter 178, Laws of 1963, relating to infant autopsy to be performed by the medical school.....	\$ 85,594,690
Motor Vehicle Excise Fund Appropriation.....	\$ 252,000
Accident Fund Appropriation .....	\$ 250,000
Medical Aid Fund Appropriation.....	\$ 250,000
<b>WASHINGTON STATE UNIVERSITY</b>	
General Fund Appropriation.....	\$ 45,142,769
<b>EASTERN WASHINGTON STATE COLLEGE</b>	
General Fund Appropriation.....	\$ 7,918,375
<b>CENTRAL WASHINGTON STATE COLLEGE</b>	
General Fund Appropriation.....	\$ 9,759,227
<b>WESTERN WASHINGTON STATE COLLEGE</b>	
General Fund Appropriation.....	\$ 11,249,874
<b>HIGHER EDUCATION FACILITIES COMMISSION</b>	
General Fund Appropriation: <i>Provided</i> , That not to exceed \$50,000 shall be from state sources .....	\$ 75,000
<b>STATE LIBRARY</b>	
General Fund Appropriation: <i>Provided</i> , That not to exceed \$18,000 may be spent for the establishment of a historical film collection center.....	\$ 2,809,233
<b>ARTS COMMISSION</b>	
General Fund Appropriation.....	\$ 15,000
<b>WASHINGTON STATE HISTORICAL SOCIETY</b>	
General Fund Appropriation.....	\$ 132,702
<b>EASTERN WASHINGTON STATE HISTORICAL SOCIETY</b>	
General Fund Appropriation.....	\$ 95,601
<b>STATE CAPITOL HISTORICAL ASSOCIATION</b>	
General Fund Appropriation.....	\$ 74,634
<b>DEPARTMENT OF HEALTH</b>	
General Fund Appropriation: <i>Provided</i> , That \$250,000 shall be transferred by the liquor control board from its receipts into the general fund prior to July 1, 1966; <i>Provided further</i> , That not to exceed \$4,674,904 may be expended for tuberculosis hospitalization and control; <i>Provided further</i> ,	

That not more than \$210,000 shall be used to pay for services in connection with the maintenance and operation of Artificial Kidney Centers upon the basis of appropriate contracts and vouchers for services.....\$ 12,840,368  
 General Fund Appropriation to carry out the purposes of Chapter ....., Laws of 1965 Extraordinary Session (Engrossed House Bill No. 695), relating to alcoholism .....\$ 325,500

**DEPARTMENT OF INSTITUTIONS—MENTAL HOSPITALS AND MENTAL HEALTH RESEARCH INSTITUTE**

General Fund Appropriation: *Provided*, That not to exceed \$435,012 may be expended by the mental health research institute.....\$ 29,980,454

**DEPARTMENT OF INSTITUTIONS—SCHOOLS FOR THE MENTALLY RETARDED**

General Fund Appropriation including \$25,000 for equipment for new unit at Fircrest .....\$ 21,833,309

**PARKS AND RECREATION COMMISSION**

General Fund—Parks and Parkways Account  
 Appropriation .....\$ 4,930,266  
 Motor Vehicle Fund Appropriation for maintenance of vehicular roads, highways and bridges within state parks.....\$ 150,000

**INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION**

General Fund Appropriation: *Provided*, That expenditures from this appropriation shall be repaid to the General Fund from the Outdoor Recreation Account at the end of the 1965-1967 biennium: *Provided*, That this appropriation may be expended for the cost of selling bonds authorized by Referendum 11 .....\$ 79,740

**DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT**

General Fund Appropriation.....\$ 4,323,576

**DEPARTMENT OF CONSERVATION**

General Fund Appropriation: *Provided*, That \$100,000 of this sum be available only for the purposes of a water studies program.....\$ 2,069,932  
 General Fund—Reclamation Revolving Account  
 Appropriation .....\$ 342,270  
 General Fund—Weather Modification Board  
 Revolving Account Appropriation .....\$ 1,224  
 Steam Gauging Fund Appropriation.....\$ 80,000

**CANAL COMMISSION**

General Fund Appropriation.....\$ 60,000

**COLUMBIA RIVER COMPACT COMMISSION**

General Fund Appropriation.....\$ 3,000

**DEPARTMENT OF FISHERIES**

General Fund Appropriation.....\$ 7,288,421  
 General Fund—Lewis River Hatchery Account  
 Appropriation .....\$ 28,220

**DEPARTMENT OF GAME**

Game Fund Appropriation: *Provided*, That not more than \$40,000 shall be expended for payment of game animal damages and expense.....\$ 10,321,091

**DEPARTMENT OF NATURAL RESOURCES**

General Fund Appropriation: *Provided*, That from any funds available therefor, the department may construct, operate, and maintain outdoor primitive recreation facilities on lands under its jurisdiction when deemed necessary by the department to achieve maximum development of such lands and resources consistent with the purposes for which the lands are held in compliance with the statewide open space and outdoor

recreation plan, and may acquire and develop public access to lands under the jurisdiction of the department and suitable for public outdoor recreation, and may for these purposes receive and expend funds from federal and state outdoor recreation funding measures.....	\$	6,736,037
General Fund Appropriation to Forest Insect and Disease Fund.....	\$	100,000
General Fund—Contingency Forest Fire Suppression Account Appropriation..	\$	469,700
General Fund—Forest Development Account Appropriation .....	\$	310,017
General Fund—Harbor Improvement Account Appropriation to carry out the provisions of Chapter 139, Laws of 1963, relating to change of harbor lines.....	\$	20,000
General Fund—Resource Management Cost Account Appropriation .....	\$	5,946,729

## DEPARTMENT OF AGRICULTURE

General Fund Appropriation: <i>Provided</i> , That \$20,000 shall be made available for starling control .....	\$	2,563,620
General Fund—Commercial Feed Account Appropriation.....	\$	88,945
General Fund—Commission Merchants' Account Appropriation.....	\$	160,072
General Fund—Egg Inspection Account Appropriation.....	\$	210,623
General Fund—Feed and Fertilizer Account Appropriation.....	\$	9,046
General Fund—Fertilizer, Agricultural Mineral and Lime Account Appropria- tion .....	\$	143,790
General Fund—Nursery Inspection Account Appropriation.....	\$	174,231
General Fund—Seed Inspection Account Appropriation.....	\$	224,462
Grain and Hay Inspection Fund Appropriation.....	\$	2,368,971

## EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation.....	\$	79,883
Unemployment Compensation Administration Fund.....	\$	19,872,615
Administrative Contingency Fund.....	\$	100,000

*NEW SECTION.* Sec. 2 The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated out of the several funds indicated, for the period from the effective date of this act to June 30, 1967, except as otherwise provided.

## DEPARTMENT OF GENERAL ADMINISTRATION

General Fund—Capitol Building Construction Account Appropriation to construct parking facilities and repair earthquake damage.....	\$	2,000,000.00
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## VEHICLE EQUIPMENT SAFETY COMMISSION

Motor Vehicle Fund—State Patrol Highway Account Appropriation.....	\$	2,644.00
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## STATE PATROL

Motor Vehicle Fund—State Patrol Highway Account Appropriation for the acquisition and erection of a prefabricated structure for the training academy .....	\$	3,000.00
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## STATE LEGISLATURE

General Fund Appropriation		
Senate Expenses and salaries of members.....	\$	279,420.00
House of Representatives Expenses and salaries of members.....	\$	518,230.00
Legislative Council .....	\$	188,290.00
Legislative Budget Committee .....	\$	170,155.00
General Fund Appropriation for legislative interim committees duly con- stituted by the Legislature: <i>Provided</i> , That expenditures for each com- mittee shall not exceed the amounts designated herein as follows: Joint Committee on Education, \$40,000; Interim Committee on Insurance, \$35,000; Interim Committee for Water Resources, \$25,000; Interim Fish- eries Committee, \$5,000; Interim Committee on Game and Game Fish, \$5,000; Joint Interim Committee on Facilities and Operations, \$25,000; Joint Committee on Governmental Cooperation, \$30,000.....	\$	165,000.00
Motor Vehicle Fund Appropriation for Joint Committee on Highways.....		60,000.00

COUNTY ROAD ADMINISTRATIVE BOARD

Motor Vehicle Fund Appropriation to carry out the provisions of Chapter 120, Laws of 1965, First Extraordinary Session.....\$ 75,000.00

WASHINGTON STATE UNIVERSITY

General Fund Appropriation to replace the beef cattle production testing barn destroyed by fire on December 21, 1964 .....\$ 65,000.00

DEPARTMENT OF INSTITUTIONS

To carry out the purposes of Chapter 11, Laws of 1965, relating to the acquisition, remodeling, and operation of Harrison Memorial Hospital.

General Fund—State Building Construction Account Appropriation.....\$ 56,370.00  
 General Fund—CEP & RI Account Appropriation.....\$ 233,767.00

BELATED CLAIMS

To reimburse General Fund for Expenditures from Appropriation for Belated Claims, to be disbursed on vouchers approved by the State Auditor:

GENERAL FUND—Commercial Feed Account Appropriation.....\$ 9.09  
 GENERAL FUND—Commission Merchants' Account Appropriation.....\$ 4.00  
 GENERAL FUND—Contingency Forest Fire Suppression Account Appropriation .....\$ 209.60  
 GENERAL FUND—Egg Inspection Account Appropriation.....\$ 52.18  
 GENERAL FUND—Fertilizer, Agricultural Mineral and Lime Account Appropriation .....\$ 18.16  
 GENERAL FUND—Nursery Inspection Account Appropriation.....\$ 64.96  
 GENERAL FUND—Parks and Parkways Account Appropriation.....\$ 15,176.39  
 GENERAL FUND—Real Estate Commission Account Appropriation.....\$ 7.60  
 GENERAL FUND—Seed Account Appropriation.....\$ 83.15  
 GENERAL FUND—State Building Construction Account Appropriation.....\$ 116.25  
 GAME FUND—Appropriation .....\$ 2,787.34  
 GRAIN AND HAY INSPECTION FUND—Appropriation.....\$ 906.55  
 HIGHWAY SAFETY FUND—Appropriation.....\$ 365.55  
 MOTOR VEHICLE FUND—Appropriation .....\$ 19,467.39  
 MOTOR VEHICLE FUND—State Patrol Highway Account Appropriation.....\$ 9,385.59  
 PUBLIC SERVICE REVOLVING FUND—Appropriation.....\$ 42.72  
 CLARKE-McNARY FUND—Appropriation .....\$ 222.00  
 STATE FOREST NURSERY FUND—Appropriation.....\$ 111.04  
 GENERAL ADMINISTRATION CONSTRUCTION FUND—Appropriation.....\$ 63.00  
 MEDICAL AID FUND—Appropriation.....\$ 468.32

JUDGMENTS

General Fund Appropriation for judgments, to be disbursed on vouchers approved by the State Auditor, as follows:

NICHOLAS MAFFEO  
 For costs in King County Cause No. 36166.....\$ 220.00

STEFAN F. THOMASSON  
 Judgment against the State of Washington, King County (remit 34752-340263) .....\$ 404.54

WALTHEW, WARNER, & KEEFE, Attorneys for Thelma Ann Swenson, Defendant  
 Judgment for cost in King County Superior Court, Cause No. 35526.\$ 251.90

Accident Fund Appropriation for judgments, to be disbursed on vouchers approved by the State Auditor, as follows:

ROBERT H. BOND  
 Judgment against the State of Washington and costs in Thurston County Cause No. 31899 .....\$ 20,735.24

General Fund—Parks and Parkways Account Appropriation for judgments, to be disbursed on vouchers approved by the State Auditor as follows:

RIDGE CONSTRUCTION COMPANY  
 Judgment against the State of Washington, Thurston County Cause No. 34504 .....\$ 3,462.00

## LOCAL IMPROVEMENT ASSESSMENTS

General Fund Appropriation for the City of Seattle, Local Improvement District No. 6275: *Provided*, That this amount shall not be disbursed until the State Auditor ascertains that an equal amount has been paid to the City of Seattle by the University of Washington from revenue derived from athletic and parking activities.....\$

55,324.37

## REFUNDS

General Fund Appropriation for refunds, to be disbursed on vouchers approved by the State Auditor, as follows:

SKAGIT BAY FISH COMPANY, refund of penalty imposed on delinquent tax and refund of catch tax for fish caught by Indians on reservation.....\$	1,312.07
JOHN H. CURRY, refund for reef net license.....\$	42.50
DONALD B. ANDERSON, duplicate retail fish dealer license.....\$	5.00
RANDALL G. HANSON, a minor, refund of fishing license fee.....\$	10.00
WARREN E. HANSON, refund of duplicate license fee.....\$	10.00
ANTHONY PICLNICH, refund of gill net license fee.....\$	25.00
JOHN D. DANIELSON, refund of duplicate fishing license fee (1963).....\$	10.00
GORDON W. EASTERLY, refund of duplicate fishing license fee (1964).....\$	10.00
MRS. ELMER PETERSON, refund of vessel delivery permit (1964).....\$	20.00
Sundry Claims for refund of Commercial Clam Digging Licenses:	
HARRY W. ALLEN.....\$	5.00
ANN LUKIN.....\$	5.00
ELIZABETH R. ANDERSON.....\$	5.00
HENRY J. ANDERSON.....\$	5.00
ROY GUSTAFSON.....\$	5.00
LEONARD STRAWN.....\$	5.00
ROSE STRAWN.....\$	5.00
FORREST SNELL.....\$	5.00
HARRIET SNELL.....\$	5.00
DARWIN PATTERSON.....\$	5.00
L. A. LYTLE.....\$	5.00
JOHN MATTOCKS.....\$	5.00
BERT ACHEY.....\$	5.00
JOHN ADAMS.....\$	5.00
CHARLIE R. ARCHER.....\$	5.00
E. W. ARMSTRONG.....\$	5.00
BILL ATWOOD.....\$	5.00
GEORGE V. BALL.....\$	5.00
JOHN H. BALL.....\$	5.00
MABLE BALL.....\$	5.00
MORRIS E. BINFORD.....\$	5.00
JOSEPH M. BJORNDAHL.....\$	5.00
MARY BJORNSGARD.....\$	5.00
JAMES BOWMAN.....\$	5.00
JACK BRITT.....\$	5.00
NORMAN BROWN.....\$	5.00
BOB BRUMLY.....\$	5.00
RAY BRUNDAGE.....\$	5.00
DONALD D. CAPPS.....\$	5.00
CARL CHILSON.....\$	5.00
GENE COLES.....\$	5.00
ALFRED L. CONNELL.....\$	5.00
RONALD G. COURSER.....\$	5.00
PEGGY CRISS.....\$	5.00
MIKE CRUM.....\$	5.00
D. L. COVINGTON.....\$	5.00
E. E. CULVER.....\$	5.00
R. O. DAVIS.....\$	5.00
VELMA DIPKA.....\$	5.00
MARY DUDNEY.....\$	5.00
HARRY E. DUFFY.....\$	5.00
C. A. DUFFY.....\$	5.00

M. C. EATON.....	\$ 5.00
WILLIAM EDWARDS .....	\$ 5.00
TAIMY ELLEDGE .....	\$ 5.00
JAMES R. HEATH.....	\$ 5.00
A. J. ESTES.....	\$ 5.00
ROBERT R. FARNES.....	\$ 5.00
ROLAND FLEMING .....	\$ 5.00
JACK FLETCHER .....	\$ 5.00
MARIE FLETCHER .....	\$ 5.00
LESLIE FRENCH .....	\$ 5.00
RICHARD FROST .....	\$ 5.00
WILLABELLE FOX .....	\$ 5.00
DWAYNE GATEWOOD .....	\$ 5.00
S. C. GILLIES.....	\$ 5.00
JIM GRAGG .....	\$ 5.00
JAMES A. GRIGGS.....	\$ 5.00
VERNA I. GRUBER.....	\$ 5.00
RALPH GUNTER .....	\$ 5.00
BETTIE HALL .....	\$ 5.00
F. A. HANWAY.....	\$ 5.00
ALFRED HENSALA .....	\$ 5.00
V. L. HOCHHAUS.....	\$ 5.00
HARVEY HOLLINGER .....	\$ 5.00
C. S. HOPPER.....	\$ 5.00
ELVA J. HORN.....	\$ 5.00
HARRY HORN .....	\$ 5.00
HENRY J. HORN.....	\$ 5.00
DAVID E. JOHNSON.....	\$ 5.00
GABRIEL F. KEITH.....	\$ 5.00
C. R. KELLNER.....	\$ 5.00
ROBERT B. KERLIK, SR.....	\$ 5.00
ART KIRSCH .....	\$ 5.00
WILLIAM KIRSCH .....	\$ 5.00
C. M. KOPLIN .....	\$ 5.00
PEARL KOSKI .....	\$ 5.00
LARRY KOSOFF .....	\$ 5.00
BETTY M. KUEHN .....	\$ 5.00
KENNETH KUEHN .....	\$ 5.00
TED KUPREWICZ .....	\$ 5.00
JOYCE KUZMAK .....	\$ 5.00
DONALD D. LANMAN.....	\$ 5.00
EARL E. LARSON.....	\$ 5.00
JANIS LEMIEUX .....	\$ 5.00
EDNA B. LUKIN.....	\$ 5.00
VERN McDONALD .....	\$ 5.00
BEATRICE MCGUIRE .....	\$ 5.00
WILLIAM MCGUIRE .....	\$ 5.00
RAY MCKAY .....	\$ 5.00
CHARLES MANUEL .....	\$ 5.00
NETTIE MANUEL .....	\$ 5.00
OSCAR MATTOCKS .....	\$ 5.00
CHARLES F. MAURER.....	\$ 5.00
PERL E. MAURER.....	\$ 5.00
FLOYD MAXWELL .....	\$ 5.00
GEORGIA MELLINGER .....	\$ 5.00
OLIVER MELLINGER .....	\$ 5.00
STELLA U. MERRILL.....	\$ 5.00
DOYLE MILLER .....	\$ 5.00
RAY F. MOORE.....	\$ 5.00
TED MOUNCER .....	\$ 5.00
MAE MOUNCER .....	\$ 5.00
JAMES L. MOYER.....	\$ 5.00
BEN MULLER .....	\$ 5.00
ELMER C. NELSON.....	\$ 5.00

LEROY NICHOLSON .....	\$	5.00
JOHN NIEMI .....	\$	5.00
OSMO NIEMI .....	\$	5.00
CLARENCE OLSON .....	\$	5.00
HAROLD ONTQUIST .....	\$	5.00
CLAIRMONT R. OPP.....	\$	5.00
EBEN P. PARKER, JR.....	\$	5.00
E. C. PAROTT.....	\$	5.00
CONNIE PETERSON .....	\$	5.00
STANLEY PETERSON .....	\$	5.00
HAROLD E. PHELPS.....	\$	5.00
JOHN B. PIERCE.....	\$	5.00
DOROTHY PRENTICE .....	\$	5.00
HAROLD M. QUARNBERG.....	\$	5.00
RAMON RAMIEREZ .....	\$	5.00
FLOYD H. REITH, JR.....	\$	5.00
LAURA M. REITH.....	\$	5.00
LARRY RILEY .....	\$	5.00
A. ROBERTSON .....	\$	5.00
MARY M. SALAKIE.....	\$	5.00
JACOB SCHALL .....	\$	5.00
C. A. SELLS.....	\$	5.00
KENNETH L. SIMONSEN.....	\$	5.00
ROBERT D. SMITH.....	\$	5.00
ART SPANGLER .....	\$	5.00
LEO THEIN .....	\$	5.00
ARNOLD J. THOMAS.....	\$	5.00
JULIA THOMAS .....	\$	5.00
HARRY TUTTLE .....	\$	5.00
MARY ULMER .....	\$	5.00
JAMES VAN ROOY.....	\$	5.00
JERALD WALTHER .....	\$	5.00
JACK WARWICK .....	\$	5.00
JESSIE WARWICK .....	\$	5.00
FRANK WELCH .....	\$	5.00
CARL SUMNER WHITNEY.....	\$	5.00
JACK R. WILCOX .....	\$	5.00
VERN WILSON .....	\$	5.00
WILLIAM A. WILSON.....	\$	5.00
WOODROW W. WILSON.....	\$	5.00
LOLA YRELL .....	\$	5.00
RUBEN YRELL .....	\$	5.00
INDEPENDENT DELIVERY, INC., For refund of corporation license fees.....	\$	210.00
WINNIE R. BOWERS, For refund of pharmacy license fee: <i>Provided</i> , That this amount shall be paid from the General Fund Appropriation to the State Board of Pharmacy for the 1965-1967 Biennium.....	\$	20.00
EDWARD ANTONELLI, For refund of B & O Tax paid under "Wholesaling-Otherwise" .....	\$	843.15

## SUNDRY CLAIMS

General Fund Appropriation for relief of various individuals, firms and corporations for sundry reasons to be disbursed on vouchers approved by the State Auditor as follows:

SAMUEL GOLDENBERG, in full settlement for services rendered to welfare patient at Centralia General Hospital.....	\$	60.00
ERIC K. MAINO in full settlement for loss of personal property at American Lake .....	\$	154.91
WILLIAM H. and DARLENE JOHNSON in full settlement for personal property stolen by Washington State Penitentiary escapees.....	\$	178.06
G. D. GALBREATH in full settlement for loss of personal property while a patient at Northern State Hospital.....	\$	16.75
EDGAR C. WOOD in full settlement for loss of personal property from fire caused by inmate at Rainier State School.....	\$	2,250.00



KING COUNTY HOSPITAL for services rendered to mentally ill.....	\$	8,184.89
YAKIMA VALLEY MEMORIAL HOSPITAL for services rendered to mentally ill \$		1,401.50
St. JOHN'S HOSPITAL for services rendered to mentally ill.....	\$	74.15
DON R. BERRYSMITH in full settlement for damages to vehicle by inmate of Luther Burbank School.....	\$	49.02
JOE MARTIN in full settlement for damages to personal property caused by disturbed patient at Western State Hospital.....	\$	11.95
SOUND MATTRESS & FELT COMPANY in full settlement for damage to personal property caused by patient of Western State Hospital...\$		93.66
ANITA WYATT in full settlement for loss of personal property caused by patient at Western State Hospital.....	\$	5.15
JOHN P. BALCH in full settlement for damages to automobile by patient at Western State Hospital.....	\$	21.38
CONSOLIDATED SUPPLY COMPANY in full settlement for expense incurred in returning and exchanging merchandise.....	\$	19.14
PUGET SOUND CONSTRUCTION COMPANY in full settlement on contract to repair Olympia Armory .....	\$	2,138.40
TOM MAXWELL in full settlement of damages to fishing net by Department of Fisheries.....	\$	50.00
LINCOLN RIES, M.D. and JAMES HOVIS, ATTORNEY AT LAW in full settlement of services rendered to patients under regulations of the State Department of Public Assistance, 1963 and 1964.....	\$	2,432.50
EBBA RAPP in full settlement for painting and framing of official portrait of governor to be displayed permanently in Board Room Gallery in the Executive Office upon delivery.....	\$	1,000.00
BYRON HORTON, PRESIDENT, MEATS, INC. in full settlement of assessments paid on land purchased from the state.....	\$	873.74
FOR REIMBURSEMENT OF PERSONAL PROPERTY destroyed by fire in Washington State University's Motor Pool as follows:		
ELMER TONN .....	\$	99.08
HAROLD MONEYHAN .....	\$	131.85
DEB ACUFF .....	\$	469.56
E. E. HAWKINS .....	\$	110.97
HARVEY G. COLE.....	\$	991.22
ALFRED CORDEAU .....	\$	21.04
ROBERT D. ELLSWORTH.....	\$	66.16
WALLACE R. MCPHERSON.....	\$	159.59
Motor Vehicle Fund Appropriation for relief of various individuals, firms, corporations and the Oregon State Tax Commission for sundry reasons to be disbursed on vouchers approved by the State Auditor as follows:		
NORTHERN PACIFIC RAILWAY COMPANY in full settlement of damages to truck February 4, 1963.....	\$	500.00
ALTON V. PHILLIPS, for full settlement due on contract No. 5887, dated July 8, 1958.....	\$	63,389.38
WILLIAM H. STOCK in full settlement of damages to automobile.....	\$	23.69
WILLIAM SCULLY in full settlement for damage to personal property by Highway Department equipment.....	\$	9.00
OREGON STATE TAX COMMISSION in full settlement of withholding taxes for employees at the Vancouver-Portland Interstate Bridge for the years 1960-63.....	\$	13,727.55
Motor Vehicle Fund—State Patrol Highway Account Appropriation for relief of FRED A. CINA et al., in full settlement for personal injuries sustained on June 16, 1962, to be disbursed on voucher approved by the State Auditor.....	\$	6,669.26
Motor Vehicle Excise Fund Appropriation for refunds to be disbursed on vouchers approved by the State Auditor, as follows:		
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION, transfer of funds to the Public Service Revolving Fund for reimbursement for costs incurred in collecting excise tax in accordance with chapter 152, Laws of 1945.....	\$	3,512.85

## CRIMINAL COSTS

General Fund Appropriation reimbursing counties for various cost bills in felony cases:

TREASURER, King County.....	\$	7,954.50
TREASURER, Pierce County.....	\$	351.70

## TRANSFERS

World Fair Fund Appropriation to transfer the unexpended fund balance to the World Fair Bond Redemption Fund.....	\$	243,460.15
General Fund—Institutional Building Construction Account Appropriation to transfer the unexpended fund balance as of July 31, 1965, to the Institutional Building Bond Redemption Fund.....	\$	200,000.00

**NEW SECTION.** Sec. 3. The word "agency" used herein shall mean and include 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 shall mean 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 shall not include those boards, commissions, or committees on which one or more of the above named elected officials serve.

**NEW SECTION.** Sec. 4. In order to carry out the provisions of these appropriations and the state budget, the budget director, 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 budget director shall not alter allotment requests filed with him, nor shall he place in reserve any funds, for the following: Agencies headed by elective officials; University of Washington; Washington State University; Central Washington State College; Eastern Washington State College; Western Washington State College; Washington State Apple Advertising Commission; Washington State Fruit Commission; Washington Dairy Products Commission or any agricultural commodity commission created under the provisions of chapter 15.66 RCW; the legislative branch of state government including the legislative council, the legislative budget committee, the statute law committee, and any legislative interim committee; or the judicial branch of state government: *Provided, however*, 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 allotments or to incur a deficiency and any obligation so made shall be deemed invalid. Nothing in this section or in chapter 328, Laws of 1959 shall prevent revision of any allotment when necessary to prevent the making of expenditures under appropriations in this act in excess of available revenues.

(2) Issue rules and regulations to establish uniform standards and business practices throughout the state service, including regulation of travel by officers and employees and the conditions under which per diem shall be paid, so as to improve efficiency and conserve funds.

(3) Prescribe procedures and forms to carry out the above.

(4) Allot funds from appropriations in this act in advance of July 1, 1965, for the sole purpose of authorizing agencies to order goods, supplies or services for delivery after July 1, 1965. *Provided*, That no expenditures may be made from the appropriations contained in section 1 until after July 1, 1965.

**NEW SECTION.** Sec. 5. Except as otherwise provided in this act, any receipts from federal or other sources or from gifts or grants in excess of those estimated in the budget may be received and allotted by the governor but in the event that receipts shall be less than those estimated in the budget from any source the appropriation shall be limited to the amount actually received and allotments made as provided in section 4. Whenever possible, the receipt of federal or other funds which are not anticipated by the governor's budget or the legislature shall be used to support regular programs instead of using appropriated funds.

**NEW SECTION.** Sec. 6. 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. 7. Whenever allocations are made from the governor's emergency appropriation to an agency which is financed by other than general fund moneys, the budget director may direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance such agency. No appropriations shall be necessary to effect such repayment.

**NEW SECTION.** Sec. 8. In addition to the amounts appropriated in this act for revenue for distribution and bond retirement and interest, 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. 9. Amounts received by an agency as reimbursements pursuant to RCW 43.09.210 shall be considered as returned loans of materials supplied or services rendered. Such amounts may be expended as a part of the original appropriation of the fund to which it belongs, without further or additional appropriation, subject to conditions and procedures prescribed by the budget director which shall provide for determination of full costs, disclosure of such reimbursements in the governor's budget, maximum inter-agency 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. 10. 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."

*Senate Members*

FRANK W. FOLEY  
FRED H. DORE  
MARSHALL A. NEILL

*House Members*

WESLEY C. UHLMAN  
ARLIE U. DEJARNATT  
DAMON R. CANFIELD

**PARLIAMENTARY INQUIRY**

Senator Henry:

"Mr. President, point of parliamentary inquiry:

"Is it necessary to resolve ourselves into a Committee of the Whole to pass the budget bill?"

**REPLY BY THE PRESIDENT**

The President:

"The President thinks not, Senator. This matter is the adoption of a conference report, and cannot be amended or changed."

It was moved by Senator Foley that the report of the Free Conference Committee be adopted.

Debate ensued.

**POINTS OF INQUIRY**

Senator Washington:

"Mr. President, would Senator Foley yield to a question?

"Senator Foley, I have been asked to put this in the record for the purpose of future reference. It was the understanding that this appropriation relating to universities and colleges, was intended that the money for pay raises was to apply to the nonteaching staff as well as to the faculty at institutions of higher learning, is that correct?"

Senator Foley:

"That is my understanding, but the sum appropriated is a lump sum and the universities and colleges can dole it out in the manner that they best see fit."

Senator Washington:

"I understand that, but it was the intention that it could be used and should be used for both categories?"

Senator Foley:

"Certainly."

Senator Durkan:

"Mr. President, would Senator Foley yield to a question?"

"Senator Foley, as I understand it and I would like the record so to show, on page 13 of the appropriations bill under the Department of Institutions, Schools for the Blind and Schools for the Deaf, there is a lump sum appropriation in there which includes increases for salaries and teachers' salaries."

Senator Foley:

"Yes."

Senator Durkan:

"And that includes employees' salaries as well as teachers' salaries?"

Senator Foley:

"It does."

Further debate ensued:

Senator Moriarty, Jr.:

"Mr. President, I wonder if Senator Dore would yield:

"Senator Dore, in your remarks, I understood you to say as far as you knew there were no cuts from the budget level requested by Governor Rosellini?"

Senator Dore:

"To my knowledge and thinking about it there is one item I believe in the Rehabilitation Center which I think was cut \$8,000 below the request. Outside of that, I can't think of any. Oh, there is another one, too. The Department of Economic Development, Senator, I think there was a slight adjustment in that particular category."

Senator Moriarty, Jr.:

"One more question, Senator:

"How much money was the 'slight adjustment' in the Department of Economic Development?"

Senator Dore:

"In state funds, I think the final figure was around \$500,000."

Senator Riley:

"Mr. President, would Senator Foley yield to a question?"

"Senator Foley, could you give me an estimate of approximately how much more money is in this Engrossed Substitute Senate Bill No. 374 than was in the appropriation measure as we closed up the 1963 session? I think I am fairly close in my calculations that I have written down for my own information. This is \$160 million more than we appropriated two years ago, is that correct?"

Senator Foley:

"It is \$170 million more."

Senator Riley:

"Thank you. I am glad to have your more expert figure."

Debate ensued.

Senators Charette, Durkan and Kupka demanded the previous question and the demand was sustained.

The motion by Senator Foley that the report of the Free Conference Committee be adopted was carried.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 374, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 28; nays, 19; excused, 2.

Those voting yea were: Senators Bailey, Charette, Donohue, Dore, England, Foley, Gallagher, Gissberg, Hanna, Henry, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Washington, Williams—28.

Those voting nay were: Senators Atwood, Chytil, Connor, Cooney, Cowen, Durkan, Greive, Guess, Hallauer, Herr, Herrmann, Keefe, Lewis, Mardesich, Peterson (Lowell), Peterson (Ted), Talley, Thompson, Jr., Woodall—19.

Excused: Senators Freise, Stender—2.

Engrossed Substitute Senate Bill No. 374, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

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

#### MOTION

At 6:10 p .m., on motion of Senator Greive, the Senate recessed until 8:00 p. m.

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#### EVENING SESSION

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The President called the Senate to order at 8:00 p. m.

The President declared the Senate to be at ease for a meeting of the Committee on Rules and Joint Rules.

The President called the Senate to order at 9:05 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Stender and Lennart who were excused. Senators Greive, Mardesich and Herrmann demanded a Call of the Senate. A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senators Lennart and Stender, who were excused.

#### MOTION

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

The House has passed: House Concurrent Resolution No. 38, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 564; also Senate Concurrent Resolution No. 12, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

The Speaker has signed Substitute House Bill No. 608, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President signed: Substitute House Bill No. 608.**

**MOTION**

It was moved by Senator Charette that the rules be suspended and that the Senate immediately consider the Free Conference Committee report on Engrossed Senate Bill No. 565.

The motion was carried.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 565 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF FREE CONFERENCE COMMITTEE**

MR. PRESIDENT:

Olympia, Wash., May 6, 1965.

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Engrossed Senate Bill No. 565, relating to the apportionment of funds for educational purposes, have had the same under consideration, and we recommend that Engrossed Senate Bill No. 565 be amended as follows:

That the House amendment by the Committee on Ways and Means on page 1 of the printed and engrossed bills be stricken.

On page 1, beginning on line 22 of the printed bill, being line 19 of the engrossed bill, strike everything down to and including the semicolon on line 24 of the printed bill, being line 21 of the engrossed bill, and insert

*"(1) Eighty-five percent of the amount of revenues which would be produced by the maximum levy permissible for any school district without a vote of the electors thereof during the school year 1965-1966 and during the portion of the school year 1966-1967 expiring December 31, 1966. For all school years and portions of school years thereafter, eighty-five percent of the amount of revenues which would be produced by a levy of fourteen mills on the assessed valuation of taxable property within the school district adjusted to twenty-five percent of true and fair value thereof as determined by the state tax commission's indicated county ratio."*

On page 3, section 1, line 6, of the printed and engrossed bills, after "section" and before "to" strike the numeral "2" and insert "[2] 1"

On page 4 of the printed and engrossed bills, following section 2, add a new section to read as follows:

"Sec. 3. Section 13, chapter ....., (Senate Bill No. 522), Laws of 1965 (uncodified) is amended to read as follows:

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

[This act shall expire on June 30, 1967.]"

Renumber the remaining sections consecutively.

In line 4 of the title of the printed and engrossed bills, after "RCW 28.45.040;" insert "amending section 13, chapter ....., (Senate Bill No. 522), Laws of 1965 (uncodified);"

*Senate Members*

ROBERT L. CHARETTE  
MIKE MCCORMACK  
WALTER B. WILLIAMS

*House Members*

S. E. FLANAGAN  
CHARLES MOON  
FRANK BUSTER BROUILLET

It was moved by Senator Charette that the report of the Free Conference Committee be adopted.

Debate ensued.

#### POINT OF INQUIRY

Senator Petrich:

"Mr. President, would Senator Charette yield to a question?"

Senator Charette:

"I will."

Senator Petrich:

"Senator, I notice in reading the report that there is a difference in dates between a school year and the annual period in which the assessments are made. Now, as I heard the report read, it appears to me that in the half school year commencing January 1, 1967, there possibly appears to be a situation wherein there is no provision made for the contribution by the state for the half school year, namely; January 1, 1967 to June, 1967."

Senator Charette:

"Senator Petrich, we worked this out with the representative from Superintendent Bruno's office and he assured the whole committee that there was a provision made as these payments are made monthly and they will be adjusted commencing January, 1967. The nineteen counties throughout the state that were affected by this bill because of their adverse position will have a revision as of January 1, 1967."

Senator Petrich:

"One further question, Senator:

"In view of the fact that there is a delay in the assessment and the levy of the taxes on the new assessed values, now, as I understand the provisions of the amendment as proposed by the Free Conference Committee, in the event the assessor was below the assessed value and then brought up his assessed value to the minimum requirements before January 1, 1967, would he then be entitled to receive the full benefits of the state contribution for school purposes even though the taxes which would be realized from the increased assessment would not come into the local school district until the succeeding year?"

Senator Charette:

"Senator Petrich, that is not my understanding of the bill. I think that most of us are familiar with the fact that the assessment rolls are made up in February and spread on the books each year to be collected at the beginning of the next year. This would force the assessor to take immediate action, in my opinion. If he is not active by January 1, 1967, it is going to be to the detriment of the schools in his county."

Senator Petrich:

"Senator, one further question:

"Perhaps my view may differ from yours, but the assessed valuations as of January 1 of this year do not affect our tax statements as of this year and as I understand it there is going to be a one year lapse between the time when the assessor catches up the assessed valuation and the time when the taxes are going to be realized against the assessment. If I am incorrect, please correct me."

Senator Charette:

"I think the assumption is correct, Senator Petrich, and it will then require the assessor to take immediate action because the taxes will take eighteen months to get these increased assessments on the rolls and the statements out to the taxpayers. If he doesn't take immediate action, then his school district is going to be punished for a year at the least."

Debate ensued.

## POINT OF INQUIRY

Senator Riley:

"Mr. President, would Senator Charette yield to a question?"

"Senator Charette, my question is simply this: With this delay in the effective date, with which I subscribe, will we then have, when we return in January, 1967, an opportunity to review at least the assessors' assessment levels for a period of one year so that in 1967 we will be in a better position to determine whether or not the formula is at the right level or whether it should be corrected or should be changed?"

Senator Charette:

"Yes."

The motion was carried and the report of the Free Conference Committee was adopted.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 565, as amended by the Free Conference Committee and the bill passed the Senate by the following vote: Yeas, 36; nays, 10; absent or not voting, 1; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McMillan, Morgan, Moriarty, Jr., Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Thompson, Jr., Washington, Williams—36.

Those voting nay were: Senators Chytil, Gissberg, Guess, Hallauer, McCutcheon, Mardesich, Neill, Sandison, Talley, Woodall—10.

Absent or not voting: Senator Peterson (Lowell)—1.

Excused: Senators Lennart, Stender—2.

Engrossed Senate Bill No. 565, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

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

## SIGNED BY THE PRESIDENT

**The President signed: Substitute Senate Bill No. 374.**

The Secretary read:

## MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 40 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

## REPORT OF FREE CONFERENCE COMMITTEE

Olympia, Wash., May 5, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Engrossed Senate Bill No. 40, providing for sale of bonds to provide school plant facilities, have had the same under consideration, and we recommend that the following amendments to Engrossed Senate Bill No. 40 be adopted:

On page 1, section 1, line 22, of the engrossed bill, being line 24 of the printed bill after "when due." strike the remainder of the paragraph through line 1 on page 2.

On page 3, section 6, lines 18 and 19 of the printed bill, being line 14 of the engrossed bill, after "valuation" strike "plus such further" and insert "or such"



On page 3 of the printed bill, being page 3, line 25 of the engrossed bill, insert a new section to read as follows:

**"NEW SECTION.** Sec. 8. In accordance with the provisions of section 6, the state board of education is authorized to allocate the sum of \$27,753,500 (being (1) \$16,483,500 from the public school building construction account including \$7,403,500 for new community colleges authorized by the 1965 legislature, and (2) \$11,270,000 from the common school construction fund): *Provided*, That such allocations shall not be binding upon the state in the event that either this act or Senate Joint Resolution No. 22, 1965 extraordinary session, is rejected by the people: *Provided further*, That expenditures against such allocations shall not exceed the amounts appropriated in this act and in chapter ....., Laws of 1965, extraordinary session (Engrossed Substitute Senate Bill No. 42) during the 1965-67 fiscal biennium, or the amounts then currently appropriated for these purposes by future legislatures."

Renumber section 7 of the original bill, being section 8 of the engrossed bill, to read section 9.

*Senate Members*

MIKE MCCORMACK  
GORDON SANDISON  
JOE CHYTIL

*House Members*

AUDLEY F. MAHAFFEY  
RICHARD "DICK" KING  
MRS. JOHN W. (KATHERYN) EPTON

It was moved by Senator McCormack that the report of the Free Conference Committee be adopted.

Debate ensued.

**POINT OF INQUIRY**

Senator Moriarty, Jr.:

"Mr. President, would Senator McCormack yield to a question?"

Senator McCormack:

"Yes."

Senator Moriarty, Jr.:

"Senator, I read the Conference Committee report hastily and I noticed a \$27 million figure which I assume is the total of the \$16½ million bond issue and approximately the \$11 million Senate Joint Resolution No. 22 money. My question is whether the bond issue will go on the ballot as a \$27 million bond issue, or a \$16½ million bond issue?"

Senator McCormack:

"It will go on the ballot as a \$16½ million bond issue, but the \$27 million figure is authorization for that much construction based upon the bond issue and Senate Joint Resolution No. 22."

The President called upon Senator Gissberg to preside.

The motion was carried and the report of the Free Conference Committee was adopted.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 40, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 1; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytill, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Thompson, Jr., Washington, Williams, Woodall—46.

Absent or not voting: Senator Talley—1.

Excused: Senators Lennart, Stender—2.

Engrossed Senate Bill No. 40, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

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

The Secretary read:

**HOUSE AMENDMENTS TO SENATE BILL**

House of Representatives,  
Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

The House has passed Engrossed Substitute Senate Bill No. 438 with the following amendments:

On page 3, line 3 of the title, after "47.56.038;" and before "making" insert "amending section 35, chapter 3, Laws of 1963 extraordinary session (uncodified)"

On page 1, line 12 of the title, after the semicolon, insert "relating to highway advertising control;"

On page 3, line 3 of the title, after "47.56.038;" and before "making" insert "amending section 35, chapter 3, Laws of 1963 extraordinary session (uncodified); amending section 10, chapter 96, Laws of 1961 as amended by section 55, chapter 3, Laws of 1963 extraordinary session, and RCW 47.42.100;"

On page 12, section 13, line 9, of the printed and engrossed bills, following subsection (6), add a new subsection as follows:

"(7) An extension of secondary state highway No. 5N, southerly from Eatonville to a junction with primary state highway No. 5 in the vicinity of Elbe."

On page 19, section 31, line 29, of the printed and engrossed bills, after "hundred" and before "days" strike "fifty" and insert "twenty" and on line 31 strike "eighty" and insert "fifty"

On page 27, section 39, line 9, of the printed and engrossed bills, following "limit" and before the semicolon insert ": PROVIDED, That when in the opinion of the highway commission a hardship would result, this limitation may be exceeded upon approval of the commission"

On page 42, line 31, of the printed bill, being line 25 of the engrossed bill, strike all of section 55 of the printed bill, being section 53 of the engrossed bill, and renumber the remaining sections consecutively.

On page 45, section 61, line 29 of the printed bill, being section 59, line 28 of the engrossed bill, strike "[five] ten" and insert "five" and on line 30 of the printed bill, being line 29 of the engrossed bill, after the colon insert "PROVIDED FURTHER, That the Colman Dock facilities may be leased for a period not to exceed ten years:"

On page 46, following section 63 of the printed bill, being section 61 of the engrossed bill, add the following sections and renumber the remaining sections consecutively:

**NEW SECTION.** Sec. 62. It shall be unlawful for any person to lease for hire or permit the use of any vehicle with soft tires commonly used upon the beach and referred to as a dune buggy unless such vehicle has been inspected by and approved by the state commission on equipment, which commission may charge a reasonable fee therefor to go into the state patrol highway account.

**NEW SECTION.** Sec. 63. The state highway commission is authorized to acquire title to or any interests or rights in real property adjacent to state highways for the preservation of natural beauty, historic sites or viewpoints or for safety rest areas.

**NEW SECTION.** Sec. 64. The highway commission is empowered to join financially or otherwise with any public agency or any county, city, or town in the state of Washington or any other state, or with the federal government or any agency thereof, or with any or all thereof for the planning, development and establishment of area-wide urban mass transportation systems in conjunction with new or existing highway facilities.

Sec. 65. Section 35, chapter 3, Laws of 1963 extraordinary session (uncodified), is amended to read as follows:

The joint fact-finding committee on highways, streets and bridges originally created by chapter 111, Laws of 1947, is hereby recreated and renamed the joint committee on highways. The renaming of said committee shall not affect any powers vested in it or duties imposed upon it by any other statute. All appropriations made to the committee under its former name shall continue to be available to said

committee as renamed, the joint committee on highways. The committee shall consist of [seven] *nine* senators to be appointed by the president of the Senate and [eight] *ten* members of the House of Representatives to be appointed by the speaker thereof. A list of appointees shall be submitted before the close of each regular legislative session or extraordinary session following a regular session for confirmation of Senate members, by the Senate, and House members, by the House. Vacancies occurring shall be filled by the appointing authority.

*NEW SECTION.* Sec. 66. Membership authorized by this act on the joint committee on highways is hereby ratified, even though appointments are made prior to the effective date of this act.

*NEW SECTION.* Sec. 67. There is hereby appropriated from the motor vehicle fund to the Washington state highway commission for the biennium ending June 30, 1967, the sum of seventy-five thousand dollars, or so much thereof as may be necessary for preliminary engineering for a bridge at Rich Pass in Kitsap county.

*NEW SECTION.* Sec. 68. There is hereby appropriated from the motor vehicle fund to the Washington state highway commission for the biennium ending June 30, 1967, the sum of fifty thousand dollars, or so much thereof as may be necessary, for the purpose of constructing a new bridge across Morse creek on primary state highway No. 9 east of Port Angeles.

*NEW SECTION.* Sec. 69. The joint committee on highways shall make a study during the interim and report to the fortieth session of the legislature as to the advisability of utilizing the services of private consulting engineers or firms in its highway planning programs both to obviate the need of retaining professional personnel on its staff during periods of moderate activity by the department or to supplement the work of professional personnel on its staff in periods of high activity within the department.

On page 46 of the printed and engrossed bills, strike all of section 66 of the printed bill, being section 64 of the engrossed bill, and insert the following:

*"NEW SECTION.* Sec. 75. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately." and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

It was moved by Senator Washington that the Senate do concur in the House amendments to Engrossed Substitute Senate Bill No. 438.

Debate ensued.

#### POINTS OF INQUIRY

Senator Riley:

"Senator Washington, would you yield to a question?"

Senator Washington:

"I yield."

Senator Riley:

"Senator Washington, you have made reference to the additions made by the House Committee on Highways to Substitute Senate Bill No. 438, and I have looked the additions over and I have no criticism of them. Did the House delete anything from Substitute Senate Bill No. 438?"

Senator Washington:

"There was a change. The Senate provided for 150 days for the highway commissioners and 180 days for the chairman. The House reduced that to 120 days for the commissioners and 150 days for the chairman. Other than that, I know of no substantial change. Nothing we had in was stricken out."

Senator Riley:

"Mr. President, one further question:

"Did they damage my strong efforts to take care of south King county?"

Senator Washington:

"No, I would say that your sterling efforts remained intact."

Senator Guess:

"Mr. President, would Senator Washington yield?"

"Senator, on page 1, actually the second page of the amendment, in section 62, it says that dune buggies shall not be leased unless they have been inspected by the state commission on equipment. Is there such a commission?"

Senator Washington:

"Yes, there is such a commission. Lieutenant DeWitt Whitman is chairman of the Washington State commission on equipment. He also is with the interstate commission."

Senator Guess:

"Is there such a location where these buggies happen to be or do the inspectors go out where they are stored?"

Senator Washington:

"I think they would have to set up some regulations in order to take care of inspections. As I recall, this is an amendment by Senator Charette we added in the Senate to House Bill No. 713. I think this is one amendment where the language could possibly be improved, but I don't think it's going to cause enough problems to warrant not approving all of the amendments."

Senator Raugust:

"Will Senator Washington yield?"

"Senator Washington, on page 12, subsection (7) of the amendment, is this an extension or a study of an extension on the Eatonville highway to Elbe?"

Senator Washington:

"That is a study. It was also put on House Bill No. 713 when it was in the Senate."

Senator Freise:

"Mr. President, would Senator Washington yield?"

"Page 27, section 39, line 9 of the printed and engrossed bills, following "limit" and before the semicolon insert ": Provided, That when in the opinion of the highway commission a hardship would result, this limitation may be exceeded upon approval of the commission." To what limitation are they referring that may be exceeded?"

Senator Washington:

"On this permit for moving—now we did strike a matter in connection with the railroads and so on. That has not be reinstated. That was stricken out of House Bill No. 713, but it was a part of Engrossed Substitute Senate Bill No. 438, so that is back to the Senate intact. That doesn't involve a House amendment."

Senator Freise:

"Then Substitute Senate Bill No. 438 is the engrossed bill?"

Senator Washington:

"That we passed, yes."

Senator Freise:

"So that matter in connection with the railroads is now back in the bill?"

Senator Washington:

"Yes, that's right, and there is no amendment involved, so that isn't before us at the present time."

Senator Petrich:

"Would Senator Washington yield?"

"Senator Washington, with reference again going back to page 46 of the printed bill, the substitute bill, and the references to the various sections and the emergency clause, what is now section 66 of the printed bill as amended by the House, do you know what the section number is now because of the various sections that were added and deleted?"

Senator Washington:

"No, I'm sorry, I don't have it. We have the amendment to the title. I wonder if we could be at ease?"

**MOTION**

On motion of Senator Petrich, Engrossed Substitute Senate Bill No. 438 and the House amendments thereto was made a special order of business for 10:20 p. m.

**FIRST READING OF HOUSE RESOLUTION**

The following was read first time by title and acted upon as indicated:

**House Concurrent Resolution No. 38**, by Representatives Klein, Burtch and Copeland:

Providing for a Constitutional advisory council.

On motion of Senator Durkan, the rules were suspended, House Concurrent Resolution No. 38 was advanced to second reading and read the second time in full.

On motion of Senator Durkan, the rules were suspended, House Concurrent Resolution No. 38 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

**POINTS OF INQUIRY**

Senator Moriarty, Jr.:

"Mr. President, would Senator Durkan yield?"

"Senator Durkan, as you know we are all for this resolution. However, some question has come up among some of the Senators as to who the membership of this advisory council must be insofar as members of the legislature are concerned. Are they limited to members of the legislative council or may they be any other person?"

Senator Durkan:

"Mr. President, it is my understanding by reading the resolution that the selection can be made without the council."

Debate ensued.

Senator McCormack:

"Mr. President, would Senator Durkan yield?"

"Senator Durkan; I noticed on line 17 and 18 of the second page under items 2(a) it says the following: 'Examine and analyze the Washington Constitution and its operation.'"

"Now, as I understand it, there is no provision in the Constitution or the statutes for any detailed mechanics for holding a constitutional convention, and I wonder if this subject matter would also be a subject for study by this committee?"

Senator Durkan:

"The answer is definitely yes. The subcommittee, as I understand it, is going to consider not only the Constitution but the mechanism for calling a constitutional convention and setting it up."

Further debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of House Concurrent Resolution No. 38 and the resolution passed the Senate by the following vote: Yeas, 38; nays, 7; absent or not voting, 2; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Gallagher, Gissberg, Hallauer, Henry, Herr, Herrmann, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted),

Petrich, Rasmussen, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—38.

Those voting nay were: Senators Freise, Greive, Guess, Keefe, McMillan, Raugust, Redmon—7.

Absent or not voting: Senators Donohue, Hanna—2.

Excused: Senators Lennart, Stender—2.

House Concurrent Resolution No. 38 having received the constitutional majority, was declared passed.

#### SPECIAL ORDER OF BUSINESS

The time having arrived, the Senate resumed consideration of Engrossed Substitute Senate Bill No. 438 and the House amendments thereto.

The President declared the question before the Senate to be the motion by Senator Washington that the Senate do concur in the House amendments to Engrossed Substitute Senate Bill No. 438.

The motion was carried.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 438, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 3; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—44.

Absent or not voting: Senators Donohue, Foley, Hanna—3.

Excused: Senators Lennart, Stender—2.

Engrossed Substitute Senate Bill No. 438, as amended by the House, having received the 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 OF RESOLUTIONS

**House Concurrent Resolution No. 33**, by Representatives Moon, Haussler, Johnson (Doris), Gallagher, Avey, Jolly, Sheridan, Anderson (Eric O.):

Providing for an interim committee on water resources to conduct a water resources study.

The resolution was read the second time in full.

On motion of Senator Hallauer, the rules were suspended, House Concurrent Resolution No. 33 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

The President resumed the Chair.

#### ROLL CALL

The Secretary called the roll on the final passage of House Concurrent Resolution No. 33 and the resolution passed the Senate by the following vote: Yeas, 40; nays, 2; absent or not voting, 5; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor,

Cooney, Cowen, Durkan, England, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich,, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Raugust, Redmon, Riley, Sandison, Talley, Thompson, Jr., Washington, Williams—40.

Those voting nay were: Senators Petrich, Rasmussen—2.

Absent or not voting: Senators Donohue, Dore, Neill, Ryder, Woodall—5.

Excused: Senators Lennart, Stender—2.

House Concurrent Resolution No. 33 having received the constitutional majority, was declared passed.

**House Concurrent Resolution No. 18**, by Representatives Beck, Mast, Burtch, Traylor, Wolf and Kalich:

Creating interim legislative committee on game and game fish and setting out its powers and duties.

The resolution was read the second time in full.

On motion of Senator Riley, the rules were suspended, House Concurrent Resolution No. 18 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Concurrent Resolution No. 18 and the resolution passed the Senate by the following vote: Yeas, 39; nays, 3; absent or not voting, 5; excused, 2.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, England, Foley, Freise, Gissberg, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Washington, Williams, Woodall—39.

Those voting nay were: Senators Atwood, Guess, Thompson, Jr.—3.

Absent or not voting: Senators Donohue, Gallagher, Greive, McCutcheon, Talley—5.

Excused: Senators Lennart, Stender—2.

House Concurrent Resolution No. 18 having received the constitutional majority, was declared passed.

**House Concurrent Resolution No. 16**, by Representatives King (Chet), Kink, Bergh, Conner, Berentson, Hood, Wang, Hawley, Taylor, Mahaffey and Thompson:

Creating interim fisheries committee.

#### REPORT OF STANDING COMMITTEE

##### House Concurrent Resolution No. 16:

Senate Chamber,

Olympia, Wash., April 23, 1965.

Creating interim fisheries committee (reported by Committee on Ways and Means): MAJORITY recommends that it do pass with the following amendment:

On page 3, line 13 of the printed and original bill after "exceed" and before "thousand" strike "ten" and insert "five".

FRANK W. FOLEY, *Chairman*.

FRED H. DORE, *Chairman*,

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,

Committee on Revenue & Regulatory.

We concur in this report: R. Frank Atwood, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Jack England, William A. Gissberg, R. R. Bob Greive, Wilbur G. Hallauer, David E. McMillan, Charles P. Moriarty, Jr., Marshall A. Neill, John N. Ryder, Albert C. Thompson, Jr., Walter B. Williams.

The resolution was read the second time in full.

On motion of Senator Riley, the committee amendment was adopted.

On motion of Senator Riley, the rules were suspended, House Concurrent Resolution No. 16, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of House Concurrent Resolution No. 16, as amended by the Senate, and the resolution passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 5; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, England, Foley, Freise, Gallagher, Gissberg, Guess, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Williams, Woodall—42.

Absent or not voting: Senators Durkan, Greive, Henry, McCutcheon, Rasmussen—5.

Excused: Senators Lennart, Stender—2.

House Concurrent Resolution No. 16, as amended by the Senate, having received the constitutional majority, was declared passed.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed a special committee consisting of Senators Sandison and Peterson (Ted) to escort Lieutenant Harvey Hallom of the Washington State Patrol to the rostrum.

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

#### SENATE RESOLUTION

No. 1965 EX -39

By Senators Sandison and Peterson (Ted):

WHEREAS, This Senate has during the thirty-ninth regular and special session of the Legislature been singularly honored in having within its presence Lieutenant Harvey Hallom of the Washington State Patrol, whose dedication to his responsibilities, patience, good humor and friendly personality has daily been an inspiration to the members of this branch of the Legislature;

Now, Therefore, Be It Resolved, By the Senate, That our deep appreciation for the services and assistance rendered by Lieutenant Hallom during these past days of the Legislature is herewith expressed with our warm wishes for a continued exemplary career with the Washington State Patrol; and

Be It Further Resolved, That the Secretary of the Senate prepare and present to Lieutenant Hallom a copy of this Senate Resolution expressing the gratitude of the members of the Senate in this, the thirty-ninth regular and special session of the Legislature, and also the Secretary of the Senate be and is hereby instructed to forward a copy of this resolution to the chief of the Washington State Patrol.

On motion of Senator Sandison, the resolution was adopted.

With leave of the Senate, business was suspended to permit Lieutenant Hallom to address the Senate.



The President declared the Senate to be at ease.

The President called the Senate to order.

There being no objection, the Senate advanced to the fifth order of business.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Substitute Senate Bill No. 41 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted. S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF FREE CONFERENCE COMMITTEE**

Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Substitute Senate Bill No. 41, providing bond issue for new buildings for state institutions and departments, have had the same under consideration, and we recommend that Substitute Senate Bill No. 41 be amended as follows: That the House amendment by the Committee on Ways and Means on page 5 be stricken. On page 4, section 6, line 7, after "facility" strike "at Hanford".

*Senate Members*

LOWELL PETERSON  
MICHAEL J. GALLAGHER  
HARRY B. LEWIS

*House Members*

WESLEY C. UHLMAN  
NEWMAN H. CLARK  
W. O. E. "BILL" RADCLIFFE

It was moved by Senator Gallagher that the report of the Free Conference Committee be adopted.

Debate ensued.

**POINT OF INQUIRY**

Senator McCormack:

"Mr. President, would Senator Gallagher yield to a question?

"Senator Gallagher, can you tell me why the word 'Hanford' was deleted?"

Senator Gallagher:

"The committee felt this was an administrative project and inasmuch as the Senator from that district did not vote for any taxes, we felt, at least the committee in its wisdom felt, it would be best to strike those words and leave this awareness to those people who would be responsible for conducting the facility."

Senator Moriarty, Jr.:

"Mr. President, would Senator McCormack yield to a question?

"Senator McCormack, is Hanford in your district?"

Senator McCormack:

"Mr. President, Hanford is in my district at the present time. However, due to the redistricting bill over which I had no control, I will be a neighbor to the Hanford district, whenever the redistricting goes into effect."

The motion was carried and the report of the Free Conference Committee was adopted.

**ROLL CALL**

The Secretary called the roll on the final passage of Substitute Senate Bill No. 41, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 41; nays, 1; absent or not voting, 5; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Herr, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Thompson, Jr., Washington, Williams, Woodall—41.

Those voting nay were: Senator Peterson (Ted)—1.

Absent or not voting: Senators Donohue, England, Henry, Herrmann, Talley—5.

Excused: Senators Lennart, Stender—2.

Substitute Senate Bill No. 41, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

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

The President declared the Senate to be at ease.

The President called the Senate to order at 12:05 a. m.

#### MOTION

It was moved by Senator Greive that the rules be suspended and that the Senate do now consider Substitute House Bill No. 709 on second reading.

The motion was carried.

#### SECOND READING OF BILLS

**Substitute House Bill No. 709**, by Committee on Ways and Means:

Providing for an increase in assessment levels and providing limitations on tax levies.

The bill was read the second time by sections.

It was moved by Senator Williams that the following amendment be adopted:

On page 1, section 1, line 13, strike subsection (3) and renumber the remaining subsections consecutively.

Debate ensued.

The motion was carried and the amendment was adopted.

On motion of Senator Williams, the following amendment was adopted:

On page 2, line 16, following subsection (2), insert a new subsection (3) to read as follows:

“(3) And an additional dollar amount, in the case of a county, representing the increased and additional costs to be expended by the county assessor in the year the taxes are payable to enable the county assessor of that county to carry out any program of appraisal and valuation of property within the county required by the Constitution or laws of the state.”

On motion of Senator Hallauer, the following amendment by Senators Hallauer and Williams was adopted:

On page 3, section 5, line 33, strike all of line 33 on page 3 and all of lines 1 through 17 on page 4.

#### POINT OF INQUIRY

Senator Riley:

“Mr. President, would Senator Hallauer yield to a question?”

“Senator Hallauer, isn't it true that in a few well chosen words we could say that with the adoption of your amendment we are eliminating the possibility of reduction in dollar income?”

Senator Hallauer:

"We are eliminating the possibility of a special election directed towards such a reduction in local funds."

On motion of Senator Durkan, the following amendment was adopted:

On page 4, line 24, following section 7, add a new section to read as follows: "NEW SECTION. Sec. 8. This act shall expire December 31, 1967."

It was moved by Senator Charette that the following amendment be adopted:

On page 4, line 18, insert a new section as follows:

"NEW SECTION. Sec. 6. Until December 31, 1967, no taxing district, as a result of any reassessment, may authorize, issue, or have outstanding any bonds without approval of the voters of the district in excess of the amount of bonds the taxing district could have authorized, issued or had outstanding without approval of the voters of the district as of January 1, 1966." Renumber remaining sections consecutively.

It was moved by Senator Gallagher that the amendment be laid upon the table.

Senator Charette demanded a roll call but the demand was not sustained.

The motion was carried on a rising vote and the amendment was laid upon the table.

It was moved by Senator McCormack that the following amendment be adopted:

On page 2, section 2, line 16, after "preceding year", strike the period and insert a semicolon. Add a new subsection as follows:

"(3) An additional dollar amount brought about by the increase of assessed valuations for the purpose of equalizing property tax ratios."

Renumber subsection (3) of the amendment by Senator Williams as subsection (4).

Debate ensued.

On motion of Senator Riley, the amendment was laid upon the table.

On motion of Senator Durkan, the following amendment to the title was adopted:

In line 1 of the title, after "emergency" and before the period, insert "and establishing expiration date"

The bill was read the second time by sections.

On motion of Senator Greive, the rules were suspended, Substitute House Bill No. 709, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 709, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 28; nays, 16; absent or not voting, 3; excused, 2.

Those voting yea were: Senators Atwood, Bailey, Connor, Cooney, Donohue, Durkan, Freise, Gallagher, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Rasmussen, Riley, Ryder, Talley, Thompson, Jr., Washington, Williams—28.

Those voting nay were: Senators Charette, Chytil, Cowen, Dore, Gissberg, Guess, Hallauer, McCormack, McMillan, Mardesich, Neill, Petrich, Raugust, Redmon, Sandison, Woodall—16.

Absent or not voting: Senators England, Foley, McCutcheon—3.

Excused: Senators Lennart, Stender—2.

Substitute House Bill No. 709, as amended by the Senate, having received the constitutional majority, was declared passed.

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

On motion of Senator Greive, the rules were suspended and Substitute House Bill No. 709 was ordered immediately transmitted to the House.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

The Speaker has signed: Substitute Senate Bill No. 374.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendment to House Concurrent Resolution No. 16 and has passed the resolution as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 714; also  
House Bill No. 716 and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### SIGNED BY THE PRESIDENT

**The President signed: House Bill No. 714; also,  
House Bill No. 716; also,  
Senate Bill No. 40; also,  
Substitute Senate Bill No. 41.  
Substitute Senate Bill No. 438; also,  
Senate Bill No. 565; also,**

#### APPOINTMENT OF SPECIAL COMMITTEES

The President announced that the Senate Pages desired to make a presentation to the Senate, and appointed a special committee consisting of Senators Knoblauch, Cowen, Riley and Charette to escort the Pages to a place of honor upon the rostrum.

With leave of the Senate, business was suspended to permit Pages John Turner, Michael Dougherty and Ted Roessner to present a plaque to Senators Bailey and Neill on behalf of the Senate Pages of the First Extraordinary Session of the Thirty-ninth Legislature.

The committee escorted the Pages from the rostrum.

The President appointed a special committee consisting of Senators Neill, Freise, Washington and Greive to escort Senator William C. Raugust to a place of honor upon the rostrum.

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

The Secretary read:

**SENATE RESOLUTION**  
No. 1965 EX -40

By Senators Greive, Freise, Atwood, Rasmussen, McCormack, Morgan, Gallagher, Kupka, Mardesich, Petrich, Cowen, Woodall, Guess, Dore, Knoblauch, Neill, Moriarty, Jr., Lewis, Redmon, Durkan, Bailey, Ryder, Foley, McMillan, McCutcheon:

WHEREAS, Senator William C. Raugust, esteemed and honored member of the Washington State Senate since 1949 and member of the Washington State House of Representatives from 1943 to 1949, has announced that he intends to retire from the Senate; and

WHEREAS, The members of the Senate are sad that Senator Raugust is leaving public office to which he has dedicated so many years of his exemplary life; and

WHEREAS, Since 1899, when Senator Raugust came to the United States and homesteaded at Odessa, Washington with his parents and four brothers and sisters, his career in business and public life has been a series of continued successes; and

WHEREAS, During the years in which Senator Raugust has served the Legislature he has earned the respect and admiration of all those who served with him; and

WHEREAS, His many accomplishments in the business world have brought Senator Raugust great fame throughout the Northwest; and

WHEREAS, Senator Raugust, as Mayor of Odessa, School Board member, Sunday School Superintendent and Commander of the American Legion, inspired all who came into contact with him to have pride in their association with him in civic affairs and Senator Raugust instilled in these people his own philosophy that to be successful one must always be trying; and

WHEREAS, As a world traveler and learned historian, Senator Raugust has been able to spread throughout the country good will to people of foreign nations, reflecting credit not only on himself but also on the United States and the state of Washington; and

WHEREAS, We the members of the Senate will dearly miss our good friend, Bill Raugust, when he departs from the Senate and we wish to thank him for his capable guidance in the past and assure him that we will remain devoted to the courageous principles which he has established during these past years,

Now, Therefore, *Be It Resolved*, That the members of the Senate do hereby extend best wishes to Senator Raugust at the time of his announced termination of Senate service; and

*Be It Further Resolved*, That the Secretary of the Senate be and he is hereby instructed to send a copy of this Resolution to Senator Raugust and his family at Odessa, Washington.

It was moved by Senator Knoblauch that the resolution be adopted.

**PERSONAL PRIVILEGE**

Senator Knoblauch:

"Mr. President and members of the Senate:

"One of the things I have always found hard to do is to say goodbye to a good friend. Even though this is a sad occasion tonight, it is also a happy one. Isn't it wonderful that one of our good citizens of the state has devoted more than twenty years of his life to public service. You know, sometimes you read in the papers and you hear over the press things said about politicians. Well, let me say that the image given politics by Senator Raugust has been a credit to democracy in these United States.

"I had the privilege of serving with Senator Raugust in the House and now for many years I have served with him in the Senate. Because of the redistricting, he now has terminated his public service life. Sad, yes, but also happy, because now he is going to have the time to devote many hours to his wonderful grandchildren.

"I suppose, Senator Raugust, that you probably in your time in the House and Senate have been able to bring to your district some very fine roads. You have been able to say that you assisted in the construction of several schools in your district, and also when you drive around your area, you will be able to say to yourself, 'Well, I had the privilege of helping to bring some of these things to my district.'

"Senator, you have made a lot of wonderful friends. We might be Democrats on this side and Republicans on the other. But I think all of us have a deep respect

for each other and I can assure you that each member of this Senate has an extremely high regard and affection for you and your many years of friendly service.

"Now that we have almost finished the sessions of the Rules Committee—I know we are not supposed to tell any secrets out of the Rules Committee, but Senator Raugust can go down in history as a builder of good roads for Washington State. I sit by him in the Rules Committee, and time after time he has said out loud: 'Well, this isn't my bill and I don't know, but it's good for the roads of Washington State and Senator Washington wants this to come out to the floor of the Senate,' and Senator Raugust has been a fighter in Rules Committee in behalf of good roads. I think one of the finest tributes that we can pay you, Senator Raugust, is to say to you: 'Well done, thou good and faithful servant.' "

#### Senator Greive:

"Mr. President, Lady and Gentlemen of the Senate:

"There is a little saying that I have had virtually all my life and it very well applies to Senator Raugust: 'Firmness is that admirable quality in ourselves and a detestable quality in others.'

