

and late charges, as well as reasonable costs and expenses incurred in the collection of such debts, if provided for in the note or agreement signed by the debtor.

NEW SECTION. Sec. 2. This 1977 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.

Passed the Senate March 17, 1977.

Passed the House April 26, 1977.

Approved by the Governor May 4, 1977.

Filed in Office of Secretary of State May 4, 1977.

CHAPTER 19

[Engrossed Senate Bill No. 2325]

LOCAL GOVERNMENTS—FISCAL IMPACT OF LEGISLATION—FISCAL NOTES

AN ACT Relating to cities, towns, counties, and other units of local government; adding a new chapter to Title 43 RCW; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. It is the intent of this chapter to create a uniform and coordinated procedure to determine the fiscal impact of proposed legislation on units of local government.

NEW SECTION. Sec. 2. The director of the office of program planning and fiscal management or the director's designee shall, in cooperation with appropriate legislative committees and legislative staff, establish a mechanism for the determination of the fiscal impact of proposed legislation which if enacted into law would directly or indirectly increase or decrease revenues received or expenditures incurred by counties, cities, towns, or any other political subdivisions of the state. The office of program planning and fiscal management shall, when requested by a member of the state legislature, report in writing as to such fiscal impact and said report shall be known as a "fiscal note".

Such fiscal notes shall indicate by fiscal year the total impact on the subdivisions involved for the first two years the legislation would be in effect and also a cumulative six year forecast of the fiscal impact. Where feasible and applicable, the fiscal note also shall indicate the fiscal impact on each individual county or on a representative sampling of cities, towns, or other political subdivisions.

A fiscal note as defined in this section shall be provided only upon request of any member of the state legislature. A legislator also may request that such a fiscal note be revised to reflect the impact of proposed amendments or substitute bills. Fiscal notes shall be completed within seventy-two hours of the request unless a longer time period is allowed by the requesting legislator. In the event a fiscal note has not been completed within seventy-two hours of a request, a daily report shall be prepared for the requesting legislator by the director of the office of program planning and fiscal management which report summarizes the progress in preparing the fiscal note. If the request is referred to the director of the planning and community affairs agency, the daily report shall also include the date and time such referral was made.

NEW SECTION. Sec. 3. The director of the office of program planning and fiscal management is hereby empowered to designate the director of the planning and community affairs agency or its statutory successor as the official responsible for the preparation of fiscal notes authorized and required by this chapter. It is the intent of the legislature that when necessary the resources of other state agencies, appropriate legislative staffs, and the various associations of local government may be employed in the development of such fiscal notes.

NEW SECTION. Sec. 4. When a fiscal note is prepared and approved as to form and completeness by the director of the office of program planning and fiscal management, the director shall transmit copies immediately to:

- (1) The requesting legislator;
- (2) With respect to proposed legislation held by the senate, the chairperson of the committee which holds or has acted upon the proposed legislation, the chairperson of the ways and means committee, the chairperson of the local government committee, and the secretary of the senate;
- (3) With respect to proposed legislation held by the house of representatives, the chairperson of the committee which holds or has acted upon the proposed legislation, the chairpersons of the revenue and taxation and appropriations committees, the chairperson of the local government committee, and the chief clerk of the house of representatives; and
- (4) The legislative budget committee.

NEW SECTION. Sec. 5. The office of program planning and fiscal management and the legislative budget committee may make additional copies of the fiscal note available to members of the legislature and others on request.

At the request of any member of the senate or house of representatives, which ever is considering the proposed legislation, and unless it is prohibited by the rules of the body, copies of the fiscal note or a synopsis thereof shall be placed on the members' desks at the time the proposed legislation takes its place on the second reading calendar.

Whenever proposed legislation accompanied by such a fiscal note is passed by either the senate or the house of representatives, the fiscal note shall be transmitted with the bill to the other house.

NEW SECTION. Sec. 6. Nothing in this chapter shall prevent either house of the legislature from acting on any bill or resolution before it as otherwise provided by the state Constitution, by law, and by the rules of the senate and house of representatives, nor shall the lack of any fiscal note as provided in this chapter or any error in the accuracy thereof affect the validity of any measure otherwise duly passed by the legislature.

NEW SECTION. Sec. 7. Sections 1 through 6 of this act shall constitute a new chapter in Title 43 RCW.

****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.***

***Sec. 8. was vetoed, see message at end of chapter.**

Passed the Senate April 29, 1977.

Passed the House April 28, 1977.

Approved by the Governor May 6, 1977 with the exception of section 8 which is vetoed.

Filed in Office of Secretary of State May 6, 1977.

NOTE: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to one section, Senate Bill No. 2325 entitled:

"AN ACT Relating to cities, towns, counties, and other units of local government; adding a new chapter to Title 43 RCW; and declaring an emergency."

Section 8 of the bill declares an emergency and provides for the act to take effect immediately. Under the Constitution, Article II, Sections 1(b) and 41, the use of an emergency clause does two things. First, it alters the time when a particular piece of legislation becomes effective, thereby eliminating what may be a desirable adjustment period for affected persons. Second, it excepts the legislation from the important referendum right reserved by the people. Because of these effects, the use of the clause should be restricted to those instances where the use is clearly warranted due to the urgency of the situation.

In this case, not only is the use of the clause unwarranted by the urgency of the situation, but the use also eliminates the adjustment period that would be helpful for affected units of local government. For these reasons, I have vetoed this section.

With the exception of section 8, which I have vetoed, the remainder of Senate Bill No. 2325 is approved."

CHAPTER 20

[Senate Bill No. 3060]

MOTOR VEHICLES—HEADLAMP STANDARDS

AN ACT Relating to motor vehicle lighting devices; and amending section 46.37.320, chapter 12, Laws of 1961 and RCW 46.37.320.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 46.37.320, chapter 12, Laws of 1961 and RCW 46.37.320 are each amended to read as follows:

(1) The state commission on equipment is hereby authorized to approve or disapprove lighting devices and to issue and enforce regulations establishing standards and specifications for the approval of such lighting devices, and their installation, adjustment, and aiming, ((and adjustment)) when in use on motor vehicles. Such regulations shall correlate with and, so far as practicable, conform to the then current standards and specifications of the society of automotive engineers applicable to such equipment and to the headlamp standards established by the United Nations agreement concerning the adoption of approval and reciprocal recognition of approval for motor vehicle equipment and parts done at Geneva on March 20, 1958, as amended and adopted by the Canadian standards association (CSA standard D106.2): PROVIDED, That the sale, installation, and use of any headlamp meeting the standards of either the society of automotive engineers or the United Nations agreement, as amended, shall be lawful in this state.