

the state departments, judges of the state courts, and public elected officials. Biennially, the committee shall recommend to the governor specific salaries for these officers and employees. Advised of the committee's recommendations, the governor may then recommend appropriate salaries not exceeding the recommendations of the salary committee. The governor's recommendations are to be included in his budget message to the legislature.

The bill expressly requires that the salaries of each public official be published in the session laws and the state code under a special section captioned, "Salaries for State Officials".

I believe that the act will remove salaries of public officials from considerations based solely on politics and is constructive in that it brings to public attention the duties and responsibilities performed by public officials.

The basic responsibility for setting salaries is vested in the legislature under the terms of the state constitution. The bill does not purport to reassign that responsibility.

However, I believe that the bill has one significant defect. Section 5 has been interpreted by some critics of the bill as an authorization to increase salaries of members of the legislature in mid-term. This interpretation would violate the provisions of Article II, section 25 of the state Constitution prohibiting compensation from being changed during the legislator's term. I do not believe this to have been the purpose of the act. Since the remainder of section 5 merely confirms powers already vested by statute in the office of the governor and the inherent power of the legislature, I have vetoed all of the section so that it is clear that the bill does not authorize the legislators to raise their own salaries in mid-term.

Public officers and employees are entitled to salaries commensurate with their duties and responsibilities. The public is entitled to be informed on these salaries and the best interests of all concerned are served if salaries are set in accordance with an orderly procedure and review. This veto does not eliminate any of the advantages to be obtained from the bill. It does remove any possibility of interpreting the statute in an unconstitutional manner.

The remainder of Senate Bill No. 45 is approved."

CHAPTER 44

[Engrossed Substitute Senate Bill No. 55]
FACTORY BUILT HOUSING

AN ACT Relating to factory built housing; providing for promulgation
of rules and regulations governing the structural soundness

thereof and the safety of components therein; adding new sections to chapter 8, Laws of 1965 and to chapter 43.22 RCW; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. There is added to chapter 8, Laws of 1965 and to chapter 43.22 RCW a new section to read as follows:

Whenever used in this act:

(1) "Department" means the Washington state department of labor and industries;

(2) "Approved" means approved by the department;

(3) "Factory built housing" means any structure designed primarily for residential occupancy by human beings other than a mobile home the structure or any room of which is either entirely or substantially prefabricated or assembled at a place other than a building site;

(4) "Install" means the assembly of factory built housing at a building site;

(5) "Building site" means any tract, parcel or subdivision of land upon which factory built housing is installed or is to be installed;

(6) "Local enforcement agency" means any agency of the governing body of any city or county which enforces laws or ordinances governing the construction of buildings.

NEW SECTION. Sec. 2. There is added to chapter 8, Laws of 1965 and to chapter 43.22 RCW a new section to read as follows:

No factory built housing shall be installed on a building site in this state after the effective date of the regulations adopted pursuant to section 7, of this act unless it is approved and bears the insignia of approval of the department.

(1) Any factory built housing bearing an insignia of approval of the department shall be deemed to comply with any laws, ordinances or regulations enacted by any city or county or any local enforcement agency which govern the manufacture and construction of factory

built or on-site housing.

(2) No factory built housing which has been approved by the department shall be in any way modified prior to, or during installation by a manufacturer or installer unless approval of such modification is first made by the department.

NEW SECTION. Sec. 3. There is added to chapter 8, Laws of 1965 and to chapter 43.22 RCW a new section to read as follows:

Local land use requirements, building setbacks, side and rear yard requirements, site development and property line requirements, and review and regulation of zoning requirements are specifically reserved to local jurisdictions notwithstanding anything contained in this act.

NEW SECTION. Sec. 4. There is added to chapter 8, Laws of 1965 and to chapter 43.22 RCW a new section to read as follows:

The department may obtain from a superior court having jurisdiction, a temporary injunction enjoining the installation of factory built housing on any building site upon affidavit of the department that such factory built housing does not conform to the requirements of this act or to the rules adopted pursuant to this act. The affidavit must set forth such violations in detail. The injunction may be made permanent, in the discretion of the court.

NEW SECTION. Sec. 5. There is added to chapter 8, Laws of 1965 and to chapter 43.22 RCW a new section to read as follows:

The department shall have the authority to delegate all or part of its duties of inspection to a local enforcement agency.

NEW SECTION. Sec. 6. There is added to chapter 8, Laws of 1965 and to chapter 43.22 RCW a new section to read as follows:

The governor shall appoint a factory built housing advisory board consisting of eleven members. Members appointed shall be broadly representative of the industries and professions involved in the development and construction of factory built housing and shall include representation from building code enforcement agencies, architectural and engineering associations, building construction

trades, the contracting and manufacturing industries, legislative bodies of local government and the general public. The factory built housing advisory board shall periodically review the rules promulgated under this act and shall recommend changes of such rules to the department when it deems changes advisable. Members shall receive a compensatory per diem of twenty-five dollars for each day or portion thereof actually spent in attending upon the duties of the board, and in addition thereto, shall be entitled to reimbursement for travel expenses as provided in RCW 43.03.060, as now or hereafter amended.

NEW SECTION. Sec. 7. There is added to chapter 8, Laws of 1965 and to chapter 43.22 RCW a new section to read as follows:

The department shall prescribe and enforce rules and regulations which protect the health, safety, and property of the people of this state by assuring that all factory built housing is structurally sound and that the plumbing, heating, electrical, and other components thereof are reasonably safe. Such rules and regulations shall be reasonably consistent with recognized and accepted principles of safety and structural soundness and in promulgating such rules and regulations the department shall consider, so far as practicable the standards and specifications contained in: The uniform building code (1967), published by the international conference of building officials; the uniform plumbing code (1967), published by the international association of plumbing and mechanical officials; the uniform mechanical code (1967), published by the international conference of building officials and the international association of plumbing and mechanical officials; and the national electrical code (1968), published by the national fire protection association. Updated issues of these codes and amendments to such codes shall be considered by the department.

The department shall set a schedule of fees which will cover the costs incurred by the department in the administration and enforcement of this act.

NEW SECTION. Sec. 8. There is added to chapter 8, Laws of 1965 and to chapter 43.22 RCW a new section to read as follows:

If the director of the department determines that the standards for factory built housing prescribed by statute, rule or regulation of another state are at least equal to the regulations prescribed under this act, and that such standards are actually enforced by such other state, he may provide by regulation that factory built housing approved by such other state shall be deemed to have been approved by the department.

NEW SECTION. Sec. 9. There is added to chapter 8, Laws of 1965 and to chapter 43.22 RCW a new section to read as follows:

Any person who violates any of the provisions of this act or any rules or regulations adopted pursuant to this act is guilty of a misdemeanor, punishable by a fine not exceeding five hundred dollars or by imprisonment not exceeding thirty days, or by both such fine and imprisonment.

Passed the Senate February 9, 1970
Passed the House February 5, 1970
Approved by the Governor February 20, 1970
Filed in Office of Secretary of State February 24, 1970

CHAPTER 45
[Engrossed Senate Bill No. 49]
THERMAL POWER PLANTS

AN ACT Relating to the location of thermal power plants; providing for the certification of siting and associated transmission line routing; establishing a thermal power plant site evaluation council; adding a new chapter to Title 80 RCW; prescribing penalties; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. The legislature finds that the present and predicted growth in electric power demands in the state of Washington requires the development of a procedure for the selection and utilization of sites for thermal generating facilities and the indentification of a state position with respect to each proposed site. The legislature recognizes that the selection of sites and