"Senator Raugust is one the firmest men I know. When you are with him, it's great. When you are against him, it's hell. That's why he sits between Senator Knoblauch and myself in Rules. It takes two of us to watch him.

"Senator Raugust, seriously, is a man of principle and a man of dedication. In his departing this body, I can remember a few issues when he and I fought side by side. I can remember the timber bill laws. I can remember a vote tax Julia wanted and didn't get. I can remember saving Sunday for the family, which we lost. The thing I can remember most about my service with Senator Raugust was 1957 when we were working on another redistricting bill. The only regret I have is that I was author of the bill that eliminated his district this time. But I'd like to say this: We know Senator Raugust isn't stupid, and I have noted there is a little district still left. There is 'A' and 'B' district and it doesn't have a House member anymore. The House member is going to be director of agriculture. I'll bet anybody, including Senator Raugust, that he is going to come back as a House member next session."

#### Senator Washington:

"Mr. President and members of the Senate:

"Now, like some of you perhaps feel here in the Senate, that you are saying goodbye to Senator Raugust. I'm not because I feel sure we are both going to continue to serve for two years on the Joint Committee on Highways, and I'm going to welcome working with him as I have in the past.

"Now, I can speak of Senator Raugust as a neighbor. Our districts join each other. Senator Raugust not only is a businessman and active in civic duties and affairs in his own counties, but he has also been a business man in Moses Lake in my own county, so I know him not only here in the Senate, but I know him well between sessions, and he has that same reputation there in his home community and in my county that he has here: A man of real integrity, a man of real dedication and a hard worker and a true friend.

"I do want to again touch on the subject of highways because certainly that is the field in which he is best known. He was a member of the first Joint Committee on Highways. I first met him in 1949 when we both served on the Highway Committee in the House. He came over to the Senate and I know Senator Raugust in a way has had to endure a few jibes from members on the west side, but many times Senator Raugust and I have talked—we both had an area in the Columbia Basin. We needed help from every part of the state, and when we needed help from every part of the state, you gave it to us, and both of us, since then, I think, have had a statewide point of view. I know Senator Raugust has. He fought for the cross-sound bridge many, many miles away from his own district. People in his own district couldn't understand why, he a person from the wheat area, why he would try to do something that far away, something that was going to cost a lot of money. He has voted for the gasoline tax, he has supported and worked for continuing the freeway in this area, and again he points out that if you want to travel from Seattle to Spokane, you've got to travel through his county. Those roads that he worked so hard for, as he again points out, many more of the cars, if you look at them, the license plates on the roads going through Lincoln and Adams counties in Senator Raugust's district, will have license plates, they will have a 'C' or a 'B,' because the counties wherein he lives are rather sparsely

settled and many, many times a number of people from your areas in the west are enjoying these highways and they've got to go through his area if they want to go through the state.

"He has had a truly state-wide point of view. He has worked for the betterment of the state. He was lucky, maybe, from the highway point of view that he was from the center of the state and they had to go through his district.

"Senator Raugust, I also want to echo the statement made by Senator Greive. There is a little 'A' and 'B' district, and if I know you, come about two years from now, and I have watched your health improve; I have had concern for you in the past sometimes; you do let your temper get a little the better of you; sometimes I have to tell you to calm down and take it easy, but I know come two years from now your health is going to be even better and you are going to be running for election, and if I am lucky enough to be back here, I think we can toss some highway bills back and forth between the House and Senate again.

"I know the other members of the Senate join me in saying goodbye to you here, but looking forward to seeing you under the Capitol dome again."

Senator Neill:

"Mr. President, members of the Senate:

"Bill, we both know that it was neither your wish nor my wish that cast the lot that put you and I in the same district. We had some overpowering forces that followed this sort of an arrangement. Everything that's in this resolution about you, Bill, you deserve. These words being spoken about you here tonight you deserve, but they are premature. He still has a couple of years left in this term of office. He is still a member of the Senate, and it might well be we will be back here serving together before this time is out.

"Also, as has been expressed here, knowing Bill Raugust and his desire for public service, when that old fire bell rings at election time, I think we are going to find Bill right on the starting line; and, so Bill, we might miss you in the Senate, through no fault of yours or mine or anybody else's here particularly, but it isn't very far across the hall, so we will look forward to seeing you again."

Senator Cowen:

"Mr. President, Senator Bill:

"My speech will be very short. We all love you for your integrity, your honesty and your principles. I've known you longer, Bill, than any man in the Senate and served with you longer than any man here. We're all going to miss you, especially we are going to miss you in the Rules Committee."

The motion was carried and the resolution was adopted.

#### PRESIDENT'S PRIVILEGE

The President:

"Senator Raugust, the members of the Senate, the ladies and gentlemen present here, the members of the Secretary's staff and the President want to join in congratulating you upon this fine honor and, Bill, I would like to say that I am very proud to be the Lieutenant Governor, and one of the main reasons for that pride is because it gives me the privilege of working with a man of your character, your ability and your integrity, your honesty, and your all-around being a good fellow. Congratulations, Bill. Won't you speak to us?"

Senator Raugust:

"Mr. President, members of the Senate:

"The hour is late and I do not want to take much time. First, I want to say a million thanks for all the kind words that were spoken here. There are no hard feelings. Probably one of the greatest enjoyments of my life—and I have had many experiences—has been this experience of serving in the legislature, both in the House and the Senate. Many of the Senators that are here were with me in the House. Senator Riley recalled an incident to me when Senator McCutcheon and I were on the opposite side and defeated the plumbing bill for Ed Riley. That's quite a few years ago.

"But I do want to say this to you: I want to take just a few minutes to say I appreciate the words that were spoken and the resolution. A few years ago I was in New York, going back the Communist countries to see how they were operating—I and Dave

Hoefel whom some of you remember. He was also born in Russia, and just for clarification, my father's parents were Hollanders and my mother's parents were German. There is no Russian in me or Mr. Hoefel. We were at the old fort in New York down in the lower part of the town and in the background was Ellis Island and there was the Statue of Liberty. As they have discussed, I think adopted sons in fact probably appreciate more the fact they had the opportunity to come here and live and were adopted and had all the privileges than are the people in this country, who were born here and do not realize what might have happened to them if they had to stay where they were born. I have always thanked my Creator for that.

"Ellis Island at the time—it will be just sixty-six years this week that I landed at Ellis Island. I can just remember what happened. They took all our clothes off. They were fumigated. We went through a fumigator and people went through a big hall and they had four showers on and they washed them off and you came out the other side and got your clothes and put them on as they were fumigated.

"As I take these pictures and review them and I see Ellis Island and I see the opportunity that I had to participate in many things that has been by privilege to participate in, and to work with the many organizations that I have been with and I am with now, I can never be thankful enough. But a man of old says, there is a time for a man to be born and a time for a man to die. There is a time. God has put everything on time. Your sun rises on a certain time and it sets and the planets operate on a certain time. You accomplish things in time. When you start, you never know just when the time is going to be, but time is of the essence in what you are doing and so as the time comes when I came to this legislature, I never thought that I would serve twenty-four years. God willing that He will give me two more years and, it may be a little embarrassing—I didn't ask for this—but if we should have a special session, I'll be back if I am alive. But I have mentioned to you before, this has been one of the greatest opportunities.

"You have mentioned my travels. I am very thankful I have had the opportunity to travel. I might mention a few things that have happened. One of the most interesting things in my life—I am probably one of the few that has had tea and champagne with the Prince of Cambodia. At the time, we knew that we were losing. I want to say this to you, those of you who travel know that I am reminded of the American people. I remember a ball game, St. Louis was playing with the Boston Red Sox, and every time Williams came up to bat, the boo was so bad that he just got one little grounder and that's about all he could do. But because he was an outstanding man and because the United States was so far ahead and so much greater a country than any other one, he was not liked too well. Now, to you young people serving here, you have many years to serve and when I served here about the second session, I thought we were going to cure all the ills and we would settle all the problems. We are facing many problems and the interesting thing to me that happened is, my granddaughter was married to an engineer that is working on the moon project at New Orleans and I spent a day with them going through the project. They explained to me how man is going to the moon and how they will take them over there. But an interesting thing, he gave me one of his books and I found out that of the twenty outstanding people in our air-space program, nine of them are Germans who are, most of them, graduates of the University of Dörmstock, or the University of Berlin and they served under Hitler, in his guided missile program, which goes to show me that we cannot let down, that we have problems ahead of us and I think when we look at the world today, there is one job I would not want if I could have it, and that is President Johnson's job. It's a great job and creates great men.

"In conclusion, I want to say this to you, just as a warning: You are going to be where I am now. The time is going to come when you will stand here and you will probably say goodbye, if you have the opportunity. During World War I, I went to school for a while in the Navy at Harvard University and the rules were if you make an examination on Friday, you were at liberty on Saturday and Sunday, and going down to old North Church, I wandered down to a cemetery and there is a little book about this cemetery. It is supposed to be all of the descendants of the Pilgrims. The British, during the Revolutionary War, used the tombstones for shelters. And here is what I want to leave with you: It said on one of the tombstones—and I think it applies to young men and being where I am now—'Stop here my friends and cast an eye. Where thou art now, there once was I. Where I am now, you, too, must be. Prepare, oh friend, to follow me.'



"A young man came along and said he was from Harvard and said: 'To follow you, I'm not content, unless I know which way you went.' So take care, boys, in what you are doing.

"The Russians would say: 'Korosha'. You were very fine to me. In German: 'Got mit eich'. 'Auf Wiedersehen.' God be with you until we see you again."

The President:

"Thank you very much, Senator Raugust, for those most thrilling and heart warming remarks. I am certain the members of the Senate join with the President and everyone else in wishing you the very best of everything in the years to come."

The committee of honor escorted Senator Raugust to his seat.

#### PARLIAMENTARY INQUIRY

Senator Mardesich:

"Mr. President, point of parliamentary inquiry:

"Does the President intend to call a meeting of the Committee on Rules and Joint Rules tonight?"

#### REPLY BY THE PRESIDENT

The President:

"Not tonight, Senator."

Senator Mardesich:

"Mr. President, there is an extremely important bill—at least one which I feel is extremely important—in the Committee on Rules and Joint Rules. That's the one cent gas tax, which I feel is extremely important to the people of King, Snohomish and Pierce counties in particular. I realize we have worked a long day already, but I have also talked to a number of people who told me that they planned to leave tonight and do not intend to attend the session tomorrow. I wonder if the President, recognizing that might not consider his failure to call a meeting of the Committee on Rules and Joint Rules at this time might result in the death of that measure and the death of \$20 million worth of projects in King county, the death of \$10 million worth of projects for Pierce county, the death of something short of \$7 million in projects for the people in Snohomish county, for roads which are extremely important to all of those people, I am sure. I wonder if the President might not feel compelled, in view of the fact it might kill the bill, to consider calling a Rules Committee meeting tonight."

Senator Greive:

"Mr. President, answering Senator Mardesich, I do not believe that there are going to be many people absent who would make much difference. It is my understanding, as far as I know, there is only going to be one member who will not be here tomorrow that is here now, perhaps two. We do intend to come back at 10:30 a. m. in order to have a chance to call that meeting, and have a vote before some of the members have to leave, because I have been informed that many are going to stay around until noon."

Senator Morgan:

"Mr. President and gentlemen of the Senate:

"I know the hour is late, but it means a great deal to Kitsap county and we certainly need the help."

#### MOTION

At 1:20 a. m., on motion of Senator Greive, the Senate adjourned until 10:30 a. m., Friday, May 7, 1965.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## FIFTY-FOURTH DAY

### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Friday, May 7, 1965.

The Senate was called to order at 10:30 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Lennart, McMillan, Stender and Thompson, Jr.

On motion of Senator McCutcheon, Senator McMillan was excused.

On motion of Senator Moriarty, Jr., Senator Stender was excused.

On motion of Senator Atwood, Senators Lennart and Thompson, Jr., were excused.

The Color Guard, consisting of Pages Michael Dougherty, Color Bearer, and Verita Brazle, presented the Colors.

Reverend Walter A. MacArthur, pastor of the First Methodist Church of Olympia, offered prayer as follows:

"In the brooding silence of this still moment of prayer, Great God, we would wait for Thy presence to be felt. Grant us an inner greatness of spirit, a clearness of vision, a Godly gumption to meet and match the large designs of these demanding days.

"Stir up the whole body of the people to an active and creative participation in the affairs of State. We are so prone to let 'George' do it, and then complain about the way he does it.

"Now, we have faithfully done the work which was given us to do, in quietness and in confidence, we leave the result to Thy unerring judgment. What we have written, we have written, may our mistakes and failures, if any, be left in Thy merciful hands, our all-wise and benevolent God and Father. Amen."

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Substitute Senate Bill No. 41; also

Substitute Senate Bill No. 438 have inspected same, and find them correctly engrossed.

FRANK W. FOLEY, *Chairman.*

We concur in this report: Michael J. Gallagher, R. R. Bob Greive.

Senate Chamber,

Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 40; also

Substitute Senate Bill No. 438; also

Senate Bill No. 564; also

Senate Bill No. 563; also

Senate Concurrent Resolution No. 12 have inspected same, and find correctly engrossed.

FRANK W. FOLEY, *Chairman.*

We concur in this report: Martin J. Durkan, Michael J. Gallagher.

Senate Chamber,  
Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Substitute Senate Bill No. 41; also

Substitute Senate Bill No. 438 have inspected same, and find them correctly enrolled and certified.

FRANK W. FOLEY, *Chairman*.

We concur in this report: Michael J. Gallagher, R. R. "Bob" Greive.

Senate Chamber,  
Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 40; also

Substitute Senate Bill No. 374; also

Senate Bill No. 564; also

Senate Bill No. 565; also

Senate Concurrent Resolution No. 12; have inspected same, and find them correctly enrolled and certified.

FRANK W. FOLEY, *Chairman*.

We concur in this report: Martin J. Durkan, Michael J. Gallagher.

**Engrossed House Joint Memorial No. 30:**

Senate Chamber,  
Olympia, Wash., May 6, 1965.

Prohibiting restrictions on interstate sale of firearms (reported by Judiciary Committee):

MAJORITY recommends that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: R. Frank Atwood, Robert L. Charette, Fred H. Dore, Jack England, Frank W. Foley, H. B. Hanna, Karl Herrmann, August P. Mardesich, Nat Washington.

On motion of Senator Dore, the rules were suspended, Engrossed House Joint Memorial No. 30 was advanced to second reading and read the second time in full.

On motion of Senator Dore, the rules were suspended, Engrossed House Joint Memorial No. 30 was advanced to third reading, the second reading considered the third, and the memorial placed on final passage.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed House Joint Memorial No. 30 and the memorial passed the Senate by the following vote: Yeas, 35; nays, 0; absent or not voting, 10; excused, 4.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Freise, Guess, Hallauer, Hanna, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCutcheon, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Ryder, Sandison, Washington, Woodall—35.

Absent or not voting: Senators Gallagher, Gissberg, Greive, Henry, Herr, McCormack, Mardesich, Rasmussen, Talley, Williams—10.

Excused: Senators Lennart, McMillan, Stender, Thompson, Jr.—4.

Engrossed House Joint Memorial No. 30 having received the constitutional majority, was declared passed.

## PERSONAL PRIVILEGE

Senator McCutcheon:

"Mr. President, point of personal privilege:

"Last night about 1:30 in the morning I ran out of gas. I just got tired and went in and lay down in the majority caucus room and went sound asleep. As I was coming out of a very pleasant dream, I heard some eulogistic remarks being made about my friend, Senator Bill Raugust. I was embarrassed because I wasn't here. I didn't have my shoes on and I couldn't get them on fast enough, Senator Raugust, to come out and join with what the others said about you, and I do so now, and I don't want you to feel that I went home. I was waiting up for the last, but I didn't expect it to come at that moment, so I am here to join with all the rest in my very best wishes to you and I hope you will be back next session."

Senator Raugust:

"Mr. President and members of the Senate:

"I didn't want to speak this morning, but I do want to say this for my friend, Senator McCutcheon: He will always be in my memory so long as I live and regardless of which side of the aisle you are on, when you travel through my town, stop in. The coffee will always be on me, and you are a swell bunch of men and I'll never forget you."

The Secretary read:

## MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 40; also  
Substitute Senate Bill No. 41; also  
Substitute Senate Bill No. 438; also  
Senate Bill No. 565, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

The Speaker has signed: House Concurrent Resolution No. 16; also  
House Concurrent Resolution No. 18; also  
House Concurrent Resolution No. 33; also  
House Concurrent Resolution No. 38, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

## PERSONAL PRIVILEGE

Senator Knoblauch:

"Mr. President and members of the Senate:

"During these closing hours I would like to pay tribute to everyone who participated in the operation of the Senate kitchen downstairs. They were under duress from the press and other media. I want to extend my thanks to the committee, Gordon Sandison, Ed Riley and Davey Cowen for the splendid job they did. It was so good, it attracted state-wide attention. Also, I would like to say that I don't think I am really the one who should be standing up here eulogizing these gentlemen. I know that plenty of others gained more weight that I did from the splendid job they did and I think they are to be complimented."

On motion of Senator Moriarty, Jr., Senator Freise was excused.

## SIGNED BY THE PRESIDENT

The President signed: House Concurrent Resolution No. 16; also,  
House Concurrent Resolution No. 18; also,  
House Concurrent Resolution No. 33; also,  
House Concurrent Resolution No. 38.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
 Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

The House refuses to concur in the Senate amendment to Engrossed House Joint Resolution No. 7 and asks the Senate to recede therefrom, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Greive, the Senate receded from its amendments to Engrossed House Joint Resolution No. 7.

The President declared the question before the Senate to be the final passage of Engrossed House Joint Resolution No. 7, without the Senate amendments.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed House Joint Resolution No. 7, without the Senate amendments, and the resolution passed the Senate by the following vote: Yeas, 34; nays, 10; excused, 5.

Those voting yea were: Senators Atwood, Bailey, Charette, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, Lewis, McCormack, McCutcheon, Mardesich, Morgan, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Riley, Sandison, Talley, Washington—34.

Those voting nay were: Senators Chytil, Guess, Hallauer, Moriarty, Jr., Neill, Raugust, Redmon, Ryder, Williams, Woodall—10.

Excused: Senators Freise, Lennart, McMillan, Stender, Thompson, Jr.—5.

Engrossed House Joint Resolution No. 7, having received the constitutional two-thirds majority, was declared passed.

House of Representatives,  
 Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Substitute House Bill No. 709 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

**HOUSE AMENDMENT TO SENATE RESOLUTION**

House of Representatives,  
 Olympia, Wash., May 6, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Concurrent Resolution No. 10 with the following amendment:

On page 2, line 4 of the printed bill, being page 2, line 1 of the engrossed bill, after "administer oaths" strike all of the matter down to the period following "records" on line 5 of the printed bill, being line 2 of the engrossed bill, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Herrmann, the Senate concurred in the House amendment to Engrossed Senate Concurrent Resolution No. 10.

**ROLL CALL**

The Secretary called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 10, as amended by the House, and the resolution passed the Senate by the following vote: Yeas, 30; nays, 12; absent or not voting, 2; excused, 5.

Those voting yea were: Senators Bailey, Charette, Chytil, Connor, Cooney,

Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Rasmussen, Raugust, Redmon, Ryder, Washington, Woodall—30.

Those voting nay were: Senators Atwood, Cowen, Donohue, England, Guess, Lewis, Peterson (Ted), Petrich, Riley, Sandison, Talley, Williams—12.

Absent or not voting: Senators Dore, McCormack—2.

Excused: Senators Freise, Lennart, McMillan, Stender, Thompson, Jr.—5.

Engrossed Senate Concurrent Resolution No. 10, as amended by the House, having received the constitutional majority, was declared passed.

#### PERSONAL PRIVILEGE

Senator McCutcheon:

"Mr. President, point of personal privilege:

"As everyone knows, the senior Senator from Pierce county in point of continuous service is our very good friend, Senator Knoblauch of Sumner. The Puyallup Valley is represented very well by him and, deservedly, he is very well liked. Again, at another session, he has gone through without missing a roll call. I remember what Senator Woodall said facetiously made for regularity, but what makes for regularity in my good friend Reuben Knoblauch, is devotion to duty. He is always here, always devoted to the interests of his constituents, and I congratulate him once more."

#### MOTION

It was moved by Senator Durkan that the Committee on Constitution, Elections and Legislative Processes be relieved of further consideration of House Joint Resolution No. 25 and that the resolution be immediately considered by the Senate.

#### QUESTION OF CONSIDERATION

Senator Gallagher raised the question of consideration on the motion by Senator Durkan and the Senate voted not to consider the motion on a rising vote.

The President declared the Senate to be at ease for a meeting of the Committee on Rules and Joint Rules.

The President called the Senate to order at 12:30 p. m.

#### MOTION

At 12:30 p. m., on motion of Senator Greive, the Senate recessed until 1:30 p. m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:30 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Freise, Lennart, McMillan, Stender and Thompson, Jr., who were excused.

#### APPOINTMENT OF INTERIM COMMITTEES

It was moved by Senator Bailey that the following nominees be elected:

LEGISLATIVE BUDGET COMMITTEE (under the provisions of RCW 44.28.010):  
Senators Atwood, Durkan, Foley, Morgan, Moriarty, Jr., and Neill.

LEGISLATIVE COUNCIL (under the provisions of RCW 44.24.010 and Senate Bill No. 566, 1965 Ex.):

Senators Chytil, Gallagher, Gissberg, Greive, Keefe, Kupka, Peterson (Ted), Riley, Stender, Talley, Thompson, Jr., Williams and Woodall.

The motion was carried and the nominees to the Legislative Budget Committee and the Legislative Council were elected.

The President announced the appointments to the following interim committees:

JOINT COMMITTEE ON HIGHWAYS (under the provisions of Substitute Senate Bill No. 438, 1965 Ex.):

Senators Bailey, Donohue, Guess, Henry, Mardesich, Petrich, Raugust, Redmon and Washington.

On motion of Senator Bailey, the appointments to the Joint Committee on Highways were confirmed.

STATE PUBLIC PENSION COMMISSION (under the provisions of RCW 41.52.010):

Senators McCutcheon, Moriarty, Jr., Riley, Ryder and Sandison.

On motion of Senator Bailey, the appointments to the State Public Pension Commission were confirmed.

JOINT COMMITTEE ON EDUCATION (under the provisions of House Bill No. 442, 1965 Ex.):  
Senators Charette, Dore, England, Peterson (Lowell) and Thompson, Jr.

On motion of Senator Greive, the appointments to the Joint Committee on Education were confirmed.

TEMPORARY ADVISORY COUNCIL FOR PUBLIC HIGHER EDUCATION (under the provisions of Senate Bill No. 489, 1965 Ex.):

Senators Hallauer, Lewis, McCormack, Ryder and Sandison.

On motion of Senator Greive, the appointments to the Temporary Advisory Council for Public Higher Education were confirmed.

JOINT COMMITTEE ON GOVERNMENTAL COOPERATION (under the provisions of House Concurrent Resolution No. 19 - 1965 Ex.):

Senators England, Hanna and Knoblauch.

On motion of Senator Greive, the appointments to the Joint Committee on Governmental Cooperation were confirmed.

INTERIM COMMITTEE ON FISHERIES (under the provisions of House Concurrent Resolution No. 16 - 1965 Ex.):

Senators Charette, Gissberg, Lennart, Peterson (Ted), and Petrich.

On motion of Senator Greive, the appointments to the Interim Committee on Fisheries were confirmed.

LEGISLATIVE COMMITTEE ON GAME AND GAME FISH (under the provisions of House Concurrent Resolution No. 18 - 1965 Ex.):

Senators Donohue, Knoblauch, McMillan, Raugust and Redmon.

On motion of Senator Greive, the appointments to the Legislative Committee on Game and Game Fish were confirmed.

JOINT INTERIM COMMITTEE OF FACILITIES AND OPERATIONS (under the provisions of Senate Concurrent Resolution No. 25 - 1965 Ex.):

Senators Bailey, Chytil, Dore, Herr, Lewis and Woodall.

On motion of Senator Greive, the appointments to the Joint Interim Committee on Facilities and Operations were confirmed.

COMMITTEE ON WATER RESOURCES (under the provisions of House Concurrent Resolution No. 33 - 1965 Ex.):

Senators Chytil, Cooney, Guess, Hallauer and Peterson (Lowell).

On motion of Senator Greive, the appointments to the Committee on Water Resources were confirmed.

INTERIM COMMITTEE ON INSURANCE (under the provisions of Senate Concurrent Resolution No. 10 - 1965 Ex.):

Senators Connor, Freise, Herr, Herrmann and Redmon.

On motion of Senator Greive, the appointments to the Interim Committee on Insurance were confirmed.

COMMITTEE ON OVERSIGHT (under the provisions of Senate Concurrent Resolution No. 12 - 1965 Ex.):

Senators Greive, Lennart, McCutcheon, Washington and Williams.

On motion of Senator Greive, the appointments to the Committee on Oversight were confirmed.

COLUMBIA INTERSTATE COMPACT COMMISSION (under the provisions of RCW 43.57.010.):  
Senators Atwood and Cooney.

On motion of Senator Greive, the appointments to the Columbia Interstate Compact Commission were confirmed.

MUNICIPAL CODE (under the provisions of Senate Bill No. 235 - 1965 Ex.):

Senator Durkan.

On motion of Senator Greive, the appointment to the Municipal Code Committee was confirmed.

COMMITTEE ON INDUSTRIAL INSURANCE APPEALS (under the provisions of Senate Bill No. 564 - 1965 Ex.):

Senators Greive and Stender.

On motion of Senator Greive, the appointments to the Committee on Industrial Insurance Appeals were confirmed.

#### MOTION

At 1:50 p. m., on motion of Senator Greive, the Senate recessed until 2:15 p. m.

### SECOND AFTERNOON SESSION

The President called the Senate to order at 2:15 p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Freise, Lennart, McMillan, Stender and Thompson, Jr., who were excused.

The President declared the Senate to be at ease.

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

The Secretary called the roll and announced to the President that all Senators were present except Senators Freise, Lennart, McMillan, Stender and Thompson, Jr., who were excused.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 557, and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.



## SECOND READING OF BILLS

**House Bill No. 231**, by Representatives Beck, Haussler and Goldsworthy (by Departmental request):

Changing fees to be collected by supervisor of water resources.

The bill was read the second time by sections.

On motion of Senator Hallauer, the following amendments by Senators Hallauer, Bailey, Chytil and Cooney were adopted:

On page 3, line 20, add a new section following section 1 as follows:

*"NEW SECTION. Sec. 2. In order to finance the planned water resources study, and the preparation of recommendations and proposed legislation concerning all aspects of the state's water resources, to be undertaken by the interim committee for water resources, created by House Concurrent Resolution No. 33 of the 1965 extraordinary session, there is appropriated from the general fund to the legislature for the use of the interim committee for water resources the sum of twenty-five thousand dollars or as much thereof as may be necessary. Such appropriation shall be in addition to any other appropriation made for this purpose."*

In line 3 of the title, after the semicolon and before "amending" strike "and"

In line 5 of the title, after "90.03.470" and before the period, insert "; and making an appropriation".

On motion of Senator Hallauer, the rules were suspended, House Bill No. 231, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 231, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 2; excused, 5.

Those voting yea were: Senators Atwood, Bailey, Charette, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, England, Foley, Gallagher, Gissberg, Greive, Guess, Hallauer, Hanna, Henry, Herr, Keefe, Knoblauch, Kupka, Lewis, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Neill, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Raugust, Redmon, Riley, Ryder, Sandison, Talley, Washington, Williams, Woodall—42.

Absent or not voting: Senators Herrmann, McCormack—2.

Excused: Senators Freise, Lennart, McMillan, Stender, Thompson, Jr.—5.

House Bill No. 231, as amended by the Senate, having received the constitutional majority, was declared passed.

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

On motion of Senator Hallauer, the rules were suspended and House Bill No. 231, as amended by the Senate, was ordered immediately transmitted to the House.

**Substitute House Bill No. 655**, by Committee on Highways:

Increasing gas tax and providing for disposition of proceeds.

## REPORT OF STANDING COMMITTEE

**Substitute House Bill No. 655:**

Senate Chamber,  
Olympia, Wash., April 27, 1965.

Increasing gas tax and providing for disposition of proceeds (reported by Committee on Highways):

MAJORITY reports Substitute House Bill No. 655 out of committee as amended, without recommendation.

On page 2, section 1, line 32 after "expended" and before "for" insert "with other appropriated funds"

On page 2, section 1, line 33, after "projects" strike all of the matter down to and including "areas" on line 1, page 3 and insert "*in accordance with the provisions of chapter 47.05 RCW, relating to priority programing for state highways*"

On page 5, section 4, line 3 after "expended" and before "for" insert "*with other appropriated funds*"

On page 5, section 4, line 4, after "projects" strike all of the matter down to and including "areas" on line 5 and insert "*in accordance with the provisions of chapter 47.05 RCW, relating to priority programing for state highways*".

NAT WASHINGTON, *Chairman,*  
AL HENRY, *Vice Chairman.*

We concur in this report: Fred H. Dore, Martin J. Durkan, Frank W. Foley, Wilbur G. Hallauer, H. B. Hanna, Gordon Herr, Reuben A. Knoblauch, August P. Mardesich, Frances Haddon Morgan, Charles P. Moriarty, Jr., Ted G. Peterson, John A. Petrich, W. C. Raugust, Fred G. Redmon, Edward F. Riley, Don L. Talley, Walter B. Williams.

The bill was read the second time by sections.

It was moved by Senator Mardesich that the floor amendments presented by him be considered prior to the consideration of the Senate Committee on Highway amendments.

Debate ensued.

Senator Gissberg demanded a roll call and the demand was sustained by Senators Gallagher, Peterson (Lowell), Hallauer, Washington, Peterson (Ted), Williams, Lewis, Moriarty, Jr., and England.

#### MOTION

On motion of Senator Woodall, Senator McCormack was excused.

Senators Gissberg, Greive and Woodall demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant at Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all Senators being present except Senators Freise, Lennart, McCormack, McMillan, Stender and Thompson, Jr., who were excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

Debate ensued.

#### ROLL CALL

The Secretary called the roll on the motion by Senator Mardesich that his amendments be considered prior to consideration of the committee amendments and the motion was carried by the following vote: Yeas, 26; nays, 17; excused, 6.

Those voting yea were: Senators Bailey, Charette, Connor, Dore, Durkan, England, Foley, Gallagher, Gissberg, Hallauer, Henry, Herr, Herrmann, Knoblauch, Kupka, Lewis, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Rasmussen, Riley, Ryder, Sandison, Williams—26.

Those voting nay were: Senators Atwood, Chytil, Cooney, Cowen, Donohue, Greive, Guess, Hanna, Keefe, McCutcheon, Neill, Petrich, Raugust, Redmon, Talley, Washington, Woodall—17.

Excused: Senators Freise, Lennart, McCormack, McMillan, Stender, Thompson, Jr.—6.

It was moved by Senator Mardesich that the following amendment be adopted:

On page 2, section 1, line 33 after "projects" and before "All" on page 3, line 1, strike "*which will relieve acute traffic congestion areas.*" and insert: "*during the four year period commencing July 1, 1965 and ending June 30, 1969 as follows:*"

HIGHWAY NO.	LOCATION	1965-67 BIENNIUM		1967-69 BIENNIUM		Total
		Type of Work	Funds Allocated	Type of Work	Funds Allocated	Funds Allocated
<b>KING COUNTY</b>						
PSH No. 1-WM	US 99 Interchange at So. 118th St.....	Loc. & Constr...	\$1,040,000			\$1,040,000
PSH No. 1-WM	1st Avenue South Bridge.....	Constr. ....	4,100,000	Constr. ....	\$3,140,000	7,240,000
PSH No. 1-WM	SSH No. 1-K Interchange (Vic. 1st Ave. S. Br.).....			Loc. & Constr...	1,600,000	1,600,000
SSH No. 1-K	South 140th St. to Kenyon St.....	Constr. ....	915,000			915,000
PSH No. 1-WM	1st Ave. So. Bridge to E. Marginal Way.....	Loc. & R/W....	850,000	Loc., R/W, Constr.	1,750,000	2,600,000
PSH No. 5	So. 228th St. in Kent to FAI 405.....	Loc. & Constr...	860,000			860,000
PSH No. 5	Enumclaw to National Forest Boundary.....	Loc. & Constr...	210,000			210,000
PSH No. 1-EP	Northrup Interchange to Redmond.....	Loc. ....	50,000	Loc. & R/W....	1,050,000	1,100,000
SSH No. 2-M	Kent to FAI 405.....	Loc. & R/W....	120,000	Loc., R/W, Constr.	1,040,000	1,160,000
SSH No. 2-D	2nd Ave. So. in Kirkland to PSH No. 1-EP...	Reconnaissance ..	30,000			30,000
SSH No. 1-K	So. 160th St. to So. 140th St.....			Loc. & Constr...	1,525,000	1,525,000
SSH No. 2-B	US 99 to FAI 5 at Sno-King Line.....			Loc. & R/W.....	622,000	622,000
SSH No. 5-C	So. 180th St. to Renton.....			R/W .....	500,000	500,000
	Total King County.....		\$8,175,000		\$11,227,000	\$19,402,000
<b>SNOHOMISH COUNTY</b>						
PSH No. 15	Tester Road to Monroe.....	Loc., R/W, Constr.	\$ 760,000	Constr. ....	\$ 700,000	\$1,460,000
PSH No. 15	Everett to Cavalero's Corner.....	Constr. ....	3,151,000			3,151,000
PSH No. 1	41st & Rucker Ave. to Everett Freeway.....	Loc., R/W, Constr.	230,000			230,000
SSH No. 1-I	Mukilteo to 41st St. & Rucker in Everett....	Reconnaissance ..	45,000			45,000
SSH No. 1-W	Ferry Landing to Lynnwood.....	Reconnaissance ..	35,000			35,000
PSH No. 1	Marysville to SSH No. 1-A.....	Loc., R/W, Constr.	230,000	Constr. ....	800,000	1,030,000
SSH No. 1-Y	Lindstrom Road to FAI 5.....			Constr. ....	450,000	450,000
SSH No. 1-I	FAI 5 to US 99.....			Loc. & Constr....	545,000	545,000
	Total Snohomish County.....		\$4,451,000		\$2,495,000	\$6,946,000

HIGHWAY NO.	LOCATION	1965-67 BIENNIUM		1967-69 BIENNIUM		Total
		Type of Work	Funds Allocated	Type of Work	Funds Allocated	Funds Allocated
<b>SKAGIT COUNTY</b>						
PSH No. 1-AN	Swinomish Slough Bridge.....	Loc., R/W, Constr.	\$ 520,000			\$ 520,000
PSH No. 1-AN	Swinomish Slough Br. to FAI 5.....	Loc. & R/W.....	165,000			165,000
PSH No. 1-AN	Commercial Ave. in Anacortes to Swinomish.....	Loc. & Constr....	230,000			230,000
	Total Skagit County.....		\$ 915,000			\$ 915,000
<b>WHATCOM, SKAGIT AND OKANOGAN COUNTIES</b>						
PSH No. 16	Washington Pass to Rainy Pass.....	Loc. & Constr...	\$ 500,000	Constr. ....	\$ 500,000	\$1,000,000
	Skagit County Line West Toward Gorge Dam .....	Loc. & Constr...	500,000			500,000
	Total Whatcom, Skagit and Okanogan Counties .....		\$1,000,000		\$ 500,000	\$1,500,000
<b>PIERCE COUNTY</b>						
PSH No. 14	Nalley Valley to Sprague Ave. in Tacoma....	Constr. ....	\$ 100,000			\$ 100,000
PSH No. 5	SSH No. 5-D to Sumner.....	Loc. ....	66,000	R/W .....	450,000	516,000
PSH No. 14	Sprague Ave. to Narrows Bridge.....	Loc. ....	700,000			700,000
SSH No. 5-G	Polk St. to So. C/L Puyallup.....	Loc., R/W, Constr.	1,405,000	Constr. ....	2,135,000	3,540,000
PSH No. 5	Sumner to King County Line.....	Loc. ....	124,000	R/W & Constr...	870,000	994,000
SSH No. 5-G	So. C/L Puyallup to PSH No. 5.....	Loc. & R/W.....	320,000	R/W & Constr...	1,700,000	2,020,000
PSH No. 5	East 40th Street to Parkland.....	Loc. & R/W.....	800,000			800,000
SSH No. 5-E	Orting to So. Prairie .....	Bridges .....	60,000	Bridges .....	100,000	160,000
	Total Pierce County.....		\$3,575,000		\$5,255,000	\$8,830,000
<b>GRAYS HARBOR COUNTY</b>						
PSH No. 13	Arctic Jct. to Cosmopolis.....	Constr. ....	\$ 200,000	Constr. ....	\$ 532,000	\$ 732,000
PSH No. 9	Hoquiam Rv. Br. to ECL Aberdeen.....	Reconnaissance ..	50,000			50,000
	Total Grays Harbor County.....		\$ 250,000		\$ 532,000	\$ 782,000

HIGHWAY NO.	LOCATION	1965-67 BIENNIUM		1967-69 BIENNIUM		Total
		Type of Work	Funds Allocated	Type of Work	Funds Allocated	Funds Allocated
<b>CLALLAM COUNTY</b>						
PSH No. 9	Lee Creek to Fairview Road.....	Loc. & R/W.....	\$ 77,000	Constr. ....	\$ 557,000	\$ 634,000
SH No. 9-A	Elwha River Bridge.....	Loc., R/W, Constr.	100,000	Constr. ....	900,000	1,000,000
SSH No. 9-A	Clallam River to Pysht Jct.....	Loc. ....	33,000	Constr. ....	605,000	638,000
PSH No. 9	Fairview Road to Sequim.....	Loc. & Constr...	300,000	.....	.....	300,000
	Total Clallam County.....		\$ 510,000		\$2,062,000	\$2,572,000
<b>KITSAP COUNTY</b>						
PSH No. 21	Oyster Bay to Chico.....	Constr. ....	\$ 754,000	.....	.....	\$ 754,000
SSH No. 21-C	Belfair to Belfair State Park.....	.....	.....	Constr. ....	\$ 220,000	220,000
PSH No. 21	Chico to Silverdale.....	R/W .....	400,000	R/W .....	400,000	800,000
PSH No. 14	Manchester Wye to Pt. Southworth.....	Loc. ....	60,000	R/W .....	250,000	310,000
	Total Kitsap County.....		\$1,214,000		\$ 870,000	\$2,084,000
<b>MASON/KITSAP COUNTIES</b>						
PSH No. 14	Narrows Bridge to Sinclair Inlet.....	.....	.....	Constr. ....	\$ 695,000	\$ 695,000
	Total Mason/Kitsap Counties.....		.....		\$ 695,000	\$ 695,000
<b>JEFFERSON COUNTY</b>						
PSH No. 9	SSH No. 9-E to Discovery Bay.....	Loc. & R/W.....	\$ 50,000	.....	.....	\$ 50,000
	Total Jefferson County.....		\$ 50,000		.....	\$ 50,000
<b>THURSTON COUNTY</b>						
SSH No. 1-N	Bucoda to McKenna.....	Loc., R/W, Constr.	\$ 220,000	.....	.....	\$ 220,000
SSH No. 5-I	Lacey to Yelm.....	Constr. & two bridges (5-1/1 & 5-1/2)	100,000	Constr. & two bridges (5-1/1 & 5-1/2)	\$ 460,000	560,000
SSH No. 1-M	Littlerock to Rochester.....	Constr. ....	80,000	.....	.....	80,000
	Total Thurston County.....		\$ 400,000		\$ 460,000	\$ 860,000

HIGHWAY NO.	LOCATION	1965-67 BIENNIUM		1967-69 BIENNIUM		Total
		Type of Work	Funds Allocated	Type of Work	Funds Allocated	Funds Allocated
<b>PACIFIC COUNTY</b>						
PSH No. 12	Johnson Landing to Naselle Bridge.....	Constr.	\$ 470,000			\$ 470,000
SSH No. 13-A	North Cove to Grayland.....	Constr.	100,000			100,000
	Total Pacific County.....		\$ 570,000			\$ 570,000
<b>CLARK COUNTY</b>						
PSH No. 8	Washougal East to Lawton Creek.....			Constr.	\$ 798,000	\$ 798,000
SSH No. 1-T	Vic. Alcoa Plant to So. C/L Ridgefield.....	Loc., R/W, Constr.	\$ 450,000	Constr.	550,000	1,000,000
	Total Clark County.....		\$ 450,000		\$1,348,000	\$1,798,000
<b>SPOKANE COUNTY</b>						
PSH No. 3	So. C/L Spokane to N.P.R.R.....	Constr.	\$ 250,000			\$ 250,000
SSH No. 2-H	PSH No. 3 to Crestline in Spokane.....	Constr.	1,521,000			1,521,000
SSH No. 3-H	Pines Road—FAI 90 to Sprague Ave.....	Constr.	50,000			50,000
SSH No. 3-S	Indian Trail Road to Assembly St.....	Constr.	94,000			94,000
	Total Spokane County.....		\$1,915,000			\$1,915,000
<b>WHITMAN COUNTY</b>						
PSH No. 3	City of Oakesdale.....			Constr.	\$ 250,000	\$ 250,000
	Total Whitman County.....				\$ 250,000	\$ 250,000

*Thereafter the tax collected under this subdivision (2) shall be expended for such projects as may be designated by the legislature. The projects herein enumerated or hereafter designated, and the expenditure of funds therefor, shall in no manner affect the carrying out by the state highway commission and the department of highways of the projects proposed and scheduled in and by the "Highway commission biennial budget for highway construction, location and right-of-way acquisition" as presented to the 1965 legislature by the state highway commission and the department of highways."*

Debate ensued.

It was moved by Senator Woodall that the following amendment to the amendment by Senator Mardesich be adopted:

On page 5, following section 4, add a new section 5 as follows:

"NEW SECTION. Sec. 5. All laws relating to bill boards shall not apply to highways built with these funds."

Renumber the remaining section , "Sec. 6."

Debate ensued.

On motion of Senator Ryder, the amendment to the amendment was laid upon the table.

Senators Ryder, Peterson (Ted) and Sandison demanded the previous question and the demand was sustained on a rising vote.

#### POINT OF ORDER

Senator Greive:

"Mr. President, point of order:

"I would like to raise the point of order that this particular amendment is in direct violation of the eleventh amendment to the State Constitution in that it requires an appropriation for four years, rather than two."

Senator Gissberg:

"Mr. President, I would just like to state that while I dislike having to disagree with our majority floor leader, he is not stating the fact correctly. This is a two-year appropriation, only. It has a four-year allocation of projects. There is no four-year appropriation whatsoever in this bill. There is another amendment pending which takes care of the appropriation on a two-year basis. This is a four-year allocation of projects, and if you will read the first page of the amendment that is now being considered, it will be clear to the President that we are talking about only a two-year appropriation, but a four-year allocation of projects."

Senator Moriarty, Jr.:

"Mr. President, I would like to concur with the remarks of Senator Gissberg and also remind the President that if it were impossible to schedule matters beyond the end of the biennium, we could not have the priority programing Senator Washington has been talking about."

#### RULING BY THE PRESIDENT

The President:

"The President's ruling on the point of order as raised by Senator Greive:

"Amendment 11 to Article VIII, Section 4, of the Washington State Constitution provides in essence that the legislature shall make appropriations for payments to be made within one calendar month after the end of the next ensuing fiscal biennium. Therefore, this amendment restricts the appropriation of moneys so that the expenditures based on the appropriation may be advanced only within a twenty-five-month period.

"The amendment as proposed by Senator Mardesich does not appropriate money in any way, but merely sets up an allocation schedule for the highway projects. The President is advised that another amendment will be proposed which does appropriate funds in connection with this same issue and that the appropriation is for a two-year period.

"The point of order, therefore, is not well taken."

**MOTION**

On motion of Senator Moriarty, Jr., the rules were suspended and Senator Atwood was excused from under the Call of the Senate.

The President stated the question before the Senate to be the adoption of the amendment by Senator Mardesich.

Senator Washington demanded a roll call and the demand was sustained by Senators Greive, Donohue, Peterson (Lowell), Talley, Guess, Chytil, Moriarty, Jr., and Lewis.

**ROLL CALL**

The Secretary called the roll, and the amendment by Senator Mardesich was adopted by the following vote: Yeas, 24; nays, 18; excused, 7.

Those voting yea were: Senators Bailey, Charette, Connor, Dore, Durkan, England, Foley, Gallagher, Gissberg, Hallauer, Henry, Knoblauch, Kupka, Lewis, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Rasmussen, Riley, Ryder, Sandison, Williams—24.

Those voting nay were: Senators Chytil, Cooney, Cowen, Donohue, Greive, Guess, Hanna, Herr, Herrmann, Keefe, McCutcheon, Neill, Petrich, Raugust, Redmon, Talley, Washington, Woodall—18.

Excused: Senators Atwood, Freise, Lennart, McCormack, McMillan, Stender, Thompson, Jr.—7.

It was moved by Senator Mardesich that the following amendment be adopted:

On page 5, section 4, line 3 after "and" and before the period on line 5, strike "*shall be expended for location, right-of-way acquisition and construction of state highway projects which will relieve acute traffic congestion areas*" and insert "*during the four year period commencing July 1, 1965 and ending June 30, 1969 shall be expended for the location, right-of-way acquisition and construction of the state highway projects enumerated in subdivision (2) of section 1 of this 1965 amendatory act, and thereafter for such projects as may be designated by the legislature*".

Debate ensued.

**POINT OF ORDER**

Senator Guess:

"Point of order, Mr. President:

"This amendment very clearly states that this will cover a four-year period, beginning July 1, 1965 and ending June 30, 1969, that this amount shall be expended for location, right-of-way acquisition and construction of state highway projects enumerated in subdivision (2). This, by its own language, is very clearly in violation of the Eleventh Amendment."

Senator Mardesich:

"Mr. President, the only point I'd like to make is that it will be allocated. However, the appropriation in the bill is limited to a two-year period and in the amendment that will be offered it is limited to a two-year period."

Senator Gallagher:

"Mr. President, a further clarification:

"I think the Senator has raised the point that the acquisition of right-of-way is provided for. This provides for a notice to property owners. It does not necessarily mean that funds will be appropriated. There is no intention of spending over a four-year period. Now, if I may, we had the same thing happen in the district in which I reside where the Highway Commission acquired rights-of-way up to the point of 70th N.E. and then decided to discontinue. Later on through hardship cases I think they did enter into letters of intent. At least it gave those property owners which were in line of the freeway some manner of relief as far as mental relief so this is not necessarily the expenditure of funds."



Senator Hallauer:

"Mr. President:

"I believe the point of order by Senator Guess is not well taken. A parallel case is the ten-year plan that the Highway Commission, itself, projects which calls for the expenditure of money over a ten-year period. This is merely a suggestion of expenditures over a four-year period. It is not illegal."

Senator Mardesich:

"If there be no objections from the Senate, I have no objection to changing the word 'expended' to 'allocated'."

There being no objection, the correction was made upon the amendment. Debate ensued.

Senators Gallagher, Gissberg and Peterson (Lowell) demanded the previous question and the demand was sustained.

It was moved by Senator Guess that the rules be suspended to permit Senator Washington to speak upon the amendment.

The motion was lost on a rising vote.

Senator Washington demanded a roll call and the demand was sustained by Senators Raugust, Talley, Guess, Redmon, Chytil, Woodall, Hanna and Greive.

#### ROLL CALL

The Secretary called the roll, and the amendment by Senator Mardesich was adopted by the following vote: Yeas, 26; nays, 16; excused, 7.

Those voting yea were: Senators Bailey, Charette, Connor, Dore, Durkan, England, Foley, Gallagher, Gissberg, Hallauer, Henry, Herr, Knoblauch, Kupka, Lewis, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Riley, Ryder, Sandison, Williams—26.

Those voting nay were: Senators Chytil, Cooney, Cowen, Donohue, Greive, Guess, Hanna, Herrmann, Keefe, McCutcheon, Neill, Raugust, Redmon, Talley, Washington, Woodall—16.

Excused: Senators Atwood, Freise, Lennart, McCormack, McMillan, Stender, Thompson, Jr.—7.

The Secretary read the committee amendment to page 2, section 1, line 32.

#### POINT OF ORDER

Senator Henry:

"Mr. President, as I recall the first amendment by Senator Mardesich which was adopted struck that portion referring to congested areas, isn't that correct?"

Senator Washington:

"Mr. President, I wished to offer the Senate committee amendments because this one does provide that the funds will be spent in accordance with the priority program. If we adopt this amendment, I would hope that we might be able to clarify the amendment by Senator Mardesich."

The President declared the Senate to be at ease.

The President called the Senate to order.

On motion of Senator Moriarty, Jr., the committee amendments were laid upon the table.

It was moved by Senator Washington that the following amendment be adopted:

On page 5, line 12, add two new sections to read as follows:

"NEW SECTION. Sec. 6. There is hereby appropriated from the motor vehicle fund to the Washington state highway commission for the biennium ending June

30, 1967 the sum of twenty-one million seven hundred eighty-seven thousand dollars for location, rights-of-way acquisition and construction of state highway projects.

"NEW SECTION. Sec. 7. There is hereby appropriated from the motor vehicle fund to the department of motor vehicles for the biennium ending June 30, 1967 the sum of forty-eight thousand dollars for the collection of liquid fuel taxes."

#### POINT OF INQUIRY

Senator Gallagher:

"Mr. President, would Senator Washington yield to a question?"

"Senator Washington, is there any question in your mind as to the constitutionality of this appropriation within the bill? Is there some possibility that we might be placing ourselves in double jeopardy on the basis of recent Supreme Court rulings?"

Senator Washington:

"Mr. President:

"I believe there is still a serious question in the entire bill whether you call it 'expended' or 'allocated.' We have, in effect, contemplated the appropriation of funds for a four-year period, but in order to carry out even the first two years, I think, it would be advisable to have an amendment to perhaps place a little holy water on the bill."

Senator Gallagher:

"Well, I'm not so concerned about holy water as I am about hell water which you might possibly be pouring upon the bill, and I think if the measure passes, I am sure there are sufficient funds within the Governor's emergency funds to provide the necessary few dollars to carry out the purpose and intent of this act."

Senator Washington:

"I might say if there is any objection, I would be very happy to recall the amendment because I feel it is perhaps helping a bill that I am no longer in favor of, so with the permission of Senator Mardesich and Senator Gallagher, I will withdraw the amendment."

There being no objection, the amendment was withdrawn.

It was moved by Senator Guess that the following amendment be adopted:

On page 5, line 12, add a new section as follows:

"NEW SECTION. Sec. —. Sections 47.01.010 through 47.01.190, chapter 13, Laws of 1961 and RCW 47.01.010 through 47.01.190; sections 47.01.210 and 47.01.220, chapter 13, Laws of 1961 and RCW 47.01.210 and RCW 47.01.220 are hereby repealed."

Debate ensued.

On motion of Senator Riley, the amendment was laid upon the table.

The President declared the Senate to be at ease.

The President called the Senate to order.

#### MOTIONS

On motion of Senator Moriarty, Jr., the rules were suspended and Senators Guess and Raugust were excused from under the Call of the Senate.

On motion of Senator Gallagher, the rules were suspended, Substitute House Bill No. 655, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Petrich:

"Mr. President, I would like to ask Senator Mardesich to yield to a question:

"Senator Mardesich, in considering the bill as presently amended, setting up the various allocations for projects throughout the state, I am concerned with one matter. I am now referring to the highway construction program for the 1965-67 biennium prepared by the Washington State Highway Commission which sets forth various

projects throughout the biennium. Particularly referring to Project No. 313, Tacoma Nalley Valley viaduct to Sprague Avenue, total amount, \$2,156,587 allocated. In referring to the bill as amended, on page five of your amendment that same project is listed at only \$100,000. Is it the intention of this bill as amended to cut down the allocation of that particular project in Pierce county from the \$2-million plus figure to \$100,000?"

Senator Mardesich:

"Mr. President and Lady and Gentlemen of the Senate:

"If you will look at the last page of the large amendment as offered, you will note that it says the projects herein enumerated or hereafter designated and the expenditure of funds therefor shall in no manner affect the carrying out by the state highway commission and the department of highways of the projects proposed and scheduled in and by the highway commission biennial budget for highway construction, location and right-of-way acquisition as presented to the 1965 legislature by the state highway commission and the department of highways.

"The reason that you see some projects appearing by name, at least in the original highway budget document and the project list in the amendment, is that this amendment speeds up the completion of those projects. Moneys allocated in the original projects list will be expended. This amendment will spend an additional amount to speed up completion of the projects. They are not one and the same. These moneys are in addition to the projects already designated and that is the reason for the last page of the amendment offered by me."

Senator Petrich:

"Will Senator Mardesich yield to another question?"

"Senator, am I correct then in assuming that this bill as presently amended supplements and is in addition to the allocation of the highway department in their proposed budget and proposed projects?"

Senator Mardesich:

"Your interpretation is the same as mine. My intention, when I drafted the amendment, and I am sure the intention of the majority which passed it was that this would be in addition to those projects listed in the regular budget."

Debate ensued.

#### MOTIONS

It was moved by Senator Talley that Substitute House Bill No. 655, as amended by the Senate, be referred to the Committee on Highways.

On motion of Senator Sandison, the motion by Senator Talley was laid upon the table.

Debate ensued.

Senators Ryder, Riley and Gallagher demanded the previous question and the demand was sustained.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 655, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 27; nays, 13; excused, 9.

Those voting yea were: Senators Bailey, Charette, Connor, Dore, Durkan, England, Foley, Gallagher, Gissberg, Hallauer, Henry, Herr, Knoblauch, Kupka, Lewis, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Riley, Ryder, Sandison, Wil-liams—27.

Those voting nay were: Senators Chytil, Cooney, Cowen, Donohue, Greive, Hanna, Herrmann, Keefe, Neill, Redmon, Talley, Washington, Woodall—13.

Excused: Senators Atwood, Freise, Guess, Lennart, McCormack, McMillan, Raugust, Stender, Thompson, Jr.—9.

Substitute House Bill No. 655, as amended by the Senate, having received the constitutional majority, was declared passed.

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

It was moved by Senator Mardesich that the rules be suspended and that Substitute House Bill No. 655, as amended by the Senate, be immediately transmitted to the House.

#### PERSONAL PRIVILEGE

Senator Washington:

"Mr. President and members of the Senate:

"I would hope—and I would like this to be a matter of record—there is one last opportunity to recognize what has been done here, that you have really set the pattern and this isn't just going to affect highways. It's going to affect everything we do from now on. Before, there were only a limited number of things that you could trade on as far as highways were concerned. Now in everything that comes up, there will be thousands of items that you can trade on to get votes in every field of legislation. When it comes to redistricting next time, it's going to be a road here and a road there. When it comes to a school or an appropriation for a college, it's going to be for a road here or a road there. I'm speaking against the motion to transmit and I will take one minute and you can decide what you want to do. I would hope that someone who voted on the prevailing side would move to reconsider and then we can go back and pass the amendment which the committee on highways has put forth. We can pass this one-cent gasoline tax bill that we need so badly and let the highway commission operate the way they have in the past."

The motion by Senator Mardesich was carried and Substitute House Bill No. 655, as amended by the Senate, was ordered immediately transmitted to the House.

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

The Secretary read:

#### MESSAGES FROM THE HOUSE

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| <p>MR. PRESIDENT:<br/>The Speaker has signed Substitute House Bill No. 709; also House Joint Memorial No. 30, and the same are herewith transmitted.</p> | <p>House of Representatives,<br/>Olympia, Wash., May 7, 1965.<br/>S. R. HOLCOMB, <i>Chief Clerk.</i></p> |
| <p>MR. PRESIDENT:<br/>The Speaker has signed House Joint Resolution No. 7, and the same is herewith transmitted.</p>                                     | <p>House of Representatives,<br/>Olympia, Wash., May 7, 1965.<br/>S. R. HOLCOMB, <i>Chief Clerk.</i></p> |
| <p>MR. PRESIDENT:<br/>The House has concurred in the Senate amendments to House Bill No. 231 and has passed the bill as amended by the Senate.</p>       | <p>House of Representatives,<br/>Olympia, Wash., May 7, 1965.<br/>S. R. HOLCOMB, <i>Chief Clerk.</i></p> |

#### SIGNED BY THE PRESIDENT

**The President signed: Substitute House Bill No. 709; also,  
House Joint Memorial No. 30; also,  
House Joint Resolution No. 7.**

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| <p>MR. PRESIDENT:<br/>Under the provisions of Senate Bill No. 564, the Speaker has appointed as members of the Committee on Industrial Insurance Appeals:<br/>Representatives Sheridan and Whetzel.</p> | <p>House of Representatives,<br/>Olympia, Wash., May 7, 1965.<br/>S. R. HOLCOMB, <i>Chief Clerk.</i></p> |
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House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

Under the provisions of RCW 1.08.081, the Speaker has appointed as members of the Statute Law Committee:

Representatives Burtch, Klein and Johnston (Elmer E.).

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

Under the provisions of RCW 2.52.010, the Speaker has appointed as members of Judicial Council:

Representatives Klein and Bottiger.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

Under the provisions of Senate Concurrent Resolution No. 12, the Speaker has appointed as members of the Committee on Oversight:

Representatives Bergh, Chatalas, Gallagher, Smith, Clark, Saling and Cunningham.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

Under the provisions of House Concurrent Resolution No. 33, the Speaker has appointed as members of the Committee on Water Resources:

Representatives Epton, Anderson (Eric O.), Jolly, Bledsoe and O'Dell.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

Under the provisions of Senate Bill No. 489, the Speaker has appointed as members of the Temporary Advisory Council for Public Higher Education:

Representatives, Radcliffe, Savage, Valle, Lynch and McCaffree.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

Under the provisions of Senate Bill No. 235, the Speaker has appointed as a member of the Municipal Code:

Representative Marsh.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

Under the provisions of RCW 43.57.010, the Speaker has appointed as members of the Columbia Interstate Compact Commission:

Representatives Haussler and Newhouse.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

Under the provisions of House Concurrent Resolution No. 38, the Speaker has appointed as members of the Constitutional Advisory Council:

Representatives Klein and Pritchard.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

Under the provisions of Senate Bill No. 566, the Speaker has appointed the following additional members of the Legislative Council:

Representatives Moon, O'Brien and Eldridge.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

Under the provisions of Substitute Senate Bill No. 438, the Speaker has appointed as members of the Joint Committee on Highways:

Representatives Sawyer, Conner, Bozarth, Beck, Witherbee, McCormick, Leland, Wang, McDougall and Berentson.  
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

Under the provisions of House Bill No. 442, the Speaker has appointed as members of the Joint Committee on Education:

Representatives Brouillet, Grant, Johnson (Doris), Mahaffey and Flanagan.  
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

Under the provisions of House Concurrent Resolution No. 19, the Speaker has appointed as members of the Joint Committee on Governmental Cooperation:

Representatives Litchman, Kull and Kirk.  
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

Under the provisions of House Concurrent Resolution No. 16, the Speaker has appointed as members of the Interim Committee on Fisheries:

Representatives Traylor, King (Dick), King (Chet), Kink and Hawley.  
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

Under the provisions of RCW 41.52.010, the Speaker has appointed as members of the State Public Pension Commission:

Representatives Lux, Warnke, Hurley, Newschwander and Humiston.  
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

Under the provisions of Senate Concurrent Resolution No. 10, the Speaker has appointed as members of the Interim Committee on Insurance:

Representatives Haussler, Rogers, Braun, Andersen (James A.) and Veroske.  
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

Under the provisions of Senate Concurrent Resolution No. 25, the Speaker has appointed as members of the Joint Interim Committee on Facilities and Operations:

Representatives Olsen, Day, Jastad, Andersen (James A.), Morphis and Wolf.  
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

Under the provisions of House Concurrent Resolution No. 18, the Speaker has appointed as members of the Legislative Committee on Game and Game Fish:

Representatives Avey, Marzano, Kalich, Braun, Mast and Finch.  
S. R. HOLCOMB, *Chief Clerk*.

The President called upon Senator Gissberg to preside.

**INTRODUCTION AND FIRST READING OF BILL**

The following was introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 570**, by Senators Mardesich and Williams:

An Act relating to highways; making appropriations, declaring an emergency; and providing an effective date.

On motion of Senator Mardesich, the rules were suspended, Senate Bill No. 570 was advanced to second reading and read the second time in full.

On motion of Senator Woodall, the rules were suspended and Senators Keefe and Cowen were excused from under the Call of the Senate.

**PARLIAMENTARY INQUIRY**

Senator Gallagher:

"Mr. President:

"Will it be necessary that the Senate resolve itself into a Committee of the Whole or will the record show that we have done that?"

It was moved by Senator Moriarty, Jr., that the rules be suspended and that the Senate do now consider Senate Bill No. 570 without resolving itself into a Committee of the Whole.

The motion was carried.

On motion of Senator Mardesich, the rules were suspended, Senate Bill No. 570 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate Bill No. 570 and the bill passed the Senate by the following vote: Yeas, 30; nays, 9; excused, 10.

Those voting yea were: Senators Bailey, Charette, Connor, Cooney, Dore, Durkan, England, Foley, Gallagher, Gissberg, Hallauer, Hanna, Henry, Herr, Herrmann, Knoblauch, Kupka, Lewis, McCutcheon, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Riley, Ryder, Sandison, Williams—30.

Those voting nay were: Senators Chytil, Cowen, Donohue, Greive, Neill, Redmon, Talley, Washington, Woodall—9.

Excused: Senators Atwood, Freise, Guess, Keefe, Lennart, McCormack, McMillan, Raugust, Stender, Thompson, Jr.—10.

Senate Bill No. 570 having received the constitutional majority, was declared passed.

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

On motion of Senator Mardesich, the rules were suspended and Senate Bill No. 570 was ordered immediately transmitted to the House.

The President resumed the Chair.

The President declared the Senate to be at ease.

The President called the Senate to order.

**MOTION**

On motion of Senator Hanna, the rules were suspended and Senator Hallauer was excused from under the Call of the Senate.

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

The Secretary read:

**REPORT OF STANDING COMMITTEE**

Senate Chamber,  
Olympia, Wash., May 7, 1965.

**MR. PRESIDENT:**

Your Committee on Claims and Auditing, to whom was referred Senate Bill No. 557; also

Senate Bill No. 570; also

Engrossed Senate Concurrent Resolution No. 10, have inspected same, and find them correctly enrolled and certified.

....., *Chairman.*

We concur in this report: Fred H. Dore, Michael J. Gallagher, Marshall A. Neill.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., May 7, 1965.

**MR. PRESIDENT:**

The Speaker has signed: House Bill No. 231, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 7, 1965.

**MR. PRESIDENT:**

The House has passed Senate Bill No. 570, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 7, 1965.

**MR. PRESIDENT:**

The House refuses to concur in the Senate amendments to Substitute House Bill No. 655 and asks the Senate to recede therefrom, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**MOTIONS**

It was moved by Senator Gissberg that the Senate adhere to its position on Substitute House Bill No. 655 and the Senate amendments thereto.

Debate ensued.

It was moved by Senator Washington that the Senate recede from its amendments to Substitute House Bill No. 655.

**PARLIAMENTARY INQUIRY**

Senator Gissberg:

"Mr. President, point of parliamentary inquiry:

"Which of these two motions has prior rank?"

Senator Woodall:

"Mr. President:

"The motion which tends to put the two bodies together has priority over the one which tends to continue the controversy."

**RULING BY THE PRESIDENT**

The President:

"Reed's Rule 247: 'Motions relating to agreement and disagreement between the two houses: These motions are five in number, and have priority in the following order: To concur. To non-concur. To recede. To insist. To adhere.'

"The President believes the motion to recede is of a higher rank."



Debate ensued.

**COMMITTEE FROM THE HOUSE**

The Sergeant at Arms announced the arrival of a Committee from the House.

**PARLIAMENTARY INQUIRY**

Senator Woodall:

"Mr. President, point of parliamentary inquiry:

"Which takes priority, a motion to concur with the House, or a committee from the House announcing the *Sine Die* of the legislature?"

**REPLY BY THE PRESIDENT**

The President:

"That is a question the President wishes to have settled."

Senator Woodall:

"Mr. President:

"I should like to remind the President that anything which tends to get the two houses in the same frame of mind takes priority, so I think the committee should take precedence since a motion to adjourn *Sine Die* would put the houses in the same frame of mind."

The committee from the House comprised of Representatives Day, Clark and King appeared before the bar of the Senate to notify the Senate that the House was about to adjourn *Sine Die*.

The report was received and the committee retired.

The President declared the question before the Senate to be the motion by Senator Washington that the Senate recede from its amendments to Substitute House Bill No. 655.

The motion was lost on a rising vote and the Senate refused to recede.

**MOTION**

On motion of Senator Gissberg, the Senate dispensed with the Call of the Senate.

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 557; also,**

**Senate Bill No. 570; also,**

**House Bill No. 231; also**

**Senate Concurrent Resolution No. 10.**

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 557; also  
Senate Concurrent Resolution No. 10, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 570, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

**SENATE RESOLUTION**  
No. 1965 EX -36

By Senators Bailey, Neill and Greive:

WHEREAS, The First Extraordinary Session of the Thirty-ninth Legislature is drawing to a close; and

WHEREAS, It is necessary to provide for the completion of the work of the Senate after its adjournment;

Now, Therefore, *Be It Resolved*, That the Secretary of the Senate is hereby authorized and directed to complete the work of said Extraordinary Session, to reply to and give necessary attention to correspondence and other details arising therefrom; and

*Be It Further Resolved*, That the Secretary of the Senate be, and he hereby is, authorized to retain such employees as he may deem necessary and that said employees and the Secretary of the Senate be allowed such per diem rate of pay therefor as the Senate Standing Committee on Employment shall determine; and

*Be It Further Resolved*, That all bills incurred up to and including this date, covering Senate expenditures made, or obligations incurred, which are payable out of the funds appropriated for the payment of expenses, except legislative printing, of the First Extraordinary Session of the Thirty-ninth Legislature of the state of Washington, and which are presented for payment after adjournment of the First Extraordinary Session of the Thirty-ninth Legislature, before payment is authorized must bear the approval of the President or the President Pro Tempore of the Senate, and the Secretary of the Senate; and

*Be It Further Resolved*, That the Secretary of the Senate be, and he hereby is, authorized and directed to make out and execute with the President, or the President Pro Tempore, the necessary vouchers upon which warrants for the foregoing expenses and expenditure shall be drawn from funds provided therefore for legislative expenses; and

*Be It Further Resolved*, That the Secretary of the Senate be, and hereby is, authorized and directed to have a copy of the Senate Journal of the First Extraordinary Session of the Thirty-ninth Legislature, together with a suitable index therefor, prepared by the State Printer; and

*Be It Further Resolved*, That after the close of the Session the Secretary of the Senate, and the President, or the President Pro Tempore of the Senate be, and they hereby are, authorized and directed to prepare and execute the necessary vouchers, upon which warrants shall be drawn for the final payment of all expenses incurred after the adjournment of this First Extraordinary Session of the Thirty-ninth Legislature in closing the business of such session.

On motion of Senator Greive, the resolution was adopted.

**SENATE RESOLUTION**  
No. 1965 EX -32

By Senators Bailey, Chytil and Greive:

WHEREAS, We, the members of the Senate, have had present with us as co-laborers during the Thirty-ninth Session, not only the members of the House of Representatives, but also representatives of the press, radio and television; and

WHEREAS, The visiting newspaper correspondents of the various public journals of the state and representatives of the various television channels and radio stations have, by their frequent courtesies, their close attention to business, and their careful account of the proceedings, worked, as we have striven to do, for the best interests of the people of the state of Washington, always with a kindly fellow feeling and with loyalty to the papers, the television channels, and radio stations they represent; and

WHEREAS, The Allied Daily Newspapers of Washington, during said sessions, has supplied each Senator with daily complimentary copies of two Washington dailies of the Senator's choice;

Now, Therefore, *Be It Resolved*, That the Senate extends its thanks for these courtesies and good will, its praise for good work well done, and the hope that in the fortieth Legislature all may meet again and renew old friendships.

On motion of Senator Bailey, the resolution was adopted.

**SENATE RESOLUTION**  
No. 1965 EX -33

By Senators Riley and Ryder:

WHEREAS, During the Thirty-ninth Session of the Washington State Legislature the Washington State Research Council has prepared and delivered a daily service consisting of status reports of all House and Senate bills; and

WHEREAS, Such status reports provided information not otherwise easily obtainable; and

WHEREAS, Such service was of great benefit to members of both houses and to others interested in following the course of bills in the Legislature; and

WHEREAS, The members of the Senate are unanimous in their desire to express their appreciation to the Washington State Research Council;

Now, Therefore, Be It Resolved, That the Senate commend the Washington State Research Council for its service and express its gratitude and appreciation for it; and

Be It Further Resolved, That the Secretary of the Senate transmit a copy of this resolution to the Washington State Research Council.

On motion of Senator Riley, the resolution was adopted.

**SENATE RESOLUTION**  
No. 1965 EX -34

By Senators Talley and Williams:

WHEREAS, The members of the Senate of the Thirty-ninth Session and the First Extraordinary Session of the Washington State Legislature have been furnished, without cost to them or to the state of Washington, and without comment for or against any bill or resolution, a digest and analysis of all bills and resolutions introduced in the Senate and House of Representatives; and

WHEREAS, The legislative digest has been of great service to members of the Senate; Now, Therefore, Be It Resolved, That the Senate does hereby express its gratitude and appreciation to the Association of Washington Industries for this service in the interest of good government; and

Be It Further Resolved, That a copy of this resolution be entered upon the Journal and a copy suitably enrolled be sent to Joe J. King, executive vice president and each of the officers of the Association of Washington Industries and the editor of the legislative digest, the Honorable C. Lee Coulter.

On motion of Senator Greive the resolution was adopted.

The President called upon Senator Charette to preside.

**SENATE RESOLUTION**  
No. 1965 EX -35

By Senators Cowen and Woodall:

WHEREAS, Lieutenant Governor John A. Cherberg has presided over the Senate at the Regular Session and the First Extraordinary Session of the Thirty-ninth Legislature of the state of Washington with his usual fairness and impartiality; and

WHEREAS, He has firmly established himself in this and the four previous sessions over which he has presided, as an able parliamentarian and presiding officer; and

WHEREAS, He has worked closely with members of the Senate irrespective of their party affiliation to the end that legislation in the public good has been enacted; and

WHEREAS, His presiding over the Senate in a judicious manner has added stature and decorum to the proceedings of this body; and

WHEREAS, As chairman of the Committee on Rules and Joint Rules he has accepted the responsibility seriously, labored diligently for long hours under often-times difficult circumstances to the end that the work of the committee be successful and effective; and

WHEREAS, His outstanding qualities of leadership have upon many occasions brought divergent groups together with results which have proved to be in the best interest of all the people of the state of Washington and contributed much to the smooth operation of the legislature;

Now, Therefore, Be It Resolved, That the Senate extend its thanks, appreciation and praise to Lieutenant Governor John A. Cherberg for good work well done; and

*Be It Further Resolved*, That the Secretary of the Senate suitably enroll a copy of this resolution and transmit the same to Lieutenant Governor John A. Cherberg; and *Be It Further Resolved*, That a copy of this Resolution be entered in the Senate Journal.

On motion of Senator Greive, the resolution was adopted.  
The President resumed the Chair.

#### PRESIDENT'S PRIVILEGE

The President:

"Thank you very much, members of the Senate. The President certainly appreciates this resolution very much. The President realizes that were it not for the fine understanding and good personality and patience and humor of all of the Senators, that the President would have been in difficulty many, many times."

The Secretary read:

#### SENATE RESOLUTION No. 1965 EX -38

By Senators Henry and Atwood:

*Be It Resolved*, That all bills, resolutions and memorials in the hands of the Secretary of the Senate, committees or committee clerks be indefinitely postponed.

On motion of Senator Greive, the resolution was adopted.

#### SENATE RESOLUTION No. 1965 EX -37

By Senators Moriarty, Jr., and Greive:

*Be It Resolved*, That a committee of three members of the Senate be appointed to notify the House that the Senate is ready to adjourn *Sine Die*.

On motion of Senator Greive, the resolution was adopted.

#### APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of the Senate resolution, the President appointed Senators Charette, Moriarty, Jr., and Donohue as the committee of three members of the Senate to notify the House that the Senate was ready to adjourn *Sine Die*.

On motion of Senator Riley, the committee appointments were confirmed.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

The House has adopted House Concurrent Resolution No. 39, and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

#### FIRST READING OF HOUSE RESOLUTION

The following was read first time by title and acted upon as indicated:

**House Concurrent Resolution No. 39**, by Committee on Rules and Order: To notify the Governor that the legislature is ready to adjourn *Sine Die*.

On motion of Senator Bailey, the rules were suspended, House Concurrent Resolution No. 39 was advanced to second reading and read the second time in full.

On motion of Senator Bailey, the rules were suspended, House Concurrent Resolution No. 39 was advanced to third reading, the second reading considered the third, and the resolution placed on final passage and adopted.

**APPOINTMENT OF SPECIAL COMMITTEE**

Under the provisions of House Concurrent Resolution No. 39, the President appointed Senators Hanna, Gallagher and Neill as the committee of three members from the Senate to notify the Governor that the Senate was about to adjourn *Sine Die*.

On motion of Senator Bailey, the committee appointments were confirmed.

**REPORT OF SPECIAL COMMITTEE**

The Senate members of the special committee composed of Senators Charette, Moriarty, Jr., and Donohue appointed to notify the House that the Senate was ready to adjourn *Sine Die* reported that the House had been notified.

The report was received and the committee was discharged.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

The Speaker has appointed as members of the Committee under the provisions of House Concurrent Resolution No. 39, to notify the Governor that the Legislature is read to adjourn *Sine Die*.

Representatives O'Brien, Olsen and Copeland.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., May 7, 1965.

MR. PRESIDENT:

The Speaker has signed: House Concurrent Resolution No. 39, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

**SIGNED BY THE PRESIDENT**

**The President signed: House Concurrent Resolution No. 39.**

**REPORT OF SPECIAL COMMITTEE**

The Senate members of the special committee composed of Senators Hanna, Gallagher and Neill, appointed to notify the Governor that the legislature was about to adjourn *Sine Die*, appeared before the bar of the Senate and reported that the committee had so notified the Governor and that the Governor was willing that the Legislature adjourn *Sine Die*.

The report was received and the committee was discharged.

**MOTIONS**

On motion of Senator Greive, the Senate journal of the fifty-fourth day of the Thirty-ninth Legislature was ordered approved.

At 6:50 p. m., on motion of Senator Greive, the Senate of the Thirty-ninth Legislature, First Extraordinary Session, adjourned *Sine Die*.

JOHN A. CHERBERG, *President of the Senate*.

WARD BOWDEN, *Secretary of the Senate*.



**GOVERNOR'S MESSAGES ON SENATE BILLS VETOED,  
PARTIALLY VETOED OR NOT SIGNED**

January 26, 1965.

To the Honorable,  
The Senate of the State of Washington

Lady and Gentlemen:

I am returning herewith, without my approval, **Senate Bill No. 2** entitled:

"AN ACT Relating to the legislature; providing for the re-districting and reapportionment thereof; repealing Chapter 5, Laws of 1957, Chapter 289, Laws of 1957 and Chapter 44.06 RCW; and declaring an emergency."

In my inaugural message on January 13, 1965, I urged the legislature to pass promptly a constitutional redistricting bill which would insure that the party which wins a majority of votes would win a majority of the seats in the legislature. Senate Bill No. 2 totally fails to meet this goal. I have reached this conclusion after a great deal of thought and after meeting with the chief proponents of the bill in the House and Senate.

After considering all of the facts I am convinced that this bill would thwart the will of the majority and guarantee perpetual control of the legislative process by one party.

As Governor, I have a responsibility to all the people of the state, Republicans, Democrats and Independents alike, to see that they have the right to choose by majority vote, the party which will lead the legislature. This bill would deprive the people of the fundamental goal of the two party system.

For these reasons I have vetoed Senate Bill No. 2.

Yesterday I called together the legislative leaders of both parties and urged them to lay aside partisan considerations and to negotiate in good faith a redistricting bill which will be fair to all of the people of the state. When such a bill is presented to me, I will approve it promptly.

It is now the 16th day of the legislative session. The public business is pressing and demands immediate action.

Respectfully submitted,

DANIEL J. EVANS,  
Governor.

March 20, 1965.

To the Honorable,  
The Senate of the State of Washington  
(Through the Secretary of State)

Lady and Gentlemen:

I am filing herewith to be transmitted to the Senate without my approval as to one item, **Senate Bill No. 6**, entitled:

"AN ACT Establishing a code of probate law and procedure, including the making and probating of wills, administration of estates of deceased persons and appointment of guardians of the persons and estates of minors, insane and mentally incompetent persons and administration of their estates; enacting a title of the

Revised Code of Washington to be known as Title 11—Probate Law and Procedure; providing penalties; repealing certain acts and parts of acts; and declaring an effective date.”

This bill culminates three years of work by the Washington State Bar Association to modernize the state probate code. Its enactment will eliminate unnecessary expense in the administration of estates, accelerate the settlement of decedent's estates, and liberalize the administration of small estates.

I am particularly pleased that the legislature chose to use this bill as a vehicle for the removal of appraisals of decedent's property from the area of political patronage. This provision of the bill will greatly assist in my desire to create confidence of the people of our state in clean government, and will reduce unnecessary expense to the survivors of a decedent.

The section of the bill numbered RCW 11.04.015 (1) (a) originally provided that if a person died without a will, the surviving spouse would receive all the net community estate. This section was amended by the legislature to provide that in certain situations the surviving spouse would receive only three-quarters of the net community estate.

The effect of this amendment is as follows:

1. If a person dies, leaving no children, one-half of the community property passes to the parents rather than the surviving spouse.
2. If no parents or children survive the decedent, one-half of the community property passes to brothers and sisters rather than the surviving spouse.
3. If no children, parents, or collateral heirs survive the decedent, one-half the community estate will escheat to the state.

This unintended effect would obviously defeat the entire purpose of enactment of a new probate code. To allow it to remain in the law during the next two years, even though the new code will not become effective, would be a disservice to the legislature. I have therefore vetoed the following language of Section 11.04.015 (1) (a):

“If the intestate is survived by issue or by either parent, three-fourths of”

The section will therefore read:

“(1) Share of surviving spouse. The surviving spouse shall receive the following share:

(a) The net community estate; and”

I urge that the legislature reenact this language at the next session of the legislature to insure that it accurately expresses their intent.

The remainder of Senate Bill No. 6 is approved.

Respectfully submitted,

DANIEL J. EVANS,

Governor.

March 17, 1965.

To the Honorable,  
The Senate of the State of Washington  
(Through the Secretary of State)

Lady and Gentlemen:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval, **Senate Bill No. 29**, entitled:



“AN ACT Relating to education and the support of the common schools; amending section 3, chapter 276, Laws of 1959 and RCW 28.48.010; amending section 9, chapter 141, Laws of 1945 and RCW 28.48.030; and making an effective date.”

Senate Bill No. 29 changes the method of distributing state aid for schools from ten monthly payments from September through June to twelve monthly payments each year. The underlying purpose of this bill is to commit the state to a distribution in July and August of 1967 which the school districts of the state can anticipate in their planning for the 1966-67 school year, thus enabling them to carry out an improved educational program in the biennium ahead.

This aspect of the bill has been anticipated in Senate Bill No. 374, the Omnibus Appropriation Bill, which projects \$42,308,216 as the “carry-over” amount.

However, this deferral of \$42.3 million is not fiscally sound, if used entirely as a budget-balancing device. This would be tantamount to setting the fuse to a \$42 million bomb that will explode in the legislature’s face at the next session.

We should face up to the cost of supporting the needed increase in the level of educational services at this session, at least to the extent of \$20 million for deficit reduction. A measure such as Senate Bill No. 29 is sound only when included with an appropriation act and revenue measure that taken together result in a balanced budget accompanied by a \$20 million reduction in the general fund deficit. Therefore, I consider the bill premature at this time.

Moreover, Senate Bill No. 374 anticipates that the twenty-four payments to support school districts in 1965-67 will begin with September, 1965, rather than with July, 1965, as provided in Senate Bill No. 29. This aspect of Senate Bill No. 29 would serve to nullify, or at least to confuse the purpose of improving the educational program by projecting distributions after June 30, 1967, to pay part of the 1966-67 school year costs.

As written, Senate Bill No. 29 would mandate a distribution of between \$30 and \$35 million of General Fund tax money during July and August of *this* year, a period when *no* distribution would ordinarily be made, and a period for which school districts have already planned on the basis of no state aid.

The effect of this aspect of the bill would be to transfer to school district treasuries substantial sums of money in advance of actual need, to draw interest for their benefit at a corresponding increased cost to the hard-pressed General Fund.

The effective date of the act should be September 1, 1965.

For the foregoing reasons I have vetoed Senate Bill No. 29.

I will support a properly drafted measure to extend school aid payments to twelve months, if passed at the proper time.

Respectfully submitted,

DANIEL J. EVANS,

Governor.

May 15, 1965.

To the Honorable,  
The Senate of the State of Washington  
(Through the Secretary of State)

Lady and Gentlemen:

I am filing herewith **Substitute Senate Bill No. 41** entitled:

“AN ACT Relating to state government and the support thereof; authorizing the issuance and sale of state general obligation bonds to provide for needful buildings for institutions of higher education, the department of institutions, the department of fisheries, the department of natural resources and other state agencies; providing ways and means to pay said bonds; making appropriations; and providing for submission of this act to a vote of the people.”

The bill as approved is to be submitted to the people for their adoption and ratification or rejection at the next general election in accordance with Section 8 of the bill. Certain items of the bill which I have not approved are to be submitted to the Senate at the next session of the Legislature.

This bill provides needed Capital improvements for the institutions of higher education, the department of institutions, certain reform facilities operated by the department of institutions in conjunction with the department of natural resources, the museum operated for the benefit of the state and the education of its people by the Washington State Historical Society, and in addition certain facilities for the department of fisheries and the department of commerce and economic development.

Substitute Senate Bill No. 41 must be submitted to a vote of the people because of the provision of Article VIII, Section 3 of the State Constitution. That section also provides that the indebtedness for which voter approval is sought “shall be authorized by law for some single work or object”.

After consultation with my own legal counsel, with the Office of the Attorney General and with attorneys who specialize in matters of law pertaining to bonds issued by governmental bodies, I have concluded that in its present form there is substantial doubt that Substitute Senate Bill No. 41 complies with the provisions of the State Constitution. There is no decision of the State Supreme Court which approves a bond issue as broad as that contained in Substitute Senate Bill No. 41. *State ex rel. Troy v. Martin*, 38 Wn. (2d) 501, held that a twenty million dollar bond issue to provide needful charitable, educational and penal institutions constituted a single “object” within the meaning of Article VIII, Section 3, of the Constitution.

Without the necessity of a test case, experienced bond attorneys approved a bond issue authorized by the 1957 Legislature for “buildings at state operated institutions and state institutions of higher education”. Substantially all of the \$40,575,000 in bonds authorized by this bill are intended to be used for our charitable, educational and penal institutions and other institutions operated by the Department of Institutions, which I believe clearly constitutes a single object within the meaning of the Constitution. However, lesser amounts have been included in this bill to provide buildings for the Department of Commerce and Economic Development and facilities for the Department of Fisheries. Moreover, some of the facilities of the Department

of Fisheries are not in the form of "buildings" as specified in the title of Substitute Senate Bill No. 41.

In order to avoid litigation over the constitutionality of this bill, which would delay the issuance of the bonds, and to avoid the risk that such litigation might result in the loss of the entire bond issue, I have vetoed the items in Section 6 which would have provided funds for the construction of facilities for the Department of Commerce and Economic Development and the Department of Fisheries, and I have vetoed those portions of the title and of Section 1 of the bill which refer to the Department of Fisheries. The total amount of the items vetoed is \$376,226. Since these bonds will not be issued until the 1967 legislature is in session, these projects can be considered at that time and funds appropriated as the legislature may deem necessary.

With the exception of the items which I have vetoed as set forth above, the remainder of the bill is approved.

Respectfully submitted,

DANIEL J. EVANS,

Governor.

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April 28, 1965.

To the Honorable,  
The Senate of the State of Washington

Lady and Gentlemen:

I am returning herewith, without my approval as to one item, **Substitute Bill No. 42** entitled:

"AN ACT Adopting the capital budget and making appropriations for capital improvements; and declaring an emergency."

I have no objection to the appropriations contained in this bill, but I am concerned that it should take effect on July 1, 1965 when the next biennium commences.

This bill contains appropriations and reappropriations for capital improvement projects. The allotment of funds pursuant to this bill is intended to occur during the biennium commencing July 1, 1965; however with the exception of certain projects at the state universities and state colleges which take effect immediately, this bill will not take effect until ninety days after adjournment of this legislative session. It is difficult to predict the effective date of the bill; however it is obvious that it will be a month or more after the commencement of the next biennium.

This delay in making funds available could work a hardship with respect to projects previously authorized for which reappropriations have been made in this bill. It is unfortunate that the emergency clause in Section 10 was not expanded to make all portions of the bill effective no later than July 1, 1965. However, to relieve this problem, I have vetoed the language in Section 10 which restricts the operation of the emergency clause to appropriations from the building and capital projects accounts of the state universities and state colleges. By striking this language the entire act will become effective immediately. However, this does not mean that funds will be expended prior to the time intended by the legislature. Under Section 3 of the bill the Budget Director, with the approval of the Governor, must allot funds before any

project can begin or any obligation can be incurred. The power to make such allotments can be used to give effect to the legislative intent that appropriations from the building and capital projects accounts of the state universities and colleges shall take effect immediately and that other appropriations shall take effect July 1, 1965.

With the exception of a certain item in Section 10, which I have vetoed for the reasons stated above, the remainder of the bill is approved.

Respectfully submitted,

DANIEL J. EVANS,  
Governor.

April 8, 1965.

To the Honorable,  
The Senate of the State of Washington

Lady and Gentlemen:

I am returning herewith, without my approval as to one item, **Senate Bill No. 47** entitled:

“AN ACT Relating to judges salaries and pensions, and salaries of members of the legislature; amending section 1, chapter 144, Laws of 1953 as amended by section 1, chapter 260, Laws of 1957 and RCW 2.04.090; amending section 2, chapter 144, Laws of 1953 as amended by section 2, chapter 260, Laws of 1957 and RCW 2.08.090; and amending section 1, chapter 48, Laws of 1949, as last amended by section 2, chapter ....., Laws of 1965, as re-enacted by section 43.03.010, chapter ....., Laws of 1965, and RCW 43.03.010; and amending section 1, chapter 173, Laws of 1941 as last amended by section 1, chapter 3, Laws of 1965, and RCW 44.04.080.”

This bill increases the salaries of legislators and judges of the supreme and superior courts effective after the expiration of their respective terms of office. It also reduces the per diem of legislators to be received while in session from \$40 to \$25, effective January 1, 1967.

Section 3 of this bill provides that the increases in judicial salaries provided in sections 1 and 2 shall not be considered in computing retirement benefits. Under the judges' retirement system, a judge who qualified for full retirement benefits may retire on a pension of one-half his salary at the time of his retirement. Upon his death, his widow would receive one-half of his pension. It is my opinion that under the decisions of the Washington Supreme Court, including *Bakenhus v. Seattle*, 48 Wn. (2d) 695, 296 P. (2d) 536, the restriction contained in section 3 of this bill cannot lawfully be applied in computing pensions of those judges serving at the effective date of this act.

Moreover, I believe that it is important that we attract to the judiciary the most qualified persons possible. The pension benefits which accrue to judges upon retirement, and to their widows in the event of their death, are just as important in attracting qualified persons as the salary paid while they are serving on the bench.

I have vetoed Section 3 so that judicial pensions shall be based upon the

salary levels established in Sections 1 and 2 of the bill. The remainder of **Senate Bill No. 47** is approved.

Respectfully submitted,  
DANIEL J. EVANS,  
Governor.

March 23, 1965.

To the Honorable,  
The Senate of the State of Washington  
(Through the Secretary of State)

Lady and Gentlemen:

I am filing herewith to be transmitted to the Senate at the next session of the legislature, without my approval as to certain items, **Senate Bill No. 50** entitled:

“AN ACT Relating to state government; establishing a state law enforcement officers’ training commission; providing for its organizational structure; defining its power and duties; establishing a law enforcement officers’ training fund; and amending section 3, page 421, Laws of 1873 as last amended by section 1, chapter 30, Laws of 1919 and RCW 10.82.070.”

This bill creates a Law Enforcement Officers’ Training Commission in order to improve standards of law enforcement throughout the state. I approve of this legislation in principle, however, I have vetoed certain items in Section 3 and all of Section 19.

Section 3 provides that the membership of the commission shall include the Attorney General, the Chief of the State Patrol and the Special Agent in charge of the Seattle office of the FBI, or their respective designees. Six other members of the commission are to be appointed by the Governor; however, the bill restricts the appointing power of the Governor to nominees submitted by various associations of sheriffs, chiefs of police, county commissioners and cities.

I believe these restrictions are contrary to sound public policy. The person who makes an appointment should be held responsible for it. If it is good, he deserves the credit; if it is bad, he deserves the blame. But no appointing power can properly be held to account for an appointment which he is not free to make in accordance with his own best judgment. When making appointments to this commission I will seek the advice and counsel of persons knowledgeable in the field of law enforcement. I will welcome suggestions from all interested parties and organizations, including those associations named in this bill. I believe any succeeding Governor would follow this example.

In exercise of the power of item veto, I have retained the basic make-up of the commission, in that six appointive members of the commission must include two sheriffs, two chiefs of police, one county commissioner, and one executive officer of a city. Only the requirement that the appointments be made from restricted lists submitted to the Governor has been removed.

Section 19 provides that funds appropriated or otherwise available to the commission shall be under the direct jurisdiction of the commission, and that vouchers shall be submitted to the State Treasurer. This is contrary to pro-

cedures established pursuant to the Budget and Accounting Act with respect to other state agencies. I do not believe that the legislature intended this commission to be exempt from the usual budgetary controls. Because I fear the provision is susceptible to that interpretation, I have vetoed Section 19.

The remainder of the bill is approved.

Respectfully submitted,  
 DANIEL J. EVANS,  
 Governor.

April 8, 1965.

To the Honorable,  
 The Senate of the State of Washington

Lady and Gentlemen:

I am returning herewith, without my approval as to certain items, **Senate Bill No. 122** entitled:

“AN ACT Relating to commercial transactions; enacting a Uniform Commercial Code; repealing certain acts and parts of acts; and declaring an effective date.”

Passage of the Uniform Commercial Code represents a major accomplishment by the legislature—one in which each of you may take great pride. Its passage will improve the state's commercial climate, and thereby benefit all our citizens.

No legislation of the scope and complexity of the Uniform Commercial Code can be prepared without creating problem areas. The legislature has wisely chosen to set the effective date for the Code following the 1967 legislative session. This will give many groups an opportunity to review it carefully during the next two years, and to suggest solutions for those problems which exist. By separate letter I am urging the Washington State Bar Association to continue its study of those sections about which questions have been raised during this session. I urge legislators to participate in this review.

I have chosen to bring to the attention of those who will continue to study this bill three portions which I believe to be unsatisfactory.

#### **Specially Built Products**

My first point of concern is Section 2-616 which allows purchasers to terminate contracts for the manufacture and sale of specially built products in the event of an excusable delay (caused by an act of God). Subsection (3) denies commercial concerns the right to negotiate and agree to an allocation of the risks occasioned by such excusable delays.

Under Section 2-616, as now written, if a manufacturer incurs substantial costs in connection with the development and production of products for a particular customer, and then is delayed in making delivery by fire or other calamity beyond its control, the purchaser could terminate the contract without liability. I believe it is unreasonable to deny the manufacturer and the purchaser the right to bargain at arms' length for an allocation of the risks which would be occasioned by such an event.

It also should be observed that the termination of contracts under Section 2-616 occurs automatically in the event the purchaser fails to take any action within thirty days after learning of the delay. A purchaser unwittingly may

allow the termination of his contract, placing him in the position of having to negotiate with the seller for new terms of purchase; at a time when he no longer has any bargaining power.

In an effort to protect both buyer and seller, the state of Wisconsin has deleted this provision from its Code. I have elected to veto subsection (3) of Section 2-616, which will eliminate the provision that the type of contract involved in this section cannot be modified by mutual agreement.

### **Assertion of Defenses**

Section 9-206 deals with agreements not to assert defenses against assignees. By amendment, the following proviso was added: "Provided, That nothing in this act may be construed as depriving a buyer, as against an assignee, of asserting the defense of fraud or material misrepresentation by the seller."

I believe this amendment was intended to protect the consumer, which is a commendable objective. However, existing statutes protect consumers against agreements which waive the right to assert all defenses against assignees, including the defenses of fraud and material misrepresentation. RCW 63.14.150 provides:

"No provision of a retail installment contract or retail charge agreement shall be valid by which the buyer agrees not to assert against the seller or against an assignee a claim or defense arising out of the sale."

This statute applies to all retail sales of goods and services purchased primarily for personal, family or household use. Section 9-206 of the Code expressly preserves this statute, thus making the amendment unnecessary to protect the consumer.

Because the proviso applies to the entire Code, not just to this section, it might create unintended results with regard to negotiable instruments. The basic concept of negotiable instruments is that they must pass freely from one person to another, in much the same manner as currency. To subject an innocent holder of a negotiable instrument to unique restrictions would disrupt normal commercial transactions in the state of Washington, and result in a distinct hardship to all parties.

Therefore, I have vetoed the proviso at the end of Section 9-206 (1).

### **Financing Statements**

Section 9-402 (1) of the Code sets forth the minimum formal requirements of a financing statement, which is the instrument by which public notice of a security interest is given. One of the basic purposes of the Code is to adopt the principle that filing a simple and dependable "notice" that a lien is outstanding is preferable to filing the security instrument itself. Washington has previously adopted "notice filing" for certain security transactions. The notice is designed to direct a subsequent creditor or buyer to the source of the current and complete information regarding the prior lien. The Code extends this to all security transactions.

However, the legislature has amended Section 9-402 (1) to require that unnecessary information be inserted in the notice. Imposing these additional requirements enhances the opportunity for technical error, thus voiding a bona fide transaction without providing any greater notice or protection to the public. The opportunity for error by out-of-state companies is especially increased. In this regard, I note that Section 9-208 has been amended to

permit a debtor to require a secured party to send information regarding the status of his indebtedness and the collateral secured thereby to any person whom the debtor might designate. Thus, a prospective subsequent creditor easily can obtain reliable information concerning the prior security transaction. Therefore, I have vetoed the items in Section 9-402 (1) added by amendment to the original bill.

Section 9-402 (3) sets forth the form of a financing statement. To conform to the amendment discussed above, the legislature made provision for the addition of information in the financing statement required by subsection (1). Therefore, I have vetoed certain items appearing on lines 10 through 13 inclusive and lines 23 through 26 inclusive of subsection (3).

Apparently the Senate Judiciary Committee preparing its amendment to Section 9-402 (3) followed the California statute, because it inadvertently deleted the portion of the subsection which provides for the description of fixtures. It is not within my power to insert this portion of the Code which has been inadvertently omitted, but the 1967 legislature may wish to correct this omission.

The words "or timber" appears in two places in Section 9-402 (3). The California statute specifically deals with timber. Since the amendment discussed above followed California's section, these words were inadvertently included, when no reference to "timber" is contained in Section 9-402 (1). In order to correct the ambiguity existing between subsections (1) and (3), I have vetoed these words where they appear in Section 9-402 (3).

### Conclusion

With the exception of Section 2-616 (3), a certain item in Section 9-206 (1), and certain items in Section 9-402 (1) and 9-402 (3), which I have vetoed, the remainder of **Senate Bill No. 122** is approved.

Respectfully submitted,

DANIEL J. EVANS,  
Governor.

March 20, 1965.

To the Honorable,  
The Senate of the State of Washington  
(Through the Secretary of State)

Lady and Gentlemen:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval as to one item, **Senate Bill No. 126** entitled:

"AN ACT Relating to courts of limited jurisdiction; providing increases in salaries; changing the method of paying salaries of judges of courts of limited jurisdiction; amending section 100, chapter 299, Laws of 1961 and RCW 3.58.010; amending section 4, chapter 156, Laws of 1951 and RCW 3.16.004; and amending section 35.20.160, chapter 7, Laws of 1965 and RCW 35.20.160."

Section 2 of Senate Bill No. 126 directs that justices of the peace in cities over 20,000 shall not engage in the practice of law. This provision becomes effective 90 days after the adjournment of the regular session of the legislature.



Section 2 also provides for an increase in the compensation of these justices from \$6,500 per year to \$12,500 or two-thirds the amount of the salary provided by statute as the salary for superior court judges, whichever is greater. Pursuant to Article XI, Section 8, of the Washington State Constitution, the salary of these justices cannot be increased during their term of office. This would create a period in which a number of justices would be required to serve as full-time justices of the peace at a salary of \$6,500 a year.

The language of the statute is clear, and the unfortunate result would occur without regard to the intent of the legislature. To allow it to become law would undoubtedly result in litigation, which the legislature obviously did not intend.

I am informed that the Senate has added an amendment to Senate Bill No. 459, which correctly accomplishes what the legislature intended to accomplish by section 2 of Senate Bill No. 126. I urge that you take favorable action on that amendment.

For the above reasons, I have vetoed all of section 2 of Senate Bill No. 126, restoring the original statutory language of RCW 3.16.004. The remainder of Senate Bill No. 126 is approved.

Respectfully submitted,

DANIEL J. EVANS,  
Governor.

April 2, 1965.

To the Honorable,  
The Senate of the State of Washington

Lady and Gentlemen:

I am returning herewith, without my approval, **Senate Bill No. 229** entitled:

"AN ACT Relating to county commissioners; canceling notice requirement for purchases under five hundred dollars; and amending section 36.32.250, chapter 4, Laws of 1963 and RCW 36.32.250."

This bill would eliminate the requirement that counties post a notice of intention to let contracts or make purchases involving amounts of \$500.00 or less. Existing law requires posting of notice where the amount exceeds \$100.00. I have no objection to this proposed change in the law.

However, Senate Bill No. 229 amends RCW 36.32.250 which also was amended in the 1965 regular session of the legislature by Senate Bill No. 213, chapter 113, Laws of 1965. Senate Bill No. 229 does not refer to the earlier enactment in its title and does not include the changes in RCW 36.32.250 which were made by Senate Bill No. 213.

I am of the opinion that under Article 2, Section 37 of the State Constitution as interpreted by the Supreme Court in *State ex rel. Gebhardt v. Superior Court*, 15 Wn. (2d) 673, Senate Bill No. 229 would have the effect of superseding Senate Bill No. 213.

Members of my staff have discussed this problem with Senator Gissberg who sponsored Senate Bill No. 229, and he agrees that it would be undesirable to permit this bill to become law under these circumstances.

I trust that legislation similar to Senate Bill No. 229 can be introduced at the next session of the legislature in order to effect the amendment of the law contemplated by the legislature.

Respectfully submitted,

DANIEL J. EVANS,  
Governor.

February 18, 1965.

To the Honorable,  
The Senate of the State of Washington

Lady and Gentlemen:

I am returning herewith, without my approval, **Senate Bill No. 237** entitled:

“AN ACT Relating to the legislature; providing for the re-districting and reapportionment thereof; repealing Chapter 5, Laws of 1957, Chapter 289, Laws of 1957 and Chapter 44.06 RCW; and declaring an emergency.”

This bill obviously does not represent a serious effort on the part of the legislature to solve the difficult problem of redistricting. It seems to have been framed in such a way as to invite gubernatorial veto. Non-contiguous land areas have been included in one district in direct violation of the State Constitution. Many districts have such disproportionate populations that they violate the rules of “one man, one vote”. One district has been given three representatives instead of two, when other districts have a greater number of inhabitants and therefore are entitled to greater representation. And some portions of the state have been omitted entirely from the plan and other errors in describing districts appear throughout the bill.

The Honorable John T. McCutcheon, chairman of the Senate committee on redistricting, has been quoted in the press as stating during the debate on this bill:

“I don’t expect we could even carry this bill on this side of the aisle if we didn’t know Governor Evans would veto it.”

I would unhesitatingly veto this bill under any circumstances, but it is comforting to know that in this action I am supported by a majority of the legislators.

If we can agree that this is a bad bill, I trust that we can agree on a good one. Toward this end leaders of both parties in the House and Senate have been meeting with me this week in an effort to resolve the differences which have prevented the enactment of a fair, equitable and responsible re-districting law. It is my sincere hope that a redistricting plan acceptable to a majority of the legislature and to this office will be enacted soon.

However, I wish to make a record of some of the specific objections which I have to this bill in the hope that future bills may avoid these pitfalls.

First, I question the propriety of providing district 49 with three representatives, when it appears that its population of 69,593 people is less than the population of at least two other districts, to wit district 37 with 70,935 inhabitants and district 46 with 69,846 inhabitants. In this regard I call the attention of the legislature to the constitutional guidelines for redistricting contained in the attorney general’s letter of December 24, 1964 addressed to

my administrative assistant, Mr. James Dolliver. In that letter the attorney general said:

“ . . . if the legislature determines to retain the present number of senators (forty-nine) and representatives (ninety-nine) and, as well, the present number (forty-nine) legislative districts, it is evident that *forty-eight* legislative districts will have one senator and two representatives each and the *forty-ninth* district will have one senator and three representatives. The legislative district having this excess number of representatives should properly contain a somewhat higher population than *any* of the other districts. Using the figures set forth above, we have suggested that this “three representative” district might contain something in the neighborhood of seventy-five thousand to eighty thousand inhabitants.”

Second, I object strongly to dividing any county into an unnecessary number of districts. Senate Bill No. 237 is grossly unfair to Kitsap county in this regard. It would place portions of the county in three separate senatorial districts. Bainbridge Island would be joined with a part of Seattle. Bremerton would be split in two with a portion being joined with three census tracts in Kitsap county and other parts of the state as far away as the Canadian border in Whatcom county. The balance of Kitsap county would constitute district 23.

Third, I believe that the portions of Kitsap county included in district 41 are not contiguous as required by Article II, Section 6 of the Washington Constitution. These areas are a part of the mainland portion of Kitsap county and are separated from each other by several miles of additional land area which has been included in district 23.

Fourth, several districts appear to vary in population more than 15 percent from the population for an ideal district. These include districts 1-A, 16, 37, 41-A, 45 and 46. Moreover, in Seattle district 45 is underpopulated more than 15 percent, and adjoining district 46 is overpopulated more than 15 percent. These districts could easily be adjusted to equalize population. Again it is helpful to refer to the guidelines furnished by the attorney general in his letter of December 24, 1964 where he stated:

“In line with the proposition, noted earlier, that population density is a factor which can legitimately be considered, we are further advising that within the permissible general population ranges, *supra*, any underpopulated districts should generally be confined to sparsely populated rural areas. Likewise, any overpopulated districts should be located in densely populated urban or suburban areas.

“Furthermore, we should emphasize that in regard to the establishment of these ranges we are suggesting that the lesser, or ten percent “over and under” standard be adhered to as far as reasonably possible. Some clearly demonstrable justification should exist for any deviation in excess of this degree.

“Basically, we believe it probable that a legislative apportionment plan that conforms with these standards and guidelines can be defended. A plan which departs from these guidelines would, in our opinion, be most difficult to defend and would probably lead to protracted litigation in regard to the matter.”

For the reasons outlined above, I have vetoed Senate Bill No. 237. Moreover, I believe Senate Bill No. 237 is not only undesirable legislation, but is of doubtful validity. The letter of December 24, 1964 from the attorney general warns against adopting such a plan:

"Clearly, an apportionment plan which is only marginal or of doubtful validity should be avoided because of the possibilities of protracted litigation that could result in regard to determining the constitutionality of such a plan. Because the legislature will not be permitted to function in its normal manner until the court has approved its legislative apportionment plan, it is evident that the plan adopted and presented to the court must be one which will be *clearly acceptable*."

Respectfully submitted,

DANIEL J. EVANS,  
Governor.

April 8, 1965.

To the Honorable,  
The Senate of the State of Washington

Lady and Gentlemen:

I am returning herewith, without my approval as to one item, **Senate Bill No. 301** entitled:

"AN ACT Relating to elections; amending section 29.10.110, chapter 9, Laws of 1965 and RCW 29.10.110; amending section 29.51.060, chapter 9, Laws of 1965 and RCW 29.51.060; and adding new sections to chapter 9, Laws of 1965 and to chapters 29.04 and 29.10 RCW."

This bill makes a number of changes in the law relating to elections, and provides procedures for removing from the registration rolls the name of any person who no longer resides in the precinct in which he is registered.

Section 4 and Section 9 each provides that the Secretary of State shall cause appropriate forms to be designed to carry out the provisions of this amendatory act.

However, Section 9 also provides that some of the forms shall be furnished by the Secretary of State to the various county auditors and city and town clerks. The Secretary of State has never been required to furnish election supplies to the cities, towns and counties; and none of the budgets submitted to the legislature this session has provided for this expense.

In order that the bill will be consistent with past election procedures and not involve additional expense to the state, I have vetoed Section 9. The remainder of **Senate Bill No. 301** is approved.

Respectfully submitted,

DANIEL J. EVANS,  
Governor.

March 23, 1965.

To the Honorable,  
The Senate of the State of Washington  
(Through the Secretary of State)

Lady and Gentlemen:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval as to one item, **Senate Bill No. 310**, entitled:

“AN ACT Relating to public hospital districts; amending section 6, chapter 264, Laws of 1945, as amended by section 18, chapter 197, Laws of 1949 and RCW 70.44.060; amending section 10, chapter 264, Laws of 1945 and RCW 70.44.160; amending section 16, chapter 264, Laws of 1945 and RCW 70.44.170; and declaring an emergency.”

Section 5 contains the standard emergency clause requiring the act to take effect immediately. Imposition of an emergency clause defeats the right of the people to reject legislative action by referendum, and should be sparingly used.

Having carefully considered each section of Senate Bill No. 310, it is clear that no part of the act is necessary for the immediate preservation of public peace, health and safety, or the support of state government and its existing public institutions.

Section 5 is therefore vetoed. The remainder of Senate Bill No. 310 is approved.

Respectfully submitted,  
DANIEL J. EVANS,  
Governor.

March 23, 1965.

To the Honorable,  
The Senate of the State of Washington  
(Through the Secretary of State)

Lady and Gentlemen:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval, **Senate Bill No. 360** entitled:

“AN ACT Relating to labor relations; authorizing collective bargaining by and between agencies of the state and its political subdivisions and the employees thereof; and prohibiting certain practices.”

This bill purports to grant to employees of the state and certain political subdivisions the right to bargain collectively with their employers through labor organizations. I am satisfied that this statute is not necessary to confer this right upon public employees, and that, as written, the bill would contravene the merit systems now established at many levels of government.

Collective bargaining is not new to state or local government. At least nine collective bargaining agreements are in operation between organizations of public employees and state agencies; and more than thirty such collective bargaining agreements have been entered into with local units of government.

The state supreme court and the attorney general have ruled time and time again that such agreements are permissible under our laws as they now exist, without the need for Senate Bill No. 360. The supreme court ruled as early as 1947 that local government employees could organize and bargain collectively. This position was reaffirmed in 1958. The attorney general has issued similar opinions regarding city employees in 1951, county employees in 1957, and employees of municipal corporations generally in 1961. Therefore, no new law is needed to authorize the governing bodies of local units of government to enter into collective bargaining agreements, so long as those agreements do not transfer from the public officials elected by the people, the powers and duties which they alone were elected to perform, and so long as ultimate control over the public purse-strings is retained by those elected officials.

Nor is Senate Bill No. 360 needed in order to authorize collective bargaining at the state level of government. In 1960 the people enacted by initiative a system of personnel administration based on merit. Section 15 of this law requires the adoption of rules by the State Personnel Board to authorize collective bargaining agreements. These rules have been adopted, and agreements have been entered into by state agencies.

But it is the effect of Senate Bill No. 360 upon this merit system, and the merit systems established at countless local units of government, which concerns me most. I have noted from my examination of the laws of other states that invariably the authorization to bargain collectively has been made subject to the paramount principle of civil service. For example, the California law provides:

"Nothing contained herein shall be deemed to supersede the provisions of existing state law and the charters, ordinances and rules of local public agencies which establish and regulate a merit of civil service system or which provide for other methods of administering employer-employee relations. This chapter is intended, instead, to strengthen merit, civil service and other methods of administering employer-employee relations through the establishment of uniform and orderly methods of communication between employees and the public agencies by which they are employed."

Also, the federal government has exempted its employees from labor legislation to avoid any conflict with the federal civil service system. No state or federal law which I have examined conflicts so directly with the civil service system as Senate Bill No. 360.

Under state merit system rules, collective bargaining agreements are subject to certain limitations. For example, these agreements may not contravene any merit system rule or Central Budget Agency regulation promulgated under statutory authority. And the attorney general has similarly ruled that under existing law collective bargaining agreements at the local level may not conflict with any charter or ordinance (which would include a merit system provision). Merit system laws and rules often provide methods for resolving disputes through personnel boards or civil service commissions. Without the limitations contained in the laws of other states, Senate Bill No. 360 would undermine these procedures and ultimately the entire civil service system.

Section 15 of the state merit system initiative also limits the scope of bargaining to matters "which may be peculiar to an agency." This recognizes that many of the terms and conditions of public employment are fixed by the legislature and therefore cannot be bargained away. Senate Bill No. 360 without such restrictions conflicts with the merit system and derogates from the duties conferred by the people upon their elected representatives.

For the foregoing reasons I have vetoed Senate Bill No. 360; but I have not done away with the right of public employees to collectively bargain. This right still exists, but without Senate Bill No. 360 the people will be assured that collective bargaining agreements will continue to be subject to merit systems wherever they exist, and that statutory and constitutional duties of elective officials will not be transferred at the bargaining table to some other person or group not responsible to the will of the people.

Respectfully submitted,

DANIEL J. EVANS,

Governor.

April 17, 1965.

To the Honorable,  
The Senate of the State of Washington

Lady and Gentlemen:

I am returning herewith without my approval, **Senate Bill No. 422**, entitled:

"AN ACT Relating to industrial insurance and compensation—  
right to and amount; and amending section 51.32.080, chapter  
23, Laws of 1961 as amended by section 3, chapter 274, Laws of  
1961 and RCW 51.32.080; amending section 51.32.040, chapter  
23, Laws of 1961 and RCW 51.32.040."

On April 9, 1965, I signed and transmitted to the Secretary of State **Senate Bill No. 39**, an act providing increased benefits under the Workmen's Compensation Act, totaling 2½ million dollars annually, payable to widows and families of fatally injured workmen and to workmen who have suffered temporary and permanent total disability from injuries sustained in the course of their employment. These benefits are payable from premiums paid solely by employers of the state. Senate Bill No. 39 had bi-partisan support on final passage, and I approved it to insure that the working men and women receive at least a portion of the increase in benefits which they deserve.

I have long recognized the need for increases in the benefits payable to injured workmen and their families. However, I also recognize that injured workmen, usually the more seriously disabled, have been victimized by unnecessarily technical processes built into the appellate structure of the Act, which permit unjustifiable delay in payment of awards, and which are totally foreign to the original intent of the framers of this progressive method of replacing lost earnings resulting from work-incurred injuries.

Toward the resolution of this distressing injustice in our industrial insurance program, I proposed in February to this legislature reasonable revisions in the appellate procedures of the Workmen's Compensation Act. My proposal was consistent with the procedures used by an overwhelming number of other states. It was consistent with proposals embodied in the Report of Suggested State Legislation of the Council of State Governments,

whose Advisory Committee on Workmen's Compensation included labor leaders such as Clinton Fair and Lawrence Smedley, both of the AFL-CIO. The proposal also follows the recommendations of former Secretary of Labor Goldberg and the present Secretary of Labor, Willard Wirtz. I have also discussed my proposal with the members of the Board of Industrial Insurance Appeals, who have indicated their support. It is clear that responsible labor leaders in this state recognize the need to meet this problem which the injured workman faces. Yet Senate Bill No. 422 makes no attempt to reduce the unfortunate delay in processing appeals.

In addition, Senate Bill No. 422 makes no attempt to adopt a schedule of benefits based upon a nationally recognized guide of relative values for various disabilities. Such a guide has been published by the Committee on Medical Rating and Physical Impairment of the American Medical Association. Its use would result in far greater uniformity among physicians in their rating of disability and drastically reduce the conflicts which result in lengthy appeals. Instead, Senate Bill No. 422 compounds the existing inequities in the present schedule.

Because of the vital necessity for immediate action to modernize our appellate procedure, and provide more adequate benefits for injured workmen than those contained in Senate Bill No. 422, and the need to base them on scientifically arrived at and nationally recognized standards, I sent to the legislature on April 9, before Senate Bill No. 422 was passed, a message containing a proposal which would provide benefits to permanently partially disabled workmen totaling \$3.8 million. This is \$1.3 million more than Senate Bill No. 422 provides, and would result in a total increase in benefits of \$6.3 million at this session of the legislature. This schedule of benefits was given to the president of the United Labor Lobby on April 8, when I discussed it with him at length. Yet Senate Bill No. 422 does not contain any of these increased benefits nor allow the injured workman to escape from the delay caused by the protracted legal proceedings of the present system.

I am disappointed that the president of the United Labor Lobby did not urge the legislature to amend Senate Bill No. 422 to include my proposal; however, there is still time for this legislature to adopt this increased benefit schedule and modernize appeals procedures, thereby accepting its responsibility and meeting the needs of the injured workmen.

Because Senate Bill No. 422 does not meet these needs, it is vetoed.

Respectfully submitted,

DANIEL J. EVANS,

Governor.

May 14, 1965.

To the Honorable,  
The Senate of the State of Washington  
(Through the Secretary of State)

Lady and Gentlemen:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval as to one item, **Substitute Senate Bill No. 438** entitled:

"AN ACT Relating to highways and the operation of vehicles thereon."



This is the so-called "Highway Omnibus Bill of 1965". Section 33 of the bill is an amendment to the 1963 Highway Priority Programming Act, which required the State Highway Commission to plan for one hundred percent completion by 1975 of this state's portion of the national system of interstate highways and those highways classified as "principal highways". Section 33 of Substitute Senate Bill No. 438 would extend the time for completing these highways for an additional six years, to 1981.

I am reluctant to extend the time for completing this high priority highway system. The people need most of these highways now. To allow them to remain uncompleted for sixteen years would be poor highway planning. Limitations on available funds over the next ten years may require some adjustment in priorities established by the State Highway Commission. I request that the Highway Commission and the Joint Highway Interim Committee of the legislature reappraise the schedule of priorities and classification of highways to see if revisions are necessary to be sure that the highways carrying the greatest traffic loads are completed by 1975, rather than to postpone final completion for six more years, so that less important highways can be constructed at the same time.

Until such a reappraisal of priorities can be completed, I believe the Highway Commission and the Highway Department should exert every effort to meet the 1975 target date. For these reasons I have vetoed the items in Section 33 which amended "1975" to read "1981". The remainder of the bill is approved.

Respectfully submitted,

DANIEL J. EVANS,  
Governor.

April 19, 1965.

To the Honorable,  
The Senate of the State of Washington

Lady and Gentlemen:

I am returning herewith, without my approval as to certain items, **Senate Bill No. 522**, entitled:

"AN ACT Relating to education; adding new sections to Title 28, RCW; repealing certain statutes; declaring an emergency; and fixing the expiration date of this act."

This bill enacts a new formula governing the apportionment of state funds to local school districts for maintenance and operation purposes. It represents a positive step forward in the field of school finance. Basically the bill measures all revenues, local and federal, available for maintenance and operation of common schools. Then it provides for the distribution of state money on the basis of need, to achieve as nearly as possible a guaranteed level of support for the public schools. This bill should greatly equalize the educational opportunities for school children throughout the state.

This is one of five bills which I proposed as a program to equalize the local tax support of schools and to provide schools with an assured base of local tax revenue, thereby reducing their reliance on special levies. The legislature failed to adopt the permanent parts of this program, thus I was

forced to veto Senate Bill No. 523 which imposed a temporary ten-mill state property tax for schools.

Section 1 of Senate Bill No. 522, which is returned herewith, provides for the distribution of proceeds of the temporary ten-mill state tax. Since there will be no such tax, this section is no longer appropriate and has been vetoed.

In section 2 of the bill returned herewith there is a reference to the state property tax on lines 29 and 30 of page 3, which is surplusage and has been vetoed.

Subparagraph (1) of section 2, appearing on page 4 of Senate Bill No. 522, provides that for purposes of determining state apportionment, property tax revenues will be recognized as a local resource to the extent of specified percentages of ten mills based upon assessed valuations adjusted to fifty percent of true and fair value according to ratios fixed by the State Board of Equalization. Since there will be no proceeds of a property tax "equalized at the state level" available to local school districts, I have vetoed subparagraph (1) of section 2.

The result of the veto of this item is to remove from the bill any specific legislative mandate that any property tax revenues be treated as a local resource in computing state apportionment; however subparagraph (7) of section 2 treats as a local resource "eighty-five percent of such other available revenues as the superintendent of public instruction may deem appropriate for consideration in computing state equalization support . . . ." The state superintendent has advised me that he will utilize this authority to consider eighty-five percent of the local school property tax as a local resource. However, the legislature may wish to amend this statute to give more specific authority to the state superintendent and to provide some penalty in the event a school district fails to levy the maximum millage permitted by law without a vote of the people. Such provisions were contained in the school apportionment statutes repealed by this bill.

With the exception of Section 1 and the items in Section 2 described above which are vetoed, the remainder of Senate Bill No. 522 is approved.

Respectfully submitted,

DANIEL J. EVANS,

Governor.

April 17, 1965.

To the Honorable,  
The Senate of the State of Washington

Lady and Gentlemen:

I am returning herewith, without my approval, **Senate Bill No. 523** entitled:

"AN ACT Relating to revenue and taxation; amending section 84.52.050, chapter 15, Laws of 1961 as amended by section 1, chapter 143, Laws of 1961 and RCW 84.52.050; and declaring an emergency."

Let me remind you of three of the most serious problems facing the people of this state.

The first of these problems is that school districts rely far too heavily upon annual special property tax levies in order to provide the children of our state with a basic level of education. The average special levy for main-

tenance and operation purposes is now 8.7 mills and in many districts the levies are much higher. When a special levy is defeated the results are often disastrous. Vital programs are curtailed, teachers are laid off, and classroom loads on those who remain are increased. What is more important, the educational opportunity denied to the children of the school district can never be restored.

The second of these problems facing the people is that they do not share equally in the burden of providing a basic education for our children. This is due in part to the wide difference in the level of assessed valuations of property from one county to another. It is also due to the wide difference in the amount of special levies used to overcome the deficiencies in the basic 14 mill school tax. For example, in many areas of the state where assessed valuation is approximately 14% of the actual value of property, the owner of a \$10,000 home contributes as little as \$20 per year toward the education of children in the common schools. In contrast, such a homeowner in Spokane, where the assessment level is 23.4%, contributes more than \$60 per year, almost \$33 of which is derived from the basic 14 mill school tax and the balance from special levies. This is not the highest tax paid. The combined regular and special levies for school maintenance and operations produce a tax on a \$10,000 home of more than \$70 per year in Tacoma and almost \$90 per year in the Shoreline School District north of Seattle. These inequities should not be permitted to continue.

The third of these problems is the ever present threat that the average property tax could triple if the courts were to require the assessments of property at 50% of actual value as provided in the Constitution.

To provide a permanent solution to these pressing problems, I submitted to this legislature a five part program. This program would have reduced the average special levy from 8.7 mills to 2 mills and would have eliminated special levies in most school districts. It would have made the basic 14 mill school tax an assured base of support, guaranteeing equal basic educational opportunities to all children of the state. It would have guaranteed an equal school tax on properties of equal value throughout the state, so that all our citizens would pay their fair share of the school tax burden. The program would have protected the people from any increase in their property taxes without their consent as expressed through a majority vote at the polls. But most important, it would have lowered the constitutional level of assessed valuation from 50% to 30% of actual value.

The two key parts of the permanent solution offered by this program were embodied in Senate Joint Resolution No. 24 and Senate Bill No. 525.

Senate Joint Resolution No. 24 is a proposed constitutional amendment to reduce to 30% the required assessment level upon which all taxes are to be based. It also would assure school districts that their tax levies would be based upon the new constitutional assessment level. This proposal would have been submitted to a vote of the people at the 1966 general election.

Senate Bill No. 525 would have taken effect only after the constitutional amendment had been submitted to the people. It would have required the assessment of property at the constitutional level; but it would have prevented automatic tax increases. The bill would require taxing districts to reduce millage to offset increases in assessed values. As the tax base went up, the millage level would go down so that the dollar amount available to taxing

districts would not be affected by the program. Only through a special vote of the people could taxes possibly be raised.

These key proposals, together with the balance of my program, were considered at four public hearings, three in Olympia and one in Spokane. The Senate debated the proposed constitutional amendment for more than a week. The legislature became fully apprised of the problems facing our schools and our taxpayers and it had ample opportunity to understand my proposals. Nevertheless, the constitutional amendment failed to receive the necessary two-thirds majority required for passage, and no final vote was taken on Senate Bill No. 525.

The rejection of these measures was indeed shortsighted, and an action which I fail to understand. My proposal has not been rejected in favor of another solution to these problems. For, those who have joined together to defeat these measures have advanced no plan whatsoever to relieve the special levy problem, or to protect the taxpayer from excessive property taxes, or to equalize the local effort to support schools.

I cannot believe that the legislature is insensitive to these problems or unwilling to solve them. Once again, I urge the legislature to pass the permanent measures I have submitted to you.

The bill I have returned herewith is also a part of my program; however, this measure was designed to provide temporary relief from special levies pending adoption of the constitutional amendment. The legislature saw fit to pass the temporary measure before it knew whether or not the permanent plan of which it is a part would be adopted. The constitution does not permit me to withhold action on Senate Bill No. 523. Today is the last of the five days in which I must take action on this bill. Therefore, I must act upon this bill as if no permanent parts of my program will be adopted, even though such action may occur before the end of the special session.

It is my belief that adopting a temporary, stop-gap measure which would have the effect of raising taxes in some areas of the state, without giving the people an opportunity to vote on the entire program at the next election, would be unfair to the taxpayers of the state. Moreover, such action would alter the current pattern of special levies in school districts for two years without offering any permanent solution to the special levy problem. This could make special levies even more difficult to restore two years from now, and would compound the financial uncertainties which now plague local school districts.

For the foregoing reasons, I have vetoed Senate Bill No. 523.

Respectfully submitted,

DANIEL J. EVANS,

Governor.

May 14, 1965.

To the Honorable,  
The Senate of the State of Washington  
(Through the Secretary of State)

Lady and Gentlemen:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval, **Senate Bill No. 570**, entitled:

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“AN ACT Relating to highways; making appropriations; declaring an emergency; and providing an effective date.”

This bill was designed as a companion bill to Substitute House Bill No. 655, which would have increased the motor vehicle fuel tax by one cent per gallon. Senate Bill No. 570 appropriates for highway purposes over \$21 million, which is the amount the increased tax would have raised. The bill also contains an additional appropriation to the Department of Motor Vehicles to pay the costs of collecting the proposed additional tax.

The legislature did not pass House Bill No. 655, thus no revenues will be available to meet the appropriations contained in Senate Bill No. 570. Therefore, I have vetoed Senate Bill No. 570.

Respectfully submitted,

DANIEL J. EVANS,

Governor.

## SENATE ROSTER, 1965

## THIRTY-NINTH REGULAR AND EXTRAORDINARY SESSIONS

JOHN A. CHERBERG, President

WARD BOWDEN, Secretary

WILLIAM A. GISSBERG, President Pro Tempore  
DR. DAVID C. COWEN, Vice President Pro Tempore

NAME OF MEMBER	District	County	Residence	Age	Birthplace	Occupation	Politics	Previous Legislative Sessions Served
Atwood, R. Frank.....	42	Whatcom, part	317 Park Ridge, Bellingham	38	Massachusetts	Attorney	R	S—1963-63 Ex.
Bailey, Robert C.....	19	Grays Harbor, part Pacific	Box 146, South Bend	46	Washington	Printer	D	S—1957-59-59 Ex.-61-61 Ex.-63-63 Ex. H—1951-51 Ex.-51 2nd Ex.-53-53 Ex.- 55-55 Ex.
Charette, Robert L.....	21	Grays Harbor, part	100 W. First St., Aberdeen	41	Washington	Attorney	D	S—1963-63 Ex. H—.....
Chytil, Joe .....	20	Lewis	1274-6th St., Chehalis	55	Washington	Radio Broadcasting	R	S—1961-61 Ex.-63-63 Ex. H—1953-53 Ex.-55-55 Ex.-57-59-59 Ex.
Connor, Frank .....	33	King, part	3201 S. Massachusetts St., Seattle	48	Washington	King County Deputy Assessor	D	S—Appointed 1/24/57 1957-59-59 Ex. 61-61 Ex.-63-63 Ex. H—1951-51 Ex.-51 2nd. Ex.-53-53 Ex.-55-55 Ex.
Cooney, John L.....	5	Spokane, part	N. 4403 Adams St., Spokane	49	Oregon	Attorney	D	S—1957-59-59 Ex.-61-61 Ex.-63-63 Ex. H—1951-51 Ex.-51 2nd Ex.-55-55 Ex.
Cowen, Dr. David C.....	7	Spokane, part	Zukor Bldg., Spokane	62	Oregon	Dentist	D	S—1943-44 Ex.-45-47-49-50 Ex.-51-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex. H—1935-37-39-41
Donohue, Dewey C.....	10	Asotin, Columbia, Garfield	506 E. Richmond St., Dayton	67	Washington	Farmer and Stockman	D	S—1961-61 Ex.-63-63 Ex. H—1949-50 Ex.-51-51 Ex.-51 2nd Ex.- 53-53 Ex.-55-55 Ex.-57-59-59 Ex.

**SENATE ROSTER, THIRTY-NINTH SESSION, 1965—Continued**

NAME OF MEMBER	District	County	Residence	Age	Birthplace	Occupation	Politics	Previous Legislative Sessions Served
Dore, Fred H.....	37	King, part	1429 Washington Bldg., Seattle	39	Washington	Attorney	D	S—Appointed 3/11/59 1959 Ex.-61-61 Ex.-63-63 Ex. H—1953-53 Ex.-55-55 Ex.-57-59
Durkan, Martin J.....	47	King, part	404 Olympic National Life Bldg., Seattle	41	Montana	Attorney	D	S—1959-59 Ex.-61-61 Ex.-63-63 Ex. H—1957
England, Jack .....	32	King, part	1624 Washington Bldg., Seattle	37	Washington	Attorney	R	S—1963-63 Ex. H—1961-61 Ex.
Foley, Frank W.....	49	Clark, part	3924 Wauna Vista Drive, Vancouver	51	Washington	Attorney	D	S—1957-59-59 Ex.-61-61 Ex.-63-63 Ex. H—.....
Freise, Herbert H.....	11	Walla Walla	200 Jones Bldg., Walla Walla	47	Illinois	Attorney	R	S—1957-59-59 Ex.-61-61 Ex.-63-63 Ex. H—.....
Gallagher, Michael J.....	45	King, part	8045 Burke Ave. N., Seattle	53	Indiana	Real Estate	D	S—1945-51-51 Ex.-51 2nd Ex-53-53 Ex.-55-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex. H—1943-44 Ex.-49-50 Ex.
Gissberg, William A.....	39	Island, part Snohomish, part	Rt. 1, Box 41, Lake Stevens	42	Washington	Attorney	D	S—1953-53 Ex.-55-55 Ex.-57-59-59 Ex.- 61-61 Ex.-63-63 Ex. H—.....
Greive, R. R. (Bob).....	34	King, part	4444 Calif. Ave. S.W., Seattle	45	Washington	Attorney	D	S—1947-49-50 Ex.-51-51 Ex.-51 2nd Ex.-63-63 Ex.-55-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex. H—.....
Guess, Sam C.....	6	Spokane, part	W. 408 33rd Ave., Spokane	55	Mississippi	Civil Engineer	R	S—1963-63 Ex. H—.....
Hallauer, Wilbur G.....	1	Douglas, Okanogan	P. O. Box 70, Oroville	50	New York	Factory Manager	D	S—1957-59-59 Ex.-61-61 Ex.-63-63 Ex. H—1949-50 Ex.-51-51 Ex.-51 2nd Ex.- 53-53 Ex.-55-55 Ex.
Hanna, H. B.....	12	Chelan	1180 Springwater Ave., Wenatchee	48	Washington	Attorney	D	S—1957-59-59 Ex.-61-61 Ex.-63-63 Ex. H—1955-55 Ex.

APPENDIX

**SENATE ROSTER, THIRTY-NINTH SESSION, 1965—Continued**

NAME OF MEMBER	District	County	Residence	Age	Birthplace	Occupation	Politics	Previous Legislative Sessions Served
Henry, Al .....	17	Clark, part Klickitat, Skamania	Rio Vista, White Salmon	53	Kansas	Telephone Executive	D	S—1957-59-59 Ex.-61-61 Ex.-63-63 Ex. H—1941-45-51-51 Ex.-51 2nd Ex.- 55-55 Ex.
Herr, Gordon .....	31	King, part	10617 21st S.W., Seattle	38	Washington	Retail Lumber and Millwork Co.	D	S—Appointed 1/20/64 H—1963-63 Ex.
Herrmann, Karl .....	4	Spokane, part	E. 9417 Grace, Spokane	49	Washington	Attorney	D	S—1957-59-59 Ex.-61-61 Ex.-63-63 Ex. H—.....
Keefe, James Edward....	3	Spokane, part	412 W. Glass Ave., Spokane	55	New York	Public Relations & Sales Manager	D	S—1949-50 Ex.-51-51 Ex.-51 2nd Ex.- 53-53 Ex.-55-55 Ex.-57-59-59 Ex.- 61-61 Ex.-63-63 Ex. H—.....
Knoblauch, Reuben A....	25	Pierce, part	P. O. Box 363, Sumner	50	Washington	Retired Farmer	D	S—1953-53 Ex.-55-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex. H—1947-49-50 Ex.-51-51 Ex.-51 2nd Ex.
Kupka, George W.....	27	Pierce, part	1316 S. 8th St., Tacoma	52	Washington	Jeweler	D	S—1957-59-59 Ex.-61-61 Ex.-63-63 Ex. H—1949-50 Ex.-51-51 Ex.-51 2nd Ex.- 55-55 Ex.
Lennart, Ernest W.....	41	Whatcom, part	Rt. 1, Everson	71	Sweden	Retired	R	S—1953-53 Ex.-55-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex. H—1941-43-44 Ex.-51-51 Ex.-51 2nd Ex.
Lewis, Harry B.....	22	Thurston	Rt. 4, Box 532, Olympia	37	Pennsylvania	Owner-Manager, Hyak Company	R	S—..... H—1961-61 Ex.-63-63 Ex.
McCormack, Mike .....	16	Benton, Franklin	1314 Hains, Richland	43	Ohio	Chemist, Battelle N.W. Laboratories	D	S—1961-61 Ex.-63-63 Ex. H—1957-59-59 Ex.
McCutcheon, John T....	29	Pierce, part	P. O. Box 387, Steilacoom	72	Washington	Attorney	D	S—1943-44 Ex.-45-47-49-59-59 Ex.- 61-61 Ex.-63-63 Ex. H—1941
McMillan, David E.....	2	Pend Oreille, Stevens	Rt. 3, Colville	67	Washington	Farmer and Cattleman	D	S—1935-37-39-41-59-59 Ex.-61-61 Ex.-63-63 Ex. H—.....



**SENATE ROSTER, THIRTY-NINTH SESSION, 1965—Continued**

NAME OF MEMBER	District	County	Residence	Age	Birthplace	Occupation	Politics	Previous Legislative Sessions Served
Mardesich, August P.....	38	Island, part Snohomish, part	4712 Mermont Drive Everett	44	California	Attorney and Cannery Operator	D	S—1963-63 Ex. H—1950 Ex.-51-51 Ex.-51 2nd Ex.-53- 53 Ex.-55-55 Ex.-57-59-59 Ex.- 61-61 Ex.
Morgan, Frances Haddon.	23	Kitsap	948 Lower Oyster Bay Road, Bremerton	55	Washington	Real Estate Management	D	S—1961-61 Ex.-63-63 Ex. H—1959-59 Ex.
Moriarty, Charles P., Jr..	36	King, part	1212 Olympic National Life Bldg., Seattle	37	Washington	Attorney	R	S—Appointed 6/4/59 1961-61 Ex.-63-63 Ex. H—1957-59-59 Ex.
Neill, Marshall A.....	9	Whitman	414 Dexter St., Pullman	50	Washington	Attorney	R	S—1957-59-59 Ex.-61-61 Ex.-63-63 Ex. H—1949-50 Ex.-51-51 Ex.-51 2nd Ex.- 53-53 Ex.-55-55 Ex.
Peterson, Lowell .....	40	San Juan, Skagit	Box 188, Concrete	43	Washington	Oil Distributor	D	S—..... H—.....
Peterson, Ted G.....	44	King, part	2345 N.W. Blue Ridge Drive, Seattle	60	Washington	President, Peterson R Supply & Equip- ment Co.	R	S—1955-55 Ex.-57-63-63 Ex. H—.....
Petrich, John A.....	26	Pierce, part	706 Washington Bldg., Tacoma	45	Washington	Attorney	D	S—1959-59 Ex.-61-61 Ex.-63-63 Ex. H—1957
Rasmussen, A. L. (Slim).	28	Pierce, part	4031 Pacific Ave., Tacoma	55	Washington	Machinist	D	S—1961-61 Ex.-63-63 Ex. H—1945-47-49-50 Ex.-51-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.-57-59-59 Ex.
Raugust, W. C.....	8	Adams, Ferry, Lincoln	Odessa	69	Russia	President, Odessa Trading Co.	R	S—Appointed 8/15/49 1950 Ex.-51-51 Ex.-51 2nd Ex.- 53-53 Ex.-55-55 Ex.-57-59-59 Ex.- 61-61 Ex.-63-63 Ex. H—1943-44 Ex.-45-47-49
Redmon, Fred G.....	14	Yakima, part	P. O. Box 182 Yakima	67	Missouri	Retired Road Contractor	R	S—Appointed 1/22/64 H—.....

SENATE ROSTER, THIRTY-NINTH SESSION, 1965—Continued

NAME OF MEMBER	District	County	Residence	Age	Birthplace	Occupation	Politics	Previous Legislative Sessions Served
Riley, Edward F.....	35	King, part	#303, 4th & Pike Bldg., Seattle	66	Washington	Travel Agent	D	S --1951-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex. H--1939-41-43-44 Ex.-45-47-49-50 Ex.
Ryder, John N.....	46	King, part	6811 55th N.E., Seattle	57	Washington	Banker	R	S --1955-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex. H--1958-53 Ex.
Sandison, Gordon .....	24	Clallam, Jefferson, Mason	2501 S. Cherry St., Port Angeles	45	Washington	Insurance, Real Estate	D	S --1959-59 Ex.-61-61 Ex.-63-63 Ex. H--1949-50 Ex.-51-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.-57
Stender, John H.....	30	King, part	19039 Pacific Highway So., Seattle	48	Montana	Int'l Vice President—Boilermakers Blacksmiths Int'l Union	R	S --1963-63 Ex. H-----
Talley, Don L.....	18	Cowlitz, Wahkiakum	1817 Bloyd, Kelso	46	Washington	Ship Checker	D	S --1957-59-59 Ex.-61-61 Ex.-63-63 Ex. H-----
Thompson, Albert C., Jr.	48	King, part	2300 108th S.E., Bellevue	45	Washington	Retail Druggist	R	S --1959-59 Ex.-61-61 Ex.-63-63 Ex. H-----
Washington, Nat. W.....	13	Grant, Kittitas	42 C St. N.W., Ephrata	50	Washington	Attorney	D	S --1951-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex. H--1949-50 Ex.
Williams, Walter B.....	43	King, part	3871 45th N.E., Seattle	43	Washington	Mortgage Banking	R	S --1963-63 Ex. H--1961-61 Ex.
Woodall, Perry B.....	15	Yakima, part	P. O. Box 507, Toppenish	52	Washington	Attorney, Farmer	R	S --Appointed 12/26/56 1957-59-59 Ex.-61-61 Ex.-63-63 Ex. H--1939-41-43-47-49-50 Ex.-51-51 Ex.-51 2nd Ex.

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**STANDING COMMITTEES OF THE SENATE—1965 SESSION**


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JOHN A. CHERBERG, President  
 WILLIAM A. GISSBERG, President Pro Tempore  
 DR. DAVID C. COWEN, Vice President Pro Tempore  
 WARD BOWDEN, Secretary

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**Agriculture and Horticulture (8)**—Donohue, Chairman; Chytil, Freise, Hanna, Knoblauch, McMillan, Peterson (Lowell), Raugust.

**Banks, Financial Institutions and Insurance (11)**—Herrmann, Chairman; Mardesich, Vice Chairman; Charette, Dore, Foley, Kupka, McCutcheon, Moriarty, Jr., Neill, Redmon, Ryder.

**Cities, Towns and Counties (18)**—Talley, Chairman; Atwood, Charette, Chytil, Connor, Donohue, Gallagher, Guess, Henry, Keefe, Kupka, Morgan, Peterson (Lowell), Peterson (Ted), Raugust, Riley, Thompson, Jr., Williams.

**Commerce, Manufacturing and Licenses (14)**—Kupka, Chairman; Connor, Cooney, Cowen, Dore, England, Gallagher, Greive, Guess, Keefe, Knoblauch, Lewis, Mardesich, Peterson (Ted).

**Constitution, Elections and Legislative Processes (22)**—McCutcheon, Chairman; Donohue, Gallagher, Henry, Herr, Keefe, Lennart, Morgan, Raugust, Ryder, Washington, Williams. **Subcommittee on Redistricting**—Greive, Chairman; Bailey, Cooney, Dore, Hallauer, Herrmann, McCutcheon, McMillan, Neill, Redmon, Stender.

**Education (17)**—McCormack, Chairman; Charette, Chytil, Dore, Freise, Herrmann, Knoblauch, McCutcheon, McMillan, Morgan, Peterson (Ted), Petrich, Rasmussen, Stender, Talley, Thompson, Jr., Washington.

**Fisheries, Game and Game Fish (10)**—Charette, Chairman; Lennart, Peterson (Lowell), Peterson (Ted), Petrich, Rasmussen, Redmon, Sandison, Stender, Talley.

**Higher Education and Libraries (11)**—Sandison, Chairman; Atwood, Foley, Hallauer, Herrmann, Lewis, McCormack, Neill, Ryder, Talley, Washington.

**Highways (30)**—Washington, Chairman; Henry, Vice Chairman; Bailey, Donohue, Dore, Durkan, Foley, Freise, Gissberg, Guess, Hallauer, Hanna, Herr, Herrmann, Keefe, Knoblauch, Lennart, Mardesich, Morgan, Moriarty, Jr., Peterson (Lowell), Peterson (Ted), Petrich, Raugust, Redmon, Riley, Sandison, Stender, Talley, Williams.

**Judiciary (19)**—Petrich, Chairman; Atwood, Charette, Dore, Durkan, England, Foley, Freise, Gallagher, Gissberg, Hanna, Herrmann, McCutcheon, Mardesich, Moriarty, Jr., Neill, Washington, Williams, Woodall.

**Labor and Social Security (11)**—Rasmussen, Chairman; Bailey, Connor, Durkan, England, Guess, Kupka, McCutcheon, Mardesich, Riley, Stender.

**Liquor Control (8)**—Connor, Chairman; Henry, Kupka, Lewis, Riley, Talley, Thompson, Jr., Woodall.

**Medicine, Dentistry, Public Health, Air and Water Pollution (6)**—McMillan, Chairman; Cooney, Cowen, Greive, Thompson, Jr., Woodall.

**Natural Resources (10)**—Peterson (Lowell), Chairman; Chytil, Gissberg, Hallauer, Herr, Lewis, McCormack, Mardesich, Redmon, Sandison.

**Parks, Capitol Grounds and Public Buildings (6)**—Herr, Chairman; England, Hallauer, Hanna, Peterson (Lowell), Thompson, Jr.

**Public Institutions (9)**—Morgan, Chairman; Chytil, Freise, Keefe, Knoblauch, Kupka, Peterson (Lowell), Redmon, Sandison.

**Public Utilities (15)**—Mardesich, Chairman; Bailey, Charette, Chytil, Cooney, Cowen, Hanna, Herrmann, Keefe, Lewis, McCormack, Rasmussen, Riley, Thompson, Jr., Washington.

**Rules and Joint Rules (17)**—Cherberg, Chairman (ex officio); Bailey, Cooney, Cowen, Gallagher, Gissberg, Greive, Hallauer, Hanna, Keefe, Knoblauch, Lennart, Neill, Raugust, Riley, Ryder, Woodall.

**State Government and Veterans' Affairs (10)**—Henry, Chairman; Atwood, Donohue, Durkan, Kupka, McCutcheon, Morgan, Moriarty, Jr., Rasmussen, Woodall.

**Ways and Means (31)**—Foley, Chairman; Dore, Chairman (**Committee on Appropriations**); Atwood, Bailey, Chytil, Cowen, Donohue, England, Gallagher, Guess, Hallauer, Lennart, McCormack, Mardesich, Morgan, Moriarty, Jr., Neill, Petrich, Riley, Sandison; Durkan, Chairman (**Committee on Revenue and Regulatory**); Connor, Cooney, Gissberg, Greive, McMillan, Rasmussen, Ryder, Thompson, Jr., Williams, Woodall; (**Claims and Auditing**)—Dore, Durkan, Gallagher, Greive, Neill, Petrich, Woodall.

**SENATE INDIVIDUAL COMMITTEE ASSIGNMENTS—  
1965 SESSION**

- ATWOOD (R. Frank)**—Cities, Towns and Counties; Higher Education and Libraries; Judiciary; State Government and Veterans' Affairs; Ways and Means (Appropriations).
- BAILEY (Robert C.)**—Constitution, Elections and Legislative Processes (Subcommittee on Redistricting); Highways; Labor and Social Security; Public Utilities; Rules and Joint Rules; Ways and Means (Appropriations).
- CHARETE (Robert L.)**—Chairman: Fisheries, Game and Game Fish; Banks, Financial Institutions and Insurance; Cities, Towns and Counties; Education; Judiciary; Public Utilities.
- CHYTIL (Joe)**—Agriculture and Horticulture; Cities, Towns and Counties; Education; Natural Resources; Public Institutions; Public Utilities; Ways and Means (Appropriations).
- CONNOR (Frank)**—Chairman: Liquor Control; Cities, Towns and Counties; Commerce, Manufacturing and Licenses; Labor and Social Security; Ways and Means (Revenue and Regulatory).
- COONEY (John L.)**—Commerce, Manufacturing and Licenses; Constitution, Elections and Legislative Processes (Subcommittee on Redistricting); Medicine, Dentistry, Public Health, Air and Water Pollution; Public Utilities; Rules and Joint Rules; Ways and Means (Revenue and Regulatory).
- COWEN (Dr. David C.)**—Commerce, Manufacturing and Licenses; Medicine, Dentistry, Public Health, Air and Water Pollution; Public Utilities; Rules and Joint Rules; Ways and Means (Appropriations).
- DONOHUE (Dewey C.)**—Chairman: Agriculture and Horticulture; Cities, Towns and Counties; Constitution, Elections and Legislative Processes; Highways; State Government and Veterans' Affairs; Ways and Means (Appropriations).
- DORE (Fred H.)**—Chairman: Ways and Means (Appropriations); Banks, Financial Institutions and Insurance; Commerce, Manufacturing and Licenses; Constitution, Elections and Legislative Processes (Subcommittee on Redistricting); Education; Highways; Judiciary; Ways and Means (Claims and Auditing).
- DURKAN (Martin J.)**—Chairman: Ways and Means (Revenue and Regulatory); Highways; Judiciary; Labor and Social Security; State Government and Veterans' Affairs; Ways and Means (Claims and Auditing).
- ENGLAND (Jack)**—Commerce, Manufacturing and Licenses; Judiciary; Labor and Social Security; Parks, Capitol Grounds and Public Buildings; Ways and Means (Appropriations).
- FOLEY (Frank W.)**—Chairman: Ways and Means; Banks, Financial Institutions and Insurance; Higher Education and Libraries; Highways; Judiciary.
- FREISE (Herbert H.)**—Agriculture and Horticulture; Education; Highways; Judiciary; Public Institutions.
- GALLAGHER (Michael J.)**—Cities, Towns and Counties; Commerce, Manufacturing and Licenses; Constitution, Elections and Legislative Processes; Judiciary; Rules and Joint Rules; Ways and Means (Appropriations); Ways and Means (Claims and Auditing).
- GISSBERG (William A.)**—Highways; Judiciary; Natural Resources; Rules and Joint Rules; Ways and Means (Revenue and Regulatory).
- GREIVE (R. R. Bob)**—Chairman: Subcommittee on Redistricting; Commerce, Manufacturing and Licenses; Constitution, Elections and Legislative Processes; Medicine, Dentistry, Public Health, Air and Water Pollution; Rules and Joint Rules; Ways and Means (Revenue and Regulatory); Ways and Means (Claims and Auditing).

- GUESS (Sam C.)**—Cities, Towns and Counties; Commerce, Manufacturing and Licenses; Highways; Labor and Social Security; Ways and Means (Appropriations).
- HALLAUER (Wilbur G.)**—Constitution, Elections and Legislative Processes (Subcommittee on Redistricting); Higher Education and Libraries; Highways; Natural Resources; Parks, Capitol Grounds and Public Buildings; Rules and Joint Rules; Ways and Means (Appropriations).
- HANNA (H. B.)**—Agriculture and Horticulture; Highways; Judiciary; Parks, Capitol Grounds and Public Buildings; Public Utilities; Rules and Joint Rules.
- HENRY (Al)**—Chairman: State Government and Veterans' Affairs; Vice-Chairman: Highways; Cities, Towns and Counties; Constitution, Elections and Legislative Processes; Liquor Control.
- HERR (Gordon)**—Chairman: Parks, Capitol Grounds and Public Buildings; Constitution, Elections and Legislative Processes; Highways; Natural Resources.
- HERRMANN (Karl)**—Chairman: Banks, Financial Institutions and Insurance; Constitution, Elections and Legislative Processes (Subcommittee on Redistricting); Education; Higher Education and Libraries; Highways; Judiciary; Public Utilities.
- KEEFE (James Edward)**—Cities, Towns and Counties; Commerce, Manufacturing and Licenses; Constitution, Elections and Legislative Processes; Highways; Public Institutions; Public Utilities; Rules and Joint Rules.
- KNOBLAUCH (Reuben A.)**—Agriculture and Horticulture; Commerce, Manufacturing and Licenses; Education; Highways; Public Institutions; Rules and Joint Rules.
- KUPKA (George W.)**—Chairman: Commerce, Manufacturing and Licenses; Banks, Financial Institutions and Insurance; Cities, Towns and Counties; Labor and Social Security; Liquor Control; Public Institutions; State Government and Veterans' Affairs.
- LENNART (Ernest W.)**—Constitution, Elections and Legislative Processes; Fisheries, Game and Game Fish; Highways; Rules and Joint Rules; Ways and Means (Appropriations).
- LEWIS (Harry B.)**—Commerce, Manufacturing and Licenses; Higher Education and Libraries; Liquor Control; Natural Resources; Public Utilities.
- MCCORMACK (Mike)**—Chairman: Education; Higher Education and Libraries; Natural Resources; Public Utilities; Ways and Means (Appropriations).
- MCCUTCHEON (John T.)**—Chairman: Constitution, Elections and Legislative Processes (Subcommittee on Redistricting); Banks, Financial Institutions and Insurance; Education; Judiciary; Labor and Social Security; State Government and Veterans' Affairs.
- McMILLAN (David E.)**—Chairman: Medicine, Dentistry, Public Health, Air and Water Pollution; Agriculture and Horticulture; Constitution, Elections and Legislative Processes (Subcommittee on Redistricting); Education; Ways and Means (Revenue and Regulatory).
- MARDESICH (August P.)**—Chairman: Public Utilities; Vice Chairman: Banks, Financial Institutions and Insurance; Commerce, Manufacturing and Licenses; Highways; Judiciary; Labor and Social Security; Natural Resources; Ways and Means (Appropriations).
- MORGAN (Frances Haddon)**—Chairman: Public Institutions; Cities, Towns and Counties; Constitution, Elections and Legislative Processes; Education; Highways; State Government and Veterans' Affairs; Ways and Means (Appropriations).
- MORIARTY (Charles P., Jr.)**—Banks, Financial Institutions and Insurance; Highways; Judiciary; State Government and Veterans' Affairs; Ways and Means (Appropriations).

- NEILL (Marshall A.)**—Banks, Financial Institutions and Insurance; Constitution, Elections and Legislative Processes (Subcommittee on Redistricting); Higher Education and Libraries; Judiciary; Rules and Joint Rules; Ways and Means (Appropriations); Ways and Means (Claims and Auditing).
- PETERSON (Lowell)**—Chairman: Natural Resources; Agriculture and Horticulture; Cities, Towns and Counties; Fisheries, Game and Game Fish; Highways; Parks, Capitol Grounds and Public Buildings; Public Institutions.
- PETERSON (Ted G.)**—Cities, Towns and Counties; Commerce, Manufacturing and Licenses; Education; Fisheries, Game and Game Fish; Highways.
- PETRICH (John A.)**—Chairman: Judiciary; Education; Fisheries, Game and Game Fish; Highways; Ways and Means (Appropriations); Ways and Means (Claims and Auditing).
- RASMUSSEN (A. L.)**—Chairman: Labor and Social Security; Education; Fisheries, Game and Game Fish; Public Utilities; State Government and Veterans' Affairs; Ways and Means (Revenue and Regulatory).
- RAUGUST (W. C.)**—Agriculture and Horticulture; Cities, Towns and Counties; Constitution, Elections and Legislative Processes; Highways; Rules and Joint Rules.
- REDMON (Fred G.)**—Banks, Financial Institutions and Insurance; Constitution, Elections and Legislative Processes (Subcommittee on Redistricting); Fisheries, Game and Game Fish; Highways; Natural Resources; Public Institutions.
- RILEY (Edward F.)**—Cities, Towns and Counties; Highways; Labor and Social Security; Liquor Control; Public Utilities; Rules and Joint Rules; Ways and Means (Appropriations).
- RYDER, (John N.)**—Banks, Financial Institutions and Insurance; Constitution, Elections and Legislative Processes; Higher Education and Libraries; Rules and Joint Rules; Ways and Means (Revenue and Regulatory).
- SANDISON (Gordon)**—Chairman: Higher Education and Libraries; Fisheries, Game and Game Fish; Highways; Natural Resources; Public Institutions; Ways and Means (Appropriations).
- STENDER (John H.)**—Constitution, Elections and Legislative Processes (Subcommittee on Redistricting); Education; Fisheries, Game and Game Fish; Highways; Labor and Social Security.
- TALLEY (Don L.)**—Chairman: Cities, Towns and Counties; Education; Higher Education and Libraries; Highways; Fisheries, Game and Game Fish; Liquor Control.
- THOMPSON (Albert C., Jr.)**—Cities, Towns and Counties; Education; Liquor Control; Medicine, Dentistry, Public Health, Air and Water Pollution; Parks, Capitol Grounds and Public Buildings; Public Utilities; Ways and Means (Revenue and Regulatory).
- WASHINGTON (Nat)**—Chairman: Highways; Constitution, Elections and Legislative Processes; Education; Higher Education and Libraries; Judiciary; Public Utilities.
- WILLIAMS (Walter B.)**—Cities, Towns and Counties; Constitution; Elections and Legislative Processes; Highways; Judiciary; Ways and Means (Revenue and Regulatory).
- WOODALL (Perry B.)**—Judiciary; Liquor Control; Medicine, Dentistry, Public Health, Air and Water Pollution; Rules and Joint Rules; State Government and Veterans' Affairs; Ways and Means (Claims and Auditing); Ways and Means (Revenue and Regulatory).

## LEGISLATIVE INTERIM COMMITTEE APPOINTMENTS 1965-1967

### COLUMBIA INTERSTATE COMPACT COMMISSION (RCW 43.57.010)

<b>Senators</b> R. Frank Atwood John L. Cooney	<b>Representatives</b> Joe D. Haussler Irving Newhouse
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### JOINT COMMITTEE ON EDUCATION (HB 442—1965 Ex.)

<b>Senators</b> Robert L. Charette Jack England Lowell Peterson Albert C. Thompson, Jr.	<b>Representatives</b> Frank B. Brouillet, Chairman Gary Grant S. E. Flanagan Doris Johnson Audley F. Mahaffey
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### JOINT INTERIM COMMITTEE ON FACILITIES AND OPERATIONS (SCR 25—1965 Ex.)

<b>Senators</b> Fred H. Dore, Chairman Robert C. Bailey Joe Chytil Gordon Herr Harry B. Lewis Perry B. Woodall	<b>Representatives</b> James A. Andersen William S. Day Elmer Jastad Richard W. Morphis Ray Olsen Harold E. Wolf  <b>Liaison</b> Thomas L. Copeland John L. O'Brien
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### INTERIM COMMITTEE ON FISHERIES (HCR 16—1965 Ex.)

<b>Senators</b> Robert L. Charette William A. Gissberg Ernest W. Lennart Ted Peterson John A. Petrich	<b>Representatives</b> Dick J. Kink, Chairman Chet King Richard King Dwight S. Hawley W. S. Traylor
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### LEGISLATIVE COMMITTEE ON GAME AND GAME FISH (HCR 18—1965 Ex.)

<b>Senators</b> Dewey C. Donohue Reuben A. Knoblauch David E. McMillan W. C. Raugust Fred G. Redmon	<b>Representatives</b> Hugh Kalich, Chairman Art Avey Eric D. Braun Wm. Harold Finch Frank George Marzano Fred R. Mast
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### JOINT COMMITTEE ON GOVERNMENTAL COOPERATION (HCR 19—1965 Ex.)

<b>Senators</b> Jack England H. B. Hanna Reuben A. Knoblauch	<b>Representatives</b> Mark Litchman, Chairman Mrs. Douglas Kirk Robert R. Kull
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**TEMPORARY ADVISORY COUNCIL FOR PUBLIC HIGHER EDUCATION**

(SB 489—1965 Ex.)

**Senators**

Gordon Sandison, Chairman  
 Wilbur G. Hallauer  
 Harry B. Lewis  
 Mike McCormack  
 John N. Ryder

**Representatives**

Marjorie Lynch  
 Mary Ellen McCaffree  
 W. O. E. Radcliffe  
 Charles R. Savage  
 Georgette Valle

**JOINT COMMITTEE ON HIGHWAYS**

(SB 438—1965 Ex.)

**Senators**

Robert C. Bailey  
 Dewey C. Donohue  
 Sam C. Guess  
 Al Henry  
 August P. Mardesich  
 John A. Petrich  
 W. C. Raugust  
 Fred G. Redmon  
 Nat Washington

**Representatives**

Leonard A. Sawyer, Chairman  
 C. W. Beck  
 Duane L. Berentson  
 Horace W. Bozarth  
 Paul H. Conner  
 Alfred E. Leland  
 W. L. McCormick  
 Bob McDougall  
 Arnold S. Wang  
 C. G. Witherbee

**COMMITTEE ON INDUSTRIAL INSURANCE APPEALS**

(SB 564—1965 Ex.)

**Senators**

R. R. Bob Greive  
 John H. Stender

**Representatives**

George Sheridan  
 Jonathan Whetzel

**INTERIM COMMITTEE ON INSURANCE**

(SCR 10—1965 Ex.)

**Senators**

Karl Herrmann, Chairman  
 Frank Connor  
 Herbert H. Freise  
 Gordon Herr  
 Fred G. Redmon

**Representatives**

James A. Andersen  
 Joe D. Haussler  
 Jack Rogers  
 Frank Slagle  
 Fred A. Veroske

**JUDICIAL COUNCIL**

(RCW 2.52.010)

**Senators**

Herbert H. Freise  
 John A. Petrich

**Representatives**

R. Ted Bottiger  
 William C. Klein

**LEGISLATIVE BUDGET COMMITTEE**

(RCW 44.28.010)

**Senators**

R. Frank Atwood  
 Martin J. Durkan  
 Frank W. Foley  
 Frances Haddon Morgan  
 Charles P. Moriarty, Jr.  
 Marshall A. Neill

**Representatives**

Henry Backstrom, Chairman  
 Damon R. Canfield  
 Arlie U. DeJarnatt  
 Robert F. Goldsworthy  
 Frances G. Swayze  
 Wes C. Uhlman

**LEGISLATIVE COUNCIL**

(RCW 44.24.010 and SB 566—1965 Ex.)

**Senators**

Joe Chytil  
 Michael J. Gallagher  
 William A. Gissberg  
 R. R. Bob Greive  
 James Keefe  
 George W. Kupka  
 Ted Peterson  
 Edward F. Riley  
 John H. Stender  
 Don L. Talley  
 Albert C. Thompson, Jr.  
 Walter B. Williams  
 Perry B. Woodall

**Representatives**

Robert Schaefer, Chairman  
 Robert F. Brachtenbach  
 Jack L. Burtch  
 Tom Copeland  
 Don Eldridge  
 Avery Garrett  
 Slade Gorton  
 Edward F. Harris  
 Helmut L. Juelling  
 William J. S. May  
 Charles Moon  
 John L. O'Brien  
 Ann T. O'Donnell  
 Richard Taylor

**MUNICIPAL CODE**

(SB 235—1965 Ex.)

**Senator**

Martin J. Durkan, Chairman

**Representative**

Daniel Marsh

**COMMITTEE ON OVERSIGHT**

(COMMITTEE ON INTERGOVERNMENTAL RELATIONS)

(SCR 12—1965 Ex.)

John A. Cherberg, Chairman

**Senators**

R. R. Bob Greive  
 Ernest W. Lennart  
 John T. McCutcheon  
 Nat Washington  
 Walter B. Williams

**Representatives**

Arnie Bergh  
 William Chatalas  
 Newman H. Clark  
 Norwood Cunningham  
 P. J. Gallagher  
 Gerald L. Saling  
 Sam Smith

**STATE PUBLIC PENSION COMMISSION**

(RCW 41.52.010)

**Senators**

John N. Ryder, Chairman  
 John T. McCutcheon  
 Charles P. Moriarty, Jr.  
 Edward F. Riley  
 Gordon Sandison

**Representatives**

Mrs. Joseph E. Hurley  
 Homer Humiston  
 Mary Stuart Lux  
 Charles E. Newschwander  
 Frank J. Warnke

**STATUTE LAW COMMITTEE**

(RCW 1.08.081)

**Senators**

Robert L. Charette, Chairman  
 Marshall A. Neill

**Representatives**

Jack L. Burtch  
 Elmer E. Johnston  
 William C. Klein

**OTHER APPOINTEES**

Bernard J. Gallagher  
 Charles P. Moriarty, Jr.  
 Charles R. Olson  
 Richard B. Ott  
 Daniel J. Rivera

**COMMITTEE ON WATER RESOURCES****(HCR 33—1965 Ex.)****Senators**

Wilbur G. Hallauer, Chairman  
Joe Chytil  
John L. Cooney  
Sam C. Guess  
Lowell Peterson

**Representatives**

Eric O. Anderson  
Stewart Bledsoe  
Mrs. John W. Epton  
Dan Jolly  
Robert W. O'Dell

**CONSTITUTIONAL ADVISORY COUNCIL****(HCR 38—1965 Ex.)****Senators**

Martin J. Durkan  
John N. Ryder

**Representatives**

William C. Klein  
Joel Pritchard

**SENATE BILLS PASSED BY SENATE AND HOUSE**  
**Showing the Action by the Governor Thereon**

**THIRTY-NINTH LEGISLATIVE SESSION—1965**  
**REGULAR AND EXTRAORDINARY**

<i>Senate Bill No.</i>	<i>Subject</i>	<i>Chapter Number</i>	<i>Date Signed</i>	<i>Effective Date</i>
Sub. 1	Public officials' code of ethics.....	150	4/30	8/ 6/65
2	Legislative redistricting .....	Vetoed	1/26	
3	Title 35 RCW reenactment.....	7	3/ 5	3/ 5/65
4	Title 43 reenactment.....	8	3/ 5	3/ 5/65
5	Title 29 RCW reenactment.....	9	3/ 5	3/ 5/65
6	Probate Law, Title 11 RCW enacted.....	145	3/20	1/ 1/66
	Partially vetoed.			
8	Vagrancy redefined, school loiterers.....	112 Ex.	4/ 8	8/ 6/65
15	Ionizing radiation regulations.....	88	3/20	6/10/65
25	State college bond retirement fund.....	76	3/20	3/20/65
26	Bond retirement fund.....	77	3/20	3/20/65
29	School fund appropriation.....	Vetoed	3/17	.....
2nd				
Sub. 34	Nuclear industry development.....	10	3/ 8	3/ 8/65
39	Industrial insurance benefits.....	122 Ex.	4/ 9	8/ 6/65
40	School plant facility bonds.....	158 Ex.	5/12	12/ 8/66*
Sub. 41	Bond issue, college buildings and state depart- ments .....	172 Ex.	5/15	12/ 8/66*
	Sec. 1, 6, Title P.V.			
Sub. 42	Capitol budget .....	153 Ex.	4/28	4/28/65
	Sec. 10, P.V.			
47	Judges, legislators, salary increase.....	127 Ex.	4/ 8	8/ 6/65
	Sec. 3, P.V. Sec. 5, 1/1/67.			
48	Declaratory judgment .....	131	3/20	6/10/65
50	Law officers' training commission.....	158	3/23	6/10/65
	Sec. 3 P.V. Sec. 19 P.V.			
51	Department of motor vehicles.....	156	3/23	7/ 1/65
54	Civic centers .....	132	3/20	6/10/65
57	Garnishment exemptions .....	89	3/20	6/10/65
61	Counsel for indigents in criminal cases.....	133	3/20	6/10/65
65	Legislators' subsistence appropriation.....	3	1/19	1/19/65
66	Legislative expense appropriation.....	2	1/18	1/18/65
68	Firemen's pensions, inheritance tax exemption..	8 Ex.	3/31	8/ 6/65
70	Washington State University land acquisition...	90	3/20	6/10/65
71	Transportation system employee rights.....	91	3/20	6/10/65
72	Epileptics .....	78	3/20	6/10/65
73	County auditors' liability.....	134	3/20	6/10/65
76	Criminally insane .....	9 Ex.	3/20	6/10/65
78	Fire protection district levies.....	113 Ex.	4/ 8	8/ 6/65
84	Transportation system fuel tax refund.....	135	3/20	6/10/65
86	County responsibility for sheriffs.....	92	3/20	6/10/65
90	Safe deposit box statute repeal.....	79	3/20	6/10/65
91	County board of equalization.....	93	3/20	6/10/65
94	Police judge appointment.....	94	3/20	6/10/65
95	Justice of peace jurisdiction.....	95	3/20	6/10/65
96	Justice of peace jurisdiction.....	96	3/20	6/10/65
97	Echo Lake juvenile institution.....	10 Ex.	3/31	8/ 6/65
98	Chiroprody licensing .....	97	3/20	6/10/65
101	State employee suggestion awards.....	142 Ex.	4/26	8/ 6/65
109	Mortgage foreclosure sale provisions.....	80	3/20	6/10/65
117	Court reporters' salary increase.....	114 Ex.	4/ 8	8/ 6/65
119	Condominium—regulations .....	11 Ex.	3/31	8/ 6/65
120	Materialmen's lien statute.....	98	3/20	6/10/65

\*If approved at next general election.

## SENATE BILLS PASSED BY SENATE AND HOUSE—Continued

Senate Bill No.	Subject	Chapter Number	Date Signed	Effective Date
122	Uniform Commercial Code.....	157 Ex.	4/ 8	7/ 1/65
	Sec. 2, 9 P.V.			
126	Justice of the peace salaries.....	147	3/20	6/10/65
	Sec. 2, P. V.			
129	Federal court local law certification.....	99	3/20	6/10/65
148	University of Washington land sale.....	5 Ex.	3/30	8/ 6/65
149	Director of licenses.....	100	3/20	6/10/65
150	Port district commissioners.....	101	3/20	6/10/65
152	Port district park acquisition.....	81	3/20	6/10/65
157	Port district consolidation.....	102	3/20	6/10/65
158	School directors' association dues.....	103	3/20	6/10/65
159	Vocational school cooperative financing.....	136	3/20	6/10/65
160	Joint city-county ownership.....	145 Ex.	4/28	8/ 6/65
163	Lake Spokane .....	104	3/20	6/10/65
Sub. 167	Public transportation tax subsidies.....	111 Ex.	4/ 8	8/ 6/65
171	Third class city officers.....	105	3/20	6/10/65
172	City officers' election date.....	106	3/20	6/10/65
173	Third class city mayor's tie-breaking vote.....	107	3/20	6/10/65
174	Third class city police judge pro tem.....	108	3/20	6/10/65
176	City firemen disability payments.....	109	3/20	6/10/65
177	LID bond cancellation.....	6 Ex.	3/30	8/ 6/65
182	City storm sewer authority.....	110	3/20	6/10/65
Sub. 183	Forest protection .....	12 Ex.	3/31	3/31/65
184	Forest burning permits.....	82	3/20	6/10/65
197	Council, budget, education committees' approp.	4	1/27	1/27/65
199	County assessor tax roll delivery.....	7 Ex.	3/30	8/ 6/65
200	Public agency investments.....	111	3/20	6/10/65
202	Fire district commissioners.....	112	3/20	6/10/65
205	State employees' vacation accrual.....	13 Ex.	3/31	8 /6/65
211	Public hospital district contract bids.....	83	3/20	6/10/65
213	Bid deposits—counties .....	113	3/20	6/10/65
219	Bid deposits—cities .....	114	3/20	6/10/65
220	Walla Walla county land sale.....	115	3/20	6/10/65
221	Claims against local governments.....	116	3/20	6/10/65
222	Municipal appropriations for services.....	14 Ex.	3/31	8/ 6/65
223	State employees' retirement revisions.....	155	3/23	3/23/65
224	Auto wrecking yard enclosures.....	117	3/20	6/10/65
229	Limiting notice requirement for county purchases .....	Vetoed	4/ 2	.....
	City utility revenue for bond payment.....	118	3/20	6/10/65
Sub. 233	Municipal bonding procedures.....	74 Ex.	4/ 2	4/ 2/65
235	Municipal code committee.....	115 Ex.	4/ 8	4/ 8/65
236	City police judge authority and regulations.....	116 Ex.	4/ 8	4/ 8/65
237	Legislative redistricting .....	Vetoed	2/18	.....
240	Public cemeteries .....	119	3/20	6/10/65
241	Engineer and land surveyor fee disposition.....	126 Ex.	4/ 6	8/ 6/65
247	Diking district election officials.....	120	3/20	6/10/65
Sub. 250	Highway overload fees.....	137	3/20	Sec. 2, 7/ 1/67
				Rest 6/10/65
252	Commercial fishing license fees.....	73 Ex.	4/ 2	8/ 6/65
264	Fisheries director—food and shellfish sales.....	72 Ex.	4/ 2	8/ 6/65
265	Fish primary market value defined.....	71 Ex.	4/ 2	8/ 6/65
272	State retirement for school employees.....	84	3/20	Sec. 1, 9/ 1/65
				Rest 6/10/65
274	Farm to market roads.....	121	3/20	3/20/65
279	School district public libraries.....	122	3/20	6/10/65
280	Town area and population limitation.....	138	3/20	6/10/65

## SENATE BILLS PASSED BY SENATE AND HOUSE—Continued

Senate Bill No.	Subject	Chapter Number	Date Signed	Effective Date
281	Electricians' fees and safety regulations.....	117 Ex.	4/ 8	8 /6/65
285	Irrigation district sewage disposal.....	141	3/20	6/10/65
292	Insurance code revisions.....	70 Ex.	4/ 2	8/ 6/65
294	Employee welfare trust funds.....	69 Ex.	4/ 2	8 /6/65
295	City dock facilities.....	154	3/23	6/10/65
296	Election laws .....	123	3/20	6/10/65
301	Voter registration provisions.....	156 Ex.	4/ 8	8/ 6/65
	Sec. 9, P.V.			
304	Intermediate school district offices.....	139	3/20	6/10/65
310	Public hospital districts.....	157	3/23	6/10/65
	Sec. 5 P.V.			
315	Vehicle operator financial responsibility.....	124	3/20	6/10/65
316	Town marshals .....	125	3/20	6/10/65
318	Public works contracts.....	133 Ex.	4/16	8/ 6/65
320	PUD water course easements in condem- nation actions .....	118	4/ 8	8/ 6/65
321	Probate procedure .....	126	3/20	6/10/65
323	State aid, county probation services.....	137 Ex.	4/20	4/20/65
324	Federal property purchase for Fort Worden school .....	118	4/ 2	8/ 6/65
327	State employee life insurance for required aircraft flight .....	68 Ex.	4/ 2	8/ 6/65
334	Vehicle driver license regulations.....	121 Ex.	4/ 8	8/ 6/65
335	Bank and trust company stock.....	140	3/20	6/10/65
337	Gifts to minors, tax provision.....	67 Ex.	4/ 2	8/ 6/65
338	Stock transfers .....	85	3/20	6/10/65
345	Volunteer firemen pensions.....	86	3/20	7/ 1/65
346	Electrical construction provisions.....	65 Ex.	4/ 2	8/ 6/65
350	Town waterfront created by dam.....	127	3/20	6/10/65
Sub. 358	Limited access facilities.....	75	4/ 2	8/ 6/65
360	Public employee collective bargaining.....	Vetoed	3/23	.....
364	Aid to the blind.....	128	3/20	6/10/65
366	Highway maps, plans, rental provisions, etc....	64 Ex.	4/ 2	8/ 6/65
Sub. 374	Omnibus appropriation bill.....	169 Ex.	5/15	5/15/65
377	Capitol historical association.....	62 Ex.	4/ 2	8/ 6/65
389	Justice court transitional procedures.....	110 Ex.	4/ 8	8/ 6/65
399	Motor vehicle accident reports.....	119 Ex.	4/ 8	8/ 6/65
404	Washington State University electrical research experiment station .....	139 Ex.	4/22	8/ 6/65
414	County road administration board.....	120 Ex.	4/ 8	8/ 6/65
416	Capitol parking facilities.....	129	3/20	6/10/65
417	Bond refunding procedure.....	138 Ex.	4/20	4/20/65
421	Industrial insurance appeals, attorney fees.....	63 Ex.	4/ 2	8/ 6/65
422	Industrial insurance permanent partial disability benefits .....	Vetoed	4/17	.....
423	Grounds for divorce, separation period reduced.	15 Ex.	3/31	8/ 6/65
Sub. 438	Omnibus highway bill.....	170 Ex.	5/14	5/14/65
	Sec. 33, P.V.			
446	State Park Commissioners' per diem.....	132 Ex.	4/14	8/ 6/65
451	PUD employee benefit payments after retirement	149 Ex.	4/29	8/ 6/65
454	City water rights.....	130	3/20	6/10/65
462	Health care services.....	87	3/20	6/10/65
464	Lost or destroyed public instruments.....	61 Ex.	4/ 2	8/ 6/65
474	Cross-sound bridge route determination.....	131 Ex.	4/14	4/14/65
476	Teletypewriter communications network.....	60 Ex.	4/ 2	7/ 1/65
477	Election day liquor sale.....	59 Ex.	4/ 2	8 /6/65
Sub. 479	Healing profession practitioners.....	58 Ex.	4/ 2	8/ 6/65
489	Advisory council on public higher education....	161 Ex.	5/12	5/12/65
502	Commercial fishing license application.....	57 Ex.	4/ 2	8/ 6/65

## SENATE BILLS PASSED BY SENATE AND HOUSE—Continued

<i>Senate Bill No.</i>	<i>Subject</i>	<i>Chapter Number</i>	<i>Date Signed</i>	<i>Effective Date</i>
Sub. 504	Capitol campus building construction.....	151 Ex.	5/ 4	5/ 4/65
518	Ferry vessels acquisition, federal assistance authorized .....	56 Ex.	4/ 2	4/ 2/65
519	University of Washington land funds disposition	135 Ex.	4/19	4/19/65
520	University of Washington and Eastern Washing- ton State College building construction funds	4 Ex.	3/29	3/29/65
522	School funds apportionment..... Sec. 1, 2, P.V.	154 Ex.	4/19	7/ 1/65
523	Ten mill state levy for schools.....	Vetoed	4/17	.....
524	Forest reserve fund distribution.....	140 Ex.	4/22	8/ 6/65
531	Outdoor recreation funds for administrative costs	136 Ex.	4/19	8/ 6/65
535	Appropriations, reappropriations for highways..	144 Ex.	4/28	Sec. 11 4/28/65
				Rest 7/ 1/65
538	Legislative expense appropriations.....	12	3/19	3/19/65
544	School fund apportionment.....	162 Ex.	5/12	9/ 1/65
546	State highway commissioners' qualifications.....	1 Ex.	3/26	3/26/65
552	State college fees.....	147 Ex.	4/28	8/ 6/65
555	Community college fees.....	146 Ex.	4/28	8/ 6/65
557	Interstate highway construction bonds.....	163 Ex.	5/12	7/ 1/65
558	Interstate compact commission terms.....	164 Ex.	5/12	8 /6/65
564	Industrial insurance benefits.....	165 Ex.	5/12	7/ 1/65
565	Apportionment of funds for educational purposes	171 Ex.	5/15	7/ 1/65
566	Legislative council membership increase.....	148 Ex.	4/28	4/28/65
570	Highway construction appropriations.....	Vetoed	5/14	.....

**SENATE MEMORIALS AND RESOLUTIONS PASSED BY BOTH  
SENATE AND HOUSE**

**THIRTY-NINTH LEGISLATIVE SESSION—1965  
REGULAR AND EXTRAORDINARY**

**SENATE JOINT MEMORIALS**

*Subject*

- 4 Fire fighters recognition day.
- 9 Flood water detention structures, increased capacity.
- 17 Offshore fisheries protection.
- 18 Veterans' hospital, closure delay, study.

**SENATE JOINT RESOLUTIONS**

- Sub. 6 Judges, election, single candidate.
- 20 Alien land law repeal.
- 22 Common school construction fund.
- 25 Port districts, promotion, fund expenditure.

**SENATE CONCURRENT RESOLUTIONS**

*Subject*

- 3 Governor consult with legislature, redistricting.
- 4 Remembrance of Russell "Stub" Nelson.
- 9 Joint rules, thirty-ninth legislature.
- 10 Insurance interim committee, study.
- 11 Legislative bills, consideration limitation.
- 12 Special interim committee for oversight, federal grant programs.
- 13 Legislative bills, thirty-ninth regular session, retransmittal, retention.
- 14 Legislative bills, regular session, status retained, extraordinary session.
- 16 Legislative bills, extraordinary session, consideration limitation.
- 17 Retail credit charges, legislative council study.
- 18 Louis Hofmeister, illness, best wishes.
- 20 Captain A. H. Rooks, U.S.N., resolution of esteem.
- 23 Motorboats, vessels, legislative council operation study.
- 25 Legislative building construction interim committee study.
- 26 Legislator's salary increase, attorney general study.

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Note: See History of Bills for Senate Floor Resolutions passed.



**HOUSE BILLS PASSED BY SENATE AND HOUSE**  
**Showing the Action by the Governor Thereon**

**THIRTY-NINTH LEGISLATIVE SESSION—1965**  
**REGULAR AND EXTRAORDINARY**

House Bill No.	Subject	Chapter Number	Date Signed	Effective Date
10	Economic Opportunity Act of 1964.....	14	3/20	3/20/65
13	Canal commission powers and duties.....	123 Ex.	4/ 6	8/ 6/65
14	Higher education facilities commission.....	128 Ex.	4/14	4/14/65
33	Tacoma Narrows bridge tolls.....	50	3/20	6/10/65
Sub. 36	State education television commission.....	129 Ex.	4/14	4/14/65
38	Sports stadiums .....	15	3/20	3/20/65
40	Salaries of elected state officials.....	1	1/12	1/12/65
50	Election of port commissioners.....	51	3/20	6/10/65
51	State representative elections by position.....	52	3/20	6/10/65
52	Irrigation district directors' compensation.....	16	3/20	6/10/65
55	School bus length limit increased.....	Vetoed	3/20	.....
56	Fees under securities act.....	17	3/20	Sec. 4 7/ 1/65
				Rest 6/10/65
58	Teachers' lunch period.....	18	3/20	6/10/65
60	Business corporation act.....	53	3/20	7/ 1/65
61	Mining claims requirements.....	151	3/23	6/10/65
63	Municipal pension fund investment.....	19	3/20	6/10/65
64	Teachers' tax-deferred annuities.....	54	3/20	6/10/65
Sub. 67	Child abuse .....	13	3/19	3/19/65
74	Wallace Falls state park.....	146	3/20	6/10/65
	Sec. 2, P.V.			
76	State college campus police.....	16 Ex.	4/ 2	8/ 6/65
77	Accident insurance for school children.....	86 Ex.	4/ 6	8/ 6/65
81	Port district employees' retirement.....	20	3/20	6/10/65
86	Arson redefined .....	17 Ex.	4/ 2	8/ 6/65
88	Fire protection districts.....	21	3/20	6/10/65
91	Justice court fees for county law library.....	55	3/20	6/10/65
92	Mineral leases .....	56	3/20	6/10/65
Sub. 96	Real property condemnation final offer.....	125 Ex.	4/10	4/10/65
100	Lie detector tests.....	152	3/23	6/10/65
103	Fire protection district merger election waived.	18 Ex.	4/ 2	8 /6/65
Sub. 104	Community college districts.....	98 Ex.	4/ 6	8/ 6/65
105	School board meeting dates.....	87 Ex.	4/ 6	8/ 6/65
111	County officials hospitalization and medical aid.	57	3/20	6/10/65
112	City L.I.D. authority.....	58	3/20	6/10/65
113	County budget transfers.....	19 Ex.	4/ 2	8 /6/65
114	City mayor and commissioner salaries.....	22	3/20	6/10/65
117	Escrow agents .....	153	3/23	6/10/65
122	City pre-annexation planning.....	88 Ex.	4/ 6	8/ 6/65
125	Community college dormitories.....	89 Ex.	4/ 6	8/ 6/65
132	School district boundaries.....	108 Ex.	4/ 6	7/ 1/65
	Sec. 2 P.V.			
134	County construction permit restriction.....	20 Ex.	4/ 2	8 /6/65
137	Community colleges established.....	159 Ex.	5/12	8/ 6/65
142	County real property exchange.....	21 Ex.	4/ 2	8/ 6/65
149	Port district surplus property.....	23	3/20	6/10/65
151	Fire Districts .....	59	3/20	6/10/65
152	Port district canal construction levy.....	22 Ex.	4/ 2	8 /6/65
154	Teacher employee organizations.....	143	3/20	6/10/65
156	County public auction sales.....	23 Ex.	4/ 2	8 /6/65
160	Joint city-county ownership.....	24	3/20	6/10/65
161	County adjustment board membership.....	24 Ex.	4/ 2	8/ 6/65

## HOUSE BILLS PASSED BY SENATE AND HOUSE—Continued

House Bill No.	Subject	Chapter Number	Date Signed	Effective Date
162	County road improvement districts.....	60	3/20	6/10/65
163	County fund transfers.....	25 Ex.	4/ 2	8/ 6/65
164	County park and recreation service area authorization .....	76 Ex.	4/ 6	8/ 6/65
173	Embalmer and funeral director requirements.... Sec. 4 P.V.	107 Ex.	4/ 6	8/ 6/65
174	Fresh fruit sales limitation act.....	61	3/20	6/10/65
175	School district purchase authority.....	62	3/20	6/10/65
184	Governor, family, state patrol protection.....	96 Ex.	4/ 6	4 /6/65
186	Intercounty rural library districts.....	63	3/20	6/10/65
189	Washington state dairy commissioners' election.....	Vetoed	3/18	.....*
190	Retired persons' property tax exemption.....	168 Ex.	5/13	12/ 8/65
191	Primary election and filing dates revised.....	103 Ex.	4/ 6	8/ 6/65
192	Interstate compact on mental health.....	26 Ex.	4/ 2	7/ 1/65
196	Legislative redistricting .....	6	2/26	2/26/65
203	State officials' and employees' per diem.....	77 Ex.	4/ 6	8/ 6/65
206	State game land in lieu tax.....	97 Ex.	4/ 6	8/ 6/65
216	Commercial clam diggers.....	27 Ex.	4/ 2	8/ 6/65
217	Net fishing area.....	64	3/20	6/10/65
218	Wholesale fish dealers.....	28 Ex.	4/ 2	8/ 6/65
219	Fish buyer redefined.....	29 Ex.	4/ 2	8/ 6/65
220	Nonresident commercial fishing licenses.....	30 Ex.	4/ 2	8/ 6/65
231	Water diversion application fee.....	160 Ex.	5/12	8/ 6/65
234	Rules of the road..... Sec. 58 P.V.	155 Ex.	4/29	8/ 6/65
237	Jurors selection time.....	65	3/20	6/10/65
239	Motor vehicle license fees.....	25	3/20	1/ 1/65
240	Commercial feed sales regulations.....	31 Ex.	4/ 2	7/ 1/65
241	Livestock brand registration fees.....	66	3/20	6/10/65
243	Agricultural fair allocations.....	32 Ex.	4/ 2	8 /6/65
244	Flood control district law.....	26	3/20	6/10/65
245	Governmental vehicles license exemption..... Sec. 2 P.V.	106 Ex.	4/ 2	8/ 6/65
246	License directors' report to governor.....	28	3/20	6/10/65
247	Motor vehicle use fuel tax.....	33 Ex.	4/ 2	8/ 6/65
248	Disinfecting fruit trees.....	27	3/20	6/10/65
249	Duplicate vehicle license plates.....	78 Ex.	4/ 6	8/ 6/65
251	Motor vehicle fuel tax.....	67	3/20	6/10/65
Sub. 252	Water well contractors' regulations.....	Vetoed	3/20	.....
256	Hair dressing and beauty culture regulations.... Sec. 5, 6, 11, 14 P.V.	3 Ex.	3/29	7/ 1/65
264	Public assistance frauds.....	34 Ex.	4/ 2	4/ 2/65
265	Motor vehicle fuel tax.....	79 Ex.	4/ 6	8/ 6/65
Sub. 268	Provisional doctors' licenses.....	29	3/20	6/10/65
271	Public assistance coordination with federal programs .....	35 Ex.	4/ 2	8 /6/65
273	Public assistance advisory committee.....	90 Ex.	4/ 6	8 /6/65
274	Public assistance nursing home service.....	36 Ex.	4/ 2	4/ 2/65
275	Public assistance uncollectible debts.....	91 Ex.	4/ 6	8/ 6/65
276	Dependent child redefined.....	37 Ex.	4/ 2	8/ 6/65
277	Public assistance funeral payments by department .....	102 Ex.	4/ 6	8/ 6/65
278	Motor vehicle dealer licenses.....	68	3/20	6/10/65
279	House trailer excise tax.....	92 Ex.	4/ 6	8/ 6/65
285	Voting hours .....	Vetoed	3/15	.....
288	Harrison Memorial Hospital acquisition.....	11	3/11	3/11/65

\*If approved at next general election.

## HOUSE BILLS PASSED BY SENATE AND HOUSE—Continued

House Bill No.	Subject	Chapter Number	Date Signed	Effective Date
289	Credit union loan authorization.....	38 Ex.	4/ 2	8/ 6/65
295	Interstate library compact.....	93 Ex.	4/ 6	8/ 6/65
296	Child welfare services.....	30	3/20	3/20/65
298	Water district LID's.....	39 Ex.	4/ 2	8/ 6/65
299	Sewer district LID's.....	40 Ex.	4/ 2	8/ 6/65
303	School district budgets.....	124 Ex.	4/ 6	4/ 6/65
304	Agricultural products transactions.....	69	3/20	6/10/65
307	Insurance-eye care service.....	149	3/20	6/10/65
	Sec. 1 P.V.			
309	Historical society land conveyance.....	31	3/20	6/10/65
313	Rented automobile larceny.....	32	3/20	6/10/65
315	Psychologists' regulations.....	70	3/20	6/10/65
318	Employer industrial insurance reports.....	80 Ex.	4/ 6	8/ 6/65
319	Industrial insurance fund investment.....	41 Ex.	4/ 2	8/ 6/65
324	Police pensions.....	33	3/20	6/10/65
326	Mentally, physically deficient persons, support..	34	3/20	6/10/65
332	Highway charter party carriers.....	150	3/23	7/ 1/65
335	Vocational rehabilitation program.....	35	3/20	6/10/65
337	Medical aid contracts for workmen.....	36	3/20	6/10/65
339	Temporary publication of session laws.....	37	3/20	3/20/65
343	Gross weight on highways.....	38	3/20	6/10/65
347	City incorporation franchise rights.....	42 Ex.	4/ 2	8/ 6/65
348	Garbage collection companies.....	105 Ex.	4/ 2	8/ 6/65
	Sec. 1 P.V.			
362	Soft tree fruit assessment.....	43 Ex.	4/ 2	8/ 6/65
364	Teachers' retirement system.....	81 Ex.	4/ 6	7/ 1/65
366	Council on aging.....	39	3/20	6/10/65
371	Sewer district contracts.....	71	3/20	6/10/65
372	Water district contracts.....	72	3/20	6/10/65
377	Precinct election officers.....	101 Ex.	4/ 6	8/ 6/65
378	Deputy voter registrars.....	Vetoed	4/ 6	.....
382	Dairy products assessments.....	44 Ex.	4/ 2	8/ 6/65
383	County revenue bonds.....	142	3/20	6/10/65
387	Industrial insurance prior pension increase.....	166 Ex.	5/12	7/15/65
Sub. 391	Firemen's pensions.....	45 Ex.	4/ 2	8/ 6/65
392	City excess fund investment.....	46 Ex.	4/ 2	8/ 6/65
397	State property conveyance to Lewis county....	40	3/20	6/10/65
402	City charters.....	47 Ex.	4/ 2	8/ 6/65
409	Adjutant general and assistant adjutant general salaries.....	100 Ex.	4/ 6	8/ 6/65
428	Motor carrier permits transfer.....	134 Ex.	4/19	8/ 6/65
430	Youth development and conservation corps....	48 Ex.	4/ 2	8/ 6/65
432	Female work day.....	41	3/20	6/10/65
437	Wine tax.....	42	3/20	7/ 1/65
442	Joint committee on education.....	130 Ex.	4/14	4/14/65
444	Teachers' seniority and leave transfers.....	49 Ex.	4/ 2	8/ 6/65
451	State permanent funds investment.....	104 Ex.	4/ 6	8/ 6/65
456	Chiropractic practice.....	50 Ex.	4/ 2	8/ 6/65
460	Automobile transporters height limitation.....	43	3/20	6/10/65
464	Apiaries.....	44	3/20	6/10/65
465	State finance committee expense.....	82 Ex.	4/ 6	8/ 6/65
467	Congressional redistricting.....	Vetoed	4/30	.....
470	Land transfer to department of game.....	94 Ex.	4/ 6	8/ 6/65
473	Washington veterans' home sewage plant sale..	95 Ex.	4/ 6	4/ 6/65
474	Oleomargarine use in state institutions.....	73	3/20	3/20/65
476	Sliding glass doors.....	45	3/20	6/10/65
479	Deeds of trust.....	74	3/20	6/10/65
491	ShiShi beach acquisition for park.....	51 Ex.	4/ 2	8/ 6/65

**HOUSE BILLS PASSED BY SENATE AND HOUSE—Continued**

<i>House Bill No.</i>	<i>Subject</i>	<i>Chapter Number</i>	<i>Date Signed</i>	<i>Effective Date</i>
494	Coyote control by spring triggered devices.....	46	3/20	6/10/65
Sub. 495	Gravel removal from public lands.....	47	3/20	6/10/65
514	Hunting and fishing license fees.....	48	3/20	6/10/65
515	Littering penalties .....	52 Ex.	4/ 2	8/ 6/65
520	Rental property nonreturn.....	109 Ex.	4/ 6	8/ 6/65
	Sec. 2 P.V.			
526	Underground labor .....	144	3/20	6/10/65
	Sec. 1 P.V.			
549	State trade fairs.....	148	3/20	3/20/65
	Sec. 9 P.V. Sec. 13 P.V.			
575	Liquor sales to minors.....	49	3/20	6/10/65
582	Retirement benefits for legislators.....	Vetoed	3/17	.....
586	Highway department building.....	167 Ex.	5/12	5/12/65
590	City retirement systems.....	99 Ex.	4/ 6	8/ 6/65
592	Family courts, third class counties.....	83 Ex.	4/ 6	8/ 6/65
Sub. 608	Tax package .....	173 Ex.	5/15	6/ 1/65
	Sec. 16 P.V.			
621	Regional governmental problems study.....	84 Ex.	4/ 6	8/ 6/65
637	Tax collection procedures.....	141 Ex.	4/22	7/ 1/65
643	Aid to blind.....	2 Ex.	3/29	8/ 6/65
647	Mental health facilities.....	75	3/20	6/10/65
660	Providing for payment of costs on nonpayment of checks and bills of exchange.....	53 Ex.	4/ 2	8/ 6/65
665	Port district airport bonds.....	54 Ex.	4/ 2	4/ 2/65
676	Probate code amendments.....	55 Ex.	4/ 2	8/ 6/65
679	Ski tow regulations.....	85 Ex.	4/ 6	8/ 6/65
695	Alcoholism treatment .....	143 Ex.	4/26	7/ 1/65
Sub. 709	Property tax limitation.....	174 Ex.	5/15	5/15/65
	Sec. 8 P.V.			
714	Congressional redistricting .....	152 Ex.	Filed 5/ 7 Secy. of State	12/ 8/65*
716	Interim committee for oversight.....	175 Ex.	5/15	5/15/65

\*If approved at next general election.

**HOUSE MEMORIALS AND RESOLUTIONS PASSED BY BOTH  
SENATE AND HOUSE**

**THIRTY-NINTH LEGISLATIVE SESSION—1965  
REGULAR AND EXTRAORDINARY**

HOUSE JOINT MEMORIALS

*Subject*

- 10 Peace Arch, commemorative postage stamp.
- 17 Fort Lawton site acquisition, Seattle community college.
- 21 Taft-Hartley Act, section 14-b repeal.
- 24 Columbia basin, Wahluke slope, resale to original owners.
- 26 Federal sugar act amendment.
- 27 Asotin dam, navigational locks.
- 30 Interstate firearm sales regulation.
- 32 Industrial carbon products plant, construction.
- 33 Little Pend Oreille wildlife refuge, game department transfer.

HOUSE JOINT RESOLUTIONS

- Sub. 4 Voters, residence requirement changes.
- 7 Property tax valuation deduction, aged persons.
- 39 State debt, election, publication notice change.

HOUSE CONCURRENT RESOLUTIONS

- 1 Legislature organized, governor notified.
- 2 Joint session for vote canvass of elective state officers.
- 3 Joint session to receive Governor Rosellini message.
- 4 Joint session, Governor Evans' inaugural message.
- 6 Boeing company, fiftieth anniversary congratulations.
- 9 Joint session, Governor's message.
- 11 Memorial services, deceased members of legislature.
- 13 Farm, agricultural, timber lands, use, tax study.
- 14 Institutional residents, support study.
- 16 Fisheries interim committee, continuation.
- 17 Joint session to receive Senator Warren G. Magnuson.
- 18 Game and game fish interim committee.
- 19 Joint governmental cooperation committee reactivated.
- 20 Adjournment, sine die.
- 21 Legislature, extraordinary session organized, governor notified.
- 23 YMCA, youth legislature.
- Sub. 27 Property tax exemptions study.
- 28 Public assistance advisory committee, appreciation.
- 30 Charitable organizations, contributions study.
- 33 Water resources study interim committee established.
- 37 School buildings, remodeling, state aid study.
- 38 Constitutional advisory council created.
- 39 Adjournment sine die, extraordinary session.



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**TITLE AND HISTORY OF SENATE AND HOUSE BILLS,  
MEMORIALS AND RESOLUTIONS**

**AND**

**GENERAL TOPICAL INDEX**

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**TITLE AND HISTORY OF SENATE BILLS**

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message From House	Signed by President	Signed by Speaker	Action by Governor
1. <b>Senators Durkan, Neill, Gissberg and Moriarty, Jr.:</b> Establishing a "code of ethics" for elected public officials of the state or its political subdivisions .....	24, 103	319								
1. <b>(Substitute) Judiciary Committee:</b> Prescribing a "code of ethics" for public officials and candidates for public office.....		319	912	916	1071, 1347	916	1070, 1946, 1976	1376	1382	S. CH. 150 Ex
2. <b>Senators Greive, Cooney and Dore:</b> Providing for redistricting and reapportionment.....	29		30	32	113, 118, 125	41, 127	112, 127	131	131	Vetoed 137
3. <b>Senators Charette, Moriarty, Jr. and Neill:</b> Enacting a title of the Revised Code of Washington to be known as Title 35—Cities and Towns.	47, 104, 108	178	220	441		441	472	472	492	S. 506 CH. 7
4. <b>Senators Charette, Moriarty, Jr. and Neill:</b> Enacting a title of the Revised Code of Washington to be known as Title 43—State Government-Executive .....	47, 104, 108	227	292	442		442	472	472	492	S. 506 CH. 8
5. <b>Senators Charette, Moriarty, Jr. and Neill:</b> Enacting a title of the Revised Code of Washington to be known as Title 29—Elections.....	47, 104, 108	178	226	443		443	472	472	492	S. 506 CH. 9
6. <b>Senators Petrich, Neill and Gissberg:</b> Establishing a code of probate law and procedure...	47, 105	418	519	519	517, 736, 747	519, 752	736, 747, 748, 751	762	762	974-976 P.V. CH. 145
7. <b>Senators Freise and Lewis:</b> Allowing post-institutional placement of juvenile delinquents...	47, 105									
8. <b>Senators Washington, Neill and Cooney:</b> Declaring as vagrants persons who loiter about schools or institutions of higher learning.....	47, 105	514	818	818	1075	818, 1075	1075	1108	1117	S. 1240 CH. 112 Ex
9. <b>Senators Dore, Freise, Durkan, Connor, Peterson (Ted), Thompson, Jr., England, Williams, Riley, Mardesich and Herr (by Interim Committee on Education):</b> Authorizing four new community colleges .....	47, 105				410					





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NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message From House	Signed by President	Signed by Speaker	Action by Governor
20. Senators Rasmussen, Morgan, Sandison, Washington and Connor (by Executive request of Governor Rosellini): Establishing state law enforcement officers' training commission; providing state aid to increase standards of local law enforcement personnel.....	49, 105									
21. Senators Foley, Charette and Bailey (by Executive request of Governor Rosellini): Transferring motor pool functions to division of motor transport in department of general administration .....	49, 105									
22. Senators Sandison, Donohue, Knoblauch, Morgan and Petrich (by Executive request of Governor Rosellini): Providing for transportation benefit districts and authorizing levy of certain taxes thereby .....	49, 105				233					
23. Senators Greive, Charette and Rasmussen (by Executive request of Governor Rosellini): Providing for permanent partial disability pension awards under workmen's compensation.....	49, 105	447								
24. Senators Sandison, McCormack, Morgan and Washington (by Executive request of Governor Rosellini): Creating and setting forth powers and duties of a temporary study commission on higher education .....	49, 105									
25. Senators Durkan, Sandison, Neill, McCormack and Foley (by Executive request of Governor Rosellini): Allocating income from lands granted for normal school purposes to the bond retirement funds of the state colleges....	49, 105	234, 438	509	509		509	659	659	683	S. 940 CH. 76

26. Senators Durkan, Neill, Sandison and Donohue (by Executive request of Governor Rosellini): Allocating Washington State University income derived from land grants to bond retirement purposes .....	50, 105	235, 433	509	510	510	659	659	683	S. 940 CH. 77
27. Senators Foley, Charette and Gissberg (by Executive request of Governor Rosellini): Creating department of motor vehicles, defining its powers and duties.....	50, 105, 108								
28. Senators Rasmussen, Bailey and Kupka (by Executive request of Governor Rosellini): Changing administrative procedures under employment security claims.....	50, 105	448							
29. Senators Foley, Durkan, Rasmussen and McCormack (by Executive request of Governor Rosellini): Providing apportionment of school funds to school districts monthly and providing for emergency advancement thereof.....	50, 105	433	510	511	176, 842, 855, 859, 885	511	718	719	724 Vetoed 842
30. Senators McCormack, Bailey and Herr (by Executive request of Governor Rosellini): Providing equalization funds for school districts operation expenses implementing said school district's special levies for such purposes.....	50, 105				176				
31. Senators Morgan, Rasmussen and Riley (by Executive request of Governor Rosellini): Creating a state commission on the status of women .....	51, 105	283							
32. Senators Greive, Cooney, Rasmussen, Riley and Henry (by Executive request of Governor Rosellini): Providing for fair campaign practices .....	51, 105								
33. Senators Petrich, Rasmussen, Knoblauch, McCutcheon and Kupka (by Executive request of Governor Rosellini): Providing Tacoma Narrows bridge be toll free upon retirement of bonded indebtedness .....	51, 105								
34. Senators McCormack, Greive, Petrich, Neill, Rasmussen, Kupka, Dore and Riley (by Executive request of Governor Rosellini): Providing for promotion and development of nuclear industry through new division of department of commerce and economic development.....	51, 105	213							

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NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message From House	Signed by President	Signed by Speaker	Action by Governor
34. (Substitute) Committee on State Government and Veterans' Affairs: Providing for promotion and development of nuclear industry through new division of department of commerce and economic development.....		218, 339								
34. (Second Substitute) Committee on State Government and Veterans' Affairs: Providing for promotion and development of nuclear industry through new division of department of commerce and economic development.....		339	439	439		439	484	484	492	S. 618 CH. 10
35. Senators Greive, Dore, Talley, Kupka, Hanna, McCormack and Riley (by Executive request of Governor Rosellini): Permitting port districts to engage in industrial development and promotion.....	51, 105									
36. Senators McCormack, Hanna and Dore (by Executive request of Governor Rosellini): Creating a state education television commission and defining its powers and duties.....	51, 105									
37. Senators Peterson (Lowell), Gissberg and Durkan (by Executive request of Governor Rosellini): Creating a commission on Indian affairs and setting out its powers and duties.....	51, 105									
38. Senators Greive, Gallagher, Durkan, Connor, Riley and Dore (by Executive request of Governor Rosellini): Enabling counties and cities to participate in a sports stadium.....	51, 105	198	219	472		473	SCR 13 767			
39. Senators Greive, Bailey and Rasmussen (by Executive request of Governor Rosellini): Raising certain benefits under industrial insurance.	52, 105	433	502	502, 858	1058, 1243	502, 859	SCR 13 757, 1052, 1149	1155	1170	S. 1241, 1258 CH. 122 Ex

40. Senators Foley, Durkan, Dore and Talley (by Executive request of Governor Rosellini): Providing for sale of bonds to provide school plant facilities .....	52, 105	1162	1171	1172	1133, 1303, 1305, 1365, 1545	1172, 1545	1303, 1305, 1365, 1544	1556	1564	S. CH. 158 Ex
41. Senators Foley, Durkan and Dore (by Executive request of Governor Rosellini): Providing bond issue for new buildings for state institutions and departments.....	52, 105, 108									
41. (Substitute) Committee on Ways and Means: Authorizing the issuance and sale of state general obligation bonds.....		1345	1383		1462, 1482, 1507, 1553	1383, 1553	1462, 1482, 1507, 1553	1556	1564	P.V. CH. 172 Ex
42. Senators Foley, Durkan and Dore (by Executive request of Governor Rosellini): Adopting capital budget and making appropriations for capital improvements .....	52, 106	1145								
42. (Substitute) Committee on Ways and Means: Adopting the capital budget.....		1145	1172	1173	1252, 1259, 1350	1173, 1350	1250, 1258, 1288, 1350, 1453	1356	1366	P.V. 1453 CH. 153 Ex
43. Senators Foley, Durkan and Dore (by Executive request of Governor Rosellini): Adopting the budget and making appropriations for operation of state agencies for biennium ending June 30, 1967.....	52, 106									
44. Senator Freise: Changing requirements for posting of probate notices.....	52, 106	283	306, 405	450		450	SCR 13 757			
45. Senators Freise and Lewis: Extending power of appointment of family court assistants to third class counties.....	52, 106	283								
46. Senator Freise: Exempting seamen from time limitation for filing claims against toll bridge authority .....	52, 106									
47. Senators Charette, Rasmussen, Petrich, Foley, Neill, Moriarty, Jr. and Kupka: Increasing judges' salaries .....	52, 106	514	906	911	1074, 1244, 1253	911, 1074	1074	1108	1117	P.V. 1244 CH. 127 Ex
48. Senator Freise: Permitting stays in declaratory judgment proceedings.....	53, 106	235	346	450	740	450, 740	740	756	756	S. 942 CH. 131
49. Senators Neill, Foley and Sandison: Authorizing tax deferred annuities for university employees .....	53, 106									
50. Senators Gissberg, Atwood and Hanna: Establishing a law enforcement officers' training commission .....	53, 106	267, 301, 433	512	512		518	659	659	683	P.V. 972 CH. 158

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51. Senators Washington, Bailey and Raugust: Creating a department of motor vehicles.....	53, 106	213	483, 507	507	.....	508	659	659	683	S. 972 CH. 156
52. Senators Guess, Morgan and Atwood: Permitting publicity of juvenile hearings involving commission of felony.....	53, 106	.....	.....	.....	.....	.....	.....	.....	.....	.....
53. Senator Riley: Establishing one community college board of regents and setting forth its powers and duties.....	53, 106	.....	.....	.....	.....	.....	.....	.....	.....	.....
54. Senators Riley and Ryder: Allowing first class cities to create separate department to manage civic centers.....	53, 106	400	429	450	742	451, 742	742	756	756	S. 942 CH. 154
55. Senators Lewis and Henry: Increasing mileage allowance for state employees.....	87, 106	179	.....	.....	.....	.....	.....	.....	.....	.....
56. Senator Freise: Authorizing bail by court officials other than judges.....	87, 106	301	.....	.....	.....	.....	.....	.....	.....	.....
57. Senators Atwood, Gissberg and Petrich: Modernizing the personal exemptions statute.....	87, 106	179	224	473	.....	473	674	679	726	S. 941 CH. 89
58. Senator Riley: Providing for listing of expenses and contributions in nominating and election campaigns.....	87, 106	.....	.....	.....	.....	.....	.....	.....	.....	.....
59. Senator Riley: Imposing business and occupation tax on nonprofit corporations or associations furnishing research services.....	87, 106	.....	.....	.....	.....	.....	.....	.....	.....	.....
60. Senator Riley: Providing for commemoration in Statuary Hall of Louisa Boren Denny.....	88, 106	.....	.....	.....	.....	.....	.....	.....	.....	.....
61. Senators Atwood, Gissberg and Woodall: Providing for reasonable attorney's fees and assumption of appeal costs for indigents accused of crime.....	88, 106	283	317	473	739	473, 739	739	756	756	S. 942 CH. 133

62. Senators Lewis and McCormack: Increasing state per diem allowance.....	88, 106	179										
63. Senators Atwood, Hanna and Williams: Authorizing cities and towns to combine their garbage and refuse disposal systems with water systems and/or sewerage systems.....	88, 107	401, 1190	854	854	1032	854	1029					
64. Senators Durkan, Gissberg and Guess: Eliminating certain gross weight fees for trucks propelled by butane or propane fuel.....	90, 107	339										
65. Senators McCutcheon, Charette, Greive and Morgan: Making an appropriation for legislators' subsistence and lodging.....	90		90	90		90-91	95	95	96		S. 100 CH. 3	
66. Senators Foley and McCutcheon: Making an appropriation for the expenses of the legislature except printing.....	91		91	91		91	95	95	96		S. 100 CH. 2	
67. Senators Guess, McMillan and Herr: Establishing safety standards for underground construction workers.....	93, 107	284	307	474	927	474	SCR 13 757					
68. Senators Herrmann, Cooney and Gallagher: Providing inheritance tax exemption for firemen's pensions.....	93, 107	486	591	592, 775	591	592, 775	SCR 13 757, 977	977	1097		S. 1137 CH. 8-Ex	
69. Senator Hallauer: Permitting disabled to hunt from vehicles.....	93, 107											
70. Senator Neill: Authorizing Washington State University to exchange land.....	93, 107	235	294	451		451	674	679	726		S. 941 CH. 90	
71. Senators Gallagher, Rasmussen and Gissberg: Requiring municipal corporations to observe existing labor contracts when purchasing existing transportation system.....	93, 107	227	271	474		474	718	719	724		S. 941 CH. 71	
72. Senators Freise, Lewis, Kupka and Keefe: Removing the term "epileptics" from provisions dealing with nonresident deportation.....	93, 107	235	271	451	163	451	659	659	683		S. 940 CH. 72	
73. Senators Gallagher, Freise and Durkan: Eliminating county auditor's liability for damage caused by misspelled words or incorrect names.....	93, 107	284	307	475	743	475, 743	743	766	766		S. 942 CH. 134	
74. Senators Riley and Williams: Removing full crew requirement on freight trains.....	98, 107-108	916										

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NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message From House	Signed by President	Signed by Speaker	Action by Governor
75. Senators Freise and Lewis: Establishing division of probation and parole in department of institutions and setting forth powers and duties	98, 107	572								
76. Senators Freise, Lewis and Kupka: Providing criminally insane be committed to jurisdiction of director of institutions and in such institutions as director determines	94, 107	572	870	871	867	871	977	977	1097	S. 1137 CH. 9-Ex
77. Senators Guess, Redmon and Riley: Defining combination of services as applied to motor freight carriers	94, 107	267	336	480, 927	475	480, 927	SCR 13 767			
78. Senators Herrmann, Cooney and Gallagher: Providing the number of voters necessary for an election to authorize an excess levy for fire protection districts	94, 107	308	800	800	789, 1076	800, 1076	1076	1108	1117	S. 1240 CH. 113-Ex
79. Senators Hallauer and Hanna: Prescribing procedure for disqualification of judges	94, 107									
80. Senators Guess, Keefe and Woodall: Cancelling voter registration on failure to vote in past two general elections	96, 107									
81. Senators Guess, Keefe and Woodall: Abolishing rotation of names on ballots at primary elections	96, 107									
82. Senator Riley: Providing for painting of murals at the state capitol	97, 107									
83. Senators Guess, Riley, Atwood and Keefe: Determining number of voters permissible, number of machines necessary, in precincts throughout the state	97, 107	486	771	772		772				



84. Senators Gallagher, Moriarty, Jr. and Kupka: Relating to fuel tax refunds for urban transportation systems .....	97, 107	227, 267	293	475	742	475, 742	742	756	756	S. 942 CH. 135
85. Senators Gissberg, Atwood and Rasmussen: Regulating involuntary mental patient commitments .....	97, 107									
86. Senators Gissberg, Cowen and Atwood: Removing county immunity for acts of sheriffs.....	97, 107	207	233	452		452	674	679	726	S. 941 CH. 92
87. Senator Hanna: Increasing city mayor-commissioners' salaries .....	97, 107	410								
88. Senators Rasmussen, Gissberg and Moriarty, Jr.: Requiring reporting by physicians and others of child abuse.....	97, 107									
89. Senator Riley: Enabling the consolidation of counties .....	97, 107									
90. Senators Sandison, Ryder and Riley: Eliminating death requirement on safe deposit boxes..	97, 107	198	219	476		476	659	659	683	S. 940 CH. 79
91. Senators Gissberg and Cowen: Changing meeting date of county board of equalization.....	97, 107	235	287	452		452	718	719	724	S. 941 CH. 93
92. Senators Thompson, Jr., Riley and Sandison: Allowing importation of duty free liquor for personal use .....	97, 107	199	225, 231	924	225	925				
93. Senators Dore, Petrich, Riley, Neill, Ryder, Hallauer, Charette, McCutcheon, Washington, Bailey, Foley and Lennart: Regulating charities .....	97, 107	309			130, 346					
93. (Substitute) Judiciary Committee: Regulating charities .....		309	385, 781	476, 781	378, 380, 384, 775, 777	476, 781	SCR 13 767			
94. Senators Woodall, Greive and Petrich (by Legislative Council request): Pertaining to qualifications of police judges in third class cities....	97, 107	214	223	477		477	718	719	725	S. 941 CH. 94
95. Senators Woodall, Greive and Petrich (by Legislative Council request): Raising justice of peace jurisdiction to one thousand dollars.....	98, 107	214	230	477	224	477	683	683	726	S. 941 CH. 95
96. Senators Woodall, Greive and Petrich (by Legislative Council request): Changing jurisdiction of certain justices of the peace.....	98, 107	214	231	477	224, 230, 453	478	683	683	726	S. 941 CH. 96



108. Senator Riley: Providing occupational operator's license cannot be effective until thirty days after revocation or suspension of operator's license .....	101, 108												
109. Senators Petrich, Durkan and Dore: Precluding redemption by real estate mortgagor where abandonment preceded foreclosure.....	102, 108	236	294	453		453	659	659	693			S. 940 CH. 80	
110. Senators Keefe, Kupka and Woodall: Establishing female correctional institution.....	108												
111. Senators Ryder, Riley, Moriarty, Jr., Sandison and Lewis (by State Public Pension Commission request): Creating a state advisory investment council to public pension systems.....	109	514	803	805		806							
112. Senators Ryder, Riley and Moriarty, Jr. (by State Public Pension Commission request): Restricting to current employees membership in volunteer firemen's pension act.....	109												
113. Senators Foley, Charette and Freise: Requiring physicians and institutions to report cases of child neglect and abuse.....	109	410											
114. Senators Knoblauch, Peterson (Ted) and Durkan: Allowing payroll deductions for certain public employee organization dues.....	110	284											
115. Senators Charette, Kupka and Lewis: Relating to unlawful issuance of checks or drafts.....	110	284											
116. Senators Guess, Peterson (Ted), England, Durkan, Chytil, Petrich, Williams, Foley, Riley and Charette (by Executive request): Changing the method of appraisal for decedents' estates.	110	548											
117. Senators Hanna, England and Herr: Increasing court reporters' salaries.....	110	339	929	929	1076	930, 1076	1076	1108	1117			S. 1241 CH. 114-Ex	
118. Senators Ryder and Dore: Regulating the sale of checks .....	110	892	937	937	935	937							
119. Senators Moriarty, Jr., Ryder and Riley: Relating to condominiums.....	110	548	785	786		786	1018	1018	1097			S. 1137 CH. 111-Ex	
120. Senators Moriarty, Jr., Neill and Foley: Consolidating 1959 amendments of materialmen's lien statute .....	110	351	406	458		458	718	719	725			S. 941 CH. 98	



131. Senator Mardesich (by Interim Committee on Education request): Allowing school districts to form and/or join self-insurance plans.....	114								
132. Senators Ryder, Riley, Moriarty, Jr. and Sandison (by State Public Pension Commission request): Increasing certain filing fees.....	114								
133. Senators Ryder, Riley, Moriarty, Jr. and Sandison (by State Public Pension Commission request): Creating a board of judges to assist in the administration of the judges' retirement system .....	114	836	887	887		887			
134. Senators Hallauer and Charette: Creating presumption that game code and regulations are necessary for conservation of wild life.....	115	199, 351	406	479, 774	225	479, 774	SCR 13 757		
135. Senators Talley, McCutcheon and Durkan: Allowing school teachers duty-free lunch periods	115	309							
136. Senators Freise and McCormack: Naming a portion of secondary state highway No. 3D as "Ice Harbor Drive".....	115	351	828	828		828			
137. Senators Peterson (Ted) and Herrmann: Providing an additional penalty for sex offenders..	115								
138. Senators Lewis, Williams, Freise, Riley, Mardesich, Connor, Dore, Woodall, Peterson (Ted), Raugust, Redmon and Durkan (by Executive request): Removing restriction on percentage of handicapped persons acceptable for rehabilitation from certain agencies.....	115	214	238	454		454	SCR 13 757		
139. Senators Sandison, Dore, England, Morgan, Williams, Chytil, Lewis and Peterson (Ted) (by Interim Committee on Education request): Establishing a commission on higher education.	115								
140. Senators Ryder, Riley, Moriarty, Jr. and Sandison (by State Public Pension Commission request): Waiving receipt of public pension by a person re-employed in full time public employment .....	115	434	903	905	905	905			
141. Senators Dore, Mardesich and England (by Interim Committee on Education request): Transferring administration of day care centers to the superintendent of public instruction.....	115								

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142. Senators Peterson (Ted), Knoblauch and England: Allowing tax exemption for home owners receiving old age assistance.....	116									
143. Senators Dore, Williams and Mardesich (by Interim Committee on Education request): Providing for apportionment of school funds.....	116									
144. Senators Keefe, Guess and Kupka: Authorizing negotiations to purchase St. Luke's Hospital..	116	851			884					
145. Senators Durkan, Gallagher and Keefe: Providing property tax exemption for certain persons sixty-two years of age or older.....	116									
146. Senator Durkan: Providing for standards for exemption of institutions for the aged and infirm from property taxes.....	116									
147. Senators McCutcheon, Kupka and Peterson (Ted): Relating to the selection of jurors in the superior court.....	116	467								
148. Senators McCormack, Williams and Sandison: Authorizing the University of Washington to sell lands in Benton county.....	117	434	787	788		788	1097	1098	1097	S. 1117 CH. 5-Ex
149. Senators Freise, Petrich, Moriarty, Jr. and Dore (by Departmental request): Permitting director of licenses to administer the receipt of fees .....	117	267	307	454	130	455	674	679	726	S. 941 CH. 100
150. Senators Hanna, Bailey and Freise: Providing necessary expenses for port district commissioners and employees.....	117	199	220	455		455	674	679	726	S. 941 CH. 101

151. Senators Herrmann, Guess and Hallauer: Prohibiting sub-leasing of county agricultural fair property in competition with private industry..	117										
152. Senators McCormack, Washington and Riley: Authorizing port district acquisition and operation of certain park and recreational facilities	117	236	269, 297, 306	455	287	456	659	659	683	S. 940 CH. 81	
153. Senator Talley: Providing for a four year college in Cowlitz county.....	117										
154. Senators England, Durkan and Peterson (Ted): Prohibiting regrooved tires.....	125										
155. Senators Moriarty, Jr., Atwood, Petrich and McCutcheon (by request of Secretary of State): Preventing theft and destruction of initiative and referendum petitions .....	125	301, 434	867	867		867					
156. Senators Rasmussen, Gissberg and Stender: Authorizing referendums on county ordinances and providing for the adoption of ordinances by initiative process.....	126										
157. Senators Talley, Lewis and Sandison: Allowing consolidation of port districts lying in more than one county.....	126	199	219	456		456	718	719	725	S. 941 CH. 102	
158. Senators McCormack, Bailey and Ryder: Limiting the total dues assessment by the school directors' association .....	126	214	238	456		457	718	719	725	S. 941 CH. 103	
159. Senators Hallauer, Knoblauch and Lennart: Authorizing cooperative financing of vocational or technical facilities by school districts.....	126	183	225	479	738	480, 799	738	756	756	S. 942 CH. 136	
160. Senators Freise, Woodall, Chytil, Atwood, Herrmann, Cooney, Knoblauch, Stender and Redmon: Providing an exemption from business and occupation tax, admission charges by agricultural fairs .....	126	582	784	784		784	1347	1348	1360	S. 1454 CH. 145-Ex	
161. Senators Durkan, Gallagher, Keefe and Gissberg: Removing prohibition against public inspection of insurance company filings before their effective date.....	126										
162. Senators Foley, Lennart and Riley: Creating a temporary municipal budget committee.....	126	468	933	934		934					

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163. Senators Cooney and McMillan: Designating "Lake Spokane" .....	126	267	306, 467	457	.....	457	674	679	726	S. 941 CH. 104
164. Senator Charette: Converting Grays Harbor college from a community college to a four-year college .....	126	.....	.....	.....	.....	.....	.....	.....	.....	.....
165. Senators Atwood, Gissberg and Hanna: Providing for intergovernmental cooperation.....	127	.....	.....	.....	.....	.....	.....	.....	.....	.....
166. Senators Cooney and McMillan: Extending the Spokane river highway.....	127	.....	.....	.....	.....	.....	.....	.....	.....	.....
167. Senators Kupka, Redmon and Gallagher: Authorizing public transportation tax subsidies..	127	340	.....	.....	.....	.....	.....	.....	.....	.....
167. (Substitute) Committee on Highways: Authorizing public transportation tax subsidies.....	.....	340	407, 416, 422	457, 782	1078	458, 783, 1078	SCR 13 767, 1077	1108	1117	S. 1241 CH. 111-Ex
168. Senators Kupka, McCutcheon and Rasmussen: Authorizing payment for care of mentally retarded children in private institutions.....	127	598	929, 932	932	929	932	.....	.....	.....	.....
169. Senators Thompson, Jr., Mardesich and Williams (by Departmental request): Removing requirement that school district boundaries be coextensive with city of the first class boundaries .....	131	174	.....	.....	.....	.....	.....	.....	.....	.....
170. Senators Knoblauch and Peterson (Ted): Prohibiting parking on street parking strips.....	131	.....	.....	.....	.....	.....	.....	.....	.....	.....
171. Senators Talley, Knoblauch and Raugust: Removing prohibition against increasing compensation of appointive third class city and town officials .....	131	215	224	458	.....	458	718	719	725	S. 941 CH. 105



172. Senators Thompson, Jr., Charette and Gallagher: Authorizing special election to elect officers upon cities' advancement in classification .....	131	207	220	557	558	719	719	725	S. 941 CH. 106	
173. Senators Knoblauch, Freise and McMillan: Giving mayors of third and fourth class cities tie-breaking vote .....	132	401	429	558	558	718	719	725	S. 941 CH. 107	
174. Senators Woodall, Henry and Cooney: Authorizing the appointment of police judges pro tempore in third class cities and towns.....	132	207	233	458	143	459	719	719	725	S. 941 CH. 108
175. Senators Thompson, Jr., Charette and Hallauer: Prescribing the area of towns.....	132									
176. Senators Raugust, Donohue and Hanna: Redefining circumstances precluding benefits to city firemen for nonduty disability.....	132	401	591	591	591	719	719	725	S. 941 CH. 109	
177. Senators Sandison, Talley and Hanna: Authorizing payment or cancellation of unpaid, non-guaranteed bonds or warrants delinquent for more than fifteen years.....	132	207	902	903	903	1097	1098	1097	S. 1117 CH. 6-Ex	
178. Senators Peterson (Ted), Mardesich and Williams: Authorizing cities and towns to restrict milk or milk products to be sold.....	132									
179. Senators Riley, Ryder and Keefe: Authorizing cities to operate off-street parking facilities.....	132	411	426, 438, 482							
180. Senators Talley, Charette and Mardesich: Enabling third class cities and towns to not elect councilmen by position number.....	132	200								
181. Senators Kupka, Washington and Raugust: Clarifying financing procedures for off-street parking in cities and towns.....	132	309	482, 538	538	440, 506	539	SCR 13 757			
182. Senators Knoblauch, Atwood and Talley: Permitting storm sewers to be financed on a revenue basis .....	132	228	299	459	459	719	719	725	S. 941 CH. 110	
183. Senators Sandison, Bailey and Chytil (by Departmental request): Changing regulations relating to forest protection from spark-emitting, electric, gasoline, etc. engines.....	133	411								







215. Senators Kupka, Keefe and Cooney: Contracting to clear criminal detainees.....	140									
216. Senator Mardesich: Requiring bid proposal deposits when contracting for water districts....	140	411								
217. Senators Washington, Petrich and Raugust (by Highway Interim Committee request): Revising the justice of the peace act.....	140	419								
217. (Substitute) Judiciary Committee: Revising the justice of the peace act.....		419								
218. Senator Mardesich: Transferring functions of marine employee commission to highway personnel board .....	142									
219. Senator Mardesich: Requiring bid proposal deposits when contracting with cities.....	142	310	590	590	590	718	719	725	S. 941 CH. 114	
220. Senators Freise and Donohue: Concerns conveyance of land in Walla Walla county.....	142	352	334	560	561	674	630	726	S. 941 CH. 115	
221. Senators Kupka, Talley and McCutcheon (by request of State Auditor): Authorizing claims against local governments.....	142	215	288	561	561	718	719	725	S. 941 CH. 116	
222. Senators Kupka, Talley and McCutcheon (by request of State Auditor): Extending municipal appropriations for services.....	142	200	875	875	875	1097	1098	1097	S. 1137 CH. 14-Ex	
223. Senators Bailey, Freise and Knoblauch (by request of State Employees' Retirement Board): Changing generally provisions relating to state employees' retirement system.....	142	448	503	505	505	674	630	726	S. 972 CH. 155	
224. Senator Knoblauch: Requiring fencing by auto wrecking yards .....	149	341	379	561	562	719	719	725	S. 941 CH. 117	
225. Senators Rasmussen and Herr: Establishing office of public defender.....	149									
226. Senator Greive: Regulating commercial solicitation by telephone.....	149									
227. Senators McCormack, Thompson, Jr. and Sandison: Creating legislative committee on education .....	149									
228. Senators Herrmann, Kupka, Hanna and Cowen: Repealing business and occupation tax.....	149									



239. Senators Gallagher, Hanna and Thompson, Jr.: Authorizing the establishment of joint library local improvement districts, including both incorporated and unincorporated areas.....	160	200										
240. Senators Cooney and Herrmann: Authorizing townships to own and operate cemeteries jointly .....	160	310	336	562		563	718	719	725		S. 942 CH. 119	
241. Senators Henry, Guess and Redmon: Providing for disposition of licensing fees of engineers and land surveyors.....	160	310	861	861		861, 1138	1138	1155	1170		S. 1258 CH. 126-Ex	
242. Senator Petrich: Fixing certain justices of the peace salaries at established maximum.....	161											
243. Senator Petrich: Increasing salaries of certain justices of the peace.....	161											
244. Senators Williams, Ryder and Guess (by Executive request): Changing certain unemployment compensation benefits and basis of computation .....	161											
245. Senator Foley: Providing for a four-year college in Clark county.....	161											
246. Senators Talley, Henry and Gissberg: Giving power of eminent domain to diking improvement districts .....	161	208	288, 566	566, 927		563 566, 927	SCR 13 757					
247. Senators Talley, Henry and Gissberg: Increasing compensation of elective officials of diking improvement districts .....	161	208	239	460		460	718	719	725		S. 942 CH. 120	
248. Senators Hallauer and Hanna: Increasing compensation for public utility district commissioners .....	161	548										
249. Senator Dore: Exempting from the insurance code certain nonprofit organizations which issue annuities .....	161											
250. Senators Keefe, Guess and Woodall: Reducing overload fees .....	161	521										
250. (Substitute) Committee on Highways: Reducing overload fees.....		521	586	586	737	586, 738	737	756	756		S. 942 CH. 137	





260. Senators Williams, Riley and Peterson (Ted): Amending the metropolitan municipal corporations act .....	166																			
261. Senators Freise and Washington: Authorizing any board of directors of a school district to be known and referred to as the school district board of education.....	166	310																		
262. Senators Charette, Thompson, Jr., and Peterson (Ted) (by Departmental request): Restricting amount and type of salmon gear on commercial fishing boats.....	166	341																		
263. Senators Charette, Herr and Atwood (by Departmental request): Providing for forfeiture of the right to fish commercially under certain circumstances .....	167	201																		
264. Senators Charette, Thompson, Jr. and Peterson (Ted) (by Departmental request): Authorizing the director of fisheries to sell food fish or shellfish caught or taken during test fishing operation .....	167	221	297	564, 926		294	564, 926	SCR 13 757, 1097	1098	1097	S. 1147 CH. 72-Ex									
265. Senators Charette, Peterson (Ted) and Petrich (by Departmental request): Defining primary market value .....	167	341	869	869			869	1097	1098	1097	S. 1147 CH. 71-Ex									
266. Senators Petrich, Peterson (Ted) and Atwood (by Departmental request): Requiring reimbursement to state for shellfish lease evaluation .....	167	341	869	870			870													
267. Senators Williams, Thompson, Jr. and Durkan: Permits cities and towns to consolidate by agreement of their governing authorities.....	167																			
268. Senators Washington, McCormack and Neill: Appropriating funds for approach road to Central Washington State College.....	167																			
269. Senators Talley, Woodall and Durkan: Allowing merchants, employees, or agents of merchants, to detain suspected shoplifters.....	167																			
270. Senators Talley, Charette and Bailey: Establishing hair seal control program.....	170	876																		
271. Senator Riley: Authorizing care by optometrists under industrial insurance.....	170																			

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NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message From House	Signed by President	Signed by Speaker	Action by Governor
272. <b>Senators Thompson, Jr., Knoblauch and Bailey:</b> Extending state employees' retirement system to cover certain school district employees.....	170	284	345, 402, 414	564	337, 352, 405	564	659	659	683	S. 940 CH. 84
273. <b>Senators Riley and Kupka:</b> Requiring payment of hotel inspection fees into industrial insurance accident fund.....	170									
274. <b>Senators Washington, Raugust and McCormack</b> (by Highway Interim Committee request): Providing for the sale of bonds by the state to finance certain arterial and farm to market roads .....	170	268	316	565	299, 306	565	718	719	725	S. 942 CH. 121
275. <b>Senator Rasmussen:</b> Regulating boats and boating .....	170									
276. <b>Senator Rasmussen:</b> Providing a state system of motor vehicle accident insurance compensation .....	175									
277. <b>Senators Riley, Kupka and Moriarty, Jr.:</b> Providing for state trade fairs and the support thereof .....	175	208, 548								
278. <b>Senators Peterson (Lowell), Hanna and Lewis:</b> Giving mayors pro tempore right to serve more than one day.....	180	401	930	930		930				
279. <b>Senators Donohue, Charette and Neill:</b> Eliminating school district free public libraries....	180	411	430	461		461	674	680	726	S. 942 CH. 122
280. <b>Senators McCutcheon and Talley:</b> Increasing the maximum area of municipal corporations having more than fifteen hundred population to four miles.....	180	311	378	461	743	461, 743	743	756	756	S. 942 CH. 138

281. Senators Peterson (Ted), Riley, Kupka and Talley: Requiring director of labor and industries to issue rules pertaining to electricians and increasing certain fees.....	180	486	587	588, 792	1096	588, 792, 1096	SCR 13 757, 1096	1108	1117	S. 1241 CH. 117-Ex
282. Senators Rasmussen, Knoblauch, Thompson, Jr. and Stender: Authorizing noncertificated school employee vacations.....	180	311								
283. Senators Peterson (Ted), Kupka and Keefe: Regulating hairdressing and beauty culture establishments and the owners, operators, employees and students thereof.....	180	486			793					
284. Senators Cooney and Connor: Retaining public use of recreational land.....	180									
285. Senators Herrmann, Cooney and Donohue: Allowing acquisition and operation of sewer systems by irrigation districts.....	181	401	429	565		565	683	683	726	S. 942 CH. 141
286. Senators Washington, Henry, Donohue, Bailey, Guess and Raugust (by Highway Interim Committee request): Making it unlawful to drive under the influence of intoxicating liquor and/or drugs or if an habitual user of drugs.....	181	487								
287. Senators Morgan, Sandison, Kupka, Raugust, McCutcheon, Greive, Stender, Guess, Washington, Henry, Talley, Cowen, Mardesich, Donohue, Charette, Peterson (Lowell), Herrmann, Rasmussen, Woodall, Moriarty, Jr., Thompson, Jr., Cooney, Lewis, Herr, Knoblauch, Atwood, Gissberg, Williams, Chytil, England, Gallagher, Hallauer, Connor, Petrich, Riley, Keefe, Peterson (Ted), Hanna, Bailey and McMillan (by Executive request): Authorizing the purchase, lease, or lease with option of Harrison Memorial Hospital in Kitsap county.....	181	383	429		557					
288. Senators Kupka, Dore and Cooney: Regulating school district boundary change.....	183	342			871					
289. Senators Hallauer, Dore and Cooney: Changing generally laws relating to annexation by cities and towns.....	183									
290. Senators Kupka, Dore and Cooney: Relating to the annexation and consolidation of cities and towns.....	183									



300. Senators Hanna and Hallauer: Allowing management of dormitories by community colleges	185									
301. Senators Gallagher, Freise and McCutcheon: Providing a procedure for the cancellation of the registration of voters who do not reside at their registration address.....	185	311	378, 569	569, 783	567, 1080, 1243	569, 783, 1080	SCR 13 757, 1079	1108	1117	P.V. 1243 CH. 156-Ex
302. Senators Peterson (Ted), Keefe and Kupka: Regulating issuance of licenses for concealed weapons .....	185									
303. Senators Williams, Ryder, Chytil, Woodall, England and Atwood: Reapportioning and re-districting the legislature.....	185									
304. Senators Dore and England: Authorizing the creation of intermediate school districts.....	201	436	586	586	740	592, 740	740	756	756	S. 942 CH. 139
305. Senators McCutcheon, Gissberg and England: Allowing employees time-off from employment to vote .....	201	487								
306. Senators Peterson (Ted), Williams and Marde-sich: Regulating motorboats .....	201				348					
307. Senators Woodall, Lennart, Durkan and Raugust: Increasing beer tax for purpose of hiring one hundred additional state patrolmen.....	201									
308. Senators Durkan, Freise and Keefe: Increasing class "B" tax exemptions.....	202									
309. Senators Dore, Herr, Moriarty, Jr., England, Williams and Hallauer (by Executive request) (by Departmental request) (by Interim Committee on Education request): Authorizing increase of school district indebtedness.....	202	386			511, 527, 555, 585					
310. Senators Raugust, Washington and Peterson (Lowell): Prescribing procedural matters concerning hospital districts.....	209	311	379	567	741	568, 741	741	756	756	P.V. 976 CH. 157
311. Senators Morgan, Sandison and Kupka: Es-tablishing and providing for the administration of a correctional institution for women.....	209	620								
312. Senators Gallagher and England: Regulating naturopathy .....	209									
313. Senators England, Kupka and Gallagher: Reg-ulating collection agencies.....	209	553			591, 818, 840					

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NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message From House	Signed by President	Action by Governor Signed by Speaker
313. (Substitute) Judiciary Committee: Regulating collection agencies .....		917							
314. Senators Connor and Dore: Authorizing an increase in the compensation of precinct election officers .....	209								
315. Senators Washington and Lewis (by Departmental request): Changing law generally relating to financial responsibility of motor vehicle operators and owners.....	209	342	445, 517	518		518	718	719	S. 942 CH. 124
316. Senators Charette and Raugust: Regulating the appointment of town marshals and prescribing powers and duties relative thereto.....	209	236	271	462		462	718	719	S. 942 CH. 125
317. Senators Kupka, Cooney and Redmon: Relating to savings and loan associations.....	210	573							
317. (Substitute) Committee on Banks, Financial Institutions and Insurance: Regulating the payment of dividends by savings and loan associations and providing for the amendment of their bylaws .....		573	819, 830	830	818, 820	830			
318. Senators Petrich, Charette and England: Requiring fringe benefits and specifying procedures to insure payment of prevailing rate of wage on public works contracts.....	210	420	898	899	888	899	1224	1224	S. 1339 CH. 133-Ex
319. Senators Guess, Redmon, Chytill, Neill, Lewis and Freise: Reapportioning the legislature.....	210								
320. Senators Hallauer and Herrmann: Providing for easements back to owner upon certain condemnation actions by public utility districts....	210	779	796, 802	803	786, 797, 1081	803, 1081	1080	1108	S. 1241 CH. 118-Ex

321. Senator Gissberg: Providing for closing of estate where amount of liens, taxes, final expenses and awards equals value of estate.....	210	420	595	595	595	674	680	726	S. 942 CH. 126	
322. Senator Morgan (by Departmental request): Raising amount surviving relative may demand in earned wages from employer upon death of employee to one thousand dollars.....	210									
323. Senators Morgan and Kupka (by Departmental request): Continuing program of state aid for county probation services until June 30, 1967..	210	449, 841, 997	1064	1064	1303	1064, 1303	1302	1304	1312	S. 1346 CH. 137-Ex
324. Senators Morgan, Kupka and Sandison (by Departmental request): Authorizing purchase of property near Fort Worden school from federal government .....	210	383	871	871	871	1018	1019	1097	S. 1147 CH. 66-Ex	
325. Senator Morgan (by Departmental request): Permitting employees of state school or institution to transfer from state teachers' retirement system to state employees' retirement system .....	210	285								
326. Senators Morgan and Kupka (by Departmental request): Amending Interstate Compact on Juveniles to provide out-of-state confinement....	211	449	872	872	872					
327. Senator Petrich: Authorizing departments of state government to procure life insurance for certain employees while passengers on non-scheduled flights .....	215	302	874	874	872	874	1097	1098	1097	S. 1147 CH. 68-Ex
328. Senators McCormack, Gissberg and Freise: Authorizing the use of electronic voting systems..	215									
329. Senators Rasmussen and Mardesich: Eliminating "horseless carriage" license plates for vehicles made after 1931.....	215									
330. Senators Woodall, Neill and Greive: Requiring selection of state patrol chief from officers holding rank of lieutenant or above for at least three years.....	215	302	317							
331. Senators Bailey, Knoblauch and Lewis: Establishing state scholarship program.....	216	549	786	786	786					
332. Senators Chytil, Hanna and Woodall: Providing for the transfer or continuation of certain common carrier, contract carrier, or temporary carrier permits .....	216	549								





342. Senator Talley: Directing the construction of a railroad grade separation and approach road in Kalama .....	218												
343. Senators Rasmussen, Bailey, England and Chytil (by Departmental request): Extending permissible days of nursing home services for certain recipients of federal aid assistance....	218	312	873	873		873							
344. Senators Rasmussen, Gissberg and Williams (by Departmental request): Changing definition of resources for public assistance purposes; changing method of appropriating funds for old age assistance.....	219	312			233, 873								
345. Senators Lewis, Gissberg, Redmon, Mardesich, Chytil, Sandison, Raugust, McMillan, Freise, Cooney and Washington: Increasing volunteer firemen's death and disability benefits and employer contribution thereto.....	219	312	346	569		570	649	649	683		S. 940	CH. 86	
346. Senators Durkan, Neill and Riley: Defining procedures for electrical construction.....	219	549	790	790		790	1018	1019	1098		S. 1147	CH. 65-Ex	
347. Senators Talley, Washington and Henry: Providing for removal of tolls on Longview toll bridge and the maintenance thereof thereafter	221	352											
348. Senators McMillan, Cooney and Donohue: Authorizing sale of Chewelah armory .....	221	302	317	463, 831		463, 831				SCR 13	757		
349. Senators Williams, Atwood and Herr: Provides for creation of boundary review boards.....	221												
350. Senators Hallauer and Hanna: Permitting town to sell waterfront created by dams.....	221	312	337	463		463	674	680	726		S. 942	CH. 127	
351. Senators Dore, McCormack, Sandison, Durkan and Foley: Authorizing the sale of bonds to finance public school construction.....	221					300							
352. Senators Rasmussen, Cooney and Stender: Increasing industrial insurance pensions.....	222	436, 939											
353. Senator Moriarty, Jr. (by Executive request): Raising rate of business and occupation tax on certain business or service activities and providing collection thereof in part from customers, etc. ....	222	1162				1181							



360. Senators Durkan, Gissberg and Stender: Providing for collective bargaining for certain public employees .....	229	436	499	500	734, 1128	501, 735	734	756	756	Vetoed 1127
361. Senators Washington, Raugust and Talley (by State Highway Commission request): Changing from federal to state census determination on basis for state responsibility of certain highway work in cities and towns under 15,000 population .....	229	343			233					
362. Senators McCormack, Thompson, Jr., Charette, Peterson (Lowell), Kupka, McCutcheon, Washington, Stender, Knoblauch, Herr, Riley, Lewis, Henry, Talley and Greive: Raising minimum for payment of teachers per month and per year .....	229	343								
363. Senators Hallauer, Petrich and Atwood: Setting out state's jurisdiction over Indians and Indian lands .....	229									
364. Senators Rasmussen, Morgan and Foley: Removing residence requirement for applicant for aid to the blind.....	229	312	443	443		443	674	680	726	S. 942 CH. 128
365. Senators Henry, Hallauer, Woodall and Redmon: Exempting Newtown apples from assessment .....	229	344	379							
366. Senators Raugust, Washington and Herr (by State Highway Commission request): Requiring payment of fee and deposit by bidders on highway projects for maps, plans, etc.....	229	344	406	464, 926		464, 926	SCR 13 757, 1018	1019	1098	S. 1147 CH. 64-Ex
367. Senators McCormack, Henry and Woodall: Authorizing sale of Prosser armory.....	230	302								
368. Senators Thompson, Jr., Herr and Hallauer: Authorizing use of public lands for public parks, recreation and educational purposes....	230	344	428	465		465	SCR 13, 757			
369. Senators Woodall, Henry and Balley: Providing state department retirement age.....	230	352								
370. Senators Woodall, Gallagher, Stender, Redmon and Freise: Providing for information concerning motor vehicle accidents.....	230									
371. Senator Talley: Providing a method to pay for continuous operation of diking improvement districts .....	237	412								



379. Senators Kupka, Keefe and Gallagher: Providing for board of prison terms and paroles and appointing a chairman thereof.....	269	598	883	884	1091, 1126	884	1087-1090		
380. Senators Gissberg and Rasmussen: Limiting interest on retail purchases.....	285								
381. Senator Dore: Eliminating an inconsistency in the guaranty stock savings and loan statutes..	285								
382. Senators Thompson, Jr., Durkan and Bailey: Enabling merger of sewer districts.....	285	549							
383. Senators Thompson, Jr., Durkan and Bailey: Enabling consolidation of sewer districts.....	285	549							
384. Senators Thompson, Jr., Durkan and Bailey: Simplifying mergers and consolidations of water districts .....	285	550							
385. Senators Charette, Neill and Dore: Prohibits state or political subdivisions from requiring bidder on construction projects to obtain insurance from particular company, agent or broker	286	611							
386. Senators Petrich and Atwood: Expanding the basis for issuance of search warrants.....	286	841	928	928		928			
387. Senators Kupka, Keefe and McCutcheon: Prescribing insanity plea hearing procedures.....	286								
388. Senator Riley: Removing exemption of "bowling" from excise taxes.....	286								
389. Senators Atwood and Petrich: Establishing transitional procedures for counties electing to operate under the justice court districting act of 1961 .....	286	420	444	444, 774	1083, 1152	445 757, 1083, 1109, 775, 1153	1118, 1152	1165	1185 S. 1241 CH. 110-Ex
390. Senators Talley and Henry: Extending secondary state highway No. 1S.....	286								
391. Senators Williams, Riley, Ryder, Gallagher and England: Prohibiting sale of intoxicating liquor on grounds of University of Washington.....	286	303	849	849, 890	821, 831, 850, 891	891			
392. Senators Bailey and Durkan: Prohibiting the importation of persons in connection with labor disputes .....	286	421							



402. Senator Rasmussen: Providing for reimbursement of A. Buralli.....	291																			
403. Senator Morgan: Establishing Harrison Hospital pilot program.....	292																			
404. Senators Washington, Neill and Cowen: Authorizing the board of regents of Washington State University to establish an applied electrical research experiment station.....	292	550	787	787		787	1312	1328	1341											S. 1365 CH. 139-Ex
405. Senators Rasmussen and McCormack: Regulating certain political activities of certain public service companies.....	296																			
406. Senators Lennart, Washington, Freise, Redmon and Donohue (by Departmental request): Creating a flood control revolving fund and specifying its uses.....	296	412																		
407. Senators Greive and Herr: Establishing West Seattle Community College.....	296																			
408. Senators Riley, Connor and Thompson, Jr.: Making possession of a liquor identification card not issued to holder thereof a misdemeanor.....	296	437	866	866		866														
409. Senators Talley and McCutcheon: Referring the question of abolishment of capital punishment to the people.....	296																			
410. Senators Gissberg, Hallauer and Chytil: Providing for Washington state public timber marketing act.....	303	836																		
411. Senators Raugust, Riley and McMillan: Requiring all property to be assessed at twenty-five percent of true and fair value.....	303																			
412. Senators Thompson, Jr. and Morgan (by Executive request): Regulating the employment and activities of liquor salesmen, representatives and agents.....	303																			
413. Senators Petrich and Freise: Providing presentence hearing before sentencing in criminal cases where jury may impose death penalty....	303	449	865	866		866														
414. Senators Donohue and Raugust (by Highway Interim Committee request): Creating the county road administration board.....	304	387	868	863	1084	863, 1084	1084	1109	1117											S. 1241 CH. 120-Ex





425. Senators Riley, Morgan and Herr: Eliminating requirement that sewer districts comprehensive plan including portion or all of city or town must be submitted thereto for approval.....	315			
426. Senators Talley, Foley and Charette: Permitting removal of stream bed material.....	315	412		
427. Senators Durkan and Lennart: Defining rights of permanent legislative committee employees applying for civil service position.....	315			
428. Senators Riley, Guess, Chytil and Woodall: Requiring loyalty oaths of public officers and employees .....	315	402		
429. Senators Talley and Morgan: Prohibiting formation of new sewer district in area of existing district without consent of latter or unless latter refuses service.....	315	550		
430. Senators Talley and Thompson, Jr.: Prohibiting new water district within three miles of existing water district without consent of latter or unless latter refuses service.....	315	550		
431. Senators Peterson (Ted) and Williams: Permitting the correction of clerical errors in assessment rolls of sewer districts.....	316			
432. Senators Peterson (Ted) and Williams: Permitting correction of clerical errors in water district assessment rolls.....	316			
433. Senators Kupka, England and Gallagher: Creating a state board of registration for landscape architecture .....	316	583	348	
434. Senators Neill and Greive: Redistricting and reapportioning the state legislature.....	316			
435. Senator Cooney: Authorizing counties to issue revenue bonds and prescribing terms, forms, etc. ....	316			
436. Senator Bailey: Establishing an order of priority of the business of legislative interim committees .....	316			
437. Senators Petrich and Dore: Defining status of "attorney" with reference to reciprocal insurers .....	316			



448. Senator Mardesich: Creating salmon marketing commission .....	327																		
449. Senators Dore, Guess, Redmon, Lennart, Morgan and Hallauer: Providing for alcoholic rehabilitation facilities .....	327	488, 814, 1257																	
450. Senators Riley, Rasmussen, Lennart, Cowen, Woodall and Guess: Establishing college faculty loyalty requirements .....	327					410													
451. Senators Durkan, Rasmussen and McCormack: Enabling public utility districts to continue payment of premiums of contracts for the benefit of employees after retirement.....	327	829	852	852	1091	853, 1091	1091	1366	1376										S. 1455 CH. 149-Ex
452. Senator Riley: Reduces the business and occupation tax in the amount of twenty-five percent .....	328																		
453. Senators Atwood, Dore and Williams: Providing an approach to Western Washington State College .....	328																		
454. Senators Woodall, Talley and Redmon: Authorizing the acquisition of certain water rights by cities and towns.....	328	402	426	466		466	719	719	725										S. 942 CH. 130
455. Senators Gallagher, Gissberg and Hanna: Requiring emergency lighting systems in certain buildings .....	328	553																	
456. Senators Durkan, Keefe and Atwood: Authorizing reasonable attorney's fee when unemployment compensation appellant awarded benefits .....	328	550																	
457. Senators Guess and Riley: Requiring construction or reconstruction work to be done by private contractors .....	328																		
458. Senators Guess and Riley: Requiring that construction or reconstruction of or for the state be performed by private contractors.....	328																		
459. Senator Petrich: Regulating justice court jury trials .....	328	837	859	860	854	861													
460. Senators Greive and Herrmann: Making sales below cost and loss leader products unlawful when designed to destroy competition.....	328																		



471. Senators Rasmussen and Bailey: Relating to public assistance .....	330																			
472. Senators Washington, Riley, Dore, Durkan and Thompson, Jr.: Authorizing an additional bridge across Lake Washington.....	330	489																		
473. Senators Guess and Hanna: Relating to consumer fraud and prescribing penalties.....	330																			
474. Senators Washington, Morgan, Sandison, Greive, Moriarty, Jr. and Stender: Authorizing selection of route for cross-sound bridge.....	330	489	821	822		823	1224	1224	1298											S. 1302 CH. 131-Ex
475. Senators Foley, Durkan and Dore: Authorizing transfer of certain funds derived from land to University of Washington building account....	330																			
476. Senator Petrich: Transferring authority over teletypewriter communications network to chief of Washington state patrol.....	330	489	850, 855	856	830, 831, 851, 853	856	1097	1098	1098											S. 1147 CH. 60-Ex
477. Senators Knoblauch, Hanna and Gallagher: Regulating sale of liquor on election days.....	330	521	594	594, 773	410	594, 774	SCR 13 757, 1097	1098	1098											S. 1146 CH. 59-Ex
478. Senators Foley, Durkan and Dore: Allocating certain funds to University of Washington bond retirement fund .....	330																			
479. Senator Durkan: Relating to practitioners of the healing professions .....	330	814																		
479. (Substitute) Committee on Dentistry, Public Health, Air and Water Pollution: Relating to practitioners of the healing professions.....		814	901	901		901	1097	1098	1098											S. 1147 CH. 58-Ex
480. Senators Mardesich and Herr: Adding two members to the utilities and transportation commission .....	331																			
481. Senators Moriarty, Jr., England and Riley (by Executive request): Revising schedule of benefits, appeal procedure under industrial insurance .....	331																			
482. Senators Rasmussen and Bailey (by Departmental request): Setting out child welfare service as provided through department of public assistance .....	331	520																		

TITLE AND HISTORY OF SENATE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message From House	Signed by President	Signed by Speaker	Action by Governor
483. Senators Keefe and Durkan: Changing name of horse racing commission.....	331	490								
484. Senators Washington, Morgan, Sandison and Moriarty, Jr.: Permitting leases on contracts relative to state ferry system to be ten years in duration .....	331	413								
485. Senators Rasmussen and Bailey (by Departmental request): Changing law relating to child welfare agencies under public assistance.	331	551								
485. (Substitute) Committee on Labor and Social Security: Changing law relating to child welfare agencies under public assistance.....		551								
486. Senators McCormack, Thompson, Jr. and Bailey: Permitting superintendent of public instruction to establish advisory groups who shall be reimbursed for reasonable subsistence and traveling expenses in carrying out their duties .....	331	917								
487. Senators Peterson (Ted), Lennart and Marde-sich: Requiring personal use salmon fishing licenses .....	331									
488. Senators Washington, Petrich, Donohue and Williams: Changing law regulating outdoor advertising adjacent to state highways.....	331									
489. Senators Sandison, Neill, Ryder and Hallauer: Creating a temporary advisory council on public higher education and setting forth its powers and duties.....	332	413, 1116	1155	1159	1143, 1343, 1348, 1420, 1567	1159, 1420	1342, 1348, 1398, 1418, 1581	1449	1449	S. CH. 161-Ex

490. Senators Rasmussen, Williams and Peterson (Ted) (by Departmental request): Changing advisory committees to present department of public assistance .....	332	573	.....
491. Senators Washington, Hallauer, Guess, Donohue and Raugust: Permitting overweight and oversized increase in loads if federal government allows; allowing state patrol to confiscate permits if violations occur.....	332	490	.....
491. (Substitute) Committee on Highways: Permitting overweight and oversize increase in loads if federal government allows; allowing state patrol to confiscate permits if violations occur.....		490	.....
492. Senator McCutcheon: Increasing salaries of members of the legislature.....	332		.....
493. Senators Woodall and Sandison: Authorizing state patrol to provide security and protection for both houses of the legislature when in session .....	332		.....
494. Senator Mardesich: Providing for purchase of historical cannon for Fort Casey state park....	332	794	.....
495. Senators Lewis, Henry, Foley and England: Providing semimonthly pay periods.....	332		.....
496. Senators Neill and Mardesich: Providing regulations for construction of public works.....	333		.....
497. Senator Rasmussen: Requiring motor vehicle financial responsibility .....	333		.....
498. Senators Rasmussen, Herr and Mardesich: Transferring powers and duties of state boards and commissions to other state agencies.....	333	611	.....
499. Senator Rasmussen: Requiring candidates for nomination at a primary election to disclose the amount and source of contributions received .....	333		.....
500. Senators Henry, Hanna and Atwood: Amending outdoor advertising act to preserve signs in certain industrial or commercial areas.....	333		.....
501. Senator Durkan: Establishes procedure for recovery of funds lost by passage of checks without sufficient funds.....	333		.....





510. (Substitute) Committee on Education: Providing for school district reorganization.....	830												
511. Senators Riley and Thompson, Jr.: Regulating bartenders .....	334												
512. Senator Lewis: Authorizing public bodies to retain contract amount in lieu of requiring bond .....	334												
513. Senators Gissberg, Atwood and Hanna: Changing character of examination required, enlarging eligibility test furnished, for civil service for police and sheriffs.....	334												
514. Senator Dore: Taxing mobile homes and trailer travelers .....	335												
515. Senator Freise: Establishing a school for justices of the peace.....	335												
516. Senator Bailey: Requiring meetings of diking and drainage districts with notice thereof and requiring elections on levies.....	335												
517. Senators Lewis, Dore and Foley: Reimbursing city of Olympia for maintaining fire fighting equipment to protect capitol buildings.....	402												
518. Senators Washington, Morgan, Sandison, Moriarty, Jr., Bailey, Peterson (Lowell), Mardesich, Stender, Herr and Greive (by State Highway Commission request): Authorizing application for federal assistance in acquisition of ferry vessels and providing state financing to implement grant .....	413	522	824	824	824	824	1097	1098	1098	S. 1147 CH. 56-Ex			
519. Senators Foley, Ryder and Dore: Providing for disposition of funds received by the University of Washington .....	780	815	1110	1110	1248	1111, 1248	1248	1258	1288	S. 1311 CH. 135-Ex			
520. Senators Foley, Cooney and Ryder: Appropriating funds for state projects undertaken under Higher Education Facilities Act of 1964....	780	815	874	874	875	875	1097	1098	1098	S. 1104 CH. 4-Ex			
521. Senators Foley, Neill and Dore: Providing for use of portion of income reserve fund.....	780	815				1111							
522. Senators Ryder, Dore, Atwood, Moriarty, Jr. and Williams (by Executive request): Pertaining to apportionment of school funds.....	780	1162	1192	1199	1260, 1289	1199, 1260	1259	1301	1302	P.V. CH. 154-Ex			



531. Senators Foley, Moriarty, Jr., Dore and Ryder: Authorizing expenditure of certain outdoor recreation account funds for administrative and coordinative purposes.....	806	837	1111	1112	1112	1290	1291	1302	S. 1311 CH. 136-Ex
532. Senators Washington, Williams and Hanna: Providing that ski tow operators shall not be common carriers .....	806								
533. Senator Rasmussen: Specifying which authority shall issue certain subpoena.....	816								
534. Senators Bailey, Rasmussen and Dore: Providing for vocational rehabilitation for the deaf or hard of hearing.....	816	841							
535. Senators Washington, Henry, Guess, Donohue, Raugust, Bailey and Petrich: Making appropriations, reappropriations for operations, capital improvements of highway commission and toll bridge authority.....	816	1151	1252	1252	1349	1253, 1349	1348	1356	1366 S. 1454 CH. 144-Ex
536. Senators Kupka, Gissberg and Guess: Providing for distribution of sales tax funds to cities and towns .....	816								
537. Senator Petrich: Increasing salaries of supreme and superior court judges.....	816								
538. Senators Foley and Neill: Appropriations for expenses and costs of legislature.....	816		816	816		816	830	830	844 S. 879 CH. 12
539. Senator Henry: Providing for notice of the sale of imported meat and labeling of country of origin on each package.....	829	838	889	889	888	890			
540. Senator Freise: Relating to the administration of the state penitentiary.....	829	838							
541. Senators Moriarty, Jr. and Ryder (by Departmental request): Creating a county assessor's budget review board and setting out its powers and duties .....	844								
542. Senators Moriarty, Jr., Ryder and Thompson, Jr. (by Departmental request): Including salaries of county assessors under recommendations to be made by governor's advisory committee on salaries.....	844								



552. Senators Foley, Sandison and Ryder: Relating to student fees at state colleges.....	1139	1146	1329	1331	1268, 1300, 1307	1331	1366	1366	1376	S. 1454 CH. 147-Ex
553. Senators Bailey, Gissberg and McCormack: Providing for a study of state's water resources and changing name of department of conservation .....	1139									
554. Senators Gissberg and Rasmussen: Imposing a tax on cigarettes.....	1139									
555. Senators Thompson, Jr. and Dore: Increasing community college fees.....	1150	1180	1331	1332	1268, 1300, 1307, 1378	1332	1348	1366	1366	S. 1454 CH. 146-Ex
556. Senator Talley: Appropriating for the support of vocational rehabilitation Applied Industries Center of Kelso.....	1181									
557. Senators Washington, Mardesich and Guess: Authorizing additional bonding to meet unanticipated costs in completion of interstate highways throughout state.....	1187	1202	1266	1266		1266	1568	1585	1585	S. CH. 163-Ex
558. Senator Hallauer: Limiting terms of those members of the interstate compact commission who are legislators.....	1191	1237	1354	1354	1485	1354, 1485	1485	1508	1509	S. CH. 164-Ex
559. Senator Moriarty, Jr. (by Executive request): Extending sales tax to certain services.....	1191									
560. Senators Gallagher and Sandison: Removing the period of exemption on taxation of goods and wares in transitu.....	1204									
561. Senators Moriarty, Jr., Neill, Freise, Bailey, Washington and Greive (by Departmental request): Providing for registration of claims to withdraw and make use of waters.....	1248	1301								
562. Senator Hanna: Increasing the rate of sales and use taxes.....	1304									
563. Senators Herr and McMillan: Providing for sellers; payment of sales tax on sales made through vending machines .....	1329									

## TITLE AND HISTORY OF SENATE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message From House	Signed by President	Signed by Speaker	Action by Governor
564. Senators Bailey, Charette, Connor, Cooney, Cowen, Dore, Durkan, Foley, Gallagher, Glissberg, Greive, Hallauer, Hanna, Henry, Herr, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Mardesich, Morgan, Peterson (Lowell), Petrich, Rasmussen, Riley, Sandison, Stender, Talley and Washington: Increasing certain industrial insurance benefits .....	1337	.....	1338	1338	1337, 1339, 1510, 1515, 1568, 1580	1338, 1515	1510	1516	1541	S. CH. 165-Ex
565. Senators Ryder, Moriarty, Jr., Foley and Dore: Relating to apportionment of funds for educational purposes .....	1353	1374	1387	1389	1383, 1483, 1506, 1509, 1542	1389, 1484, 1544	1483, 1506, 1509, 1542	1556	1564	S. CH. 171-Ex
566. Senators Greive and Bailey: Providing for increase in membership of legislative council....	1359	.....	1359, 1370	1371	1360, 1364, 1567	1371	1382, 1581	1382	1392	S. 1455 CH. 148-Ex
567. Senators McCormack, Gallagher, Stender, Donohue and Henry: Provides for a flat gross income tax of one percent on individuals.....	1376	.....	.....	.....	.....	.....	.....	.....	.....	.....
568. Senator Morgan: Revising tax on sales through vending machines and earmarking yield for Harrison Hospital .....	1455	.....	.....	.....	.....	.....	.....	.....	.....	.....
569. Senators Greive and McCutcheon: Providing for congressional redistricting.....	1456	1471	.....	.....	1456	.....	.....	.....	.....	.....
570. Senators Mardesich and Williams: Appropriating funds for highway construction.....	1583	.....	1583	1583	.....	1583	1584	1585	1585	Vetoed
Initiative Measure No. 215 Marine Recreation Land Act.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
CH. 5.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	Effective date 12/3/65..... Approved by voters; 1964 State General Election

**TITLE AND HISTORY OF SENATE JOINT MEMORIALS**

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message From House	Signed by President	Signed by Speaker
1. <b>Senators Rasmussen, Gallagher, Henry and Connor (by Executive request of Governor Rosellini):</b> Requesting federal action placing health needs of retired people under social security.....	54, 108	421							
2. <b>Senator Riley:</b> Supporting United States stand in United Nations for payment of dues and assessments or loss of vote .....	54, 108								
3. <b>Senator Riley:</b> Memorializing Congress to end Egyptian aid .....	54, 108								
4. <b>Senators Bailey and Lennart:</b> Recognizing fire fighters..	143	1339	1356	1356		1356	1366	1366	1376
5. <b>Senators Gissberg, Greive and Bailey:</b> Memorializing the federal district court to adopt Senate Bill No. 2 as the apportionment plan for the state and allow the legislature to conduct normal business.....	143		144	146		146	SCR 13, 757		
6. <b>Senators Gissberg, Neill, Riley, Herrmann, Lennart, Atwood, Raugust, Woodall, McMillan, Henry, Donohue, Lewis, Guess and Talley:</b> Memorializing Congress to amend the United States Constitution to set out the right of the people to choose whether or not they wish to have one house of the legislature of their state apportioned on the basis of factors other than population.....	151, 168	413	470	470, 858	151, 428, 439	471, 858	SCR 13, 757		
7. <b>Senator Thompson, Jr.:</b> Requesting that Congress prevent minors from bringing alcoholic beverages into the United States .....	168	201							
8. <b>Senator Thompson, Jr.:</b> Requesting that Congress prevent individuals bringing in duty free alcoholic beverages .....	168								

TITLE AND HISTORY OF SENATE JOINT MEMORIALS—Continued

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message From House	Signed by President	Signed by Speaker
9. Senators Bailey, Donohue and Lennart (by Departmental request): Memorializing Congress to authorize increased capacity flood water detention structures.....	170	303	318	318	.....	318	674	680	726
10. Senators Peterson (Lowell) and Lennart: Commemorating Pig War.....	181	268	268	268	.....	268	SCR 13, 757		
11. Senators Riley, Sandison, Dore and Durkan: Requesting Congress to repeal wartime excise tax on furs, jewelry, travel and other luxury items.....	185								
12. Senators England and Dore: Memorializing Congress to cease price supports to tobacco industry.....	185								
13. Senators Stender, Herr, Peterson (Ted), Woodall, Petrich and Redmon: Memorializing Congress to enact legislation to continue the manpower development and training act.....	186	285							
14. Senator Riley: Memorializing Congress to cease aid to Indonesia.....	202								
15. Senator Talley: Requesting expansion of foreign trade to all countries with which we maintain diplomatic relations.....	292								
16. Senators Woodall, Hallauer, Dore, Atwood and Redmon: Requesting that Congress change the Yakima Indian land law.....	335		335	335, 782		335, 782	SCR 13, 758		
17. Senators Peterson (Ted), Charette and Petrich: Requesting the president and Congress to protect our fisheries by extending the offshore limit.....	944		944	944		944	1018	1019	1098



18. Senators Talley, Woodall, Henry and Morgan: Memorializing the delay in closure of veterans' hospitals.....	944	944	944	945	1117	1118	1129
19. Senator Riley: Memorializing Congress to investigate construction costs of federal house office building.....	1118						
20. Senators Guess, Lewis, Mardesich, Dore, Talley, Donohue, McMillan, Peterson (Lowell), Cooney, Herrmann and Keefe: Prohibiting restrictions on interstate sale of firearms .....	1150	1391					
21. Senators Peterson (Ted), Charette and Petrich: Requesting federal action to protect Bristol Bay fish run...	1377	1391	1391	1391	1391		
22. Senators Woodall and Redmon: Memorializing the President and labor secretary to adjust cutback of use of foreign farm laborers.....	1392	1392	1392	1395	1394		
23. Senators Hallauer, McCormack, Williams, Petrich, Hanna, Bailey, Herrmann, Thompson, Jr., Stender, Gallagher, Washington, Dore and Connor: Rescinding House Joint Memorial No. 1, 1963 extraordinary session.....	1394	1394, 1395	1395	1395, 1396	1396		
24. Senators Guess, Hanna, Hallauer, Cooney, Herrmann, Washington, Moriarty, Jr., Lennart, Freise, Woodall, Lewis, Mardesich, Neill, Henry, Ryder and Redmon: Requesting delay in raising power rates by Bonneville Power Administration .....	1461	1461, 1469	1469	1461, 1471	1470		

TITLE AND HISTORY OF SENATE JOINT RESOLUTIONS

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message From House	Signed by President	Signed by Speaker
1. <b>Senators Knoblauch, Rasmussen and Mardesich</b> (by Executive request of Governor Rosellini): Proposing Constitutional amendment permitting school district two-year ten mill special levy for operational expenses.....	54, 108								
2. <b>Senators Peterson (Lowell), Gissberg, Mardesich and Hanna</b> (by Executive request of Governor Rosellini): Proposing Constitutional amendment changing residence qualifications for voting to six months in state, thirty days in county, city, town, ward or precinct.....	54, 108	313	406	571	571, 576, 577, 596	571, 596			
3. <b>Senators Riley, Knoblauch, Dore, Henry and Morgan</b> (by Executive request of Governor Rosellini): Proposing Constitutional amendment to provide for annual sessions.	54, 108								
4. <b>Senator Riley</b> : Providing for Constitutional amendment for four-year terms for representatives.....	94, 108								
5. <b>Senator Riley</b> : Providing by Constitutional amendment for annual legislative sessions.....	94, 108	1135							
6. <b>Senators Gallagher, Moriarty, Jr. and McCutcheon</b> : Eliminating uncontested judicial positions from ballot...	94, 108	421							
6. <b>(Substitute) Committee on Constitution, Elections and Legislative Processes</b> : Eliminating uncontested judicial positions from ballot.....		421	820	820	978	820, 978	977	1019	1098
7. <b>Senators Guess, Redmon and Herr</b> : Proposing Constitutional amendment allowing special residence requirement for presidential elections.....	94, 108								
8. <b>Senators Freise and McCormack</b> : Removing prohibition against raising salaries during terms of office.....	94, 108	290							

8. (Substitute) Committee on Constitution, Elections and Legislative Processes: Removing prohibition against raising salaries during terms of office.....	290	593	593, 1263	1263	594, 1263	SCR 13, 758			
9. Senator Riley: Changing the date of election of the governor and lieutenant governor.....	102, 108								
10. Senators Riley, Lewis and Sandison (by State Public Pension Commission request): Authorizing the investment of public pension fund moneys in corporate securities .....	111	490							
11. Senators England, Herr and Peterson (Ted): Calling a session by a petition of legislators.....	117								
12. Senators McCormack, Bailey and McCutcheon: Revising publication requirements for referendum bills.....	127	421	821	821		821			
13. Senators Stender, Woodall, Peterson (Ted), Moriarty, Jr., Morgan, Lennart, Riley, England, Atwood, Redmon and Rasmussen: Establishing apportionment commission if legislature fails to act.....	135								
14. Senator Riley: Changing the date of commencement of terms of office of statewide elected officials.....	135								
15. Senators Kupka, Connor and Talley: Authorizing urban renewal tax allocations.....	143								
16. Senators Thompson, Jr., Peterson (Ted), Atwood, Chytil, Stender, Moriarty, Jr., Neill and England (by Executive request): Providing for home rule for cities and towns..	151								
17. Senator Rasmussen: Providing for removal of judges....	162								
18. Senators Rasmussen and Dore: Amending the Constitution to exempt those over 65 from tax on their homes...	171				794				
19. Senators Hallauer, McCormack, Williams, Petrich, Hanna, Bailey, Herrmann, Thompson, Jr., Stender, Gallagher, Washington, Dore and Connor: Rescinding House Joint Memorial No. 1, 1963 Extraordinary Session.....	186	345	1389	1390, 1395					
20. Senators Riley, Lennart, Dore, Ryder, Gallagher, Knoblauch, Washington, Mardesich, Petrich, Thompson, Jr. and Hallauer: Repealing alien land laws.....	211	573	593	593		593	683	683	726
21. Senators Washington, Hallauer, Henry, McCormack, Bailey, Riley, Kupka, Raugust, Cowen, McCutcheon, Freise, Lennart, Sandison, Peterson (Ted), Morgan, Donohue, Peterson (Lowell), Rasmussen, Herr, Guess and Neill: Proposing Constitutional amendment relating to redistricting and a commission therefor.....	223								

TITLE AND HISTORY OF SENATE JOINT RESOLUTIONS—Continued

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message From House	Signed by President	Signed by Speaker
22. Senators Dore, Petrich, Durkan, Foley, McCormack, Bailey, Greive, Sandison, Hanna and Herr (by Interim Committee on Education request) (by Departmental request): Providing for common school construction fund.	292	1116, 1163	1174	1176		1176	1290	1291	1302
23. Senators Lennart, Riley and McMillan: Amending Constitution to set assessed values at twenty-five percent of true and fair value.	304								
24. Senators Ryder, Moriarty, Jr. and Williams (by Executive request): Lowering the assessed valuation to thirty percent of true value and providing for enforcement thereof	781	1164	1204, 1297	1235	1206, 1215, 1225, 1236, 1247, 1264	1235, 1299			
25. Senators Talley, Moriarty, Jr., Kupka, Greive, Sandison and Bailey: Authorizing port districts to use funds for industrial development or trade promotion and promotional hosting	829	838	950	950	935	950	1108	1109	1117
26. Senators Moriarty, Jr., Ryder and Neill: Establishing the common school construction fund and providing for the financing thereof.	846								
27. Senators Atwood, Keefe and Guess: Removing the exemption of public utility districts from property taxation	880								
28. Senator Washington: Providing for Constitutional convention	895								
29. Senators Hanna, Hallauer, Chytil, Washington and Talley: Enabling expenditures by municipal corporations for industrial development or trade promotion.	978								
30. Senators Durkan, Gissberg and Riley: Authorizing legislation to grant property tax exemptions for elderly persons who are heads of households.	1101	1116							
31. Senators McCutcheon and Lennart: Proposing amendment to Constitution permitting Constitutional amendments by initiative to the people.	1262	1452							

**TITLE AND HISTORY OF SENATE CONCURRENT RESOLUTIONS**

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message From House	Signed by President	Signed by Speaker
1. <b>Senator Riley:</b> Directing a study of the feasibility of publishing a state magazine.....	102, 108								
2. <b>Senators Stender, Lennart, Morgan, McCutcheon and Gallagher:</b> Providing ferry system become part of state highway system .....	111-112								
3. <b>Senators Greive, McCutcheon, Bailey, Gissberg and Sandison:</b> Requesting the governor to confer with certain members of the legislature.....	130		130	130		130	131	135	138
4. <b>Senators Riley, Moriarty, Jr. and Cowen:</b> Resolution in remembrance of Russell "Stub" Nelson.....	162		162	162		162	169	170	175
5. <b>Senators Peterson (Ted), Riley and England:</b> Requesting University of Washington board of regents to proceed with construction of second deck on north side of Husky stadium .....	181								
6. <b>Senators Morgan, Herrmann, Keefe, Cooney, Cowen and Guess:</b> Designating hospital building at Lakeland Village the Les Mason Hospital.....	211		211	211		211	SCR 13, 758		
7. <b>Senators Dore, Bailey, Chytil, Freise, Greive, Herr, Moriarty, Jr., Neill and Woodall:</b> Establishing legislative building interim committee.....	336	490							
8. <b>Senators Herr and Stender:</b> Creating a committee to investigate the liquor board.....	336								
9. <b>Senators Riley and Woodall:</b> Adopting joint rules of the thirty-ninth legislature .....	437		437	437		437	472	472	492
10. <b>Senators Herrmann, Bailey, Greive, Mardesich, Redmon, Woodall and Thompson, Jr.:</b> Creating an interim committee on insurance and setting out its powers and duties .....	468	468, 1374	545, 1384	1384	513, 547, 1565, 1568	1386, 1565	1565, 1582	1585	1685



20. Senators Freise and Neill: Expressing admiration of deeds of Captain Albert Harold Rooks from Walla Walla, Washington .....	1118	.....	1118	1118	.....	1118, 1138	1138	1155	1170
21. Senators Durkan, Williams and Gissberg: Providing for legislative council study of property tax exemptions.....	1139	.....			.....				
22. Senators Morgan, Durkan and Knoblauch: Supporting Kitsap county citizens request that new navy ship be named "Port Orchard".....	1249	1290	1386	1887	.....	1387	.....		
23. Senators Kupka, Peterson (Ted), Gallagher and Connor: Directing legislative council to study the regulation of motor boats and vessels.....	1249	1811	1854	1854	.....	1354	1366	1366	1376
24. Senator Durkan: Proposing study mentally ill and retarded by legislative budget committee.....	1353	.....			.....				
25. Senators Dore and Bailey: Establishing a joint interim committee on facilities and operations.....	1367	.....	1367	1367	1398, 1459, 1473, 1487, 1567	1367, 1487	1398, 1459, 1473, 1486, 1582	1508	1509
26. Senators Charette, Hallauer, Bailey, Moriarty, Jr., Neill and Gallagher: Requesting the attorney general to determine effect of chapter 127, Laws of 1965 extraordinary session relating to terms and salaries of legislators.....	1460	.....	1460	1460	.....	1460	1473	1475	1507
27. Senators McCormack, Sandison, Neill, Williams, Freise, Petrich, Gissberg, Riley, Guess, Hallauer and Atwood: Relating to University of Washington graduate center at Hanford .....	1482	.....	1482	1482	.....	1482	.....		

**TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS—REGULAR SESSION**

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage
1. <b>Senators Greive and Moriarty, Jr.:</b> Notify House that Senate is organized.....	24					24
2. <b>Senators Gissberg, Gallagher, Keefe and Greive:</b> Commending Governor Rosellini for his dedicated service....	89					89
3. <b>Senator Greive:</b> Extending courtesies of the Senate to former presidents, members and secretaries.....	103					103
4. <b>Senators Bailey and Neill:</b> Purchase and deliver to each member and officer \$75.00 postage.....	103					103
5. <b>Senators Gallagher and Sandison:</b> Expressing sympathy to Great Britain on the loss of Sir Winston Churchill....	129				345	129
6. <b>Senator Talley:</b> Commending the Longview-Kelso Junior Drum and Bugle Corps for their participation in the Presidential inauguration ceremonies.....	130					130
7. <b>Senator Hallauer:</b> Asking Federal Power Commission to hold in abeyance further action on Oroville project.....	136				137	148
8. <b>Senator Herrmann:</b> Exempting Joel Gould from all branch banking laws of this state.....	148					148
9. <b>Senators Gallagher, Keefe, Neill, Cowen and Gissberg:</b> Congratulating Carroll Club of Seattle for sponsorship of Seattle invitational indoor track meet.....	148					149
10. <b>Senators Keefe, Cowen and Neill:</b> Commending Gerry Lindgren .....	159					159
11. <b>Senator Guess:</b> Awarding certificates of merit to state equipment operators in Cascade mountains.....	160				421	160
12. <b>Senator Hallauer:</b> Requesting commissioner of public lands to study availability of Torrens system of title registration .....	165				165	



13. <b>Senators Dore, Bailey, Greive, Moriarty, Jr. and Neill:</b> Requesting President of Senate to appoint bipartisan committee to investigate facilities for legislators and public; workload of legislature and expenditures and economies of legislative operation.....	164	320	164
14. <b>Senators Riley, Mardesich, Sandison, Moriarty, Jr., Woodall, Lennart, Ryder and Greive:</b> Public tribute to Doctor Henry Schmitz.....	172		172
15. <b>Senators Riley, Gissberg, Dore, Sandison and Durkan:</b> Commending and encouraging President Johnson and Secretary of Defense McNamara in their efforts and actions for a more efficient and economical federal government .....	178		178
16. <b>Senators Charette, Thompson, Jr., Peterson (Ted) and Peterson (Lowell):</b> Concerning restoration of funds from department of interior's budget for Columbia River Fishery Development Program.....	182		183
17. <b>Senators Hallauer, Woodall and Dore:</b> Extending congratulations to Colville Confederated Tribes.....	206		206
18. <b>Senators Petrich, Connor, Greive, Keefe, Ryder, Riley, Moriarty, Jr., Kupka, Peterson (Ted), Cowen and Morgan:</b> Commending The Reverend A. A. Lemieux, S. J.....	206		207
19. <b>Senators Washington and Raugust:</b> Requesting funds for Columbia Basin project for development of irrigation blocks 36 and 55.....	212		212
20. <b>Senators Washington and Raugust:</b> Asking continuance of field solicitor of department of interior.....	213		213
21. <b>Senators Peterson (Ted) and Gissberg:</b> Appointing Senator Ernest W. Lennart as representative from the Senate of the state of Washington to Sveg, Sweden for dedication of memorial.....	217		217
22. <b>Senator Lewis:</b> Congratulating the people of Olympia for development of Capitol Lake.....	289		289
23. <b>Senators Riley and Thompson, Jr.:</b> Urging state of Washington state liquor control board to modernize merchandising, marketing and distributing methods.....	290	290	
24. <b>Senators Charette, Mardesich, Atwood and Peterson (Ted):</b> Petitioning Congress to take appropriate action to preserve salmon fisheries.....	300		300
25. <b>Senators Greive and Neill:</b> Adopting permanent rules of the Senate and amending Rule 28.....	418		418

**TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS—REGULAR SESSION—Continued**

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage
26. <b>Senators Keefe, Guess, Kupka, Cowen and Freise:</b> Directing department of institutions director to consult with authorities in charge of St. Luke's Hospital in Spokane regarding eventual purchase of facility.....	418					418
27. <b>Senator Greive:</b> Commending Sister Mary Laurentia from Holy Rosary High School for her excellent teaching in state government.....	426					426
28. <b>Senators Hallauer and Woodall:</b> Asking for restoration of full rights to membership of Colville Reservation.....	431					431
29. <b>Senators Keefe and Woodall:</b> Commending Senators Greive and Neill for their efforts in behalf of reapportionment .....	441					441
30. <b>Senators Raugust, Bailey, Washington, Lennart, Hallauer, Redmon, Donohue, McMillan, Neill, Freise, Hanna:</b> Asking Congress for continuation of providing technical assistance to soil and water conservation districts.....	431					431
31. <b>Senator Knoblauch:</b> Providing \$50.00 postage for members and officers of the Senate.....	496					496
32. <b>Senators Rasmussen, Hallauer, Lennart, Bailey, Greive, Riley and Gissberg:</b> Urging members of Congress to support legislation requiring cigarettes to be labeled as hazardous to health.....	547					547
33. <b>Senators Woodall and Redmon:</b> Extending congratulations to Marquette High School, Yakima on championship basketball team.....	582					582
34. <b>Senators Guess and Talley:</b> Asking interim committee on game and game fish to study proposal of issuance of day by day licenses to nonresidents.....	671					671
35. <b>Senator Greive:</b> Appointing a committee to notify House that Senate is ready to adjourn <i>Sine Die</i> .....	762					762
36. <b>Senators Bailey and Neill:</b> Regarding completion of session work .....	759					760

**TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS—EXTRAORDINARY SESSION**

NUMBER, AUTHOR AND SUBJECT	<i>Read First Time and Referred</i>	<i>Report of Committee</i>	<i>Second Reading and Amendments</i>	<i>Third Reading</i>	<i>Other Action in Senate</i>	<i>Vote on Final Passage</i>
Ex. 1. <b>Senator Greive:</b> Retaining all officers, committee chairmen and committee members of regular session as officers and committees of extraordinary session....	769					769
Ex. 2. <b>Senator Greive:</b> Adopting rules of thirty-ninth legislature as rules of extraordinary session with one exception .....	778					778
Ex. 3. <b>Senator Greive:</b> Committee appointed to notify House that Senate is organized.....	769					769
Ex. 4. <b>Senators Greive and Neill:</b> Amending Rule 31 of Senate rules .....	1011					1011
Ex. 5. <b>Senators Guess and Washington:</b> Petitioning Congress to undertake study of highway needs after 1972.	839					840
Ex. 6. <b>Senators Redmon, Woodall and Neill:</b> Congratulating Davis High School of Yakima for winning the 1965 Class AA basketball championship.....	893					893
Ex. 7. <b>Senators Atwood, Mardesich, Gissberg, Henry, Lenhart, Peterson (Lowell), Gallagher and Redmon:</b> Asking Congress to devise and approve legislation for extension of Alaska Marine Highway as part of United States interstate highway system.....	1071					1072
Ex. 8. <b>Senators Redmon and Woodall:</b> Pledging support to Yakima county in centennial celebration during first week of June, 1965 and Central Washington Fair in September, 1965 .....	1114					1115
Ex. 9. <b>Senator Freise:</b> Thanking Walla Walla College and congratulating them on their music department.....	1115					1115

TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS—EXTRAORDINARY SESSION—Continued

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage
Ex. 10. <b>Senators Talley and Chytil:</b> Expressing sympathy and wishes for speedy recovery to Representative Alan C. Thompson .....	1115					1115
Ex. 11. <b>Senators Greive, Keefe, Ryder, Kupka, Riley and Durkan:</b> Directing legislative council to undertake study of impact of purchasing foreign produced materials by the state of Washington and its political subdivisions and public agencies.....	1130					1131
Ex. 12. <b>Senators Dore, Greive, Gallagher, Connor, Moriarty, Jr., Riley, Keefe, Kupka and Cooney:</b> Commending Father Lemieux for outstanding service to Seattle University and the state of Washington.....	1131					1131
Ex. 13. <b>Senator Rasmussen:</b> Requesting legislature to enact legislation for a state census to be taken during September, 1965 .....	1131				1131	
Ex. 14. <b>Senators Gallagher, Gissberg, Greive, Cooney and Kupka:</b> Requesting subcommittee of legislative council be authorized and directed to study continued operation and progress of civil service system.....	1134					1134-1135
Ex. 15. <b>Senators Thompson, Jr., Dore and Petrich:</b> Instructing interim committee on education or other appropriate interim committee to study field of post high school enrichment and vocational-technical educational opportunities .....	1144					1144
Ex. 16. <b>Senators Gissberg, Neill, Dore and Durkan:</b> Wishing Senator Frank Foley a speedy recovery.....	1184					1185
Ex. 17. <b>Senator Riley:</b> Directing legislative council or one of its subcommittees, to conduct interim study on developing sites and areas for industrial development, with special attention to Duwamish River Valley .....	1192					1192

Ex. 18. Senators McCormack, Gissberg and Freise: Instructing legislative council to study need for and expected benefits of electronic voting systems as mentioned in Senate Bill No. 328 and House Bill No. 553.....	1201	1201
Ex. 19. Senators Petrich, Knoblauch, Kupka, Rasmussen and McCutcheon: Extending congratulations to John P. Heinrich, associate professor, athletic director and head of physical education department of University of Puget Sound.....	1211	1212
Ex. 20. Senators Bailey and Lennart: Directing legislative council to study fire protection districts.....	1212	1212
Ex. 21. Senator Bailey: Directing legislative council to study statutes and procedures relating to drainage, diking and drainage improvement districts.....	1212	1213
Ex. 22. Senators Bailey and Ryder: Directing state public pension commission to study feasibility of integrating city and state employees' retirement systems.....	1289	1290
Ex. 23. Senators Knoblauch, Kupka, Petrich, McCutcheon and Rasmussen: Extending condolences to the family of Jack M. Farer upon his death Easter Sunday.....	1333	1333
Ex. 24. Senators Washington, McCormack and Raugust: Endorsing orderly development program outlined by the Columbia Basin Commission.....	1334	1335
Ex. 25. Senators Gissberg and Moriarty, Jr.: Commending Seattle Post-Intelligencer for inaugurating weekly sports column featuring Ed Donohoe.....	1364	1365
Ex. 26. Senator Lewis: Asking legislative council to make study of jurisdictional problems posed by expansion of capitol campus.....	1380	1381
Ex. 27. Senator Rasmussen: Suggesting to judges of supreme court that they promulgate new rules of the court to provide for twelve months' operation.....	1381	
Ex. 28. Senators Keefe, Cowen, Lennart, Raugust and Riley: Designating John T. McCutcheon as "Senator Extraordinary".....	1518	1519
Ex. 29. Senator Knoblauch: Designating Teresa Hallauer as Page Emeritus of Washington State Senate.....	1458	1458

## TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS—EXTRAORDINARY SESSION—Continued

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage
Ex. 30. Senators Washington, Hallauer, Raugust, McCormack and Hanna: Asking Congress to appropriate funds for construction of the third powerhouse at Grand Coulee Dam .....	1458	.....	.....	.....	.....	1459
Ex. 31. Senator Riley: Expressing appreciation to Children's Orthopedic Hospital and best wishes for successful penny drive for 1965 .....	1460	.....	.....	.....	.....	1460
Ex. 32. Senators Bailey, Chytil and Greive: Extending thanks to news correspondents for their work in the thirty-ninth legislature .....	1586	.....	.....	.....	.....	1586
Ex. 33. Senators Riley and Ryder: Commending Washington State Research Council for its services.....	1587	.....	.....	.....	.....	1587
Ex. 34. Senators Talley and Williams: Expressing appreciation for services by the Association of Washington Industries .....	1587	.....	.....	.....	.....	1587
Ex. 35. Senators Cowen and Woodall: Extending appreciation to Lieutenant Governor John A. Cherberg for his commendable job as presiding officer of the Senate .....	1587	.....	.....	.....	.....	1588
Ex. 36. Senators Bailey, Neill and Greive: Closing of business of thirty-ninth extraordinary session of the legislature .....	1586	.....	.....	.....	.....	1586
Ex. 37. Senators Moriarty, Jr. and Greive: Appointing committee to notify the House the Senate is ready to adjourn <i>Sine Die</i> .....	1588	.....	.....	.....	1588, 1589	1588
Ex. 38. Senators Henry and Atwood: Indefinitely postponing all bills, resolutions and memorials in the hands of the Secretary of the Senate committees or committee clerks .....	1588	.....	.....	.....	.....	1588

Ex. 39. Senators Sandison and Peterson (Ted): Expressing gratitude to Lieutenant Harvey Hallom of the Washington State Patrol for services rendered during the thirty-ninth legislature .....	1552	1552
Ex. 40. Senators Greive, Freise, Atwood, Rasmussen, McCormack, Morgan, Gallagher, Kupka, Mardesich, Petrich, Cowen, Woodall, Guess, Dore, Knoblauch, Neill, Moriarty, Jr., Lewis, Redmon, Durkan, Bailey, Ryder, Foley, McMillan, McCutcheon: Commending Senator William C. Raugust on his past years of service in the legislature .....	1557	1557





19. Representatives Johnson (Doris), Bergh, O'Donnell, Litchman and Smith: Excluding from business and occupation tax gross income of certain educational institutions and nonprofit corporations in performance of research.....	1258	1261									
33. Representatives Beck, Sheridan, Bottiger, Gallagher, Rogers, Swayze and Humiston (by Executive request of Governor Rosellini): Providing Tacoma Narrows bridge be toll free upon retirement of bonded indebtedness.....	468	469	620	690	690	690		726	726	S. CH. 50	
36. (Substitute) Committee on Education and Libraries: Creating a state education television commission and defining its powers and duties.	605, 879	605, 881	981	1154, 1160	1160	1161	SCR 13 748, 1154, 1185	1191	1192	S. CH. 129	
37. (Substitute) Committee on State Government: Creating a commission on Indian affairs and setting out its powers and duties.....	894	895	1059								
38. Representatives Olsen, Litchman, Chatalas, O'Donnell, Taylor and Smith (by Executive request of Governor Rosellini): Enabling counties and cities to participate in a sports stadium	437	438	598	641	642	642		681	681	S. CH. 15	
40. Representatives Uhlman, Johnson (Doris), Elder, Chatalas, Valle, Angevine, Grant, Radcliffe, DeJarnatt, Thompson and Litchman: Increasing salaries of state elected officials.....	55	55		55	55	55		59	59	S. CH. 1	
47. Representatives Bottiger, Valle and Wang (by Departmental request): Transferring licensing of electricians to director of labor and industries	605, 795	605, 807					SCR 13 748				
50. Representatives Uhlman, Pritchard and Hausler: Providing for at large election of port commissioners in class AA county.....	522	524	598	689	689	689	668, 685	725	726	S. CH. 51	
51. Representatives Uhlman, Garrett, Pritchard, Whetzel, Smith and Olsen: Requiring candidates for state representative to file by position numbers	491	492	599	686	688	688		725	726	S. CH. 52	
52. Representatives Jolly, Johnson (Doris) and Flanagan: Increasing irrigation district director's compensation	522	524	611	643	643	643		681	681	S. CH. 16	
55. Representatives May, Pierre and McCaffree: Increasing school bus length limit.....	577	578	612	635	635	635		681	681	Vetoed	



73. Representatives Kull, Newschwander and Lynch: Redefining park district condemnation procedure .....	522	524					SCR 13 748				
74. Representative Moon: Acquiring of Wallace river property for state parks purposes.....	491	493	551	638	638	638	687	725	726	P.V. CH. 146	
76. Representatives Flanagan, Kink and McCormick: Establishing campus police for state colleges .....	522, 843	524, 845	671	956	956	956	SCR 13 749	1098	1102	S. CH. 16-Ex	
77. Representatives Garrett, Grant and Litchman: Providing for accident insurance for school children .....	437, 843	438, 845	647	1043	1043	1043	SCR 13 749, 1107	1107	1109	S. CH. 86-Ex	
81. Representatives Morphis, Garrett and Newschwander (by State Public Pension Commission request): Preventing port district employees from belonging to both public and private pension systems .....	522	525	574	636	636	636	.....	681	681	S. CH. 20	
86. Representatives Bledsoe, Flanagan and Jolly: Increasing definition of arson.....	522, 894	525, 895	672	951	951	951	SCR 13 749	1098	1102	S. CH. 17-Ex	
88. Representatives Garrett, Leland and Taylor: Authorizing fire protection districts to execute conditional sales contracts.....	522	525	599	669	669	669	.....	680	682	S. CH. 21	
91. Representatives Harris, Sawyer and May: Making a portion of filing fees in justice courts available for county law libraries.....	491	493	621	666	666	666	638	725	726	S. CH. 55	
92. Representatives Johnston (Elmer E.), Lux and Conner: Revising law relating to mineral leases on state lands.....	577	578	621	654	655	655	652, 688	725	726	S. CH. 56	
96. (Substitute) Judiciary Committee: Requiring condemnors of real property to file a copy of their final pre-suit offer with the clerk of the court .....	604, 795	606, 807	971	1006	1008	1008	SCR 13 749, 1108	1138	1142	S. CH. 125-Ex	
100. Representatives Olsen, Kull and Mast: Prohibiting use of lie detectors in employment of persons .....	577	578	621	661	661	661	656, 749	680	682	S. CH. 152	
103. Representatives Witherbee, Angevine and Valle: Dispensing with elections in merger of and annexation by fire districts when certain percentages of voters approve petition.....	522, 843	525, 845	599	956	955	955	SCR 13 749	1098	1102	S. CH. 18-Ex	

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Message From House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor
104. (Substitute) Committee on Higher Education: Providing for community college districts.....	553, 795	554, 807	672, 959	692, 695, 987	700, 992	700, 993	694, 736, 748, 752, 754, 761, 979, 982, 984, 1100, 1109	1107	1109	S. CH. 98-Ex
105. Representatives Brouillet, Backstrom and Moos: Permitting school boards in second and third class districts to determine the date and time of their regular meetings.....	522, 943	525, 945	574	1038	1038	1038	SCR 13 749	1099	1102	S. CH. 87-Ex
111. Representatives Olsen, Smith and Haussler: Extending group hospitalization and medical aid coverage to elected county officials.....	577	578	648	711	711	711	.....	725	726	S. CH. 111
112. Representatives Olsen, Smith and Rogers: Adding exceptions to the restraints to the creation of local improvement districts.....	522	525	612	675	675	675	.....	725	726	S. CH. 58
113. Representatives Haussler, Olsen and Garrett: Pertaining to transfers within county budgets..	605, 795	606, 807	612	1010	1011	1011	SCR 13 749	1098	1102	S. CH. 113-Ex
114. Representatives McDougall, Braun and Garrett: Increasing city mayor-commissioners' salaries.	577	578	648	659	660	660	.....	680	682	S. CH. 22
117. Representatives Uhlman, O'Donnell and Leland: Requiring escrow agents to be licensed and bonded .....	491	493	672	709	709	709	720	750	751	S. CH. 153
122. Representatives Uhlman, Chatalas and Gorton: Enables cities to engage in preannexation planning .....	943	945	986	1048	1048	1048	.....	1099	1102	S. CH. 88-Ex

125. Representatives McDougall, Braun and DeJarnatt: Allowing management of dormitories by community colleges .....	605, 795	606, 807	960	984	985	985	984, 1107	1107	1109	SCR 13 749. S. CH. 89-Ex
132. Representatives Gorton, Uhlman and Dootson (by Departmental request): Removes requirement that school district boundaries be co-extensive with city boundaries.....	522, 880	525, 881	612	964, 966	967	967	964, 1107	1107	1109	SCR 13 749. P.V. CH. 108-Ex
133. Representatives Witherbee, Warnke and Perry: Providing that public building construction be by county building permit.....	522, 843	525, 846								SCR 13 749
134. Representatives Witherbee, O'Donnell and May: Making it unlawful for county to issue construction permit to employer not paying industrial premium .....	605, 843	606, 846	672	979	979	979		1098	1102	SCR 13 749 S. CH. 20-Ex
137. Representatives Litchman, Kink, Andersen (James A.), Lux, King (Richard "Dick"), Chatalas, Moon, Leland, Ahlquist, Johnson (Doris), Garrett, Taylor, Gallagher, Marzano, Kirk, Smith, O'Donnell, Brouillet, Olsen, Pritchard, Bottiger, Valle, Sawyer, Uhlman, Whetzel, Radcliffe, Copeland, O'Brien, Witherbee, Pierre, Haussler, Bozarth and Backstrom: Authorizing the establishment of five additional community colleges .....	491, 795	493, 807	971, 1164	1414	1417	1418, 1469	1468, 1473	1473	1474	SCR 13 749. 1418, 1448. 1455, 1460. S. CH. 159-Ex
142. Representatives Conner, Haussler and Brachtenbach: Authorizing exchanges of county real property .....	468, 795	469, 808	599	964	964	964		1098	1102	SCR 13 749 S. CH. 21-Ex
145. Representatives Huntley, Johnston (Elmer E.) and Sawyer: Authorizing a highway approach to Eastern Washington State College.....	522, 795	525, 808								SCR 13 749
148. Representatives Conner and Johnston (Elmer E.): Amending lease procedures for public lands .....	553, 943	554, 945	622							SCR 13 749
149. Representatives Burtch, Jolly and McDougall: Providing for sale of port district property no longer needed for district purposes.....	522	526	574	647	647	647		681	681	S. CH. 23
151. Representatives Beck, Swayze and Haussler: Providing an alternate method of fire districts.	522	526	600	705	705	705		725	726	S. CH. 59
152. Representatives Burtch, Andersen (James A.) and Anderson (Eric O.): Allowing port district special levy for canal construction or land leveling or filling purposes.....	522, 843	526, 846	600	964	965	965		1098	1102	SCR 13 749 S. CH. 22-Ex



173. Representatives O'Brien, Garrett and Brachtenbach: Setting forth necessary qualifications before being licensed as embalmer.....	491, 795	493, 809	613	677, 684, 952	684, 952	684, 953	SCR 13 751, 755, 758, 1101	1107	1109	P.V. CH. 107-Ex
174. Representatives Canfield, McDougall and Bozarth: Forbidding limitation in amount on sale of fresh fruit below seller's cost.....	604	606	622	674	674	674	660	725	726	S. CH. 61
175. Representatives Leland, Garrett and Brouillet: Increasing school district purchase authority...	522	526	574	706	706	706	.....	725	726	S. CH. 62
178. Representatives Day and Flanagan: Providing for acquisition by irrigation district of water system .....	894	895	1059	.....	.....	.....	.....	.....	.....	.....
184. Representatives Conner, Copeland and O'Brien: Requiring the state patrol to protect the governor and his family.....	491, 795	493, 809	553	961	962	962, 1136	SCR 13 749, 958, 1096, 1119, 1132, 1136, 1149	1149	1150	S. CH. 96-Ex
186. Representatives Taylor, Radcliffe and DeJarnatt: Authorizing expansion of an intercounty rural library district by a majority vote.....	468	469	600	683	684	684	.....	725	726	S. CH. 63
187. Representatives Leland, Avey and Goldsworthy: Authorizing counties, cities and towns to designate portions of roads or streets upon which aircraft may taxi.....	522, 795	527, 809	613	.....	.....	.....	SCR 13 749	.....	.....	.....
189. Representatives Moon, Kalich, Hood, Kull, Bledsoe and Newhouse: Providing for the election of members of the Washington state dairy products commission .....	491	494	622	665	666	666	.....	680	682	Vetoed
190. Representatives Bergh, Uhlman and Smith: Allowing property tax exemption for certain retired persons .....	1214	1214	1399	1478	1479	1479	1467, 1471, 1507	1509	1509	S. CH. 168-Ex
191. Representatives Newschwander, Grant and Brouillet: Changing dates relating to primaries .....	918	919	968	1034	1034	1034	.....	1099	1102	S. CH. 103-Ex
192. Representatives Adams, Johnston (Elmer E.) and Conner: Adopting the interstate compact on mental health.....	522, 843	527, 846	583	965	965	965	SCR 13 749	1099	1102	S. CH. 26-Ex
196. Representatives Grant and Elder: Reapportioning and redistricting the legislature.....	175	175	353	353	376	376, 381	378, 387	408	408	S. CH. 6

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Message From House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor
199. Representatives Bottiger, Avey and Goldsworthy: Changing exemption for nonresident owned aircraft .....	618	619					SCR 13 749			
200. Representatives Smith, Marzano, Sheridan, Gorton, Pritchard, O'Donnell, Chatalas and Hood (by Executive request): Forbidding discrimination in housing and real property .....	894	895	931				1046			
203. Representatives Olsen, Lux and Wolf: Raising per diem for state officials and employees .....	577, 795	578, 809	600, 1018	1066	1066	1066	SCR 13 749	1107	1109	S. CH. 77-Ex
204. Representatives Lux, Olsen and Wolf: Raising mileage rate allowance for state officials and employees .....	577, 795	578, 809	601				SCR 13 749			
206. Representatives Beck, Bozarth and Moos: Imposing in lieu tax on state game lands and eliminating partial payment of hunting fines and forfeitures to counties .....	879	881	917	1041	1041	1041		1099	1102	S. CH. 206-Ex
216. Representatives King (Chet), Hawley, Taylor, Wang, Hood, Mahaffey, Kink and Berentson (by Departmental request): Making it unlawful to dig hard shell clams for commercial purposes except on licensed clam farms .....	522, 795	527, 809	574	965	966	966	SCR 13 749	1099	1102	S. CH. 216-Ex
217. Representatives King (Chet), Hawley, Taylor, Wang, Hood, Mahaffey, Kink and Berentson (by Departmental request): Defining "Village Point" as the boundaries of a net fishing area ..	522	527	575	710	710	710		725	726	S. CH. 64
218. Representatives Hawley, King (Chet), Taylor, Wang, Hood, Mahaffey, Kink, Berentson and Thompson (by Departmental request): Requiring wholesale fish dealer's license for certain business activities .....	522, 795	527, 809	575	966	966	966	SCR 13 749	1099	1102	S. CH. 28-Ex



219. Representatives Hawley, King (Chet), Taylor, Wang, Hood, Mahaffey, Kink, Thompson, Berentson and Bergh (by Departmental request): Defining fish buyer.....	523, 795	527, 810	575	967	967	967	SCR 13 749	1099	1102	S. CH. 29-Ex
220. Representatives King (Chet), Hawley, Taylor, Wang, Hood, Mahaffey, Conner, Kink, Berentson and Thompson (by Departmental request): Requiring that commercial fishing gear be licensed according to residency of operator rather than owner.....	523, 795	527, 810	575	968	968	968	SCR 13 749	1099	1102	S. CH. 30-Ex
222. Representatives Hawley, King (Chet), Taylor, Wang, Hood, Mahaffey, Kink, Berentson, Bergh and Thompson (by Departmental request): Declaring unlawful alien commercial fishing and fraudulent application for licenses.....	523, 843	527, 846	575				SCR 13 749			
226. Representatives O'Brien, Whetzel and Valle: Provides for open space lands in urban areas..	577	579	628	712	713	713	SCR 13 715, 749			
229. Representatives Anderson (Eric O.), Burtch and Conner: Permitting physically handicapped to be aided by immediate family members in catching food fish and shellfish limits.....	523, 843	528, 846	878				SCR 13 749			
231. Representatives Beck, Haussler and Goldsworthy (by Departmental request): Changing fees to be collected by supervisor of water resources .....	523, 894	528, 897	622, 997	1569	1569	1569	SCR 13 749, 1530	1584	1585	S. CH. 160-Ex
234. Representatives Sawyer, McCormick, Wang, Berentson, Cunningham, Warnke, Hawley, Beck, Leland and Bozarth (by Highway Interim Committee request): Enacting new rules of the road for motor vehicles upon highways.	604, 795	606, 810	613	1049, 1058	1059	1059, 1351	SCR 13 749, 1046, 1165, 1171, 1304, 1351	1366	1366	P.V. CH. 155-Ex
235. Representatives O'Donnell, Klein and O'Brien (by Departmental request): Changes board of discrimination to human rights commission....	815	817	931							
237. Representatives Brachtenbach, Klein and O'Dell: Changing date for selection of jurors by county clerk.....	523	528	623	705	705	705		725	726	S. CH. 65
239. Representatives Sawyer, Huntley, McCormick, Conner, Wang, O'Dell, Bozarth and Warnke (by Highway Interim Committee request): Raising motor vehicle fees and providing for disposition thereof .....	468	469	613	628	629	629		681	681	S. CH. 25

## TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Message From House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor
240. Representatives Bledsoe and Kull (by Departmental request): Regulating sale of commercial feed including customer-formula feed.....	605, 843	606, 846	623	1005	1005	1005	SCR 13 749	1099	1102	S. CH. 31-Ex
241. Representatives Bledsoe, Newhouse and Berenson (by Departmental request): Raising fees for recording livestock brands.....	523	528	601	631	631	631	688	725	726	S. CH. 66
242. Representatives Newhouse, Marsh and Kalich (by Departmental request): Providing producer member of agriculture commodity board may be a director of a cooperative handling the affected commodity .....	523	528	601	.....	.....	.....	SCR 18 749	.....	.....	.....
243. Representatives Canfield, Jolly and McDougall (by Departmental request): Changing eligibility requirements for state allocations to agricultural fairs and amount of such allocations.....	523, 795	528, 810	683	980	980	980	SCR 13 675, 749	1099	1102	S. CH. 32-Ex
244. Representatives Burtch, Moon, Moos, Backstrom and Leland (by Departmental request): Making general changes in flood control district law; repeals earlier 1935 law on such districts.....	523	528	614	657	657	657	.....	680	682	S. CH. 26
245. Representatives Gallagher, Taplin and Jolly (by Departmental request): Exempting United States vehicles from motor vehicle registration; providing registration of vehicles possessed by international body .....	523, 843	528, 846	614	984	984	984	SCR 13 749	1099	1102	P.V. CH. 106-Ex
246. Representatives Huntley, Taplin and Bozarth (by Departmental request): Changing annual report to governor by director of licenses from calendar to fiscal year basis; changes date required .....	604	607	614	667	667	667	.....	680	682	S. CH. 28

247. Representatives Cunningham and Gallagher (by Departmental request): Changing administrative provisions relating to users under motor vehicle use fuel tax.....	604, 843	607, 847	614	995	996	996	SCR 13 749	1099	1102	S. CH. 33-Ex
248. Representatives McDougall, Canfield and Flanagan (by Departmental request): Provides standards for disinfecting fruit trees, produce thereof .....	523	529	601	646	646	646	.....	681	681	S. CH. 27
249. Representatives Jolly, Huntley and Bozarth (by Departmental request): Abolishing issuance of duplicate vehicle license plates.....	523, 843	529, 847	614	958	958	958	SCR 13 749, 1100	1107	1109	S. CH. 78-Ex
251. Representatives McDougall, Wolf and Taplin (by Departmental request): Changing refund procedure as to motor vehicle fuel importer tax	604	607	672	712	712	712	.....	725	726	S. CH. 67
252. (Substitute) Committee on Water Resources and Pollution Control: Providing for regulation and licensing of water well contractors by commission .....	491	494	649	661	661	661	520, 584	680	682	Vetoed
253. Representatives Klein, Warnke and Hawley: Allowing sewer districts to change names.....	523, 894	529, 897	615	.....	.....	.....	SCR 13 749	.....	.....	.....
256. Representatives Day, Backstrom and Adams: Regulating hair dressing and beauty culture establishments and the operators and employees thereof .....	584, 792	584, 792	623	792, 796, 801	801	801	SCR 13 749, 792, 830	853	853	P.V. CH. 3-Ex
257. Representatives DeJarnatt and Thompson: Providing a method to pay for continuous operation of diking improvement districts.....	523, 894	529, 897	575	.....	.....	.....	SCR 13 749	.....	.....	.....
258. Representatives DeJarnatt and Thompson: Increasing compensation of election officials of diking improvement districts.....	523, 943	529, 946	576	.....	.....	.....	SCR 13 749	.....	.....	.....
259. Representatives DeJarnatt and Thompson: Giving power of eminent domain to diking improvement districts .....	523, 894	529, 897	649	.....	.....	.....	SCR 13, 749	.....	.....	.....
264. Representatives Slagle, Adams, Chatalas and Newschwander (by Departmental request): Setting forth crimes for fraudulently obtaining public assistance .....	523, 795	529, 810	601	996	996	996	SCR 13 749	1099	1102	S. CH. 34-Ex

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	Message From House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor
265. Representatives Huntley, Wolf and Gallagher (by Departmental request): Changing regulations of motor vehicle fuel tax users.....	604, 843	607, 847	678	962	962	962	SCR 13 749, 964, 969, 1100	1108	1109	S. CH. 79-Ex
267. Representatives Beck, Newhouse and Elder (by Departmental request): Providing for additional time on sentences of prisoner escapees.....	523	529	601				SCR 13 749			
268. (Substitute) Committee on Public Institutions and Youth Development: Extending provisional licenses for certain department of institutions personnel until July 1, 1967.....	523	529	602	644	644	644		681	681	S. CH. 29
270. Representatives Beck, Epton and Elder (by Departmental request): Provides state bureau of criminal identification may be established at Washington corrections center at Shelton...	523, 843	530, 847	602				SCR 13 749			
271. Representatives Hurley, Chatalas and Epton (by Departmental request): Allowing department of public assistance to coordinate state aid to federal programs respecting earnings of those receiving assistance .....	523, 843	530, 847	602	957	957	958	SCR 13 749	1099	1102	S. CH. 35-Ex
273. Representatives Copeland, Lux and Chatalas (by Departmental request): Creates state advisory committee on public assistance and provides for county advisory committees.....	815	817	838	1020	1020	1021	1011	1099	1102	S. CH. 90-Ex
274. Representatives Newschwander, Chatalas and O'Donnell (by Departmental request): Changing services available under public institutions in county institutions and nursing homes.....	523, 943	530, 946	602	981	981	981	SCR 13 749	1099	1102	S. CH. 34-Ex

275. Representatives Epton, Humiston and Slagle (by Departmental request): Providing department of public assistance may transfer uncollectible debts to suspense account and limiting time for collection.....	605, 943	607, 946	623	1037	1037	1037	SCR 13 749	1099	1102	S. CH. 91-Ex
276. Representatives Epton, Adams and Savage (by Departmental request): Including as dependent children for public assistance purposes certain students over eighteen years of age.....	491, 843	494, 847	615	999	999	999	SCR 13 749	1099	1102	S. CH. 37-Ex
277. Representatives Savage, Humiston and Marzano (by Departmental request): Authorizing payment of certain funeral services by department of public assistance.....	523, 943	530, 946	615	1039	1039	1040	SCR 13 749, 1100	1108	1109	S. CH. 102-Ex
278. Representatives Taplin, Wolf and Cunningham (by Departmental request): Providing requisites for motor vehicle dealer licenses.....	604	607	623	711, 714	714	714, 746	712, 745, 757	757	757	S. CH. 68
279. Representatives Taplin, Jolly and Gallagher (by Departmental request): Strikes sending of notice of delinquency to owners when overdue house trailer excise tax; removes present added penalty for overdue tax.....	894	897	939	1041	1041	1041	.....	1099	1102	S. CH. 92-Ex
283. Representatives Taplin, Day and Huntley: Authorizing a feasibility study for relocation of primary state highway No. 3 in Asotin county.....	523, 843	530, 847	.....	.....	.....	.....	SCR 13 749	.....	.....	.....
284. Representatives DeJarnatt, Lux and King (Richard "Dick") (by request of Interim Committee on Education): Makes certain compulsory courses of state colleges of education discretionary.....	943	946	.....	.....	.....	.....	.....	.....	.....	.....
285. Representative Conner: Lengthening voting hours.....	605	608	624	676	677	677	.....	725	726	Vetoed
288. Representatives Beck, Wang, Rogers, Kirk, Lynch, Canfield, Gallagher, Smith, Traylor, Chatalas, Mahaffey, Haussler, McCormick, Litchman, Kink, Warnke, Whetzel and Bozarth (by Executive request): Authorizing the purchase, lease, or lease with option of Harrison Memorial Hospital in Kitsap county.....	557	557	.....	565	565	566	.....	578	578	S. CH. 11
289. Representatives Brouillet, Wang and Garrett: Increasing credit union loan authorization....	577, 795	579, 810	892	955	955	955	SCR 13 749	1099	1102	S. CH. 98-Ex

## TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Message From House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor
291. Representatives Conner, Traylor and King (Chet): Providing for first-phase construction of Sol Duc Salmon Production Station.....	879	881	.....	.....	.....	.....	938	.....	.....	.....
292. Representatives Bottiger and Marzano: Regulating contractors .....	918	919	.....	.....	.....	.....	.....	.....	.....	.....
293. Representatives Beck, Flanagan and Haussler: Providing for dissolution of inactive port districts .....	523, 943	530, 946	602	.....	.....	.....	SCR 13 749	.....	.....	.....
295. Representatives Klein, DeJarnatt and Huntley: Providing for the entry of this state into the interstate library compact.....	491, 795	494, 810	602	1040	1040	1040	SCR 13 749	1099	1102	S. CH. 295-Ex
296. Representatives Lynch, Chatalas, Adams, Humiston and Cunningham (by Executive request): Setting out department of public assistance's duties relating to child welfare.....	577	579	624	656	656	656	.....	680	682	S. CH. 30
298. Representatives Canfield, Haussler and Garrett: Requiring publication of notice of resolutions for formation of LID's in water districts rather than publishing resolutions in full.....	523, 894	530, 897	615	1000	1000	1000	SCR 13 749	1099	1102	S. CH. 39-Ex
299. Representatives Canfield, Haussler and Garrett: Requiring publication of notice of resolution for formation of LID's in sewer districts rather than publishing resolution in full.....	523, 894	530, 898	615	1001	1001	1001	SCR 13 749	1099	1102	S. CH. 40-Ex
302. Representatives King (Richard "Dick") and Elder: Regulating public building construction.	879	881	960	.....	.....	.....	.....	.....	.....	.....
303. Representatives Uhlman, Brachtenbach and DeJarnatt: Changing dates for the preparation and consideration of school district budgets....	605, 894	608, 898	649, 1018	1001, 1038	1039	1039, 1133	SCR 13 749, 1002, 1096, 1108, 1109, 1118, 1132, 1137	1137	1142	S. CH. 124-Ex

304. Representatives Bledsoe, Flanagan and Bozarth: Defining certain agricultural transactions as sales at wholesale.....	523	531	608	710	710	710	.....	725	726	S. CH. 69
307. Representatives Hurley, Pritchard, Traylor and Taylor: Providing for payment of eye care service benefits under insurance contracts whether such care is performed by physician or optometrist .....	553	554	616	642	642	642	636	681	681	P.V. CH. 149
309. Representatives Hood, Kink and Radcliffe: Authorizing state historical society to sell Pickett House to Daughters of the Pioneers.....	523	531	576	654	654	654	.....	680	682	S. CH. 31
313. Representatives Andersen (James A.), Chatalas and Litchman: Defining failure to return a rented automobile as larceny.....	523	531	624	657	657	658	.....	680	682	S. CH. 32
315. Representatives Garrett, Swayze and Rogers: Regulating psychologists .....	491	494	616	639	640	640	687	725	726	S. CH. 70
318. Representatives King (Chet), Garrett and Kalich: Amending employer payroll reporting requirements under workmen's compensation act	605, 943	608, 946	624	1043	1044	1044	SCR 13 749, 1100	1108	1109	S. CH. 80-Ex
319. Representatives King (Chet), Garrett and Kalich: Changing requirements of investment of funds under workmen's compensation act.....	605, 943	608, 946	624	1012	1012	1012	SCR 13 750	1099	1102	S. CH. 41-Ex
321. Representatives Moos, Beck and Bledsoe: Limiting liability of landowners of land made available for public recreation.....	618, 943	619, 947	673, 960	.....	.....	.....	SCR 13 750	.....	.....	.....
323. Representatives King (Chet), Smith, Jastad, May, King (Richard "Dick"), Moon, Marzano and O'Donnell: Allowing medical aid for pensioners .....	943	947	968	.....	.....	.....	1401	.....	.....	.....
324. Representatives Uhlman, Morphis, Elder, Smith, Sheridan, Chatalas, Grant, O'Donnell, Mahaffey, Garrett and Backstrom: Exempting police pensions from attachment.....	437	438	491	629	629	629	.....	681	681	S. CH. 33
325. (Substitute) Committee on Licenses: Amending barbering regulations .....	943	947	998	.....	.....	.....	.....	.....	.....	.....
326. Representatives Epton, Johnston (Elmer E.), Radcliffe and Anderson (Eric O.): Changing admission requirements, allowable allocations, for day training centers and group training homes for mentally and physically deficient...	491	494	603	639	639	639	.....	681	681	S. CH. 34
330. Representatives May, Bottiger, Olsen, Marzano, Elder, Slagle and Pierre: Providing for arbitration of firefighters' labor disputes.....	577, 795	579, 810	649	.....	.....	.....	SCR 13 750	.....	.....	.....

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NUMBER, AUTHOR AND SUBJECT	Message From House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor
332. Representatives Avey, Slagle and Braun: Establishing a system for regulating charter party carriers .....	577	579	616	708	708	708	734	750	751	S. CH. 150
334. Representatives Bottiger, Avey and Goldsworthy: Changing laws relating to registration and taxation of aircraft.....	577, 1347	579, 1353					SCR 13 750			
335. Representatives O'Brien, Chatalas, Copeland, Humiston, Smith, Taylor, Gallagher, DeJarnatt, Sawyer, Brouillet, Radcliffe, Sheridan, O'Donnell, Andersen (James A.), McDougall, Newschwander, Whetzel, Saling, Wolf and Cunningham: Providing for rehabilitation program and administration of same.....	491	494	576	629	630	630		681	681	S. CH. 35
336. Representatives Beck, Mast and Bozarth: Reclassifying game fish.....	577	579					SCR 13 750			
337. Representatives Day, Marzano, King (Chet), O'Donnell, Backstrom, May, Elder, Traylor, Perry and Grant. Providing medical aid contracts under industrial insurance must provide a standard of service equal to that provided by the department .....	468	469	649	662	662	662		680	682	S. CH. 36
338. Representatives Beck, Taplin and Moos: Creating game department jurisdiction on Snake river .....	577, 943	579, 947	624				SCR 13 750			
339. Representatives Uhlman and DeJarnatt: Appropriating funds for the temporary publication of session laws .....	523	531	583	663	663	663		680	682	S. CH. 37
342. Representatives Sawyer, May and Perry: Requiring new electrical licensees to possess an electrical contractor's qualifying certificate....	880	881	998							
343. Representatives Avey, Slagle, Huntley, McDougall and Taplin: Permitting increase in gross weight on highways, if federal highway law is so amended.....	523	531	616	640	640	641		681	681	S. CH. 38



347. Representatives Taylor, Smith, Gallagher and Conner: Preserves franchise rights in areas incorporated by cities and towns.....	843	847	960	1013	1013	1014	.....	1099	1102	S. CH. 42-Ex
348. Representatives Taylor, Smith, Gallagher and Conner: Regulating and prescribing procedures relating to garbage and/or refuse collection companies .....	876	877	960	1010	1010	1010	.....	1099	1102	P.V. CH. 105-Ex
351. Representatives Conner, Savage and Traylor: Authorizing development of outdoor recreation areas .....	491, 795	495, 810	.....	.....	.....	.....	SCR 13 750	.....	.....	.....
354. Representatives Marzano, Radcliffe and Kink: Limiting automobile ownership to persons at least eighteen years old.....	604, 943	608, 947	998	.....	.....	.....	SCR 13 750	.....	.....	.....
361. Representatives Valle, Jueling and Garrett: Authorizing adjustment of water and sewer districts' boundaries .....	880	882	.....	.....	.....	.....	.....	.....	.....	.....
362. Representatives Kull, Canfield and McDougall: Increasing marketing assessment on soft tree fruits .....	577, 843	580, 848	625	1012	1012	1013	SCR 13 750	1099	1102	S. CH. 43-Ex
364. Representatives Brouillet, Goldsworthy, Johnson (Doris), Radcliffe, Saling, Cunningham, Braun, King (Richard "Dick"), Mahaffey and Sheridan: Changing generally state teachers' retirement system law.....	553, 795	554, 811	603	1005	1005	1006	SCR 13 750, 1100	1108	1109	S. CH. 81-Ex
366. Representatives Leland, Chatalas and Kirk (by Executive request): Creating a state council on aging and an interdepartmental committee on aging .....	523	531	551	630	630	630	.....	681	681	S. CH. 39
368. Representatives O'Brien and Hawley: Exempting free buses for handicapped persons from taxation .....	943	947	.....	.....	.....	.....	.....	.....	.....	.....
369. Representatives Gallagher, Valle and Humiston: Adding member to state judicial council.....	523, 795	531, 811	625	.....	.....	.....	SCR 13 750	.....	.....	.....
371. Representatives Warnke and Garrett: Authorizing the use of bid bonds in sewer district contracts .....	523	531	650	663	664	664	687	725	726	S. CH. 71
372. Representatives Warnke and Garrett: Authorizing the use of bid bonds in bids for water district contracts .....	523	531	650	664	665	665	687	725	726	S. CH. 72

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NUMBER, AUTHOR AND SUBJECT	Message From House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor
374. Representative Savage: Establishing and providing for the administration of a correctional institution for women.....	943	947	969	.....	.....	.....	.....	.....	.....	.....
375. Representatives Gallagher, DeJarnatt and Conner: Removing residence restriction for applicant for aid to the blind.....	577	580	625	.....	.....	.....	SCR 13 750	.....	.....	.....
377. Representatives Grant, Gorton and Elder: Relating to the appointment of election officials, their duties and the counting of ballots.....	880	882	969	1036	1037	1037	1034, 1100	1108	1109	S. CH. 101-Ex
378. Representatives Grant, Gorton and Elder: Appointing members of political parties as deputy voter registrars .....	880	882	986	1021	1022	1022	1014, 1100	1108	1109	Vetoed
382. Representatives Moon and Kalich: Raising assessments on milk and cream under dairy products commission .....	584, 843	584, 847	625	953	954	954	SCR 13 750	1099	1102	S. CH. 44-Ex
383. Representatives May and McCormick: Authorizing counties to issue revenue bonds and prescribing terms, forms, etc.....	492	495	603	632	632	632	.....	681	681	S. CH. 142
384. Representatives Hood, Taylor and Moon: Changing trust fund investment sales.....	943	947	1060	.....	.....	.....	.....	.....	.....	.....
387. Representatives Sheridan, Gallagher, Marzano, Savage, Marsh and O'Donnell: Increasing industrial insurance pensions.....	943	947	969	1399-1400	1403	1403	1404, 1455	1471	1472	S. CH. 166-Ex
391. (Substitute) Committee on Local Government: Adjusting firemen's pensions.....	843	848	939	1008	1008	1009	1003	1099	1102	S. CH. 45-Ex
392. Representatives Garrett, Lynch and Taylor: Authorizing investments by cities.....	943	948	986	1013	1013	1013	.....	1099	1102	S. CH. 46-Ex

394. Representatives Leland, Garrett and Taylor: Relating to annexation and consolidation of cities and towns.....	943	948											
397. Representatives Jastad and Kalich: Reconveying certain property from the state to Lewis county .....	577	580		628	628	628	584, 590	681	681			S. CH. 40	
402. Representatives Andersen (James A.), DeJarnatt and Jolly: Permitting cities of ten thousand population or over to adopt city charters.	879	882	961	1009	1009	1010		1099	1102			S. CH. 47-Ex	
409. Representatives Uhlman, Goldsworthy and Marzano: Giving the adjutant general and assistant adjutant general pay parallel to major and brigadier generals in United States services....	492, 943	495, 948	551	1003, 1045	1003, 1045	1046	SCR 13 750, 981, 1008, 1101	1108	1109			S. CH. 100-Ex	
411. (Substitute) Committee on Labor and Industrial Insurance: Providing for rules concerning equipment in trailer coaches.....	879	882	998										
418. Representatives O'Brien, Jueling and Olsen: Permitting federal reserve bank to set as holder of collateral securing state deposits....	943	948	1015	1046	1046		1046						
424. Representatives Gallagher, McCormick and Huntley: Excepting certain vehicles from requirement of having brakes.....	943	948	971										
425. Representatives Litchman, Johnson (Doris) and Saling: Deleting requirement that county superintendent keep teachers' contract records in suitable book .....	577	580	650				SCR 13 760						
428. Representatives Kalich, Jastad and King (Chet): Providing for the transfer of a motor freight carrier's permit upon the death of the holder .....	604, 843	608, 848	673	959, 963	963	963, 1203	SCR 13 750, 955, 959, 1139, 1149, 1171, 1185, 1202, 1223	1223	1224			S. CH. 134-Ex	
430. Representatives Sheridan, Klein and O'Donnell: Authorizing receipt of federal funds by parks and recreation commission for youth development and conservation corps.....	577, 795	580, 811	625	1000	1000	1000	SCR 13 750	1099	1102			S. CH. 48-Ex	
432. Representatives Lux, Valle, O'Donnell, Swayze, Lynch, Kirk, Johnson (Doris) and Epton: Regulating female work day.....	604	608	626	665	665	665		681	682			S. CH. 41	

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NUMBER, AUTHOR AND SUBJECT	Message From House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor
433. Representatives Kirk, Johnson (Doris), O'Donnell, Swayze, Lynch and McCaffree: Compelling woman jury service.....	577, 943	580, 948	673				SCR 13 750			
436. Representatives Swayze, Lynch, Kirk and O'Donnell: Permitting women to sue alone....	577, 894	580, 898	1016				SCR 13 750			
437. Representatives Wolf, Day and Hurley: Requires wine tax collections to be made at wholesale instead of retail.....	468	469	583	643	643	643		681	681	S. CH. 42
439. Representatives Marsh, Brouillet, Elder and O'Dell: Allowing interested parties to obtain copies of police accident reports.....	523	532	626				SCR 13 750			
442. Representatives Brouillet, Litchman and Saling: Creating legislative committee on education .....	492, 795	495, 811	602	1142, 1161	1161	1161	572, SCR 13 750, 1142, 1155, 1185, 1567, 1582	1191	1192	S. CH. 130-Ex
444. Representatives King (Richard "Dick"), Brouillet and Saling: Requiring transfers of teachers' seniority and leave benefits.....	843	848	917	1003	1003	1004		1099	1102	S. CH. 49-Ex
446. (Substitute) Committee on Education and Libraries: Increasing pensions of former members of teachers' retirement system.....	1214	1214	1240							
448. Representatives Conner and Marzano: Requiring registration of marriages, and decrees of divorce, annulment and separate maintenance with state registrar of vital statistics.....	879	882, 1345	1060							
449. Representatives Conner and Brouillet: Establishing a two-year study of cystic fibrosis.....	879	882	931							

450. Representatives Epton, May and Saling: Providing state matching funds may be used for major repairs of existing buildings.....	523, 843	532, 848	650, 939							SCR 13 750		
451. Representatives Sheridan, Valle and Brouillet: Regulating investments of state permanent funds .....	943	948	986	1049	1049	1049			1099	1102	S. CH. 104-Ex	
454. Representatives Marsh, Canfield and McDougall: Limiting right of actions against certain associations as to monopolies or restraint of trade .....	618, 894	619, 898	673							SCR 13 750		
456. Representatives Day, Moos and Perry: Regulating chiropractors .....	876	877	879	951	951	952			1099	1103	S. CH. 50-Ex	
460. Representatives Kink, Hood, Sawyer and Huntley: Permitting automobile transporters and laden height upon highways of fourteen feet..	618	619	626	662	663	663			681	682	S. CH. 43	
461. Representatives Garrett and Warnke: Authorizing water districts to enter contracts for the operation of the district and to enter contracts for the operation by it of other water or sewer systems .....	577, 795	580, 811	616							SCR 13 750		
462. Representatives Garrett and Warnke: Authorizing sewer districts to enter contracts for the operation of the district and to enter contracts for the operation by it of other water or sewer systems .....	577, 843	580, 848	617							SCR 13 750		
464. Representatives Kull, Canfield and Newhouse: Providing permanent identification numbers for certain apiaries.....	523	532	604	633	633	633	632	681	681		S. CH. 44	
465. Representatives O'Brien, O'Donnell and Copeland: Providing for use of a portion of the state income reserve fund.....	918	919	998	1066	1066	1066		1108	1109		S. CH. 82-Ex	
467. Representatives Grant and Elder: Redistricting the state into congressional districts.....	1258	1262	1301	1360	1361	1361	1354, 1376	1382	1382		Vetoed	
470. Representatives Beck and Epton: Providing for the transfer of certain real property owned by the state to the department of game.....	879	883	917	1034	1034	1034		1099	1102		S. CH. 94-Ex	
473. Representatives Beck and Epton: Authorizing the sale and/or lease of sewage treatment and disposal plant at Washington veterans' home..	880	883	892	1086	1036	1036		1099	1102		S. CH. 95-Ex	

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NUMBER, AUTHOR AND SUBJECT	Message From House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor
474. Representatives Lynch and Conner: Permitting use of oleomargarine in state institutions.....	577	581	626	677	678	678	675, 734	751	751	S. CH. 73
476. Representatives Klein and Kull: Prohibiting sale of certain sliding glass doors or sliding glass assemblies unless of stated quality.....	577	581	617	652	652	652	.....	681	682	S. CH. 45
477. Representatives Flanagan, McCormick and Newhouse: Prescribing powers and duties of Columbia basin commission.....	619, 943	619, 948	1016	.....	.....	.....	SCR 13 750	.....	.....	.....
479. Representatives Klein, Thompson and Hood: Authorizing the use of deeds of trust.....	577	581	674	690	691	691	692, 701, 734	751	751	S. CH. 74
488. Representative Copeland: Withholding industrial insurance benefits from incarcerated workmen .....	605, 795	608, 811	626	.....	.....	.....	SCR 13 750	.....	.....	.....
490. Representatives Epton, Backstrom and Lynch: Providing for involuntary commitment of certain mentally deficient persons to state residential schools .....	605	608	627	.....	.....	.....	SCR 18 750	.....	.....	.....
491. Representatives Conner, Savage and Haussler: Authorizing acquisition of ShiShi Beach for county park purposes.....	468, 795	470, 811	551	979	979	979	SCR 13 750	1099	1103	S. CH. 51-Ex
494. Representatives Kull, Haussler and Ahlquist: Authorizing use of spring triggered devices to control game .....	523	532	604	634	634	634	.....	681	681	S. CH. 46
495. (Substitute) Committee on Natural Resources: Providing for the removal of gravel, rock, sand, etc., from public lands of state by certain political subdivisions .....	605	609	617	635	635	635	.....	681	682	S. CH. 47

498. Representatives Grant, Elder and Bottiger: Providing for redistricting of the legislature..	1478	1474									
513. Representatives Beck, Haussler and O'Brien: Directing prosecutors to defend county officers	523	532					SCR 13 750				
514. Representatives Beck and Moos: Increasing hunting and fishing license fees.....	553	555	604	641	641	641	636	681	682	S. CH. 48	
515. Representatives Wolf, Kink and Traylor: Pro- viding penalties for persons littering public property .....	619, 843	619, 848	939	1009	1009	1009	SCR 13 750	1099	1103	S. CH. 52-Ex	
520. Representatives Gallagher, Taylor and Cope- land: Penalizing the failure to return rented property .....	815	817	879	1014	1015	1015	1012, 1099	1108	1109	P.V. CH. 109-Ex	
526. Representatives Eldridge, O'Brien and Juelsing: Changing safety requirements for underground labor .....	605	609	627	692	692	692	.....	725	726	P.V. CH. 144	
549. Representatives Pritchard, Witherbee and O'Brien: Providing for state trade fairs and the support thereof .....	523	532	617	643, 689	689	690	640, 643, 734	751	751	P.V. CH. 148	
564. Representatives Kull, Moon and Bledsoe: Ex- empting artificial insemination of livestock charges from sales, use and business and oc- cupation tax .....	1290	1291									
575. Representatives Olsen, Brachtenbach and Mc- Cormick: Providing regulations concerning sales of liquor to minors.....	619	619	627	668, 669	670	670	669	680	682	S. CH. 49	
579. Representatives Johnson (Doris) and Jolly: Directing acquisition of a Crow Butte-Whit- comb Flat area state park.....	605, 943	609, 949					SCR 13 750				
582. Representatives Morphis, Olsen and Backstrom: Providing extra service credit for legislators in state employees' retirement system, permit- ting legislators who are teachers to belong to two retirement systems.....	584	585	604	702	703	703, 704	633, 637, 685, 689, 727	751	751	Vetoed	
586. Representative Savage: Providing for acquisi- tion of land and construction of facilities for highway department and for financing thereof.	1341	1343	1359	1404	1404	1407	1449	1471	1472	S. CH. 167-Ex	

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590. Representatives Braun, Radcliffe and Taylor: Pertaining to the retirement disability system of cities and towns.....	880	883	961	1019	1020	1020	1012, 1101	1108	1109	S. CH. 99-Ex
592. Representatives Thompson, Johnston (Elmer E.) and Klein: Providing appointments for assistants for family courts in third class counties .....	523, 843	532, 848	627	980	980	981	SCR 13 750, 1101	1108	1109	S. CH. 83-Ex
608. (Substitute) Committee on Ways and Means (Subcommittee on Revenue): Pertaining to excise taxes .....	894	898	1257	1279, 1293	1296	1296, 1505	1257, 1267, 1269, 1287, 1341, 1348, 1359, 1366, 1477, 1488, 1506, 1510	1542	1542	P.V. CH. 173-Ex
617. (Substitute) Committee on Public Institutions and Youth Development: Providing for financial responsibility of residents as to state residential schools .....	1382	1382	.....	.....	.....	.....	.....	.....	.....	.....
621. Representatives Olsen, Sheridan and Taylor: Permitting the creation of regional agencies for purpose of studying regional governmental problems .....	879	883	940	1042	1042	1042	1101	1108	1109	S. CH. 84-Ex
637. Representatives Backstrom and Ahlquist: Prescribing administrative procedures relating to the collection of taxes.....	943	949	1258	1267	1268	1268	1258	1302	1304	S. CH. 141-Ex
638. Representatives Chatalas, Hurley and O'Donnell: Extending permissible nursing home services for recipients of federal aid assistance to sixty days .....	605, 943	609, 949	627	.....	.....	.....	SCR 13 750	.....	.....	.....



643. Representatives Chatalas, O'Donnell and May: Amending income for public assistance purposes to allow federal aid.....	619, 795	620, 811	650	873	873	873	SCR 13 750	892	893	S. CH. 2-Ex
647. Representatives Andersen (James A.), Brachtenbach, Hood and Lynch (by Executive request): Authorizing state participation in federal mental retardation and community mental health care programs.....	605	609	628	701	701	701		725	726	S. CH. 75
655. (Substitute) Committee on Highways: Increasing the motor vehicle fuel tax to provide funds for highways in urban areas, new ferries, and bridging Puget Sound .....	1366	1369	1452, 1453	1569	1578	1579	1457, 1580, 1584, 1585			
660. Representatives Bottiger, Johnston (Elmer E.) and Sawyer: Providing for payment of interest and collection costs on nonpayment of checks and bills of exchange.....	943	949	986	1006	1006	1006		1099	1103	S. CH. 53-Ex
665. Representatives Jolly, Johnson (Doris) and Olsen: Providing for issuance of general obligation bonds by certain port districts operating municipal airports .....	879	883	932	956	956	957		1099	1103	S. CH. 54-Ex
675. Representatives Sawyer, Andersen (James A.) and Jolly: Exempting interstate sale of electrical energy from public utility tax.....	1214	1214								
676. Representatives Clark and Klein: Amending the 1965 probate code.....	943	949	987	1004	1004	1004		1099	1103	S. CH. 55-Ex
677. Representative Clark: Providing that photostatic copies of secured notes and other obligations may be used in evidence.....	943	949								
679. Representatives Savage, Pritchard and Garrett: Providing that ski tow operators shall not be common carriers .....	943	949	961	1032	1033	1033	1012, 1101	1108	1109	S. CH. 85-Ex
683. Representatives Moos and Uhlman: Makes appropriation for department of agriculture to cooperate in weed control.....	1341	1343								
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NUMBER, AUTHOR AND SUBJECT	Message From House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor
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698. Representatives O'Brien, Garrett, Uhlman, Beck, Copeland, Whetzel, Ahlquist and Newhouse: Providing for registration of claims to withdraw and make use of waters.....	1312	1329								
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714. Representative Klein: Providing for congressional redistricting .....	1481	1516		1517	1517	1517		1556	1556	Filed CH. 152-Ex
716. Representatives Gallagher, O'Brien and Copeland: Appropriation for support of legislative special interim committee for oversight.....	1510	1517		1518	1518	1518		1556	1556	S. CH. 175-Ex

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NUMBER, AUTHOR AND SUBJECT	<i>Message From House</i>	<i>Read First Time and Referred</i>	<i>Report of Committee</i>	<i>Second Reading and Amendments</i>	<i>Third Reading</i>	<i>Vote on Final Passage</i>	<i>Other Action in Senate</i>	<i>Signed by Speaker</i>	<i>Signed by President</i>
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10. <b>Representatives Kink and Hood:</b> Requesting a Peace Arch commemorative postage stamp.....	523, 1108	532, 1110	617, 1136	1267	1267	1267	SCR 13, 750	1290	1291
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17. <b>Representatives Kirk, Mahaffey and Pritchard:</b> Memorializing Congress to permit Seattle school district no. 1 to acquire Fort Lawton site.....	1347	1353	.....	1353	1353	1354	.....	1366	1366
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NUMBER, AUTHOR AND SUBJECT	Message From House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President
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NUMBER, AUTHOR AND SUBJECT	Message from House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President
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NUMBER, AUTHOR AND SUBJECT	<i>Message From House</i>	<i>Read First Time and Referred</i>	<i>Report of Committee</i>	<i>Second Reading and Amendments</i>	<i>Third Reading</i>	<i>Vote on Final Passage</i>	<i>Other Action in Senate</i>	<i>Signed by Speaker</i>	<i>Signed by President</i>
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## TITLE AND HISTORY OF HOUSE CONCURRENT RESOLUTIONS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Message From House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President
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†Bills passed by both Senate and House.

\*If approved at next general election.

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\*If approved at next general election.

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 Capital improvement budget, 1965-67 biennium, SB 42, † Sub SB 42, CH. 153 EX., Sec. 10 PV.

†Bills passed by both Senate and House.  
 \*If approved at next general election.

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- Cities, towns, fiscal extension, personal, contractual services, uncompleted, †SB 222, CH. 14 EX.
- Commission on higher education, SB 139.
- Constitutional advisory council, convention study, recommendations, HB 7.
- Department of
  - Fisheries
    - Hair seal control program, SB 270.
    - Sol Duc salmon production station, first-phase construction, HB 291.
  - Health
    - Alcoholism program, SB 449.
    - Community artificial kidney centers, financial assistance, HB 693.
    - Cystic fibrosis pilot study, HB 449.
  - Institutions
    - Harrison hospital pilot program, SB 403, SB 568.
  - Probation
    - Division, parole board funds, transfer, SB 75, SB 379.
    - Services, county aid, †SB 323, CH. 137 EX.
    - Women correctional institution, Shelton, SB 311, HB 374.
- Eastern Washington state college, library building, construction, †SB 520, CH. 4 EX.
- Higher education
  - Advisory council, temporary established, †SB 489, CH. 161 EX.
  - Commission created, new state college location determination, HB 696.
  - Facilities act, capital projects, †SB 520, CH. 4.
  - Study commission, created, SB 24.
- Highway commission
  - Access highway
    - Central Washington state college, SB 268.
    - Eastern Washington state college, HB 145.
  - Approach, Western Washington state college, reappropriation, SB 453.
  - Department building construction, †HB 586, CH. 167 EX.
  - Grant, Franklin, Adams counties, road construction, †SB 274, CH. 121.
  - Highway construction program, †SB 570, VETOED.
  - Interstate highways, unanticipated construction costs, bond issuance, †SB 557, CH. 163 EX.
  - New ferry acquisition, federal assistance, bond issuance, †SB 518, CH. 56 EX.
  - Omnibus appropriations, 1965-67 reappropriations, HB 713, †SUB SB 438, CH. 170 EX. Sec. 33, PV.
  - Primary highway No. 3, Grande Ronde river bridge to Rogersburg, feasibility study, HB 283.
  - Puget Sound bridge feasibility study, †SB 474, CH. 131 EX.
  - Railroad grade crossing, highway approach, Kalama, construction, SB 342.
  - Supplemental appropriations, reappropriations, †SB 535, CH. 144 EX.
  - Toll bridge feasibility study, Puget Island to Westport, Oregon, SB 440.
- Indian affairs commission, SB 37, Sub HB 37.
- Institutions department, county jails, chaplain appointments, SB 551.
- Law enforcement officers' training fund, SB 20, †SB 50, CH. 158, Sec. 3 PV, Sec. 19 PV.
- Legislative
  - Bills, fiscal note requirement, HCR 15.
  - Council, budget, joint education, committees, 1965-67 biennium, †SB 197, CH. 4.
- Legislators, subsistence, per diem increase, †SB 65, CH. 3, †SB 538, CH. 12.
- Legislature
  - Expenses, bill drafting, printing, journals, session laws, †SB 66, CH. 2 †SB 538, CH. 12.
  - Interim oversight committee, federal grant programs, †SCR 12, †HB 716, CH. 175 EX.
- Motor vehicle accident insurance department, created, SB 276.
- Olympia fire department, capitol buildings' fire protection, SB 517.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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**Omnibus**

Highway appropriation bill, 1965-67 biennium, †Sub SB 438, CH. 170 EX. Sec. 33, PV.

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Public welfare interim committee, HCR 31.

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**State**

Advisory investment council, public pensions, SB 111.

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Capitol committee, office building construction, capitol grounds, SB 504, †Sub SB 504, CH. 151 EX.

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Teachers' retirement system, benefits, creditable service rate increases, Sub HB 446.

**Toll bridge authority**

Feasibility study, Puget Island to Westport, Oregon, SB 440.

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Chemical engineering building, construction, †SB 520, CH. 4 EX.

Hanford graduate center, nuclear science degree program expansion, SCR 27.

Vocational education division, deaf, hard of hearing rehabilitation, SB 534.

Wahkiakum county, Westport, Oregon, ferry, reimbursement, motor vehicle fund, SB 127.

**Water resource**

Conservation department, established, SB 553.

Division, water rights claims registry establishment, SB 561, HB 698.

Interim committee study, †Sub 374, CH. 169 EX.

Women status commission, SB 31.

**Architecture:**

Architects, landscape, registration board created, SB 433.

**Armories:**

**Chewelah**

Prosser, sales authorized, SB 348.

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**Arson:**

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**Asotin County:**

Highway, primary No. 3, Grande Ronde river bridge to Rogersburg, feasibility study, appropriation, HB 283.

**Asotin Dam:**

Federal project, navigational locks, inclusion petitioned, †HJM 27.

†Bills passed by both Senate and House.

\*If approved at next general election.

**Assessments:** (see also Taxes)

- Apples, Newtown, out-of-state processing, merchandising, exempt, SB 365.
- Diking & drainage districts, continuous operation, levies, authorized, HB 257, SB 371.
- Fruits, soft tree, marketing assessments increased, †HB 362, CH. 43 EX.
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- Open space recreational lands, legislative council tax study, HCR 29.
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- Property valuation
  - 25% true value, required, SJR 23, SB 411.
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- School directors' association, dues assessment, limitation, †SB 158, CH. 103.
- Sewer districts, rolls, clerical errors, correction permitted, SB 431.
- Tax rolls, delivery, change provisions, †SB 199, CH. 7 EX.
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**Assessor:** (see County Officers)**Associations:**

- Agricultural producers, marketing contracts, permitted, HB 454.
- Dues, public employees, payroll deduction, SB 114.
- Nonprofit
  - Custodian quarters, property tax exemption, SB 398.
  - Research
    - Income, B & O tax exempt, SB 19, HB 19.
    - Services, B & O tax imposed, SB 59.
- Savings & loan, bylaws, deposits, dividends, savings, ownership, general amendments, SB 317, Sub SB 317.
- School directors, dues assessment, limitation, †SB 158, CH. 103.

**Athletics:** (see Sports)**Attachments:**

- Property, personal, exemptions amended, †SB 57, CH. 89.

**Attorney General:**

- Charitable organizations, collections, contributions, rules, regulations, SB 93, Sub SB 93.
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  - Felons, fees, †SB 61, CH. 133.
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  - Industrial insurance
    - Appeal hearings, established, †SB 421, CH. 63 EX.
    - Title only, SB 506.
  - Unemployment compensation appeals, court awarded benefits, authorized, SB 456.
- Insurers, alien reciprocal, business transactions, status defined, SB 437.
- Justice of peace, attorney, full time, requirement, †SB 96, CH. 96.
- Public defenders, county, authorized, SB 225.
- State agencies, proceedings, non-attorney representation permitted, SB 548.
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†Bills passed by both Senate and House.

\*If approved at next general election.

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Domestic cases, court orders, service, rules prescribed, SB 188.

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## Mutual savings

Guaranty, expense funds, debentures permitted, SB 259.

School district funds, investments, authorized, †SB 200, CH. 111.

Notes, obligations, court evidence, photocopies permitted, HB 677.

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**Beer:** (see also Liquor)

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**Bellingham:**

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**Benton County:**

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University of Washington land, Richland, sale authorized, †SB 148, CH. 5 EX.

†Bills passed by both Senate and House.

\*If approved at next general election.

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Construction projects, specific insurance company, broker requirement, prohibited, SB 385.

Works contracts, over \$2,500, bid requirements, private firms, SB 457, SB 458.

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**Blind:**

Advisory committee, created, SB 490.

**Public assistance recipients**

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**Board of Prison Terms and Paroles:** (see Paroles)**Boards:**

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Commodity, agriculture cooperative, directors, membership permitted, HB 242.

**County**

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Road administration, created, †SB 414, CH. 120 EX.

Discrimination, abolished, civil rights commission created, HB 235.

Highway personnel, duties of marine employee commission transferred, SB 218.

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Landscape architecture, registration board created, SB 433.

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†Bills passed by both Senate and House.

\*If approved at next general election.



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**State**

Certain, abolished, duties transferred, SB 498.

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Suggestion awards, state employees, established, †SB 101, CH. 142 EX.

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**Boats:**

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Commercial, salmon, fishing gear restriction, SB 262.

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Puget Sound naval shipyard, new ship, name U.S.S. Port Orchard requested, SCR 22.

Safety committee created, licenses, appropriation, SB 275.

**Boeing Company:**

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**Bond, Robert H.:**

Veterans' preference act, reimbursement, SB 420.

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Payments, other funds, use permitted, SB 470.

Tacoma Narrows, redemption, toll free provisions, SB 33, HB 713, †HB 33, CH. 50.

Capital improvements, new building construction, certain departments, institutions, SB 41, †Sub. SB 41, CH. 172 EX. Sec. 1, 6, Title, PV\*.

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**Counties**

Certain, arterial highways, farm to market roads, construction, †SB 274, CH. 121.

Revenue, issuance authorized, SB 435, †HB 383, CH. 142.

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Ferries, new, acquisition, federal assistance, appropriation, †SB 518, CH. 56, EX.

Flood control projects, state purchases authorized, SB 406.

Highways, interstate, unanticipated construction costs, bond issuance, †SB 557, CH. 163 EX.

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Port districts, certain, general obligation, issuance, †\*HB 665, CH. 54 EX.

Public works contracts, certain, waiver, payment retention, SB 512.

Refunding bond act, enactment, †SB 417, CH. 138 EX.

Redemption, municipal utilities, revenue, taxes, †SB 232, CH. 118 EX.

**School****Building construction**

General obligation, issuance, †SB 40, CH. 158, EX.\*

Limited obligation, issuance, SB 351.

Districts indebtedness, assessed valuation base increased, SB 309.

†Bills passed by both Senate and House.

\*If approved at next general election.

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- Sewer districts, contracts, over \$2,500 permitted, bid bond authorized, †HB 371, CH. 71.
- State, political subdivisions, refunding, issuance, provisions, SB 234.
- Town marshal, discretionary, †SB 316, CH. 125.
- University of Washington
  - Bond retirement fund allocation, public land grant income, SB 478.
  - Retirement fund, land grant income, deposits, transfers, investments †SB 519, CH. 135 EX.
- Washington state university retirement fund, landgrant income, allocation, †SB 26, CH. 77.
- Water district contracts, over \$2,500 permitted, bid bond authorized, †HB 372, CH. 72.

**Bonneville Power Administration:**

- Power rate increase, delay petitioned, SJM 24.

**Boundaries:**

- Review board, created, SB 349.
- School districts, cities,
  - Coextensive, requirement removed, SB 169, †HB 132, CH. 108 EX. Sec. 2, PV.
  - Towns within one district requirement, SB 288.
- Washington-Idaho, cooperative game, fish agreement, HB 338.
- Water, sewer district adjustment, cities, towns, real property annexation, HB 361.

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**Bowling:**

- Tax, retail sales, included, SB 388, †Sub HB 608, CH. 173 EX. Sec. 16, PV.

**Brands:**

- Livestock, registration, renewal fee increased, †HB 241, CH. 66.

**Bridges:**

- Lake Washington
  - Second
    - Bond payments, other funds, use permitted, SB 470.
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- Real estate, discrimination prohibited, HB 200.

**Budgets:**

- Capital improvements 1965-67 biennium, SB 42, †Sub SB 42, CH. 153 EX. Sec. 10, PV.
- Cities, first class, budget officer authorized, HB 9.
- Counties, budgetary transfers authorized, †HB 113, CH. 19 EX.
- County assessor's budget review board created, powers, duties, SB 541.
- Director, teletypewriter communications network, authority transfer, state patrol, †SB 476, CH. 60 EX.
- Legislative committee, mental institution programs study, SCR 24.
- Municipal fiscal, budgeting, and accounting procedures committee, created, SB 162,

†Bills passed by both Senate and House.

\*If approved at next general election.

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**School districts**

- Copies, availability provision, SB 255.
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**Buildings:**

- Agricultural components, use outside state, sales tax exempt, SB 10.
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- Construction, remodeling, interim committee study, SCR 7, †SCR 25, †SR 1965-13  
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**Public**

- Accessibility design, standards, physically handicapped, HB 302.
- Certain, emergency lighting systems, requirement, SB 455.
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**School**

- Major repairs, improvements, state matching fund provision, HB 450.
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- General obligation bonds, issuance, †SB 40, CH. 158 EX.\*.
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State institutions, departments, new construction, bonds authorized, SB 41, † Sub SB  
 41, CH. 172, EX. Sec. 1, 6, Title PV\*.

State office building construction, capitol grounds, SB 504, †Sub SB 504, CH. 151 EX.  
 U. S. house office building, construction cost investigation petitioned, SJM 19.

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**Buses:**

- Charter, permits, operation, regulation, †HB 332, CH. 150.
- Public, municipally owned, tax subsidy authorized, SB 167, †Sub SB 167, CH. 111 EX.
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- Accidents, children, school district insurance coverage, †HB 77, CH. 86 EX.
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**Business: (see also Corporations)**

**B & O Tax**

- Certain, increased, collection from customers, provisions, SB 353.
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Merchandising, sales, special rebates, certain individuals prohibited, SB 460.

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- Expenditures, SB 58.
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Political, false advertising, defamation, penalties, SB 32, HB 32.

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†Bills passed by both Senate and House.

\*If approved at next general election.

**Canada:**

Joint operating agencies, power, energy agreements, permitted, SB 198.  
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**Canal:**

Commission established, appropriations, SB 13, †HB 13, CH. 123 EX.  
Construction, port districts, special levies authorized, †HB 152, CH. 22 EX.

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Campaigns, false advertising, defamation, penalties, SB 32.

Ethical practices act, †Sub SB 1, CH. 150 EX.

**Filing**

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Partisan office, nonpartisan office forfeiture, SB 187.

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**Capital Improvements:**

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**Capitol Buildings and Grounds:**

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Office building construction, capitol grounds, appropriation, SB 504, †Sub SB 504, CH. 151 EX.

Parking, general administration director, recommendations, study, biennial report provisions, †SB 416, CH. 129.

**Capitol Committee:**

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**Census:**

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†Bills passed by both Senate and House.

\*If approved at next general election.

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**Charitable Organizations:**

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Cities, over 10,000, adoption permitted, †HB 402, CH. 47 EX.

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**Cherberg, John A.: (see President of the Senate)****Chewelah:**

Armory, sale authorized, SB 348.

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**Child Welfare Agencies:**

Child welfare, day care committee created, duties, SB 482.

Public assistance, definitions, licensing, regulations, changes, SB 485, Sub SB 485.

**Children: (see also Minors)**

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Adopted, inheritance rights established, SB 11.

Cystic fibrosis, health department, pilot study, HB 449.

Delinquents, post institutional placement, jurisdiction, SB 7.

Dependent, public assistance

Certain students, over 18, included, †HB 276, CH. 37 EX.

Department, program, duties, †HB 296, CH. 30.

Juvenile institution, Echo Lake, equipment, supplies, purchases authorized, †SB 97, CH. 10 EX.

Juveniles, interstate compact, out-of-state confinement amendment, SB 326.

Mentally retarded, institutions, nonsectarian, state contracts authorized, SB 168.

Public welfare agencies, definitions, licensing, regulation, changes, SB 485, Sub SB 485.

Retarded, Harrison memorial hospital, pilot program established, SB 403, SB 568.

School bus accidents, school district insurance coverage, †HB 77, CH. 86 EX.

Sex crimes, parolees, employment restriction, SB 137.

Welfare, day care

Advisory committee created, SB 490.

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**Chiropody:**

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Licenses, examinations, title, regulations, †HB 456, CH. 50 EX.

†Bills passed by both Senate and House.

\*If approved at next general election.

**Churchill, Sir Winston:**

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**Cigarettes:**

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Consolidation, contiguous municipal corporations, SB 290, HB 394.

Contiguous territory, adjacent counties, permitted, SB 251.

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Area, population restrictions, maximum size increased, fourth class, †SB 280, CH. 138.

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Refunding act, †SB 417, CH. 138 EX.

Cities, certain, justice of the peace, salary increase, SB 243.

Charters, cities over 10,000, adoption permitted, †HB 402, CH. 47 EX.

**Claims**

Filing time extended, SB 401.

Payment, pre-audit required, †SB 221, CH. 116.

Consolidation, governing authorities agreements, permitted, SB 267.

Councilmen, election, numbered position provision, SB 180.

Counties, real property, joint ownership, operation, permitted, †HB 160, CH. 24.

Elections, general, date changes, cost allocation, provisions, †SB 296, CH. 123.

Employees, collective bargaining, labor union membership, rights, †SB 360, VETOED.

Fire protection districts, annexations, petitions, signature requirements, †HB 103, CH. 18 EX.

**Firemen**

Nonduty disability, pension benefits precluded, †SB 176, CH. 109.

**Pensions**

Levy millage, provisions, revised, †Sub HB 391, CH. 45 EX.

Minimum established, maximum limitation removed, SB 299.

Volunteer, pension, contributions, increased, †SB 345, CH. 86.

Highway control, responsibility, state census population determination, SB 361.

Highways, limited access, facilities, procedure, planning, adoption, hearing procedure, SB 358, †Sub SB 358, CH. 75 EX.

Home rule amendment proposed, SJR 16.

Housing standards, regulation, HB 159.

Incorporation, public service franchise rights preserved, †HB 347, CH. 42 EX.

Industrial development, trade promotion, expenditures authorized, SJR 29.

Investments, funds, certain officials, authority, provision, †HB 392, CH. 46 EX.

Land use planning, pre-annexation, permitted, †HB 122, CH. 88 EX.

Libraries joint local improvement districts, established, SB 239.

L.I.D., unpaid bonds, warrants, fund distribution, †SB 177, CH. 6 EX.

Local improvements, water main, hydrant construction restriction removed, †HB 112, CH. 58.

Marinas, dock facilities, construction, operation permitted, †SB 295, CH. 154.

Metropolitan municipal corporations, transit system purchases, labor contracts assumed, †SB 71, CH. 91.

Milk, raw, sales, prohibition authorized, SB 178.

**Municipal**

Bonds, refunding, issuance, provisions, SB 234.

Code committee, code preparation, submission to legislature, †SB 235, CH. 115 EX.

Fiscal, budgeting and accounting procedures committee, created, SB 162.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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**Cities and Towns—Continued**
**Municipal—Continued**

- Tort liability, limitations, study, SB 424.
- Utilities, revenue, taxes, bond redemption, †SB 232, CH. 118.
- Open space land act, public acquisition, eminent domain, HB 226.
- Park districts, property condemnation procedure redefined, HB 73.
- Parking
  - Off-street
    - Facilities authorized, SB 179.
    - Financing, construction, meter revenue, SB 181.
- Pension funds, investment, certain securities, amount increased, †HB 63, CH. 19.
- Police
  - Civil service examinations, eligibility lists, changes, SB 513.
  - Municipal, judges, appointment, jurisdiction, †SB 236, CH. 116 EX.
- Port districts, dissolution, inactive districts, procedure, HB 293.
- Property, real, annexation, water, sewer districts, boundaries adjustment, HB 361.
- Public
  - Buildings, accessibility design standards, physically handicapped, HB 302.
  - Construction projects, specific insurance company, broker requirement, prohibited, SB 385.
  - Works contracts, over \$2,500, bid requirements, private firms, SB 457, SB 458.
- Purchasing, powers broadened, HB 393.
- Reclassification, officers, special election, authorized, †SB 172, CH. 106.
- Refunding bond act, enactment, †SB 417, CH. 138 EX.
- Regional planning agencies, study, authorized, †HB 621, CH. 84 EX.
- R.C.W. Title 35, reenacted, †SB 3, CH. 7.
- Roads, streets, aircraft taxiways, designation, HB 187.
- Sales tax revenue allocation, SB 527, SB 536.
- School district
  - Boundaries within one district, requirement, SB 288.
  - City boundaries, coextensive, requirement removed, SB 169, †HB 132, CH. 108 EX. Sec. 2, PV.
- Services, intergovernmental cooperation, contracting provision, SB 165.
- Sewer district comprehensive plan, approval requirement eliminated, SB 425.
- Sewers, storm, financing, revenue basis, †SB 182, CH. 110.
- Sports stadium, participation, requirements, SB 38, †HB 38, CH. 15.
- Statewide city employees' retirement system, general changes, amendments, †HB 590, CH. 99 EX.
- Street administration board created, SB 415.

**Towns**

- Incorporation, area limitation removed, SB 175.
- Marshal, mayor's jurisdiction, †SB 316, CH. 125.
- Mayors
  - Pro tempore, term extension, permitted, SB 278.
  - Tie-breaking vote authorized, †SB 173, CH. 107.
- Police judges, pro tempore, authorized, †SB 174, CH. 108.
- Waterfront created by dams, sales permitted, †SB 350, CH. 127.
- Townships, joint cemetery property acquisition, †SB 240, CH. 119.
- Transit systems
  - Fuel tax refund continued, †SB 84, CH. 135.
  - Operation beyond city limits authorized, SB 107.
  - Public, tax subsidy authorized, SB 167, †Sub SB 167, CH. 111 EX.
- Urban renewal projects, indebtedness, increased values, tax allocation required, SJR 15.
- Warrants, lost, destroyed, payment procedures, †SB 464, CH. 61 EX.
- Water
  - Front, created by dams, sales permitted, †SB 350, CH. 127.
  - Rights, certain, acquisition authorized, †SB 454, CH. 130.
  - Sewer, garbage systems, joint operation authorized, SB 63.

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 †Bills passed by both Senate and House.

\*If approved at next general election.

**Cities (First Class):**

Budget officer authorized, HB 9.  
 Civic center department authorized, †SB 54, CH. 132.  
 Deputy registrars, each political party, appointment, †HB 378, VETOED.  
 Incorporation procedures, provisions, SB 291.  
 Police pensions, judicial process, taxation exempt, †HB 324, CH. 33.

**Cities (Second Class):**

Marina, dock facilities, construction, operation, permitted, †SB 295, CH. 154.  
 Mayors, commissioners, salary increase, SB 87, †HB 114, CH. 22.

**Cities (Third Class):**

Marina, dock facilities, construction, operation, permitted, †SB 295, CH. 154.  
 Mayors, tie-breaking vote authorized, †SB 173, CH. 107.  
 Officials, appointive, salary limitation removed, †SB 171, CH. 105.  
 Police judges  
     Appointment permitted, †SB 94, CH. 94.  
     Pro tempore, authorized, †SB 174, CH. 108.

**Cities (Fourth Class):**

Area, population restrictions, maximum size increased, †SB 280, CH. 138.  
 Marina, dock facilities, construction, operation, permitted, †SB 295, CH. 154.

**Civic Center:**

Cities, first class, department authorized, †SB 54, CH. 132.

**Civil Procedure:**

Attachments, personal property exemption amended, †SB 57, CH. 89.  
 Checks, N.S.F., title only, SB 501.  
 Declaratory judgments, stay ruling, restrain parties, †SB 48, CH. 131.  
 Defamation actions, exemplary damage, recovery provisions, HB 445.  
 Divorce, grounds, separation period reduced, †SB 423, CH. 15 EX.  
 Domestic cases, court orders, service, rules prescribed, SB 188.  
 Justice court cases, assessment of punishment, jury's power deleted, SB 193.  
 Small loan companies, borrower default, venue established, SB 297.

**Civil Rights: (see also Discrimination)**

Alabama, Negro suffrage, presidential compliance petitioned, SCR 15.  
 State commission created, HB 235.

**Civil Service:****Legislative**

Committees, councils, employees, rights defined, SB 427.  
 Council subcommittee, study operation, progress, system, †SR 1965 EX-14.  
 Police, sheriffs, examinations, eligibility lists, changes, SB 513.  
 State employees, positions abolished, reclassified, appeal rights, SB 339.

**Claims:**

Cities, towns,  
     Counties, filing time extended, SB 401.  
     Payment, pre-audit required, †SB 221, CH. 116.  
 Industrial insurance, certain injury claims, filing time extended, HB 385.  
 Mining, staking, holding requirements, amended, †HB 61, CH. 151.  
 Toll bridge authority vessels, crew members, filing exemption, SB 46.  
 Water use, withdrawal, registration, SB 561, HB 698.

**Clallam County:**

Dungeness spit preservation, secretary of interior petitioned, HJM 9.  
 Shi Shi beach acquisition, county park purposes, †HB 491, CH. 51 EX.

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†Bills passed by both Senate and House.

\*If approved at next general election.



**Clams:** (see also Shellfish)

Commercial, diggers, licensed farms only, provisions, †HB 216, CH. 27 EX.

**Clark County:**

Southwestern Washington state college, established, SB 245.

**Clark, Irving J., Jr.:**

Highway commission governor's appointment, withdrawn.....p. 723

**Clarkston:**

Tourist information center, feasibility study, HCR 26.

**Codes:** (see also Revised Code of Washington)

Cities and towns, R.C.W. Title 35, reenacted, †SB 3, CH. 7.

Commercial, uniform transactions, enacted, †SB 122, CH. 157 EX. Sec. 2, 9, PV.

Elections, R.C.W. Title 29, reenacted, †SB 5, CH. 9.

Electrical construction, amended, †SB 346, CH. 65 EX.

**Ethics**

Elective public officials, SB 1.

Extended to legislative members, SB 359.

State officials, candidates, †Sub SB 1, CH. 150 EX.

Insurance, amendatory provisions, †SB 292, CH. 70 EX.

Motor vehicle driver licensing, †SB 334, CH. 121 EX.

Municipal code committee, code preparation, submission to legislature, †SB 235, CH. 115 EX.

Members appointed, confirmed .....pp. 1568, 1581

Probate law and procedure, R.C.W. Title 11, reenacted, †SB 6, CH. 145, PV.

Revisor, administrative rules, regulations, compilations, legislator distribution permitted, SB 206.

State government—executive, R.C.W. Title 43, reenacted, †SB 4, CH. 8.

**Collection Agencies:**

Board created, examinations, licenses, regulations, SB 313, Sub SB 313.

**Collective Bargaining:** (see also Labor)

Firemen, arbitration provision, HB 330.

Port district employees, rights, SB 340.

Public employees, labor union agreements, †SB 360, VETOED.

Teachers, arbitration provisions, †HB 154, CH. 143.

**College Place:**

Highway, primary No. 3, loop to Walla Walla, SB 207.

**Colleges & Universities:** (see also under name of College)

Academic credits transferability commission established, powers, duties, SB 447.

Community: see Community Colleges.

Everett junior college, state college conversion, SB 210.

Faculty, employees, lump-sum retirement payment provisions repealed, SB 49.

Grays Harbor community college, state college conversion, SB 164.

**Higher education**

Commission created, SB 139.

Facilities commission created, SB 14, †HB 14, CH. 128 EX.

Loitering, unauthorized persons, vagrancy, †SB 8, CH. 112 EX.

Normal schools, public land, income, fund allocation, bond retirement, †SB 25, CH. 76.

Public higher education, temporary advisory council, established, †SB 489, CH. 161 EX.

Public works, over \$10,000, estimates, records, publication provisions, SB 496.

Research income, B & O tax exempt, SB 19, HB 19.

Scholarships, competitive, program established, SB 331.

Southwestern Washington state college, Clark county, established, SB 245.

†Bills passed by both Senate and House.

\*If approved at next general election.

**Colleges and Universities—Continued****State**

- Campus police established, †HB 76, CH. 16 EX.
- Cowlitz county, established, SB 153.
- Facilities use, speaking purposes, communists, certain individuals, prohibited, SB 450.
- Snohomish county, established, SB 100.
- Tuition, fees, increased, †SB 552, CH. 147 EX.
- Students, minors, employment, labor law exempt, SB 204.
- Teachers'
  - Annuities, tax deferred, in lieu of wages permitted, †HB 64, CH. 54.
  - Certificates, state history course requirement, discretionary, HB 284.

**Columbia Basin:**

- Commission, membership, powers, duties, amended, HB 477.
- Endorsing orderly development program outlined by commission, †SR 1965 EX-24.
- Requesting funds for project, development, irrigation blocks 36, 55, †SR 1965-19.
- Wahluke slope, resale to original owners petitioned, †HJM 24.

**Columbia Interstate Compact:**

- Fisheries interim committee study, †HCR 16.
- Legislators' membership provision, †SB 558, CH. 164 EX.
- Members appointed, confirmed ..... pp. 1568, 1581

**Columbia River:**

- Budget restoration from department of interior, development program, †SR 1965-16.
- Willamette falls fishway, federal funds restoration petitioned, HJM 14.

**Colville:**

- Congratulating confederated tribes †SR 1965-18.
- Reservation, restoration of full rights to membership, †SR 1965-28.

**Commerce and Economic Development:**

- Capital improvements, new construction, bonds authorized, SB 41, †Sub SB 41, CH. 172 EX., Sec. 1, 6, Title, PV\*.
- Clarkston, Port Angeles, Oroville, tourist information center, feasibility study, HCR 26.
- Department, nuclear energy development division
  - Created, SB 34.
  - Private enterprise provision, Sub. SB 34, †2nd Sub SB 34, CH. 10.
- Trade fairs, jurisdiction, transfer from agriculture department, SB 277, †HB 549, CH. 148, Sec. 9, PV; Sec. 13, PV.
- Washington state tourist magazine, publication, SCR 1.

**Commercial Transaction:**

- Uniform code enactment, †SB 122, CH. 157 EX., Sec. 2, 9, PV.

**Commission Merchants:**

- Agricultural products, sale at wholesale, †HB 304, CH. 69.

**Commissioners:**

- Cities, second class, salary increase, SB 87, †HB 114, CH. 22.
- Fire protection districts, firemen's insurance, participation, †SB 202, CH. 112.
- Port districts
  - At large, election provisions, †HB 50, CH. 51.
  - Expense reimbursement, regulation, †SB 150, CH. 101.
- P.U.D. per diem compensation, increase, SB 248.

**Commissions:**

- Academic credits transferability, established, powers, duties, SB 447.
- Alcoholism, established, powers, duties, appropriation, SB 550.
- Apportionment, redistricting, legislature, failure to act, SJR 13, HJR 25, SJR 21.
- Canal, established, appropriation, SB 13, †HB 13, CH. 123 EX.

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†Bills passed by both Senate and House.

\*If approved at next general election.

**Commissions—Continued****Columbia**

Basin, membership, powers, duties, amended, HB 477.

Interstate compact, members appointed, confirmed.....pp. 1568, 1581

Education, television commission created, SB 36, †Sub HB 36, CH. 129 EX.

**Higher education**

Created, SB 139.

Facilities, created, SB 14, †HB 14, CH. 128 EX.

Study commission created, SB 24.

**Highway**

Governor's appointments, withdrawn.....p. 723

Qualifications, members, †SB 546, CH. 1 EX.

Indian affairs, created, SB 37, Sub HB 37.

Interstate compact, legislators' membership provisions, †SB 558, CH. 164 EX.

Judicial qualifications, established, SJR 17.

Law enforcement officers' training, established, SB 20, †SB 50, CH. 158, Sec. 3, PV;  
Sec. 19, PV.

Marine employee, abolished, duties transferred highway personnel board, SB 218.

**State**

Certain, abolished, duties transferred, SB 498.

Civil rights, created, HB 235.

Horse racing, name change, SB 483.

**Public pension**

Commission, study feasibility of integrating city, state employees' retirement  
systems, †SR 1965 EX-22.

Members appointed, confirmed.....pp. 1567, 1582

Study commission on higher education created, SB 24.

Washington state dairy products, members, election provision, †HB 189, VETOED.

Water well, established, †Sub HB 252, VETOED.

Women's status commission, created, SB 31.

**Committees (Legislative):** (see also Interim Committees, also Legislature)

Appropriations, †Sub SB 374, CH. 169 EX., †SB 197, CH. 4, †HB 231, CH. 160 EX.

Blind, advisory, created, SB 490.

Boat safety, created, licenses, appropriation, SB 275.

**Child welfare, day care**

Advisory, created, SB 490.

Committee created, duties, SB 482.

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Courts, limited jurisdiction, interim study, SB 194.

Denny, Louisa Boren, statue, committee created, SB 60.

**Facilities and operations**

Legislative, established, †SCR 25.

Members appointed, confirmed.....pp. 1567, 1582

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Industrial insurance appeals, established, †SB 564, CH. 165 EX.

Members appointed, confirmed.....pp. 1568, 1580

**Insurance**

Interim, study committee, created, †SCR 10.

Members appointed, confirmed.....pp. 1568, 1582

Joint governmental cooperation, reactivated, †HCR 19.

Members appointed, confirmed .....pp. 1567, 1582

**Legislative**

Budget, mental institution programs study, SCR 24.

Employees, civil service rights defined, SB 427.

Liquor control board, legislative committee created, SCR 8.

Medical care, advisory, created, SB 490.

†Bills passed by both Senate and House.

\*If approved at next general election.

**Committees (Legislative)—Continued****Municipal**

Code, preparation, submission to legislature, †SB 235, CH. 115 EX.

Members appointed, confirmed..... pp. 1568, 1581

Fiscal budgeting, accounting procedures, created, SB 162.

**Oversight, established, †SCR 12.**

Members appointed, confirmed..... pp. 1567, 1581

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**State**

Certain, abolished, duties transferred, SB 498.

Public assistance, advisory, created, †HB 273, CH. 90 EX.

Temporary advisory council, public higher education, established, †SB 489, CH.  
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Members appointed, confirmed ..... pp. 1567, 1582

Water resources, study, †HCR 33.

Members appointed, confirmed ..... pp. 1567, 1581

**Common Carriers: (see also Railroad)**

Highway construction material hauling, carrier rate exempt, SB 77.

Interstate, occasional, permits, state patrol issuance, SB 130.

Winter sports' conveyance devices, excluded from definition, SB 532, †HB 679, CH.  
85 EX.**Communism:**Colleges, universities, state facilities use, speaking purposes, certain individuals pro-  
hibited, SB 450.**Community Colleges:**

Additional, Seattle, Bellevue, Edmonds, Walla Walla

Authorized, SB 9.

Clover Park, authorized, †HB 137, CH. 159 EX.

Directors, board established, each college, powers, duties, SB 203.

Districts, independent, established, †Sub HB 104, CH. 98 EX.

Dormitories, housing, management allowed, SB 300, †HB 125, CH. 89 EX.

Everett junior college, state college conversion, SB 210.

Fort Lawton acquisition, community college site, petitioned, †HJM 17.

Grays Harbor, state college conversion, SB 164.

Regents, single board established, powers, duties, SB 53.

Tuition fees, increased, †SB 555, CH. 146 EX.

Vocational, technical facilities, school district joint financing, †SB 159, CH. 136.

West Seattle, established, SB 407.

**Community Property: (see Property)****Compacts:**

Interstate commission, legislators' membership provisions, †SB 558, CH. 154 EX.

Juveniles, interstate compact, out-of-state confinement amendment, SB 326.

Libraries, interstate, membership, provisions, †HB 295, CH. 93 EX.

Mental health, †HB 192, CH. 26 EX.

**Companies:**Garbage collection, failure to operate, certain areas, commission certificate regula-  
tion, †HB 348, CH. 105 EX., Sec. 1, PV.

Insurance, rate schedules, public inspection prohibition removed, SB 161.

Public service, political contributions, activities, regulation, SB 405.

†Bills passed by both Senate and House.

\*If approved at next general election.

**Conditional Sales Contracts:** (see Contracts)**Condominiums:**

Apartment buildings, property description revisions, †SB 119, CH. 11 EX.

**Congressional Districts:**

Reapportionment, SB 526, SB 569, †HB 714, CH. 152 EX\*.

Title only, †HB 467, VETOED.

**Conlin, John T.:**

Personnel board; governor's appointment, referral, confirmation.....p. 63

**Conservation and Development:**

Flood control revolving fund, created, project bond purchases, authorized, SB 406.

Water rights claims registry established, water resources division, appropriation, SB 561, HB 698.

Wildlife, game commission conservation, regulations, SB 134.

**Constitutional Advisory Council:**

House members appointed, confirmed, †HCR 38.....p. 1581

**Constitutional Amendments:**

Advisory council, constitution study, recommendations, HB 7.

Alien land ownership restriction repeal, †SJR 20.

Apportionment commission, redistricting, legislature, failure to act, SJR 13, HJR 25.

City home rule provisions, SJR 16.

Common school construction fund, established, †SJR 22.

**Constitutional convention**

Proposal, submit to voters, HJR 12.

Vote requirement reduced, SJR 28.

Elections, residence requirement reduced, SJR 2, †Sub HJR 4.

Governor, lieutenant governor, off year election provision, SJR 9.

Governor's inauguration, date advanced, SJR 14, Sub HJR 16.

House of representatives, four-year terms, SJR 4.

Income tax, state flat gross rate, SB 567.

Indians, voting restriction repealed, SJR 2.

Initiatives, people's proposals permitted, SJR 31.

**Judges**

Removal procedures, commission established, SJR 17.

Supreme, Superior courts, unopposed position, declared elected, SJR 6.

**Legislative**

Annual sessions, SJR 3, SJR 5.

**Extraordinary session**

Legislators petition permitted, SJR 11.

Redistricting, reapportionment, SJR 13, SJR 21, HJR 25.

Legislators, term, civil office created, salary changes, appointment permitted, Sub SJR 8.

Port district funds, industrial development, trade promotion purposes, use authorized, †SJR 25.

Presidential elections, voters, state residence requirement, SJR 7.

**Property tax****Assessed valuation**

Deduction, over age 65, †HJR 7.

25% true value required, SJR 23, SB 411.

30% true value required, SJR 24.

**Exemption**

Heads of households, legislative authority, SJR 30.

Over age 65, legislative authority, SJR 18.

Public retirement system funds, investments, legislative authority, SJR 10.

Public utility districts, property tax exemption removed, SJR 27.

Referendum bills, special indebtedness, publication requirement revised, SJR 12.

†Bills passed by both Senate and House.

\*If approved at next general election.

**Constitutional Amendments—Continued****School**

Buildings, construction, fund allocation, public timber sale proceeds, SJR 26.

Districts, special levy, multiple year, operational expense, authorized, SJR 1, HJR 9.

Funds, permanent, investments specified, HJR 30.

State debt, election, publication notice change, †HJR 39.

**State officials**

Elective, term commencement advanced, SJR 14, Sub HJR 16.

Salary change provisions repealed, SJR 8, Sub SJR 8.

U. S., apportionment, one house of legislature, other than population basis, petitioned, SJM 6.

Urban renewal projects, indebtedness, increased values, tax allocation required, SJR 15.

**Constitutional Convention:**

Constitutional advisory council created, HB 7, †HCR 38.

Proposals, submit to voters, HJR 12.

Vote requirement reduced, SJR 28.

**Construction:**

Buildings, industrial insurance premium payment, county permit issuance, †HB 134, CH. 20 EX.

Common school construction fund, established, †SJR 22.

Electrical construction code amended, †SB 346, CH. 65 EX.

Governmental buildings, county permit issuance mandatory, HB 133.

Maintenance, highways, bids, project maps, plans, specifications, fees, deposits, payment requirement, †SB 366, CH. 64 EX.

**Public**

Buildings, accessibility design standards, physically handicapped, HB 302.

Construction projects, specific insurance company, broker requirement, prohibited, SB 385.

Work contracts, colleges, universities, over \$10,000, estimates, records, publication provisions, SB 496.

**School buildings**

General obligation bonds, issuance, †SB 40, CH. 158 EX.\*

Limited obligation bonds, issuance, SB 351.

Public timber sale proceeds, allocation, SJR 26.

Underground, fuel burning equipment use

Permit, SB 67.

Restriction removed, †HB 526, CH. 144, Sec. 1, PV.

U. S. house office building, construction cost investigation petitioned, SJM 19.

**Contractors:**

Building, licensing, bonding provision, HB 292.

Electrical, qualifying certificate, examination, requirements, HB 342.

Materialmen liens, notice, equipment inclusion, †SB 120, CH. 98.

Public work contracts

Partial completion, acceptance authorized, SB 463.

Subletting and subcontracting fair practices act established, SB 441.

Well water, examinations, licensing, procedure, †Sub HB 252, VETOED.

**Contracts:****Conditional sales**

Fire protection districts, purchasing authorized, †HB 88, CH. 21.

School districts, purchasing authorized, †HB 175, CH. 62.

Insurance, health, optometrists service included, †HB 307, CH. 149, Sec. 1, PV.

Interest, maximum established, penalties, SB 380.

Marketing, agricultural producers' associations, permitted, HB 454.

Medical aid, industrial insurance, service standards, requirements, †HB 337, CH. 36.

†Bills passed by both Senate and House.

\*If approved at next general election.

**Contracts—Continued****Public**

Construction, over \$2,500, bid requirement, private firms, SB 457, SB 458.  
 Hospital districts, bid proposal security, payment method broadened, †SB 211, CH. 83.

**Works**

Certain, bond waiver, payment retention, SB 512.  
 Contractors' partial completion, acceptance authorized, SB 463.  
 Employees, prevailing wage, fringe benefits, established, †SB 318, CH. 133 EX.  
 Subcontracting, fair practices standards, SB 441.

Puget sound ferry system, ten year property leases, contracts, authorized, SB 484.

Retail credit, rates, interest charges, (SB 380) interim study, †SCR 17.

Sewer districts, over \$2,500 permitted, bid bonds authorized, †HB 371, CH. 71.

**Teachers****Non-renewal**

All certificated employees included, SB 293.

Hearing provisions, SB 545.

Records, county suitable book requirement deleted, HB 425.

**Water**

Districts, over \$2,500 permitted, bid bonds authorized, †HB 372, CH. 72.

Sewer districts, certain management, operation contracts, permitted, HB 461, HB 462.

**Cooperatives:**

Agricultural, directors, commodity board membership permitted, HB 242.

**Corporations:**

Business corporation act, adoption, †HB 60, CH. 53.

Electrical licenses, labor industry department issuance, HB 47.

Medical professional service, formation authorized, SB 253.

**Metropolitan municipal corporations**

Act, powers broadened, SB 260.

Transit system purchases, labor contracts assumed, †SB 71, CH. 91.

**Nonprofit, research**

Income, B & O tax exempt, SB 19, HB 19.

Services, B & O tax imposed, SB 59.

Securities, stocks, community survivor, transfer agreement, authorized, †SB 338, CH. 85.

U. S. securities, transfers, state jurisdiction, SB 336.

**Correctional Institutions: (see Institutions)****Councilmen:**

Cities, towns, elections, numerical designation, discretionary, SB 180.

**Council: (see also Legislative Council)**

Aging, advisory, established, SB 461, †HB 366, CH. 39.

**Constitutional advisory council**

Created, HB 7, †HCR 38.

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Investment, advisory, public pensions, established, SB 111.

Judicial, additional member authorized, HB 369.

Public higher education, temporary advisory, established, †SB 489, CH. 161 EX.

**Counties:**

Adjustment board, membership increased, †HB 161, CH. 24 EX.

Agricultural fairs, property leases authorized, SB 151.

Assessor's budget review board created, powers, duties, SB 541.

Bid deposit requirement, †SB 213, CH. 113.

Board of equalization, meeting date changed, †SB 91, CH. 93.

†Bills passed by both Senate and House.

\*If approved at next general election.

## Counties—Continued

## Bonds

- Municipal, general obligation, issuance, interest, procedural changes, SB 233, †Sub SB 233, CH. 74 EX.
- Refunding, issuance, provisions, SB 234.
- Revenue, issuance, authorized, SB 435, †HB 383, CH. 142.

Boundary review board, created, SB 349.

Budgetary transfers authorized, †HB 113, CH. 19 EX.

Building permits, issuance, industrial insurance premium payments mandatory, †HB 134, CH. 20 EX.

## Cities

Real property, joint ownership, operation, permitted, †HB 160, CH. 24.

## Towns

Annexations, contiguous territory, adjacent, permitted, SB 251.

Districts, general elections, date change, cost allocation, provisions, †SB 296, CH. 123.

## Claims

Filing time extended, SB 401.

Payment, pre-audit required, †SB 221, CH. 116.

## Class AA

Jails, chaplain appointments authorized, SB 551.

Port district elections, commissioners at large, provisions, †HB 50, CH. 51.

Consolidation, vote requirement, SB 89.

County arterial highways, farm to market roads, certain counties, construction, †SB 274, CH. 121.

## Commissioners

Designate, property sales, execution order, location, †HB 156, CH. 23 EX.

Revenue bonds issuance authorized, SB 435, †HB 383, CH. 142.

## Court

House, probate notice, posting provisions, SB 44.

Reporters, salary increase, †SB 117, CH. 114 EX.

Diking and drainage districts, continuous operation, payment provision, HB 257, SB 371.

Economic opportunity act of 1964, participation authorized, †HB 10, CH. 14.

Employees, collective bargaining, labor union membership, rights, †SB 360, VETOED.

Flood control districts, powers, bids, levies, general changes, amendments, †HB 244, CH. 26.

Game range lands, payments in lieu of property tax, provision, †HB 206, CH. 97 EX.

Highways, limited access, facilities, procedure, planning, adoption, hearing procedure, SB 358, †Sub SB 358, CH. 75 EX.

Housing standards, regulation, HB 159.

Hunting fines, forfeiture, county share, eliminated, †HB 206, CH. 97 EX.

Irrigation district directors, per diem allowance increased, †HB 52, CH. 16.

Jurors, superior court, selection procedure, SB 147.

## Justice courts

Districting act, county adoption procedures, amended, Sub. SB 217, †SB 389, CH. 110 EX.

Grant, Kitsap, Kittitas, number reduced, Sub SB 217.

## Libraries

Intercounty rural districts, expansion, vote provision, †HB 186, CH. 63.

Joint local improvement districts, established, SB 239.

Law, justice court fee allocation, †HB 91, CH. 55.

## Officers

Actions, prosecuting attorney representation required, HB 513.

Elective, hospital, medical care coverage, †HB 111, CH. 57.

Open space land act, public acquisition, eminent domain, HB 226.

Ordinances, referendum, initiative petitions, procedure established, SB 156.

Parks, service area created, all counties, †HB 164, CH. 76 EX.

†Bills passed by both Senate and House.

\*If approved at next general election.



**Counties—Continued****Port districts**

Dissolution, inactive districts, procedure, HB 293.

Multi-county consolidation, election procedure, tax structure, †SB 157, CH. 102

Probation services, state aid extended, †SB 323, CH. 137 EX.

Property, real, exchanges, authorized, †HB 142, CH. 21 EX.

**Public****Buildings**

Accessibility design standards, physically handicapped, HB 302.

**Construction**

Permit issuance, HB 133.

Projects, specific insurance company, broker requirement, prohibited, SB 385.

Works contracts, over \$2,500, bid requirements, private firms, SB 457, SB 458.

Purchasing, notice requirements, minimum limitation increased, HB 229.

Refunding bond act, enactment, †SB 417, CH. 138 EX.

Regional planning agencies, study, authorized, †HB 621, CH. 84 EX.

Road fund, equipment rental revolving funds, payrolls, transfer permitted, †HB 163, CH. 25 EX.

**Roads**

Administration board, created, †SB 414, CH. 120 EX.

Forest reserve fund distribution formula established, SB 509, †SB 524, CH. 140 EX.

Improvement districts, additional functions, †HB 162, CH. 60.

Streets, aircraft taxiways, designation, HB 187.

**School districts**

Forest reserve fund distribution formula established, SB 509, †SB 524, CH. 140 EX.

Intermediate district offices, created, †SB 304, CH. 139.

Organization committee, abolished, duties transferred, SB 510, Sub SB 510.

Services, intergovernmental cooperation, contracting provision, SB 165.

**Sewer districts**

Consolidation, voting provisions, SB 383.

Formation, new, existing district area, provisions, SB 429.

Merger provisions, commissioners' authority, SB 382.

Name change procedure, HB 253.

Shi Shi beach acquisition, park purposes, †HB 491, CH. 51 EX.

Sports stadium, participation, requirements, SB 38, †HB 38, CH. 15.

Tax rolls, delivery provisions changed, †SB 199, CH. 7 EX.

**Third class****Family court assistants**

Appointment provision, †HB 592, CH. 83 EX.

Authorized, SB 45.

Warrants, lost, destroyed, payment procedures, †SB 464, CH. 61 EX.

**Water**

Conservancy districts created, powers, duties, SB 396.

**Districts**

Formation, new, existing district area, provisions, SB 430.

Mergers, voting provisions, SB 384.

Sewer districts; certain management, operation contracts, permitted, HB 461, HB 462.

Youth regional planning, authorized, †HB 621, CH. 84 EX.

**County Officers: (see also Counties)****Assessors:**

Budget review board created, powers, duties, SB 541.

Property, assessed valuation, 25% true value required, SJR 23, SB 411.

Salary study, governor's advisory committee, inclusion, SB 542.

Sewer district assessment rolls, clerical errors, correction permitted, SB 431.

Tax roll delivery provision change, †SB 199, CH. 7 EX.

Water district assessment rolls, clerical errors, correction permitted, SB 432.

†Bills passed by both Senate and House.

\*If approved at next general election.

**County Officers—Continued****Auditor:**

- Recorded instruments
  - Defects, liability exemption, †SB 73, CH. 134.
  - Photo-reproduction, public use, SB 121.

**Clerk:**

- Jury panel drawings, date changed, †HB 237, CH. 65.

**Commissioners:**

- Property, execution order, sale location, designation, †HB 156, CH. 23 EX.
- Revenue bonds issuance authorized, SB 435, †HB 383, CH. 142.

**Prosecuting Attorney:**

- Mentally ill, commitments, involuntary hospitalization, investigation, SB 85,

**Public Defender:**

- Office established, qualifications, duties, SB 225.

**School Superintendent:**

- Teachers' contract records, suitable book requirement deleted, HB 425.

**Sheriff:**

- Abandoned real property, mortgage foreclosure, redemption rights precluded, †SB 109, CH. 80.
- Acts, county immunity removed, †SB 86, CH. 92.
- Bail approval authorized, SB 56.
- Civil service examinations, eligibility lists, changes, SB 513.

**Treasurer:**

- Board of equalization, meeting date changed, †SB 91, CH. 93.
- Road, equipment rental revolving funds, payrolls, transfer permitted, HB 163.
- Service fee, record search, †HB 94, CH. 25 EX.
- Tax roll delivery provision change, †SB 199, CH. 7 EX.

**County Road Administration Board:**

- Created, †SB 414, CH. 120 EX.

**Court Reporters:**

- Salary increase, †SB 117, CH. 114 EX.

**Courts:**

- Attorneys, appointed, indigent
  - Felons, fees, †SB 61, CH. 133.
  - Gross misdemeanors, fees, SB 192.
- Commissioner, clerk, bail approval authorized, SB 56.
- Detainers, reciprocal agreement, clearing of untried indictments, provisions, SB 215.
- Evidence, secured notes, obligations, photocopies permitted, HB 677.
- Family
  - Assistants, third class counties, appointment provisions, †HB 592, CH. 83 EX.
  - Domestic cases, court orders, service, rules prescribed, SB 188.
  - Third class counties, assistants authorized, SB 45.
- Federal
  - Jurisdiction, state legislative apportionment, prohibition request, (HJM 1, extraordinary session, 1963), rescinded, SJR 19, SJM 23.
  - Local law certificate procedure, jurisdiction, †SB 129, CH. 99.
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- Felons, indigent, court appeal cost, payment, †SB 61, CH. 133.
- Insanity pleas, felons, pre-trial hearing procedures, SB 387.
- Judges, removal procedure, commission established, SJR 17.
- Judicial council, additional member authorized, HB 369.
- Jury duty, women, exemption repealed, HB 433.
- Justice of peace act, revised, SB 217.
- Limited jurisdiction, interim study committee, SB 194.
- Reporters, salary increase, †SB 117, CH. 114 EX.
- Uniform declaratory judgments act, stay ruling, restrain parties, †SB 48, CH. 131.
- U. S. district, adoption order, SB 2, redistricting, petitioned, SJM 5.
- Witness subpoenas, issuance, judges authority, SB 533.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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 State college, established, SB 153.

**Coyotes:**

Spring triggered shell devices, use authorized, †HB 494, CH. 46

**Credit:****Sales**

Maximum interest rates established, SB 380.  
 Rates, interest charges, (SB 380) legislative council interim study, †SCR 17.  
 Unions, personal loans, limit increased, †HB 289, CH. 38 EX.

**Crimes and Criminal Procedure: (see also Prisoners)**

Arson, first degree, range, pasture lands, fences, included, †HB 86, CH. 17 EX.  
 Attorneys, appointed, indigent  
 Felons, fees, †SB 61, CH. 133.  
 Gross misdemeanors, fees, SB 192.  
 Bail approval, sheriffs, court commissioner or clerk authorized, SB 56.  
 Capital punishment  
 Abolished, referendum, SB 409.  
 Certain crimes, mandatory, SB 231.  
 Criminally insane, institutions department jurisdiction, placement, †SB 76, CH. 9 EX.  
 Death penalty, jury presentence hearing provision, SB 413.  
 Detainers, reciprocal agreement, clearing of untried indictments, provisions, SB 215.  
 Felons, indigent, court appeal cost, payment, †SB 61, CH. 133.  
 Highway litter, fine provisions, SB 372, †HB 515, CH. 52 EX.  
 Insanity pleas, felons, pre-trial hearing procedures, SB 387.  
 Larceny, fraudulent checks, issuance, penalties, SB 115.  
 Liquor age identification cards, illegal possession, penalties, SB 408.  
 Minor felons, juvenile court hearings, publicity permitted, SB 52.  
 Motor vehicle, rental, lease, failure to return, larceny, †HB 313, CH. 32.  
 Obscene literature, sale, distribution, possession, attorney general jurisdiction, SB 444.  
 Prisoners, escapees, time loss computation, HB 267.  
 Property, personal, leases expired, unreturned, penalties, SB 238, †HB 520, CH. 109  
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 Public assistance recipients, fraudulent claims, gross misdemeanor, †HB 264, CH.  
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 Search warrants, issuance, basis expanded, SB 386.  
 Sex crimes involving children, parolees, employment restriction, SB 137.  
 Shoplifting suspects, detention provisions, SB 269, SB 395.  
 Vagrancy, unauthorized persons, loitering, schools, colleges, †SB 8, CH. 112 EX.

**Cystic Fibrosis:**

Health department pilot study, appropriation, HB 449.

**Dairy Products:**

Butter substitutes, institutional use, U. S. government surplus, permitted, †HB 474,  
 CH. 73.

†Bills passed by both Senate and House.

\*If approved at next general election.

**Dairy Products—Continued****Milk**

- Cream, producers, assessments increased, †HB 382, CH. 44 EX.
- Raw, cities, towns, sales, prohibition authorized, SB 178.
- Washington state dairy products, commission, members, election provision, †HB 189, VETOED.

**Dams:**

- Asotin dam project, navigational locks inclusion, petitioned, †HJM 27.
- Grand Coulee, requesting funds, construction, third powerhouse, †SR 1965 EX-30.
- Towns, waterfront created by dams, sale permitted, †SB 350, CH. 127.

**Data Processing:**

- Electronic voting, tabulating, systems authorized, SB 328.

**Davis High School:**

- Yakima, congratulating winning 1965 class AA basketball championship, †SR 1965 EX-6.

**Day Training Center:**

- Handicapped, admission, payment increase, †HB 326, CH. 34.
- Mentally, physically retarded, program authorized, SB 141.

**Deaf:**

- Vocational education, state-wide services, appropriation, SB 534.

**Debts:**

- Public assistance department, recipients' debts, due, uncollectible, suspense account transfer, †HB 275, CH. 91 EX.
- State, elections, publication notice change, †HJR 39.

**Dederer, Michael:**

- Board of regents, Washington State University, governor's appointment, referral, confirmation .....pp. 1074, 1237, 1277-1278

**Deeds:**

- Timber, perpetual, void, SB 124.
- Trust law established, conveyance, foreclosure provisions, SB 106, †HB 479, CH. 74.

**Denny, Louisa Boren:**

- Hall of fame statue, committee created, SB 60.

**Detainers:**

- Reciprocal agreements, clearing of untried indictments, provisions, SB 215.

**Diking and Drainage Districts:**

- Eminent domain, supervisors' power, extended, SB 246.
- Hearing notices, levies, election requirements, SB 516.
- Officials, elections, salary increase, HB 258, HB 259, †SB 247, CH. 120.
- Operation, continuous, payment provision, HB 257, SB 371.

**Discrimination:** (see also Civil Rights)

- Board abolished, civil rights commission created, HB 235.
- Housing, real property, sales, advertising, prohibited, HB 200.

**Districts:** (see also name of District)

- Community colleges, independent, established, †Sub HB 104, CH. 98 EX.
- Elections, general, date changes, cost allocation, provisions, †SB 296, CH. 123.
- Flood control, powers, bids, levies, general changes, amendments, †HB 244, CH. 26.

†Bills passed by both Senate and House.

\*If approved at next general election.

**Districts—Continued**

**Hospital**

Bid proposal security, payment method broadened, †SB 211, CH. 83.  
 Commission, membership, compensation, expenditures, provisions, †SB 310, CH. 157, Sec. 5, PV.

Legislative, redistricting, reapportionment, SB 303, SB 319, †SB 2, VETOED, †SB 237, VETOED, †HB 196, CH. 6.

**Library**

Intercounty rural expansion, vote provision, †HB 186, CH. 63.  
 Joint, local improvement, established SB 239.

Port industrial development, promotion, authorized, SB 35.

Precinct size, paper ballots, voting machine, districts established, SB 83.

Road improvement, counties, additional functions, †HB 162, CH. 60.

Schools, intermediate district offices, created, †SB 304, CH. 139.

Services, intergovernmental cooperation, contracting provision, SB 165.

Transportation benefit, formation, gasoline tax levy, finance transportation facilities, SB 22.

**Water**

Bid proposal security, payment method broadened, SB 216.  
 Conservancy, created, powers, duties, SB 396.

**Divisions:**

Motor transport, general administration department, created, SB 21.

Nuclear energy development, commerce and economic development department created, SB 34.

Private enterprise provision, Sub SB 34, †2nd Sub SB 34, CH. 10.

**Divorce: (see Domestic Relations)**

**Domestic Relations:**

**Divorce**

Court orders, service, rules prescribed, SB 188.  
 Grounds, separation period reduced, †SB 423, CH. 15 EX.  
 Vital statistics, registration provisions, HB 448.

**Doors:**

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 Sliding, safety glass requirement, †HB 476, CH. 45.

**Drivers: (see Motor Vehicles)**

**Dungeness Spit:**

Preservation, secretary of interior petitioned, HJM 9.

**Eastern State Hospital: (see also Institutions)**

Correctional institution for women established, SB 110.  
 Institutions department, criminally insane jurisdiction, directors' placement, †SB 76, CH. 9 EX.

**Eastern Washington State College: (see also Colleges and Universities)**

Access highway, construction, appropriation, HB 145.  
 Appropriation, 1965-67, †Sub SB 374, CH. 169 EX.  
 Library building, construction, federal funds, state portion, appropriation, †SB 520, CH. 4 EX.  
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**Echo Lake:**

Equipment, supplies, purchases, authorized, †SB 97, CH. 10 EX.  
 Juvenile institution, equipment supplies, purchases authorized, †SB 97, CH. 10 EX.

†Bills passed by both Senate and House.  
 \*If approved at next general election.

**Economic Opportunity Act of 1964:**

County participation authorized, †HB 10, CH. 14.

**Edgren, Claude:**

Board of pharmacy, governor's appointment, referral, confirmation. .pp. 779, 813, 1067

**Education:** (see also Schools, also Colleges & Universities)

Academic credits transferability commission established, powers, duties, SB 447.

**Board**

Directors, name changed, board of education, SB 261.

Teachers' certificates, state history course requirement discretionary, HB 284.

**Community colleges**

Board of directors, each college, established, SB 203.

Seattle, Bellevue, Edmonds, Walla Walla, authorized, SB 9.

Clover Park, authorized, †HB 137, CH. 159 EX.

Single board of regents established, SB 53.

County committee on organization abolished, duties transferred, SB 510, Sub SB 510.

**Higher education**

Commission created, SB 139.

Facilities commission, created, †HB 14, CH. 128 EX.

Study commission created, SB 24.

**Joint**

Committee, appropriation, 1965-67 biennium, †SB 197, CH. 4, †Sub SB 374, CH. 169 EX.

Interim committee, created, SB 227, †HB 442, CH. 130 EX.

Members appointed, confirmed .....pp. 1567, 1582

Study field, post high school enrichment, vocational-technical opportunities, †SR 1965 EX-15.

Public higher education, temporary advisory council, established, †SB 489, CH. 161 EX.

Members appointed, confirmed .....pp. 1567, 1581

Public lands, parks, use, recreation, educational purposes, authorized, SB 368.

Residence requirements reduced, SJR 2.

Scholarships, competitive, program established, SB 331.

**School districts****Funds**

Apportionment, SB 143, †SB 29, VETOED, †SB 544, CH. 162 EX.

Equalization, apportionment, distribution formula, SB 143, †SB 565, CH. 171 EX.

Intermediate district offices, created, †SB 304, CH. 139.

Superintendent of public instruction, advisory groups, establishment permitted, SB 486.

**Teachers**

Contracts, nonrenewal, hearing provisions, SB 545.

Minimum salary established, SB 362.

Television commission created, SB 36, †Sub HB 36, CH. 129 EX.

Vocational, rehabilitation, nondisabled handicapped persons, placement, percentage restriction removed, SB 138, †HB 335, CH. 35.

**Elections:****Campaign**

Advertising, false, defamation, penalties, SB 32.

Contributions, expenditures, donors' identification, SB 58.

Receipts, expenditures, records, filing requirements, SB 12, HB 12.

Candidates, partisan office filing, nonpartisan office, forfeiture, SB 187.

Capital punishment, abolishment, referendum, SB 409.

**Cities****First class**

Deputy registrars, each political party, appointments, †HB 378, VETOED.

Incorporation provisions, SB 291.

†Bills passed by both Senate and House.

\*If approved at next general election.

**Elections—Continued****Cities—Continued****Towns**

- Councilmen, numerical designation, discretionary, SB 180.
- General, date changes, cost allocation, provisions, †SB 296, CH. 123.
- Reclassification, officers' special election authorized, †SB 172, CH. 106.
- Water, garbage, sewer systems, joint operations, approval, SB 63.

**Constitutional**

- Amendment proposals, people's initiatives permitted, SJR 31.

**Convention**

- Proposal, submit to voters, HJR 12.
- Vote requirement reduced, SJR 28.

**County**

- Consolidation, vote requirement, SB 89.
- Ordinances, referendum, initiative petitions, procedure established, SB 156.
- Diking and drainage districts, hearing notices, levies, requirement, SB 516.
- District officers, certain conditions, liquor sales permitted, †SB 477, CH. 59 EX.
- Electronic voting, tabulation, systems authorized, SB 328.
- Fire protection districts
  - Annexations, petitions, signature requirements, †HB 103, CH. 18 EX.
  - Excess levy voting requirements, †SB 78, CH. 113 EX.
- Governor, lieutenant governor, off year election provision, SJR 9.
- Higher education facilities commission created, SB 14, †HB 14, CH. 128 EX.
- Indians, voting restrictions repealed, SJR 2, †Sub HJR 4.
- Industrial insurance, permanent partial disability compensation, referendum, †SB 564, CH. 165 EX.
- Initiative, referendum, petition sheets, newspaper publication, circulation provisions, SB 397.
- Judges, supreme, superior courts, unopposed position, declared elected, SJR 6, †Sub SJR 6.
- Justice courts districting act, county adoption procedures, amended, Sub SB 217, †SB 389, CH. 110 EX.

**Legislative**

- Council members, state office candidacy, termination provision, SB 187.
- Districts, reapportionment, referendum, SB 333.
- Library, intercounty rural districts, expansion, vote provisions, †HB 186, CH. 63.
- Organizations, nonpartisan, campaign, publicity expenditure, report provision, SB 418.
- Port districts
  - Commissioners at large, provisions, †HB 50, CH. 51.
  - Consolidation, procedure, †SB 157, CH. 102.

**Precinct****Officers**

- Appointment, duties, ballot counting provisions, †HB 377, CH. 101 EX.
- Pay increased, SB 314.
- Size, paper ballots, voting machine, districts established, SB 83.

- Presidential, voters, state residence requirements, SJR 7.

**Primary**

- Ballots, name rotation provision abolished, SB 81.
- Candidates, campaign contribution, donor's identification, SB 499.
- Date changed, SB 103, †HB 191, CH. 103 EX.
- Property taxes, assessment increases, voters' approval, †Sub HB 709, CH. 174 EX. Sec. 8, PV.
- R.C.W. Title 29, reenacted, †SB 5, CH. 9.
- School
  - Districts, special levy, multiple year, authorized, SJR 1, HJR 9.
  - Funds, permanent, investments specified, HJR 30.
- Sewer districts, consolidation, voting provisions, SB 383.
- State
  - Debt, publication notice change, †HJR 39.

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†Bills passed by both Senate and House.

\*If approved at next general election.

**Elections—Continued****State—Continued****Representatives**

Four-year term, SJR 4.

Positions numbered, †HB 51, CH. 52.

**Voters, registration**

Cancellation provision, SB 80.

Residency, cancellation provisions, †SB 301, CH. 156 EX. Sec. 9, PV.

**Voting, employee time off, paid, provision, HB 201, SB 305.****Water**

Conservancy districts created, powers, duties, SB 396.

Districts, mergers, voting provisions, SB 384.

**Electricity—Power:**

Agencies, joint operating, agreements, Canadian government, permitted, SB 198.

Bonneville power administration, power rate increase, delay petitioned, SJM 24.

Contractors, qualifying certificate, examination, requirements, HB 342.

**Electrical**

Construction code amended, †SB 346, CH. 65 EX.

Research experiment station, Washington State University, established, †SB 404, CH. 139 EX.

**Electricians**

Installations, fees, rules, regulations, †SB 281, CH. 117 EX.

Licenses, labor industry department issuance, HB 47.

Highways, electrical construction standards, certain conditions, exempt, SB 466.

Interstate sales, public utility tax exempt, HB 675.

Public buildings, certain, emergency lighting systems, requirements, SB 455.

**Ellensburg:**

Access highway, Central Washington state college, SB 268.

**Embalmers:**

Licenses, qualifications, †HB 173, CH. 107 EX. Sec. 4, PV.

**Eminent Domain:**

Diking, drainage districts, supervisors' powers, extended SB 246, HB 259.

Open space land act, public acquisition, HB 226.

Park districts, property condemnation procedure redefined, HB 73.

Property, condemnor's pre-suit offer, moving costs, provisions, †Sub HB 96, CH. 125 EX.

P.U.D., lake, river lands, condemnation, easements, provisions, †SB 320, CH. 118 EX.

**Employee Suggestion Awards Board:**

Established, †SB 101, CH. 142 EX.

**Employees:**

Deceased, earned wages, survivors, demand amount increased, SB 322.

Garnishment, writ service, banks, branches, rules prescribed, SB 189.

Legislative committees, councils, civil service rights defined, SB 427.

Lie detector tests, compulsory, prohibited, †HB 100, CH. 152.

Payroll, gross wages, deductions, employer's itemized statement mandatory, SB 298.

**Port districts**

Collective bargaining rights, SB 340.

Expense reimbursement, regulation, †SB 150, CH. 101.

Retirement, employer contributions to single plan only, †HB 81, CH. 20.

**Public**

Collective bargaining rights, †SB 360, VETOED.

Loyalty oath required, SB 428.

Pension waiver, reemployment, SB 140.

Union, association dues, payroll deduction, SB 114.

Works, prevailing wage, fringe benefits, established, †SB 318, CH. 133 EX.

†Bills passed by both Senate and House.

\*If approved at next general election.



**Employees—Continued**

- P.U.D., retirement, annuities, insurance payments, authorized, †SB 451, CH. 149 EX.
- Railroad, freight trains
  - Crew requirements amended, SB 208.
  - Full crew requirement repealed, SB 74.
- School districts
  - Noncertified, paid vacation leaves, established, SB 282.
  - State retirement system coverage, †SB 272, CH. 84.
- State
  - Certain, flight insurance authorized, †SB 327, CH. 68 EX.
  - Mileage allowance increase, SB 55, HB 204.
  - Per diem allowance increased, SB 62, †HB 203, CH. 77 EX.
  - Positions abolished, reclassified, appeal rights, SB 339.
  - Retirement system, membership, years of service, amendments, †SB 223, CH. 155.
  - Schools, institutions, teachers' retirement membership, transfer employees' retirement system, SB 325.
  - Semimonthly pay period, SB 495.
  - Suggestion awards, board, established, †SB 101, CH. 142 EX.
  - Toll bridge authority vessels, claim filing exemption, SB 46.
  - Vacations, maximum accrual time increased, †SB 205, CH. 13 EX.
- Statewide city retirement system, general changes, amendments, †HB 590, CH. 99 EX.
- Unemployment compensation benefits, extended periods, computation basis, certain changes, SB 244.
- Universities, state lump-sum retirement payment, provision, repealed, SB 49.
- Voting, time off, paid provisions, HB 201, SB 305.
- Welfare trust funds, annual statement filing, †SB 294, CH. 69 EX.

**Employers:****Employees**

- Deceased, earned wages, survivors, demand amount increased, SB 322.
- Gross wages, deduction, itemized statement mandatory, SB 298.
- Garnishment writ service, banks, branches, rules prescribed, SB 189.
- Unemployment compensation, benefit and wage year determination amended, SB 28.
- Workmen's compensation, payroll reports, account closing provision, †HB 318, CH. 80 EX.

**Employment:**

- Educational institution, minor students, labor law exempt, SB 204.
- Labor disputes, strikebreakers importation prohibited, SB 392.
- Lie detector tests, compulsory, prohibited, †HB 100, CH. 152.
- Public assistance recipients, federal aid, resource, certain earned income, exempt, SB 344, †HB 643, CH. 2 EX.
- Public, pension waiver, reemployment, SB 140.
- Technological problems, interim committee established, HCR 7.
- Unemployment compensation
  - Benefit and wage year determination amended, SB 28.
  - Benefits, work refusal, disqualification time, SB 505.
- Women, professional, administrative, hour restriction removed, †HB 432, CH. 41.

**Employment Security: (see also Unemployment Compensation)**

- Commissioner, governor's appointment, referral, confirmation.....pp. 491, 836, 1068
- Unemployment compensation
  - Benefit and wage year determination amended, SB 28.
  - Benefits
    - Extended periods, computation basis, certain changes, SB 244.
    - Work refusal, disqualification time, SB 505.

**Engineers:**

- License fee allocation, †SB 241, CH. 126 EX.

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†Bills passed by both Senate and House.

\*If approved at next general election.

**Epileptic Persons:**

Deportation provision repealed, †SB 72, CH. 78.

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**Escrow:**

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**Ethical Practices Act: (see also Codes, also Ethics)**

State officials, candidates, code, †Sub SB 1, CH. 150 EX.

**Ethics:****Public**

Employees' code, legislators' inclusion, SB 359.

Officials, elective, code, SB 1.

State officials, candidates, code, †Sub SB 1, CH. 150 EX.

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**Everett:**

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**Excise Taxes: (see Taxes)****Explanations of Votes, Protests: (see Members)****Extractors:**

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State capitol committee, buildings, parking facilities, bond issue authorized, †Sub SB 504, CH. 151 EX.

**Fairs:****Agricultural**

Admission charges, B & O tax exempt, †SB 160, CH. 145 EX.

County property, private facilities competition, sub-leasing restrictions, SB 151.

State allocations, eligibility requirements changed, †HB 243, CH. 32 EX.

Trade, state matching funds, commerce & economic development, SB 277, †HB 549, CH. 148, Sec. 9, PV; Sec. 13, PV.

**Farer, Jack M.:**

Condolences to family, †SR 1965 EX-24.

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**Farms: (see Agriculture and Livestock)**

†Bills passed by both Senate and House.

\*If approved at next general election.

**Federal Government:**

- Alabama, Negro suffrage, presidential compliance petitioned, SCR 15.
- Alaska marine highway, Congress devise, approve legislation integrating United States interstate highway system, †SR 1965 EX-7.
- Asotin dam project, navigational locks inclusion, petitioned, †HJM 27.
- Bonneville power administration, power rate increase, delay petitioned, SJM 24.
- Carbon industrial product pilot plant, federal assistance petitioned, †HJM 32.
- Columbia basin  
 Project, requesting funds, development, irrigation blocks 36, 55, †SR 1965-19.  
 Wahluke slope, resale to original owners petitioned, †HJM 24.
- Dogfish shark, marine predators, fish and wildlife service assistance, petitioned, HJM 15.
- Economic opportunity act of 1964, county participation authorized, †HB 10, CH. 14.
- Excise, luxury tax, repeal petitioned, SJM 11.
- Farm laborers, imported, sliding scale cutback petitioned, SJM 22.
- Federal court local law certificate procedure, jurisdiction, †SB 129, CH. 99.
- Ferries, state acquisition, financial assistance, bonds, appropriation, †SB 518, CH. 56 EX.
- Field solicitor continuance asked, department interior, †SR 1965-20.
- Fishing, foreign, 12 mile limit prohibition, petitioned, SJM 17.
- Flood water detention structures, capacity increase petitioned, †SJM 9.
- Foreign trade expansion petitioned, SJM 15.
- Fort Worden  
 Institution department, land acquisition, †SB 324, CH. 66 EX.  
 Property retention, recreational use, appreciation, HJM 25.
- Grand Coulee dam, asking appropriation, third powerhouse, †SR 1965 EX-30.
- Grant programs, state interim oversight committee, †SCR 12, †HB 716, CH. 175 EX.
- Higher education facilities act of 1963, state participation, SB 14, †HB 14, CH. 128 EX.
- Indonesian aid, federal, cessation petitioned, SJM 14.
- Interstate highway system, ferry operation inclusion petitioned, HJM 31.
- Liquor importation  
 Duty free, prohibition petitioned, SJM 8.  
 Minors, prohibition petitioned, SJM 7.
- Little Pend Oreille national wildlife refuge, game department transfer petitioned, †HJM 33.
- Manpower development and training act, financing continued, petitioned, SJM 13.
- Medical care, aged, social security inclusion, SJM 1.
- Mental health care programs, state participation, †HB 647, CH. 75.
- Motor vehicle license plates, certain international, registration exemption, †HB 245, CH. 106 EX. Sec. 2, PV.
- Oroville project, asking federal power commission, hold, abeyance further action, †SR 1965-7.
- Pig war national monument, San Juan Island, petitioned, SJM 10.
- President, secretary of defense commended, †SR 1965-15.
- Public assistance recipients  
 Aged, nursing home care, federal aid, limits increased, SB 343, HB 638, †HB 274, CH. 36 EX.  
 Earnings, grants, state, federal programs, coordinated, †HB 271, CH. 35 EX.  
 Federal aid, resource, certain earned income, exempt, SB 344, †HB 643, CH. 2 EX.
- Reserve banks, state depository, authorized, HB 418.
- Secretary of interior petitioned, Dungeness spit preservation, HJM 9.
- Sugar act amendment, marketing, additional quantities, petitioned, †HJM 26.
- Surplus oleomargarine, state institutional use permitted, †HB 474, CH. 73.
- Taft-Hartley act, section 14-b repeal, requested, †HJM 21.
- Tobacco, price support, discontinuance petitioned, SJM 12.
- United  
 Arab Republic, American aid program re-examination, petitioned, SJM 3.  
 Nations, delinquent nation assessments, U. S. position praised, SJM 2.

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†Bills passed by both Senate and House.

\*If approved at next general election.

**Federal Government—Continued****United—Continued****States**

- Constitutional amendment, one house of legislature, apportionment, other than population basis, petitioned, SJM 6.
- Corporations, securities, transfers, state jurisdiction, SB 336.
- District court, adoption order, SB 2, redistricting, petitioned, SJM 5.
- House office building, construction cost investigation petitioned, SJM 19.
- Veterans' hospitals, closure delay, study petitioned, †SJM 18.
- Willamette falls fishway, federal funds restoration petitioned, HJM 14.
- Yakima Indian land, right to will property, petitioned, SJM 16.
- Youth development and conservation corps, grants, agreements, authorized, †HB 430, CH. 48 EX.

**Feed:**

- Commercial feed law, †HB 240, CH. 31 EX.

**Fees:**

- Aircraft, registrations, discount eliminated, HB 334.
- Attorneys
  - Court appointed, indigent
    - Felons, fees, †SB 61, CH. 133.
    - Gross misdemeanors, SB 192.
  - Unemployment compensation appeals, court awarded benefits, authorized, SB 456.
- Broker-dealer, investment advisors, requirements amended, †HB 56, CH. 17.
- Community college tuition, increased, †SB 555, CH. 146 EX.
- Engineers, land surveyors, license fee allocation, †SB 241, CH. 126 EX.
- Fishing, commercial, license, increase, †SB 252, CH. 73 EX.
- Justice court, county law library allocation, SB 254, †HB 91, CH. 55.
- Livestock brands, registration, renewal, increased, †HB 241, CH. 66.
- State colleges, universities, increased, †SB 552, CH. 147 EX.
- Superior court, certain, increased, SB 132.
- Supreme court, certain, increased, SB 190.
- Water right instruments, increased, †HB 231, CH. 160 EX.

**Ferries:**

- Highway fund financing, equipment construction, maintenance, SCR 2.
- Motor vehicle fuel tax, increase, allocation, Sub HB 655.
- New vessels, acquisition, federal assistance, bond issuance, appropriation, †SB 518, CH. 56 EX.
- Puget sound system, ten year property leases, contracts, authorized, SB 484.
- Westport, Oregon, one-half operation cost reimbursed, motor vehicle fund, SB 127.

**Financial Responsibility:**

- Motor vehicle operators
  - Certificate requirement, SB 497, SB 503.
  - Owners, general changes, amendments, †SB 315, CH. 124.
- Residential school inmates, patient, parent, Sub HB 617.

**Fire Protection:**

- Capitol buildings, Olympia fire department, appropriation, SB 517.
- Districts
  - Annexation
    - Petition requirements, †HB 151, CH. 59.
    - Petitions, signature requirements, †HB 103, CH. 18 EX.
  - Commissioners, firemen's insurance, participation, †SB 202, CH. 112.
  - Excess levy voting requirements, †SB 78, CH. 113, EX.
  - Purchasing, conditional sales contracts, authorized, †HB 88, CH. 21.
- Fire fighters, day of recognition, May 4, petitioned, †SJM 4.
- Firemen, collective bargaining, arbitration provision, HB 330.
- Forest, closed, open areas, designation, †SB 184, CH. 82.

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†Bills passed by both Senate and House.

\*If approved at next general election.

**Fire Protection—Continued**

- Forests, spark emitting engines, use, regulations, SB 183, †Sub SB 183, CH. 12 EX.
- L.I.D., water main, hydrant construction restriction removed, †HB 112, CH. 58.
- Olympic peninsula, forest protection area abolished, SB 185.
- Public lands, fire hazard abatement, provision, SB 186.

**Firearms:**

- Disabled persons, hunting license, shooting from vehicle permitted, SB 69.
- Pistols, concealed, license fee increased, SB 528.
- Sales, interstate, restrictions, prohibition petitioned, †HJM 30, SJM 20.

**Firemen:**

- City, nonduty disability, pension benefits precluded, †SB 176, CH. 109.
- Collective bargaining, arbitration provisions, HB 330.
- Insurance, fire protection district commissioners, participation, †SB 202, CH. 112.

**Pensions**

- Inheritance tax exempt, †SB 68, CH. 8 EX.
- Levy millage, provisions, revised, †Sub HB 391, CH. 45 EX.
- Minimum established, maximum limitation removed, SB 299.

**Volunteer**

- Fire district commissioners, uncompensated service permitted, †SB 202, CH. 112.

**Pensions**

- Contribution, increased, †SB 345, CH. 86.
- Current membership, restriction, SB 112.

**Fish: (see also Fishing, also Shellfish)**

- Buyers, definition changed, †HB 219, CH. 29 EX.
- Dogfish shark, marine predators, fish and wildlife service assistance, petitioned, HJM 15.

Fishermen, physically handicapped, catch, assistance permitted, HB 229.

**Game**

- Commission, wildlife conservation, regulations, SB 134.
- Reclassification, HB 336.

Interim committee, game and fish, reestablished, †HCR 18.

Primary market value defined, †SB 265, CH. 71 EX.

**Salmon**

Bristol Bay, Japanese fishing restriction, SJM 21, †SR 1965-24.

**Commercial fishing**

- Gear restrictions, SB 262.
- Personal use prohibited, SB 258.
- Purse seines, Puget Sound permitted, SB 256.

Fishing, fresh water, prohibited, SB 105.

Marketing, title only, SB 448.

Sol Duc production station, first-phase construction, appropriation, HB 291.

Sport, personal use, salt water fishing licenses required, SB 487.

Test fishing operations, fish take, sales authorized, †SB 264, CH. 72 EX.

Weighmasters, license requirements, SB 507.

Wholesalers, license requirements, †HB 218, CH. 28 EX.

**Fisheries:**

Bristol Bay salmon, Japanese fishing restriction, SJM 21.

Budget restoration from department of interior, Columbia river development program, †SR 1965-16.

Capitol improvements, new construction, bonds authorized, SB 41, †Sub SB 41, CH. 172 EX. Sec. 1, 6 Title, PV\*.

**Commercial**

Clam diggers, licensed clam farms only, provisions, †HB 216, CH. 27 EX.

**Fishing**

- Licenses, fee increase, †SB 252, CH. 73 EX.
- Violations, license forfeiture provisions, SB 263.
- Salmon, gill netters, license fee increase, SB 270.

†Bills passed by both Senate and House.

\*If approved at next general election.

**Fisheries—Continued**

Dogfish shark, marine predators, fish and wildlife service assistance, petitioned, HJM 15.

**Fish**

Buyers, definition changed, †HB 219, CH. 29 EX.

Shellfish, weighmasters, license requirements, SB 507.

Game fish reclassification, HB 336.

Hair seal control program established, SB 270.

Interim committee, appropriation, continuation, †HCR 16, †Sub SB 374, CH. 169 EX.

Members appointed, confirmed.....pp. 1567, 1582

Petitioning Congress, take appropriate action, preserve salmon fisheries, †SR 1965-24.

Public lands, recreational, game, fisheries purposes, withheld from sale, provision, SB 284.

Sol Duc salmon production station, first phase construction, appropriation, HB 291.

State, interim committee study, †HCR 16.

Test fishing operations, fish take, sales authorized, †SB 264, CH. 72 EX.

**Fishing:**

Bristol Bay salmon, Japanese fishing restriction, SJM 21.

Charter boats, license required, SB 257.

**Commercial**

Aliens, prohibited, HB 222.

Gear, nonresident license requirements, †HB 220, CH. 30 EX.

**License**

Application date extended, †SB 502, CH. 57 EX.

Fee increase, †SB 252, CH. 73 EX.

**Salmon**

Gear restrictions, SB 262.

License fee increase, hair seal control program, SB 270.

Personal use prohibited, SB 258.

Purse seines, Puget Sound, permitted, SB 256.

Violations, license forfeiture provisions, SB 263.

Fishermen, physically handicapped, catch, assistance permitted, HB 229.

Foreign, 12 mile limit prohibition, petitioned, †SJM 17.

Indians, tribal lands, state jurisdiction excluded, SB 363.

**Licenses**

Fee increase, †HB 514, CH. 48.

Salmon, sport, personal use, salt water, required, SB 487.

Reef net area, Village Point, boundaries defined, †HB 217, CH. 64.

Salmon, fresh water, prohibited, SB 105.

Snake river, Washington-Idaho boundary, cooperative game, fish agreement, HB 338.

Test operations, fish take, sales authorized, †SB 264, CH. 72 EX.

**Flood Control:**

Districts, powers, bids, levies, general changes, amendments, †HB 244, CH. 26.

Revolving fund created, project bond purchases, authorized, SB 406.

Snomish river flood control, dams, construction petitioned, HJM 18.

Water detention structures, capacity increase petitioned, †SJM 9.

**Food:**

Meat, foreign imports, country identification, labels, SB 539.

**Foreign Trade:**

Expansion petitioned, SJM 15.

**Forestry:**

Forests, closed, open area designation, †SB 184, CH. 82.

Lands, agricultural, timber assessment, valuation, taxation, use basis, study, †HCR 13.

Olympic peninsula, forest protection area abolished, SB 185.

Protection, spark emitting engines, use, regulations, SB 183, †Sub SB 183, CH. 12 EX.

Public lands, fire hazard abatement, provision, SB 186.

†Bills passed by both Senate and House.

\*If approved at next general election.

**Forestry—Continued**

Reserve fund, school district distribution formula established, SB 509, †SB 524, CH. 140 EX.

**State lands**

Clallam county, Shi Shi beach, exchange authorized, †HB 491, CH. 51 EX.

Lewis county, natural resource department reconveyance, SB 373, †HB 397, CH. 40.

**Timber**

Deeds, perpetual, void, SB 124.

**Public lands**

Sale proceeds, school building construction allocation, SJR 26.

Sales, bidders, state processors, preference, SB 123.

Washington state public marketing act, SB 410.

**Fort Casey:**

State park, cannon purchase, authorized, SB 494.

**Fort Lawton:**

Community college site, acquisition, petitioned, †HJM 17.

**Fort Worden:**

Federal land acquisition, Jefferson county, department of institutions, †SB 324, CH. 66 EX.

Property retention, recreational use, appreciation, HJM 25.

**Foster, Stanbery:**

Personnel board, governor's appointment, referral, confirmation.....pp. 63-64

**Franchises:**

Public service, cities, towns, incorporation, rights preserved, †HB 347, CH. 42 EX.

**Franklin County:**

Farm to market roads, county arterial highway, construction, †SB 274, CH. 121.

**Freise, Senator Herbert H.:**

Certificate of commendation, King county safety council.....p. 1373

**Fruit: (see also Horticulture)**

Apples, Newtown, out-of-state processing, merchandising, assessment exempt, SB 365.

Fresh, sales below cost, amount limitation prohibited, †HB 174, CH. 61.

Soft tree, marketing assessment increased, †HB 362, CH. 43 EX.

Trees, disinfecting standards, provisions, †HB 248, CH. 27.

**Fry, Newton:**

Sergeant at arms, nominated .....pp. 22-23

**Fuel:**

Aircraft, excise tax, turbo prop, jet, exempted, †HB 265, CH. 79 EX.

**Motor vehicle**

Excise tax, bulk distributors, licenses, refunds, provisions amended, †HB 265, CH. 79 EX.

Tax increase, allocation, Sub HB 655.

Use tax, identification cards, permits, bonding provision changes, †HB 247, CH. 33 EX.

Use, tax identification cards, permits, bonding provision changes, †HB 247, CH. 33 EX.

Use tax, refunds, future tax credit authorized, †HB 251, CH. 67.

**Funds:**

Common school construction, established, SJR 26, †SJR 22.

Educational permanent, certain, surplus, investment, regulations, †HB 451, CH. 104 EX.

Flood control revolving, created, project bond purchases, authorized, SB 406.

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†Bills passed by both Senate and House.

\*If approved at next general election.

**Funds—Continued**

- Forest reserve, school district distribution formula established, SB 509, †SB 524, CH. 140 EX.
- Industrial insurance accident, hotel inspection fees, provisions, SB 273.
- Law enforcement officers' training, established, SB 20, †SB 50, CH. 158, Sec. 3, PV; Sec. 19, PV.
- Motor vehicle accident insurance revolving, SB 276.
- Outdoor recreation account, committee administrative costs, authorized, †SB 531, CH. 136 EX.
- Port districts, industrial development, trade promotion purposes, use authorized, †SJR 25.
- Public retirement system, investments, legislative authority, SJR 10.
- Road, equipment rental revolving, payrolls, transfers permitted, †HB 163, CH. 25 EX.
- School
  - Equalization, apportionment, distribution formula, SB 143, †SB 565, CH. 171 EX.
  - 10 mill state levy provision, †SB 522, CH. 154 EX. Sec. 1, 2, PV.
  - Permanent, investments specified, HJR 30.
  - 60% excise tax, revenue, allocation, SB 549.
  - Support, 10 mill state levy, allocation, †SB 523, VETOED.
  - Districts
    - Investments, certain savings associations, banks authorized, †SB 200, CH. 111.
    - Monthly apportionment, †SB 29, VETOED; †SB 544, CH. 162 EX.
- State
  - Income reserve, 10% allocation, finance committee, SB 521, †HB 465, CH. 82 EX.
  - School matching, major building repairs, improvements, provisions, HB 450.
- University of Washington
  - Bond retirement, land grant income, deposits, transfers, investments, †SB 519, CH. 135 EX.
  - Certain, land income, transfer authorized, SB 475.
  - Welfare trust, annual statement filing, †SB 294, CH. 69 EX.
- Workmen's compensation investment, authority same as state employees' retirement, †HB 319, CH. 41 EX.

**Funerals:**

- Directors, embalmers, licenses, qualifications, †HB 173, CH. 107 EX., Sec 4 PV.
- Public assistance indigent, asset lien, certain exemptions, †HB 277, CH. 102 EX.

**Gambling:**

- State horse racing commission, name change, SB 483.

**Game:**

- Commission, wildlife conservation, regulations, SB 134.
- Department
  - Certain real property, tidelands, Washington veterans' home, transfer, †HB 470, CH. 94 EX.
  - Game range lands, in lieu tax imposed, †HB 206, CH. 97 EX.
- Hunting
  - Fines, forfeiture, county share, eliminated, †HB 206, CH. 97 EX.
  - Fishing, license fee increase, †HB 514, CH. 48.
- Interim committee, game and fish, reestablished, †HCR 18.
- Little Pend Oreille national wildlife refuge, game department transfer petitioned, †HJM 33.
- Public lands, recreational, game, fisheries purposes, withheld from sale, provisions, SB 284.
- Snake river, Washington-Idaho boundary, cooperative game, fish agreement, HB 338.

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†Bills passed by both Senate and House.

\*If approved at next general election.



**Game and Game Fish:**

## Interim committee

Appropriation, †Sub SB 374, CH. 169 EX.

Reestablished, †HCR 18.

Study asked on proposal of issuance day by day licenses, non-residents, †SR 1965-34.

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**Game Fish:** (see Fish also Fisheries)**Garbage:**

Cities, towns, water, garbage, sewer systems, joint operations, SB 63.

Companies, failure to operate, certain areas, commission certificate regulation, †HB 348, CH. 105 EX. Sec. 1, PV.

**Garnishments:**

Property, personal, attachment, execution, exemptions increase, †SB 57, CH. 89.

Writ service, banks, branches, rules prescribed, SB 189.

**Gasoline:** (see Motor Vehicles also Taxes)**General Administration Department:**

## Director

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Capitol ground parking, recommendations, study, biennial report provisions, †SB 416, CH. 129.

Motor transport division, motor pool control, regulations, SB 21.

**Gifts:**

Tax, minors, future interest, provisions, †SB 337, CH. 67 EX.

**Gissberg, Senator William A.:**

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**Glass:**

Litter, discarding prohibited, penalties, SB 372, †HB 515, CH. 52 EX.

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**Governmental Cooperation:**

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†Bills passed by both Senate and House.

\*If approved at next general election.

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**Grant County:**

Farm to market roads, county arterial highway, construction, †SB 274, CH. 121.

**Grays Harbor:**

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Commending, efforts on redistricting, †SR 1965-29.

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**Handicapped:**

Children, Harrison memorial hospital, pilot program established, SB 403, SB 568.

**Day training centers**

Admission, payment increase, †HB 326, CH. 34.

Mentally, physically retarded, program authorized, SB 141.

Eminent domain, personal property moving costs, provisions, †Sub HB 96, CH. 125 EX.

Fishermen, fishing assistance permitted, HB 229.

Hunting licenses, shooting from vehicle permitted, SB 69.

Motor vehicle sales, charitable institutions, transporting, retail tax exempt, HB 368.

Public buildings, accessibility design standards, HB 302.

Residential schools, inmates, patient, parent, financial responsibility, Sub HB 617.

**Vocational**

Education, rehabilitation, nondisabled persons, placement, percentage restriction removed, SB 138, †HB 335, CH. 35.

Problems, interim committee study, SCR 19.

†Bills passed by both Senate and House.

\*If approved at next general election.

**Hanford:**

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**Harrison Memorial Hospital:**

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 State institution, purchase authorized, SB 287, †HB 288, CH. 11.

**Hatcheries:**

Sol Duc salmon production station, first-phase construction, appropriation, HB 291.

**Health:**

Chiropody, disability insurance inclusion, SB 99.  
 Department  
     Alcoholism program  
         Appropriation, SB 449.  
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     Community artificial kidney centers, financial aid, HB 693.  
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         Pharmacist service included, †SB 462, CH. 87.  
 Mental health  
     Care programs, state participation, federal program, †HB 647, CH. 75.  
     Interstate compact, †HB 192, CH. 26 EX.  
 Osteopaths, patient referrals, unearned commissions, rebates, prohibited, †Sub SB 479, CH. 58 EX.  
 Radiation, control agency, radioactive materials, licenses, provisions, †SB 15, CH. 88.  
 Vital statistics, marriage, divorces, fetal deaths, registration provisions, HB 448.  
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**Health and Welfare Plans:**

County officials, elective, hospital, medical care coverage, †HB 111, CH. 57.  
 Optometrist service, included, †HB 307, CH. 149, Sec. 1, PV.  
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**Higher Education:**

Facilities act, capital projects, appropriations, †SB 520, CH. 4 EX.  
 Institutions, new construction, bonds authorized, SB 41, †Sub SB 41, CH. 172 EX.  
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**Higher Education Facilities Commission:**

Created, †HB 14, CH. 128 EX.

**Highways:**

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     Central Washington state college, appropriation, SB 268.  
     Eastern Washington state college, appropriation, HB 145.  
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     Railroad grade crossing, Kalama, construction, appropriation, SB 342.  
     Western Washington state college, appropriation reappropriation, SB 453.

†Bills passed by both Senate and House.

\*If approved at next general election.

## Highways—Continued

## Appropriations

Highway construction program, Sub HB 655, †SB 570, VETOED.

## Reappropriations

Omnibus, 1965-67 biennium, HB 713, †Sub SB 438, CH. 170 EX., Sec. 33, PV.

Supplemental, projects continued, †SB 535, CH. 144 EX.

Bids, project maps, plans, specifications, fees, deposits, payment requirement, †SB 366, CH. 64 EX.

## Bridges

Longview, toll free provisions, SB 347.

Puget Island to Westport, Oregon, feasibility study, SB 440.

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Cities, towns, control, responsibility, state census, determination, SB 361.

## Commission

Authorizing, new vessels, acquisition, federal assistance, bond issuance, appropriation, †SB 518, CH. 56 EX.

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County arterial, Grant, Franklin, Adams counties, construction, appropriations, †SB 274, CH. 121.

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## Director

Assistant, position eliminated, SB 355, Sub SB 355.

State aid assistant, position eliminated, SB 354.

Toll facilities, assistant, position eliminated, SB 357, Sub SB 355.

Electrical construction standards, certain conditions, exempt, SB 466.

Ferries, new, acquisition, federal assistance, appropriation, †SB 518, CH. 56 EX.

Ferry system equipment, construction, maintenance, highway fund financing, SCR 2.

Highway act, 1965, title only, SB 438.

Joint committee continued, appropriation, studies, †Sub SB 438, CH. 170, EX., Sec. 33 PV.

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## Interstate

Highway system, ferry operation inclusion petitioned, HJM 31.

Unanticipated construction costs, bond issuance, †SB 557, CH. 163 EX.

Limited access, facilities, procedure, planning, adoption procedures, SB 358, †Sub SB 358, CH. 75 EX.

Litter, discarding prohibited, penalties, SB 372, †HB 515, CH. 52, EX.

Marine employee commission abolished, duties transferred personnel board, SB 218.

Motor vehicle fuel tax increase, allocation, Sub HB 655.

Omnibus appropriation, 1965-67 biennium, †Sub SB 438, CH. 170 EX. Sec. 33, PV.

Petitioning Congress undertake study of needs after 1972, †SR 1965 EX-5.

Rules of the road, new, amendatory act, †HB 234, CH. 155 EX. Sec. 58, PV.

Sand, gravel, rock, public use, use tax exempt, HB 169.

State scenic highways, program, study provisions, †SCR 12.

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## Trucks

Automobile transporters, laden height, 14 feet permitted, †HB 460, CH. 43.

Construction material hauling, carrier rate exempt, SB 77.

Gross weight increase, federal standards, SB 491, †HB 343, CH. 38.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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Pilot program, retarded children, established, SB 403, SB 568.

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Mental, involuntary commitments, prosecuting attorney investigation, SB 85.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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- Highway use, special permits, HB 102.
- Sales tax increased, †Sub HB 608, CH. 173 EX. Sec. 16, PV.

**Housing:**

- Community colleges, dormitories, management allowed, SB 300, †HB 125, CH. 89 EX.
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- Discrimination, real property, sales, advertising, prohibited, HB 200.

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- Coyotes, spring triggered shell devices, use authorized, †HB 494, CH. 46.
- Fines, forfeiture, county share eliminated, †HB 206, CH. 97 EX.
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- Licenses
  - Disabled person, shooting from vehicle permitted, SB 69.
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- Liquor, age identification, illegal possession, penalties, SB 408.

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- Voting restriction repealed, SJR 2, †Sub HJR 4.
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- Federal aid, cessation, petitioned, SJM 14.

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- Appeals committee established, †SB 564, CH. 165 EX.
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  - Hearings, attorneys' fees, established, †SB 421, CH. 63 EX.
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- Benefits, general increase, †SB 39, CH. 122 EX.
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†Bills passed by both Senate and House.

\*If approved at next general election.

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Educational, research income, B &amp; O tax exempt, SB 19, HB 19.

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Delinquents, post institutional placement, jurisdiction, SB 7.

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Children's, nonsectarian, state contracts authorized, SB 168.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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†Bills passed by both Senate and House.

\*If approved at next general election.



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†Bills passed by both Senate and House.

\*If approved at next general election.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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†Bills passed by both Senate and House.  
 \*If approved at next general election.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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  - Revocation notice, police check authorized, SB 356.
- Plates
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 \*If approved at next general election.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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  - Refunds, future tax credit authorized, †HB 251, CH. 67.
- Wrecking yards, adjacent highways, fence requirements, †SB 224, CH. 117.

**Municipal Code:**

- Temporary committee, established, †SB 235, CH. 115 EX.
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**Municipal Corporations:** (see Cities and Towns also Metropolitan Government)**Murals:**

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**Murder:**

- First degree, capital punishment mandatory, SB 231.

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- State capitol historical, powers, director's duties, expanded, †SB 377, CH. 62 EX.

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†Bills passed by both Senate and House.

\*If approved at next general election.



**National Guard:**

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Prosser, sales authorized, SB 348.

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Officers, retirement age extended, SB 400.

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Mining, prospecting leases, laws revised, department jurisdiction, †HB 92, CH. 56.

Shi Shi beach, Clallam county, park purposes, county acquisition, †HB 491, CH. 51 EX.

Supervisor, closed forests, open area designation, †SB 184, CH. 82.

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Aircraft owners, excise tax exemption, provision changed, HB 199.

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**Nursing Homes:**

Federal aid, old age recipients, care, limits increased, SB 343, HB 638, †HB 274, CH. 36 EX.

†Bills passed by both Senate and House.

\*If approved at next general election.

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**State**

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†Bills passed by both Senate and House.

\*If approved at next general election.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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City, nonduty disability, benefits precluded, †SB 176, CH. 109.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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†Bills passed by both Senate and House.

\*If approved at next general election.



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†Bills passed by both Senate and House.

\*If approved at next general election.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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- Commercial salmon fishing, purse seines permitted, SB 256.
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†Bills passed by both Senate and House.

\*If approved at next general election.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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\*If approved at next general election.

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†Bills passed by both Senate and House.

\*If approved at next general election.



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†Bills passed by both Senate and House.

\*If approved at next general election.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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  - 60% excise tax revenue, allocation, SB 549.
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- Loitering, unauthorized persons, vagrancy, †SB 8, CH. 112 EX.
- Residential, mentally deficient over 18, commitments, procedure, HB 490.
- Students, minors, employment, labor law exempt, SB 204.
- Tax levy, state, 10 mill, school support, †SB 523, VETOED.
  - District funds, equalization, apportionment, distribution formula, †SB 522, CH. 154 EX. Sec. 1, 2, PV.
- Teachers
  - Lunch period, duty free, provisions, SB 135, †HB 58, CH. 18.
  - Salaries, minimum established, SB 362.

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- Hair, control program established, SB 270.

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†Bills passed by both Senate and House.

\*If approved at next general election.

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\*If approved at next general election.

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**Snohomish County:**

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St. Luke's hospital, purchase negotiations authorized, SB 144.

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Bowling, retail sales tax, included, SB 388, †Sub HB 608, CH. 173 EX. Sec. 16 PV.

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Shelton, corrections center, established, HB 270.

**State Capitol Historical Association:**

Museum powers, director's duties, expanded, †SB 377, CH. 62 EX.

**State Finance Committee:**

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**State Government:**

Academic credits transferability commission established, powers, duties, SB 447.

Advisory investment council, public pensions, established, SB 111.

Agencies, proceedings, non-attorney representation permitted, SB 548.

Alcoholism commission established, powers, duties, appropriation, SB 550.

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†Bills passed by both Senate and House.

\*If approved at next general election.

**State Government—Continued**

- Boards, committees, commissions, councils, certain, abolished, SB 498.
- Bonds, refunding, issuance, provisions, SB 234.
- Bureau of criminal identification, established, corrections center, Shelton, HB 270.
- Canal commission established, appropriation, SB 13, †HB 13, CH. 123 EX.
- Capital improvements
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  - New building construction, bonds, certain departments, institutions, SB 41, †Sub SB 41, CH. 172 EX. Sec. 1, 6, Title, PV\*.
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- Educational
  - Permanent funds, certain, surplus, investment, regulations, †HB 451, CH. 104 EX.
  - Television commission created, SB 36, †Sub HB 36, CH. 129 EX.
- Employees
  - Certain, flight insurance authorized, †SB 327, CH. 68 EX.
  - Collective bargaining, labor union membership, rights, †SB 360, VETOED.
  - Mileage allowance increase, SB 55, HB 204.
  - Per diem allowance increased, SB 62, †HB 203, CH. 77 EX.
  - Positions abolished, reclassified, appeal rights, SB 339.
  - Salaries, semimonthly pay period, SB 495.
  - Suggestion, awards, board established, †SB 101, CH. 142 EX.
  - Vacations, maximum accrual time increased, †SB 205, CH. 13 EX.
- Executive, R.C.W., Title 43, reenacted, †SB 4, CH. 8.
- Fairs, fund established, participation requirements, SB 277, †HB 549, CH. 148, Sec. 9, PV.; Sec. 13, PV.
- Federal reserve banks, state depository, authorized, HB 418.
- Finance committee
  - Educational permanent funds, certain, surplus, investment, regulations, †HB 451, CH. 104 EX.
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- Higher education
  - Commission created, SB 139.
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  - Study commission created, SB 24.
- Highway control, cities, towns responsibility, state census population determination, SB 361.
- Holidays, Good Friday, legalized, SB 102.
- Horse racing commission, name change, SB 483.
- Indian affairs commission created, SB 37, Sub HB 37.
- Indians
  - Hunting, fishing, tribal lands, jurisdiction excluded, SB 363.
  - State jurisdiction, certain exceptions removed, SB 363.
- Landscape architecture, registration board created, SB 433.
- Law enforcement officers' training commission established, SB 20, †SB 50, CH. 158, Sec. 3, PV; Sec. 19, PV.
- Legislators, terms, civil office created, salary changes, appointment permitted, Sub SJR 8.
- License department, personnel changes, fee receipt revisions, †SB 149, CH. 100.
- Motor vehicle
  - Accident insurance department, created, SB 276.
  - Department established, jurisdiction, duties, SB 27, †SB 51, CH. 156.
- Nuclear energy development
  - Created, commerce & economic development department, SB 34.
  - Division created, commerce & economic development department, private enterprise provision, †2nd Sub SB 34, CH. 10.
- Office building construction, capitol grounds, appropriation, †Sub SB 504, CH. 151 EX.

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†Bills passed by both Senate and House.

\*If approved at next general election.



**State Government—Continued****Officials**

Certain elective, salary increase, †HB 40, CH. 1.

**Elective**

Highway commission membership, term of office prohibition removed, †SB 546, CH. 1 EX.

Term commencement advanced, SJR 14, Sub HJR 16.

Gubernatorial appointees, retirement age extended, SB 369.

Salary change provisions repealed, SJR 8, Sub SJR 8.

Omnibus appropriation bill, 1965-67 biennium, SB 43, SB 374, †Sub SB 374, CH. 169 EX.

Open space land act, public acquisition, eminent domain, HB 226.

Pickett house, sale, daughters of the pioneers, authorized, †HB 309, CH. 31.

Probation division, created, department of institutions, duties transferred, SB 75, SB 379.

**Public****Assistance**

Advisory committee, created, †HB 273, CH. 90 EX.

**Recipients**

Earnings, grants, state, federal programs, coordinated, †HB 271, CH. 35 EX.

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Buildings, accessibility design standards, physically handicapped, HB 302.

Construction projects, specific insurance company, broker requirement, prohibited, SB 385.

Timber marketing act, SB 410.

Works contracts, over \$2,500, bid requirements, private firms, SB 457, SB 458.

Refunding bond act, enactment, †SB 417, CH. 138 EX.

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Government—executive, R.C.W. Title 43, reenacted, †SB 4, CH. 8.

Patrol chief, selection requirements, SB 330.

Teletypewriter communications network, state patrol authority, †SB 476, CH. 60 EX.

Utilities & transportation commission, membership increased, SB 480.

Warrants, lost, destroyed, payment procedures, †SB 464, CH. 61 EX.

**Water**

Resource conservation department, established, SB 553.

Resources department, board, created, duties, SB 529.

Women status commission, created, SB 31.

**State Patrol:**

Chief, selection requirements, SB 330.

Common carrier, occasional interstate, permit issuance, SB 130.

Governor, security, protection, †HB 184, CH. 96 EX.

Legislators, security, protection, SB 493.

**Motor**

Vehicle functions transferred, SB 27, †SB 51, CH. 156.

Vehicles, operators' licenses, suspension, revocation notice, check authorized, SB 356.

Patrolmen, additional, beer barrel tax increase allocation, SB 307.

Teletypewriter communications network, authority, †SB 476, CH. 60 EX.

**State Representatives: (see also Officials)**

Positions numbered, election ballot, †HB 51, CH. 52.

**Statute Law Committee:**

Legislative bill drafting appropriation, †SB 66, CH. 2, †SB 538, CH. 12.

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**Stocks: (see Trusts)**

†Bills passed by both Senate and House.

\*If approved at next general election.

**Streets:**

City street administration board created, SB 415.  
 Counties, cities, towns, aircraft taxiways, designation, HB 187.

**Parking****Off-street**

Cities, facilities authorized, SB 179.  
 Construction, financing, meter revenue, SB 181.  
 Planting strips, prohibited, SB 170.

**Students:** (see also Colleges & Universities, also Schools)

Community colleges, tuition fees increased, †SB 555, CH. 146 EX.  
 Minors, educational institution employment, labor law exempt, SB 204.  
 State colleges, universities, tuition, fees, increased, †SB 552, CH. 147 EX.

**Subpoenas:**

Witnesses, issuance, courts, judges authority, SB 533.

**Subsistence:**

Irrigation district directors, per diem increase, †HB 52, CH. 16.  
 Legislators, per diem  
   Decrease, SB 209.  
   Increase, appropriation, †SB 65, CH. 3.  
 Park commissioners, per diem increase, †SB 446, CH. 132 EX.  
 P.U.D. commissioners, per diem increase, SB 248.  
 State employees, per diem increase, SB 62, †HB 203, CH. 77 EX.

**Sugar:**

Federal act amendment, marketing, additional quantities, petitioned, †HJM 26.

**Sullivan, J. Donald:**

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**Superior Court:**

Family court assistants, third class counties authorized, SB 45.  
 Fees, certain, increase, SB 132.  
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   Elections, uncontested position, declared elected, SJR 6, †Sub SJR 6.  
   Prejudice disqualification, visiting judge appointment, SB 79.  
   Pro tempore, salary increase, SB 191.  
   Salary increase, SB 537, †SB 47, CH. 127 EX. Sec. 3, PV.  
 Jurors  
   Panel drawing, date changed, †HB 237, CH. 65.  
   Selection procedure, SB 147.

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Federal court local law certificate procedure, jurisdiction, †SB 129, CH. 99.  
 Fees, certain, increase, SB 190.  
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   Apportionment commission, three justices, SJR 13.  
   Elections, uncontested position, declared elected, SJR 6, †Sub SJR 6.  
   Salary increase, SB 537, †SB 47, CH. 127 EX. Sec. 3, PV.

**Superintendent of Public Instruction:**

Advisory groups, establishment permitted, SB 486.  
 Mentally, physically retarded, day training centers, program authorized, SB 141.

†Bills passed by both Senate and House.

\*If approved at next general election.

**Superintendent of Public Instruction—Continued****School**

Buildings, remodeling existing facilities, state aid study, †HCR 37.  
 District funds, monthly apportionment, †SB 29, VETOED, †SB 544, CH. 162 EX.  
 Districts, special levy, deficits, state equalization payments, SB 30.

**Funds**

Equalization, apportionment, distribution formula, SB 143, †SB 565, CH. 171 EX.

10 mill state levy, †SB 522, CH. 154 EX. Sec. 1, 2, PV.

**Surveys and Surveyors:**

Licenses, fee allocation changed, †SB 241, CH. 126 EX.

**Tacoma:**

Narrows bridge, toll free, SB 33, HB 713, †HB 33, CH. 50.

**Taft-Hartley Act:**

Section 14-b, repeal requested, †HJM 21.

**Tax Commission:**

Chairman, governor's appointment, referral, confirmation.....pp. 779, 1461-1462  
 Excise tax, delinquent, penalties, appeals, administrative procedures amended, †HB 637, CH. 141 EX.

Orders, publication, compilation, distribution requirements, SB 467.

Safe deposit box access law repeal, †SB 90, CH. 79.

**Taxes:****Assessment**

Increases, property, voters' approval, †Sub HB 709, CH. 174 EX. Sec. 8, PV.

Rolls, delivery provision change, †SB 199, CH. 7 EX.

Assessor's duties, tax rolls, extension, delivery, warrant for collection, †SB 199, CH. 7 EX.

**Beer barrel**

Increased, †Sub HB 608, CH. 173 EX. Sec. 16, PV.

State patrol allocation, SB 307.

Bowling, sales tax included, SB 388, †Sub HB 608, CH. 173 EX. Sec. 16, PV.

**B & O**

Agricultural fairs, admission charges exempt, †SB 160, CH. 145 EX.

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**Certain**

Business, increased, collection from customers, provisions, SB 353.

Categories, reduction, SB 452.

Fruit & vegetable processors, reduced, SB 17.

Livestock, artificial insemination, exempt, HB 564.

**Manufacturers**

Extractors, sales tax credit allowance, SB 16, HB 16.

Real property improvements, sales tax credit allowance, SB 378.

Nonprofit organizations, research

Income exempt, SB 19, HB 19.

Services, imposed, SB 59.

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Cigarettes, excise tax increased, SB 554, †Sub HB 608, CH. 173 EX. Sec. 16, PV.

**Diking & drainage districts**

Continuous operation, levies, authorized, HB 257, SB 371.

Hearing notices, levies, requirement, SB 516.

**Excise**

Aircraft, nonresident ownership, exemption provision changed, HB 199.

Cigarettes, increased, SB 554, †Sub HB 608, CH. 173 EX. Sec. 16, PV.

Delinquent, penalties, appeals, administrative procedures amended, †HB 637, CH. 141 EX.

†Bills passed by both Senate and House.

\*If approved at next general election.

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## Excise—Continued

- Federal, luxury tax repeal petitioned, SJM 11.
- House trailers, delinquency notice, penalty removed, †HB 279, CH. 92 EX.
- Increase, alcoholism commission allocation, SB 550.
- Liquor, increased, †Sub HB 608, CH. 173 EX. Sec. 16, PV.
- Motor vehicle, bulk distributors, licenses, refunds, provisions amended, †HB 265, CH. 79 EX.
- State, 60% current school fund allocation, SB 549.
- Tobacco products, increased, †Sub HB 608, CH. 173 EX. Sec. 16, PV.
- Travel trailers, mobile homes, definition change, SB 514.
- Wine, wholesalers collection requirement, †HB 437, CH. 42.
- Fire protection districts, excess levy voting requirements, †SB 78, CH. 113 EX.
- Firemen's pensions, millage levy, provisions revised, Sub HB 391, CH. 45 EX.
- Fruits, soft tree, marketing assessments increased, †HB 362, CH. 43 EX.
- Game commission range lands, in lieu tax imposed, †HB 206, CH. 97 EX.
- Gifts, minors, future interest, provisions, †SB 337, CH. 67 EX.
- Income, state, flat gross rate, SB 567.
- Inheritance
  - Class "B" beneficiaries, definition broadened, SB 308.
- Estate
  - Appraisalment, revision, SB 116.
  - Assets depleted, court closing provisions, †SB 321, CH. 126
  - Firemen pensions, exempt, †SB 68, CH. 8 EX.
- Lands, agricultural, timber, legislative council study, taxation purposes, †HCR 13.
- Liquor, imports, personal use, duty free, permitted, SB 92.
- Motor vehicle fuel
  - Increase, allocation, Sub HB 655.
  - Transportation benefit district financing, SB 22.
  - Turbo prop, jet, exempted, †HB 265, CH. 79 EX.
  - Urban transit systems, refunds, continued, †SB 84, CH. 135.
- Open space recreational lands, legislative council assessment study, HCR 29.
- Police pensions, first class cities, judicial process, exempt, †HB 324, CH. 33.
- Port districts, special levies, canal construction, †HB 152, CH. 22 EX.
- Property
  - Personal
    - Livestock, fowl, average inventory assessment basis, HB 69.
    - Merchandise in transit, exemption period changed, SB 560.
  - Real
    - Heads of households, exemption, legislative authority, SJR 30.
    - Nonprofit minors' character building associations, custodian's quarters exempt, SB 398.
    - Old age
      - Assistance recipients, exempt, SB 142.
      - Pensioners, deduction, SB 145, †HB 190, CH. 168 EX.\*
    - Over age 65, exemption, legislative authority, SJR 18.
  - Real, personal
    - Assessed valuation
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      - 25%, SJR 23, SB 411.
      - 30%, †SJR 24.
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    - Definitions, assessment increases, voters' approval, †Sub HB 709, CH. 174 EX. Sec. 8, PV.
    - Exemptions
      - Legislative council study, SCR 21, †SUB HCR 27.
      - Homes for aged, infirm, exemption repeal, SB 376.
      - Nonprofit institutions for aged, infirm, exempt, SB 146.

†Bills passed by both Senate and House.

\*If approved at next general election.

## Taxes—Continued

## Property—Continued

## Real, personal—Continued

10 mill state levy, school

District funds, equalization, apportionment, distribution formula, †SB 522, CH. 154 EX. Sec. 1, 2, PV.

Support, †SB 523, VETOED.

Public utilities, interstate electrical energy sales, exempt, HB 675.

Public utility districts, property, exemption removed, SJR 27.

Retirement system, general law changes, amendment, †HB 364, CH. 81 EX.

## Sales

Agricultural building components, use outside state, exempt, SB 10.

Bowling included, SB 388, †Sub HB 608, CH. 173 EX. Sec. 16, PV.

City, towns, allocation, SB 527, SB 536.

House trailers increased, †Sub HB 608, CH. 173, EX. Sec. 16, PV.

Motor vehicles, charitable institution purchases, transporting handicapped, exempt, HB 368.

## Personal

Professional services included, SB 559.

Property, non-resident out of state use, exempt, SB 18.

## Retail

Increased, SB 562.

4.2%, †Sub HB 608, CH. 173 EX. Sec. 16, PV.

Vending machines, sellers' payment provision, SB 563.

Institution allocation, SB 403, SB 568.

## School districts

Assessed valuation base increased, SB 309.

Funds, equalization, apportionment, distribution formula, SB 143.

## Special levy

Deficits, state equalization payments, SB 30.

Multiple year, authorized, SJR 1, HJR 9.

10 mill state levy, †SB 523, VETOED.

Funds, equalization, apportionment, distribution formula, †SB 522, CH. 154 EX. Sec. 1, 2, PV.

State income, flat gross rate, SB 567.

Transit systems, public, municipally owned, subsidy authorized, SB 167, †Sub SB 167, CH. 111 EX.

Urban renewal projects, property value tax increases, indebtedness allocation, SJR 15.

## Use

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Sand, gravel, rock, public use, exempt, HB 169.

## Fuel

Refunds, future tax credit authorized, †HB 251, CH. 67.

Tax identification cards, permits, bonding provision changes, †HB 247, CH. 33 EX.

Washington business corporation act, adopted, †HB 60, CH. 53.

## Teachers:

Annuities, tax deferred, in lieu of wages, permitted, †HB 64, CH. 54.

Benefits, leaves, seniority, transferrable, †HB 444, CH. 49, EX.

Collective bargaining, arbitration provisions, †HB 154, CH. 143.

## Contracts

Non-renewal, hearing provisions, SB 293, SB 545.

Records, county suitable book requirement deleted, HB 425.

Lunch period, duty free, provisions, SB 135, †HB 58, CH. 18.

## Retirement

Benefits, creditable service rate, increased, Sub HB 446.

System, general law changes, amendment, †HB 364, CH. 81 EX.

Salaries, minimum established, SB 362.

State history course requirement, discretionary, HB 284.

†Bills passed by both Senate and House.

\*If approved at next general election.

**Telephones-Telegraph:**

Solicitation, commercial, licensing, regulation, SB 226.

**Teletypewriter Communications Network:**

State patrol authority, transfer from budget director, †SB 476, CH. 60 EX.

**Television:**

Educational television commission created, SB 36, †Sub HB 36, CH. 129 EX.

**Thompson, Alan:**Letter of gratitude .....p. 1211  
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**Tidelands:**Cattle point, San Juan islands, sale, lease restriction removed, SB 445.  
Shellfish cultivation, leases, evaluation, reimbursement, renewal fees, SB 266.**Timber: (see Forestry)****Tires:**

Motor vehicles, non-commercial, regrooved, prohibited, SB 154.

**Title Only Bills:**Checks, N.S.F., SB 501.  
Congressional districts, reapportionment, †HB 467, VETOED.  
Highway act, 1965, SB 438.  
Industrial insurance, attorneys' fees, SB 506.  
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Federal price support, discontinuance petitioned, SJM 12.  
Products, excise tax increased, †Sub HB 608, CH. 173 Ex. Sec. 16, PV.**Toll Bridge Authority: (see also Bridges)**Appropriations, reappropriations  
Omnibus, 1965-67 biennium, †Sub SB 438, CH. 170 EX. Sec. 33, PV.  
Projects continued, †SB 535, CH. 144, EX.  
Director, toll facilities, assistant, position eliminated, Sub SB 355, SB 357.  
Ferry system equipment, construction, maintenance, highway fund financing, SCR 2.  
Lake Washington bridge, second, bond payments, other funds, use permitted, SB 470.  
Longview bridge, toll free provisions, SB 347.  
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Bridge feasibility study, appropriation, †SB 474, CH. 131 EX.  
Ferry system, ten year property leases, contracts, authorized, SB 484.  
Tacoma Narrows bridge, toll free provisions, SB 33, HB 713, †HB 33, CH. 50.  
Toll bridge feasibility study, Puget Island to Westport, Oregon, SB 440.  
Vessels, crew members, claim filing requirement exemption, SB 46.**Toms, Douglas:**Director, department of licenses, governor's appointment, referral, confirmation,  
.....pp. 1165, 1202, 1276-1277**Torts:**

Municipal liability, limitations, study, SB 424.

†Bills passed by both Senate and House.

\*If approved at next general election.

**Tourists:**

- Clarkston, Port Angeles, Oroville, information center feasibility study, HCR 26.
- Interim committee, tourism, SB 468.
- State tourist magazine, publication, SCR 1.

**Towns and Townships:** (see Cities & Towns)**Traffic Control:** (see also Motor Vehicles)

- Motor vehicle operators, intoxicated
  - Alcohol blood level limits lowered, SB 286.
  - Breath, blood test required, penalties, SB 393.
- Rules of the road, new, amendatory act, †HB 234, CH. 155 EX. Sec. 58, PV.
- Trucks
  - Automobile transporters, laden height, 14 feet permitted, †HB 460, CH. 43.
  - House movers, wide loads, special permits, SB 419.

**Trailers:** (see also Motor Vehicles, also House Trailers, also Mobile Homes)

- Brake requirements, weight over 2,000 pounds, HB 424.
- Campers, travel, public roadside rest area, night parking restriction, SB 443.
- Coaches, plumbing, heating, electrical equipment, installation, rules, regulations, Sub HB 411.
- Travel, mobile homes, defined, excise tax purposes, SB 514.

**Transit Systems:** (see Transportation, also Urban Transportation)**Transportation:**

- Benefit districts, formation, gasoline tax levy, finance transportation facilities SB 22.
- Buses, charter, permits, operation, regulations, †HB 332, CH. 150.
- Motor freight carriers, partnership changes, permit transfer provision, SB 332, †HB 428, CH. 134 EX.
- Public, municipally owned, tax subsidy authorized, SB 167, †Sub SB 167, CH. 111 EX.
- Railroad freight trains
  - Crew requirements amended, SB 208.
  - Full crew requirement repealed, SB 74.

**Travel:** (see Mileage)**Treasurer:**

- Oath of treasurer emeritus administered, House resolution.....p. 45

**Trucks and Tractors:** (see also Motor Vehicles)

- Automobile transporters, laden height, 14 feet permitted, †HB 460, CH. 43.
- Common carriers, occasional interstate, permits, state patrol issuance, SB 130.
- Gross weight
  - Fees, butane, propane propelled, exempted, SB 64.
  - Increase, federal highway standards, SB 491, †HB 343, CH. 38.
- Highway construction material hauling, carrier rate exempt, SB 77.
- House movers, wide loads, special permits, SB 419.
- Loads, overweight fee schedule, rate reduced, SB 250, †Sub SB 250, CH. 137.
- Motor freight carriers, partnership changes, permit transfer provision, SB 332, †HB 428, CH. 134 EX.
- Trailers, certain, brake requirements, weight provision, HB 424.

**Trusts:**

- Companies, stocks, authorized, unissued, regulation, provisions, †SB 335, CH. 140.
- Deeds of trust law established, real property, SB 106, †HB 479, CH. 74.
- Employee welfare funds, annual statement filing, †SB 294, CH. 69 EX.
- Funds, investment provisions broadened, HB 384.
- Securities, stocks, community survivor, transfer agreement authorized, †SB 338, CH. 85.

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†Bills passed by both Senate and House.

\*If approved at next general election.

**Tuition Fees:**

- Community colleges, increased, †SB 555, CH. 146 EX.
- State colleges, universities, increased, †SB 552, CH. 147 EX.

**Tunnels:**

- Underground construction, fuel burning equipment use Permit, SB 67.
- Restriction removed, †HB 526, CH. 144, Sec. 1, PV.

**Unemployment Compensation:**

- Appeals, court awarded benefits, attorney fees, authorized, SB 456.
- Benefit and wage year determination amended, SB 28.
- Benefits
  - Disqualification, work refusal, time provision, SB 505.
  - Extended periods, computation basis, certain changes, SB 244.

**Unfair Trade Practices:**

- Automobile dealers, fraud, purchases protection provisions, SB 473.
- Merchandising, sales, special rebates, certain individuals prohibited, SB 460.
- Public work contracts, subletting and subcontracting fair practices act established, SB 441.

**Uniform Acts:**

- Commercial code, †SB 122, CH. 157 EX. Sec. 2, 9, PV.
- Declaratory judgments, stay rulings, restrain parties, †SB 48, CH. 131.
- Detainer, reciprocal agreement, clearing of untried indictments, provisions, SB 215.
- Vehicle code, motor vehicle driver licensing model, †SB 334, CH. 121 EX.

**Unions: (see also Labor)**

- Credit, personal loans, limit increased, †HB 289, CH. 38 EX.
- Dues, public employees, payroll deduction, SB 114.
- Labor
  - Collective bargaining, public employees, †SB 360, VETOED.
  - Port district employees, collective bargaining rights, SB 340.
  - Strikebreakers, importation prohibited, SB 392.
- Teachers, collective bargaining, arbitration provisions, †HB 154, CH. 143.

**United Nations:**

- Delinquent nation assessments, U. S. position praised, SJM 2.

**United States: (see Federal Government)****United States Coast Guard:**

- Boats, safety rules, regulations, adopted, SB 306, SB 547.

**Universities: (see Colleges and Universities)****University of Washington: (see also Colleges and Universities)**

- Appropriation, 1965-67 biennium, †Sub SB 374, CH. 169 EX.
- Board of regents, members, governor's appointments, confirmations.....pp. 66-67
- Chemical engineering building, construction, federal funds, state portion, appropriation, †SB 520, CH. 4 EX.
- Community college, West Seattle, land grant authorized, SB 407.
- Faculty, employees, lump-sum retirement payment provision repealed, SB 49.
- Funds, certain, land income, building account transfer authorized, SB 475.
- Hanford graduate center, nuclear science degree program expansion, SCR 27.
- Liquor sales, restricted areas, permitted, SB 391.

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†Bills passed by both Senate and House.

\*If approved at next general election.



**University of Washington—Continued**

**Public land**

- Grant, income, bond retirement fund, deposits, transfers, investments, †SB 519, CH. 135 EX.
- Income, bond retirement fund allocation, SB 478.
- Richland, Benton county, sales authorized, †SB 148, CH. 5 EX.
- Sports stadium, second deck, north side, construction, SCR 5.
- Teaching hospital, cigarette excise tax increase, allocation, SB 554.

**Urban Transportation Systems:**

- Metropolitan municipal corporation, purchases, labor contracts assumed, †SB 71, CH. 91.
- Motor vehicle fuel tax exemption, refund, continued, †SB 84, CH. 135.
- Municipal**
  - Operation beyond city limits authorized, SB 107.
  - Tax subsidy authorized, SB 167, †Sub SB 167, CH. 111 EX.
- Projects, indebtedness, increased values, tax allocation, required, SJR 15.

**Utilities and Transportation Commission: (see also Public Utilities)**

- Buses, charter, permits, operation, regulations, †HB 332, CH. 150.
- Garbage collection companies, failure to operate, certain areas, certificate regulation, †HB 348, CH. 105 EX Sec. 1, PV.
- Members, governor's appointments, referrals, confirmations.....pp. 61-62
- Membership increased, SB 480.
- Motor freight carriers, partnership changes, permit transfer provision, SB 332, †HB 428, CH. 134 EX.
- Public service companies, political contributions, activities, regulation, SB 405.

**Vacations:**

- School district employees, noncertified, paid leaves established, SB 282.
- State employees, maximum accrual time increased, †SB 205, CH. 13 EX.

**Vagrancy:**

- Schools, colleges, unauthorized persons, loitering, vagrancy, †SB 8, CH. 112 EX.

**Valley:**

- Highway, secondary No. 3 V, to Chewelah, established, SB 530.

**Vancouver:**

- Highway, secondary No. 1 S, via Woodland to Burke road interchange extended, SB 390.

**Van Fredenberg, Donald:**

- Highway personnel board member, highway commission appointment, confirmation .....p. 65

**Vending Machines:**

- Sales tax, sellers' payment provision, SB 563.
- Institution allocation, SB 403, SB 568.

**Veterans:**

- Hospitals, federal, closure delay, study petitioned, †SJM 18.
- Washington, home**
  - Property, real, Sinclair Inlet, tide lands, game department transfer, †HB 470, CH. 94 EX.
  - Sale, lease, Kitsap county, sewer district No. 5, authorized, †HB 473, CH. 95 EX.

†Bills passed by both Senate and House.  
 \*If approved at next general election.

**Vice President Pro Tempore:**

- Cowen, Senator Dr. David C., nominated, elected, oath of office administered ..... pp. 13-16  
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**Vital Statistics:**

- Marriages, divorces, fetal deaths, registration provisions, HB 448.....

**Vocational Education: (see also Rehabilitation)**

- Deaf, hard of hearing, state-wide services, appropriation, SB 534.  
 Handicapped, disabled, vocational, interim committee problem study, SCR 19.  
 Rehabilitation  
   Applied industries center, Kelso, support appropriation, SB 556.  
   Nondisabled handicapped persons, placement, percentage restriction removed, SB 138, †HB 335, CH. 35.  
 School districts, technical facilities, joint financing, †SB 159, CH. 136.

**Voorhees, Melvin:**

- Trustee, Eastern Washington State College, governor's appointment, confirmation ..... p. 75

**Voters and Voting: (see also Elections also Ballots)**

- Alabama, Negro suffrage, presidential compliance petitioned, SCR 15.  
 Constitutional amendments proposals, people's initiatives permitted, SJR 31.  
 Elections  
   Polls, open 7:00 A.M., †HB 285, VETOED.  
   Presidential, residence requirements, SJR 7.  
   Residence requirements reduced, SJR 2, †Sub HJR 4.  
 Electronic voting, tabulating, systems authorized, SB 328.  
 Employees, time off, paid provisions, SB 305.  
 Indians, restriction repealed, SJR 2.  
 Precinct size, paper ballots, voting machine, districts established, SB 83.  
 Property taxes, assessment increases, approval provisions, †Sub HB 709, CH. 174 EX, Sec. 8, PV.  
 Registration  
   Cancellation provisions, SB 80.  
   Residency, cancellation provisions, †SB 301, CH. 156 EX, Sec. 9, PV.

**Votes, Explanations, Protests: (see Members)****Wages: (see Salaries)****Wahkiakum County:**

- Westport, Oregon, ferry, one-half operation cost reimbursed, motor vehicle fund, SB 127.

**Wahle, Roy Patrick:**

- Trustee, Central Washington State College, governor's appointment, confirmation ..... pp. 70-71

**Wallace Falls State Park:**

- Snohomish county, acquisition, park purposes, SB 104, †HB 74, CH. 146, Sec. 2, PV.

**Walla Walla:**

- Highway, primary No. 3, loop to College Place, SB 207.

**Walla Walla College:**

- Congratulating music department, †SR 1965 EX-9.

†Bills passed by both Senate and House.

\*If approved at next general election.

**Walla Walla County:**

Public lands, institution department, sale to Percy S. Aldrich, †SB 220, CH. 115.

**Walsh, Harold:**

Member, highway commission, governor's appointment, referral, confirmation  
.....pp. 1104, 1190, 1269-1272

**Wanapum Dam:**

Electrical research experiment station, Washington state university, established,  
†SB 404, CH. 139 EX.

**Warrants:**

Counties, road, equipment rental revolving funds, payroll transfers permitted, †HB  
163, CH. 25 EX.  
Public, lost, destroyed, payment procedures, †SB 464, CH. 61 EX.  
Search, issuance, basis expanded, SB 386.

**Washington Business Corporations Act:**

Adoption, †HB 60, CH. 53.

**Washington Commercial Feed Law:**

Established, †HB 240, CH. 31 EX.

**Washington Fresh Fruit Sales Limitation Act:**

Sales below cost prohibited, †HB 174, CH. 61.

**Washington State University (see also Colleges and Universities)**

Appropriation, 1965-67 biennium, †Sub SB 374, CH. 169 EX.  
Board of regents, governor's appointments, referrals, confirmations  
.....pp. 1074, 1237, 1277-1279  
Electrical research experiment station established, †SB 404, CH. 139 EX.  
Faculty, employees, lump-sum retirement payment provision repealed, SB 49.  
Public land grant income, fund allocation, bond retirement, †SB 26, CH. 77.  
Whitman county, land exchange authorized, †SB 70, CH. 90.

**Washington Veterans' Home:**

Property, real, Sinclair inlet, tidelands, game department transfer, †HB 470, CH. 94 EX.  
Sewage plant, sale, lease, Kitsap county sewer district No. 5, authorized, †HB 473,  
CH. 95 EX.

**Water:**

Boats, operation, regulations, jurisdiction, SB 306, SB 547.  
Conservancy districts, created, powers, duties, SB 396.  
Districts  
Assessment rolls, clerical errors, correction permitted, SB 432.  
Bid proposal security, payment method broadened, SB 216.  
Boundary adjustment, cities, towns, real property annexation, HB 361.  
Contracts, over \$2,500 permitted, bid bonds authorized, †HB 372, CH. 72.  
Formation, new, existing district area, provisions, SB 430.  
L.I.D., formation, resolution notice publication, †HB 298, CH. 39 EX.  
Mergers, voting provisions, SB 384.  
Flood detention structures, capacity increase petitioned, †SJM 9.  
Fresh, salmon fishing prohibited, SB 105.  
L.I.D., water main, hydrant construction restriction removed, †HB 112, CH. 58.  
Marinas, dock facilities, certain cities, construction, operation permitted, †SB 295,  
CH. 154.  
Public recreational use, private land, liability limited, HB 321.  
Resource conservation department, established, SB 553.

†Bills passed by both Senate and House.

\*If approved at next general election.

**Water—Continued****Resources**

Board, department created, SB 529.

Interim committee study, †HCR 33.

Appropriation, †Sub SB 374, CH. 169 EX., †HB 231, CH. 160 EX.

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Supervisor, water right instruments, fees increased, †HB 231, CH. 160 EX.

Rights, certain, city and town acquisition authorized, †SB 454, CH. 130.

Rivers, streams, sand, gravel removal, public use permitted, SB 426, †Sub HB 495, CH. 47.

Sewer, water districts, certain management, operation contracts, permitted, HB 461, HB 462.

Sewers, storm, financing, revenue basis, †SB 182, CH. 110.

**Systems**

Cities, towns, sewer, garbage, joint operations, SB 63.

Irrigation district acquisition, operation, HB 178.

Towns, waterfront created by dams, sale permitted, †SB 350, CH. 127.

Watersheds, public recreational use permitted, SB 195.

Well contractors, examinations, licensing procedure, †Sub HB 252, VETOED.

Withdrawal, use claims, registration, SB 561, HB 698.

**Weapons:**

Concealed, license issuance, sheriff, police notification, denial provision, SB 302.

Firearms, interstate sales, restrictions, prohibition petitioned, SJM 20, †HJM 30.

Pistols, concealed, license fee increased, SB 528.

**Wedekind, Elsie:**

Member, public assistance advisory committee, governor's appointment,

confirmation .....p. 81

**Weeds:**

Skeleton, eradication program, HB 683.

**Welfare Trust Funds:**

Employee, insurance commissioner, annual statement, requirement, †SB 294, CH. 69 EX.

**Wells:**

Water, contractors, examinations, licenses, procedures, †Sub HB 252, VETOED.

**Western Interstate Commission for Higher Education:**

Member, governor's appointment, confirmation.....p. 76

**Western Washington State College: (see also Colleges and Universities)**

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Trustees, governor's appointments, confirmations .....p. 77

**Westport: (see Ferries)****Whittaker, James W.:**

Member, parks and recreation commission, governor's appointment,

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**Widows, Widowers: (see Property)****Willie, A. L.:**

Director, labor and industries, governor's appointment, referral, confirmation

.....pp. 491, 835, 1306

†Bills passed by both Senate and House.

\*If approved at next general election.

**Willis, Judge Robert J.:**

Board of regents, University of Washington, governor's appointment,  
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**Willis:**

Probate, intestate, net community property, surviving spouse's share, †HB 676, CH.  
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**Wilson, Archie S.:**

Trustee, Central Washington State College, governor's appointment,  
confirmation .....p. 72

**Wine: (see also Liquor)**

Excise tax  
Increased, alcoholism commission allocation, SB 550.  
Wholesalers, collection requirement, †HB 437, CH. 42.  
Liquor board, certain sales, prohibited, SB 375.

**Witnesses:**

Subpoenas, issuance, courts, judges authority, SB 533.

**Witten, Dayton A.:**

Utilities and transportation commission, governor's appointment, referral,  
confirmation .....p. 62

**Women:**

Employment, professional, administrative, hour restriction removed, †HB 432, CH. 41.  
Jury duty, exemption repealed, HB 433.  
Married, personal injury actions, separate suit permitted, HB 436.  
Property tax, exemption, heads of household, over age 62, legislative authority,  
SJR 30.  
Status commission created, SB 31.  
Washington correctional institution established  
Medical lake, SB 110.  
Shelton correction center, SB 311, HB 374.

**Woodland:**

Highway, secondary No. 1 S, Vancouver to Burke road interchange extended, SB 390.

**Workmen's Compensation: (see also Industrial Insurance)**

Appeal hearings, attorneys' fees, established, †SB 421, CH. 63 EX.  
Benefits, general increase, †SB 39, CH. 122 EX.  
Employer payroll reports, account closing provision, †HB 318, CH. 80 EX.  
Extrahazardous employment, certain categories added, SB 125.  
Fund investment, authority, same as state employees' retirement fund, †HB 319, CH.  
41 EX.  
Industrial insurance, worker treatment, all healing arts practitioners, SB 271.  
Payments suspended, incarceration, HB 488.  
Pensions, increased, SB 352, †HB 387, CH. 166 EX.  
Permanent  
Disability, certain, continued medical treatment, HB 323.  
Partial disability  
Benefit schedule, increases, SB 481, †SB 422, VETOED; † SB 564, CH. 165 EX.  
Loss of earnings, pensions, SB 23.

**Wreckers and Wrecking Yards:**

Motor vehicle, fence height requirements, adjacent to highways, †SB 224, CH. 117.

**Yakima County:**

Pledging support, centennial celebration, central Washington fair, †SR 1965 EX-8.

†Bills passed by both Senate and House.

\*If approved at next general election.

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**Youth Development and Conservation Corps:**

Federal grants, agreements, parks and recreation commission authorized, †HB 430,  
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Regional planning, authorized, †HB 621, CH. 84 EX.

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†Bills passed by both Senate and House.

\*If approved at next general election.